## MAINE STATE LEGISLATURE

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## 123rd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2008

**Legislative Document** 

No. 2195

H.P. 1565

House of Representatives, February 6, 2008

Resolve, Regarding Legislative Review of Portions of Chapter 29: Standards for Water Quality Protection, Section 5, Restrictions on Pesticide Application To Control Browntail Moths near Marine Waters, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control

(EMERGENCY)

Reported by Representative PIEH of Bremen for the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed under Joint Rule 218.

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Clerk

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	<b>Whereas,</b> the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and
6 7	Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and
8 9	Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and
10 11 12 13	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
14 15 16 17 18	<b>Sec. 1. Adoption. Resolved:</b> That final adoption of portions of Chapter 29: Standards for Water Quality Protection, Section 5, Restrictions on Pesticide Application to Control Browntail Moths Near Marine Waters, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.
20 21	<b>Emergency clause.</b> In view of the emergency cited in the preamble, this legislation takes effect when approved.
22	SUMMARY
23 24 25 26	This resolve provides for legislative review of portions of Chapter 29: Standards for Water Quality Protection, Section 5, Restrictions on Pesticide Application to Control Browntail Moths Near Marine Waters, a major substantive rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control.