

MAINE STATE LEGISLATURE

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L.D. 1854

(Filing No. H-534)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1284, L.D. 1854,
"RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Provide Greater Legislative Oversight over Agency Rulemaking"

Amend the resolution in section 1 by striking out all of the
last sentence (page 1, lines 32 to 35 in L.D.) and inserting in
its place the following: 'Upon a finding by 2/3 of the members
of the committee of jurisdiction that a rule adopted by a state
agency, board or commission is not consistent with provisions of
the statute authorizing the rule, the Legislature, by a majority
vote of the full membership of both Houses, may rescind that part
of the rule found to be inconsistent with the law. The
Legislature shall, by law, establish procedures to review and
rescind rules and to determine the committee of jurisdiction.'

STATEMENT OF FACT

This amendment clarifies that all or part of an agency rule
may be rescinded by a majority vote of both Houses of the
Legislature if 2/3 of the members of the committee of
jurisdiction find that the rule is inconsistent with provisions
of the statute authorizing the rule.

Reported by the Majority of the Committee on State and Local Government
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