

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 699

H.P. 505

House of Representatives, February 20, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

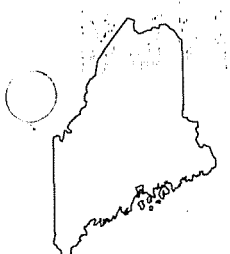
Presented by Representative SKOGLUND of St. George.

Cosponsored by Representative GWADOSKY of Fairfield, Representative DAGGETT of Augusta and Senator HOLLOWAY of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Amend the Laws Relating to Rulemaking.



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

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4 **Sec. 1. 5 MRSA §11113, first ¶**, as amended by PL 1985, c. 737,
Pt. B, §16, is further amended to read:

6 The executive director shall, upon receipt of an application
8 for review under section 11112, determine the appropriate joint
10 standing committee of the Legislature responsible for review of
12 the rule in question and send the application and a copy of the
14 rule in question to each member of the committee. Each member of
16 the committee shall individually review the application to
18 determine whether the applicant is qualified and whether the
20 public interest would be served by a review of the rule in
22 question by the full committee. If a committee member decides
24 that the review should be made, he the committee member shall
notify the director within 15 days after notice was sent. If 1/3
or more of the full committee notify the director that a review
of the rule should be made, the director shall advise the
chairman chair of the committee, who shall schedule a meeting of
the committee to review the rule. If the committee votes not to
review the rule, a report to that effect shall must be prepared
by the director and sent to the applicant and the Legislative
Council.

26 **Sec. 2. 5 MRSA §11117** is enacted to read:

28 §11117. Alternate procedure

30 1. Application. Any group of 25 or more registered voters
32 who are directly or indirectly adversely affected by a rule may
34 file an application for review with the director. The
36 application must be verified and certified in the same manner as
provided in Title 21-A, section 354, subsection 7, paragraphs A
and C. The applicant must include in the application a citation
of the rule for which review is requested and the nature of the
applicant's interest.

38 2. Referral to committee. If the director determines that
40 the application meets the requirements of this section, the
42 director shall refer the application for review to the
appropriate committee and send a copy of the application to each
member of the committee.

44 3. Review. The committee shall review the application
46 within 15 business days following referral by the director. The
48 committee shall review the rule in the manner provided in
sections 11114 and 11115.

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STATEMENT OF FACT

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This bill provides a procedure for 25 or more registered voters who are adversely affected by an agency rule to request review of the rule by a joint standing committee of the Legislature.

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