

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 390

H.P. 241

House of Representatives, February 2, 2023

**Resolve, Regarding Legislative Review of Portions of Chapter 25:
Standards for Placing Wood into Stream Channels to Enhance Cold
Water Fisheries Habitat, a Major Substantive Rule of the
Department of Agriculture, Conservation and Forestry, Bureau of
Forestry**

(EMERGENCY)

Reported by Representative PLUECKER of Warren for the Department of Agriculture, Conservation and Forestry pursuant to the Maine Revised Statutes, Title 5, section 8072.

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
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,** a major substantive rule has been submitted to the Legislature for review;
7 and

8 **Whereas,** immediate enactment of this resolve is necessary to record the Legislature's
9 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 portions of Chapter 25:
15 Standards for Placing Wood into Stream Channels to Enhance Cold Water Fisheries
16 Habitat, a provisionally adopted major substantive rule of the Department of Agriculture,
17 Conservation and Forestry, Bureau of Forestry that has been submitted to the Legislature
18 for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is
19 authorized.

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

22 **SUMMARY**

23 This resolve provides for legislative review of portions of Chapter 25: Standards for
24 Placing Wood into Stream Channels to Enhance Cold Water Fisheries Habitat, a major
25 substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of
26 Forestry.