

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1518

H.P. 1068

House of Representatives, December 18, 2009

**Resolve, Regarding Legislative Review of Section 16, Activities in
Coastal Sand Dunes, a Major Substantive Rule of the Department of
Environmental Protection**

(EMERGENCY)

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

Received by the Clerk of the House on December 16, 2009. Referred to the Committee on Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to 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 Section 16 Activities in
15 Coastal Sand Dunes, a provisionally adopted major substantive rule of the Department of
16 Environmental Protection that has been submitted to the Legislature for review pursuant
17 to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

20 **SUMMARY**

21 This resolve provides for legislative review of Section 16 Activities in Coastal Sand
22 Dunes, a major substantive rule of the Department of Environmental Protection.