

MAINE STATE LEGISLATURE

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Minority

570
R 45

L.D. 1725

Date: 3/2/10

(Filing No. H-678)

Minority
NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 1224, L.D. 1725, "Resolve, Regarding Legislative Review of Portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards, a Major Substantive Rule of the Department of Environmental Protection"

Amend the resolve by striking out all of section 1 (page 1, lines 14 to 18 in L.D.) by inserting the following:

Sec. 1. Adoption not approved. Resolved: That final adoption of portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is not authorized as submitted. The Department of Environmental Protection shall adopt major substantive rules in accordance with Public Law 2009, chapter 460, subsections 3 and 4 and resubmit new amended rules to the Legislature by January 1, 2011 for review by the joint standing committee of the Legislature having jurisdiction over natural resources matters.

SUMMARY

This amendment is the minority report of the committee. The amendment denies authorization for the Department of Environmental Protection to finally adopt a provisionally adopted rule regarding stream crossings and directs the department to resubmit rules to the Legislature by January 1, 2011.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 1725

LR 2540(03)

Resolve, Regarding Legislative Review of Portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards, a Major Substantive Rule of the Department of Environmental Protection

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Requiring the Department of Environmental Protection to submit amended rules to the Legislature regarding Section 10 stream crossings within Chapter 305 permit by rule standards may incur minor costs which can be absorbed within existing budgeted resources.