

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1382

S.P. 498

In Senate, April 2, 2009

An Act To Provide for Equality before the Law

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PLOWMAN of Penobscot.

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

2 **Sec. 1. 14 MRSA §1107** is enacted to read:

3 **§1107. Construction of law or rule**

4 When a court must interpret or construe a statutory provision or rule, the court may
5 not give any deference to the department's or agency's interpretation or construction of
6 the statute or rule.

7 **Sec. 2. 15 MRSA §1206** is enacted to read:

8 **§1206. Construction of law or rule**

9 When a court must interpret or construe a statutory provision or rule, the court may
10 not give any deference to the department's or agency's interpretation or construction of
11 the statute or rule.

12

SUMMARY

13 This bill prohibits a court when interpreting a statute or rule in a civil or criminal
14 proceeding from giving any deference to a state department's or agency's interpretation of
15 the statute or rule.