

Committee on State & Local Government
% Legislative Information Office
100 State House Station
Augusta, ME 04333

February 12, 2025

RE: LD 236, An Act to Provide Legislative Oversight of the Rule-making Petition Process

On behalf of the environmental, conservation, and public health organizations listed below, we want to express our opposition to LD 236, An Act to Provide Legislative Oversight of the Rule-making Petition Process.

This bill presents a solution looking for a problem. In short, it drastically diminishes Maine citizens' right to petition the executive branch for changes in agency rulemaking. It amends the Maine Administrative Procedure Act (APA) to require the legislature's oversight and approval in citizen-initiated rulemaking conducted by state agencies. This change to "major substantive rules" creates an unnecessary hurdle for agencies tasked with conducting petition-based rulemaking and erodes a critical opportunity for Maine citizens to advocate for policy change in state government. It also fails to recognize the part-time schedule of the legislature and the full-time schedule of state agencies, relegating citizen petitioners to only part-time access to the petition process sanctioned by the APA.

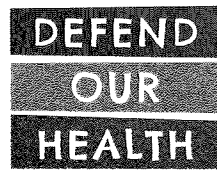
The ability to petition one's government for policy change is a basic right recognized in Maine's APA in 1977. The process has worked well for nearly 50 years. The rulemaking process is clear, and includes a public comment period during which elected officials, the advocacy community, and the general public may provide input. Requiring all rules developed in response to a petition to undergo legislative review and approval will likely prove unnecessarily time consuming, and will further add to the already-overcrowded legislative schedule.

LD 236 would undermine citizen-petitioned reform to agency rules and bog down the legislature with unnecessary work. We urge the State and Local Government Committee to oppose this legislation.

Sincerely,

Appalachian Mountain Club
Maine Audubon
Maine Conservation Voters
Defend Our Health
A Climate to Thrive
RESTORE: The North Woods
Union of Concerned Scientists

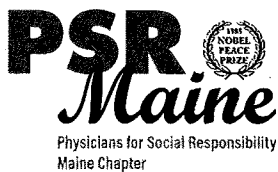
Friends of Casco Bay
Natural Resources Council of Maine
Maine Youth for Climate Justice
Maine Organic Farmers and Gardeners Assn
Physicians for Social Responsibility - Maine
Third Act Maine
Sierra Club Maine Chapter



Friends of Casco Bay
Casco BAYKEEPER



R E S T O R E:



SIERRA CLUB
MAINE CHAPTER