MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1725

H.P. 1224

House of Representatives, January 6, 2010

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

(EMERGENCY)

Reported by Representative DUCHESNE of Hudson 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 pursuant to Joint Rule 218.

Millient M. MacFarland MILLICENT M. MacFARLAND 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	Whereas, 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	Sec. 1. Adoption. 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 authorized.
19 20	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
21	SUMMARY
22 23 24	This resolve provides for 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.