



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 241

H.P. 173

House of Representatives, February 3, 2015

Resolve, Regarding Metallic Mineral Mining Rules of the Department of Environmental Protection

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative MARTIN of Eagle Lake. Cosponsored by Senator SAVIELLO of Franklin. **Sec. 1. Resubmission of metallic mineral mining rule. Resolved:** That the Department of Environmental Protection shall resubmit for legislative review Rule Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a major substantive rule of the Department of Environmental Protection provisionally adopted and previously submitted to the 126th Legislature for review; and be it further

6 Sec. 2. Legislative review; final adoption. Resolved: That legislative review 7 of the rule resubmitted by the Department of Environmental Protection pursuant to 8 section 1 must be conducted in accordance with the Maine Revised Statutes, Title 5, 9 chapter 375, subchapter 2-A, except that, notwithstanding Title 5, section 8072, 10 subsection 11, final adoption of the rule or any part of the rule by the Department of 11 Environmental Protection is prohibited unless legislation submitted to the 127th 12 Legislature authorizing adoption of the rule or part of the rule becomes law.

SUMMARY

14 This resolve directs the Department of Environmental Protection to resubmit for legislative review Rule Chapter 200: 15 Metallic Mineral Exploration, Advanced 16 Exploration and Mining, a major substantive rule of the Department of Environmental Protection previously provisionally adopted and submitted to the 126th Legislature for 17 review. During the Second Regular Session of the 126th Legislature, the department 18 19 submitted its provisionally adopted mining rule for legislative review, but the Legislature did not enact into law legislation authorizing final adoption of the rule. This resolve 20 21 directs that the Legislature review the rule in accordance with the Maine Administrative 22 Procedure Act, but stipulates that the rule may not be finally adopted by the department unless legislation submitted to the 127th Legislature authorizing final adoption becomes 23 24 law.

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