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H.P. 909

House of Representatives, February 25, 1997

Resolve, Regarding Legislative Review of Chapter 380: Planning Permit, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Land and Water Quality.

(EMERGENCY)

Submitted by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Joint Standing Committee on Natural Resources suggested and printing ordered.

JOSEPH W. MAYO, Clerk

Emergency preamble. Whereas, Acts and resolves of the 2 Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Administrative Procedure Act, Title 5,
chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by
the agency; and

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10 Whereas, the above named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to 14 record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 380: Planning Permit, a provisionally adopted major substantive rule of the Department of Environmental Protection, Bureau of Land and Water Quality, and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act is authorized.

- 30 **Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.
 - SUMMARY

36 This resolve provides for legislative review of Chapter 380: Planning Permit, a major substantive rule of the Department of Environmental Protection, Bureau of Land and Water Quality.