



132nd MAINE LEGISLATURE

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Legislative Document

No. 236

H.P. 159

House of Representatives, January 21, 2025

An Act to Provide Legislative Oversight of the Rule-making Petition Process

Received by the Clerk of the House on January 16, 2025. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CAMPBELL of Orrington.
Cosponsored by Representatives: SOBOLESKI of Phillips, THORNE of Carmel.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §8055, sub-§3**, as amended by PL 1985, c. 506, Pt. A, §4, is further
3 amended to read:

4 **3. Receipt of petition.** Within 60 days after receipt of a petition, the agency shall
5 either notify the petitioner in writing of its denial, stating the reasons therefor, or initiate
6 appropriate rule-making proceedings. Whenever a petition to adopt or modify a rule is
7 submitted by 150 or more registered voters of the State, the agency shall initiate appropriate
8 ~~rulemaking~~ rule-making proceedings within 60 days after receipt of the petition. The
9 petition must be verified and certified in the same manner provided in Title 21-A, section
10 354, subsection 7, prior to its presentation to the agency. Notwithstanding any provision
11 of law to the contrary, a rule-making proceeding initiated under this section by an agency
12 based on a petition to adopt or modify a rule submitted by 150 or more registered voters of
13 the State must be conducted by the agency through major substantive rulemaking in
14 accordance with the requirements of subchapter 2-A.

15 **SUMMARY**

16 This bill amends the law governing petition-based rulemaking by an agency to provide
17 that a rule-making proceeding initiated by an agency based on a petition to adopt or modify
18 a rule submitted by 150 or more registered voters of the State must be conducted by the
19 agency through major substantive rulemaking in accordance with the requirements of the
20 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.