

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 968

H.P. 728

House of Representatives, March 2, 2007

**Resolve, Regarding Legislative Review of Portions of Chapter 587:
In-stream Flow and Water Level Standards, a Major Substantive
Rule of the Department of Environmental Protection**

(EMERGENCY)

Reported by Representative KOFFMAN of Bar Harbor for the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Natural Resources suggested and ordered printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

3 **Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires
4 legislative authorization before major substantive agency rules may be finally adopted by
5 the agency; and

6 **Whereas,** the above-named major substantive rule has been submitted to the
7 Legislature for review; and

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

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

14 **Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 587: In-
15 stream Flow and Water Level Standards, a provisionally adopted major substantive rule
16 of the Department of Environmental Protection that has been submitted to the Legislature
17 for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A,
18 is authorized.

19 **Emergency clause.** In view of the emergency cited in the preamble, this
20 legislation takes effect when approved.

21 **SUMMARY**

22 This resolve provides for legislative review of portions of Chapter 587: In-stream
23 Flow and Water Level Standards, a major substantive rule of the Department of
24 Environmental Protection.