



131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2227

H.P. 1428

House of Representatives, February 22, 2024

Resolve, Regarding Legislative Review of Portions of Chapter 80: Reduction of Toxics in Packaging, a Late-filed Major Substantive Rule of the Department of Environmental Protection

(EMERGENCY)

Reported by Representative GRAMLICH of Old Orchard Beach for the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council.

Reference to the Committee on Environment and Natural Resources suggested and ordered printed pursuant to Joint Rule 218.

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 outside the 7 legislative rule acceptance period; 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 80: 15 Reduction of Toxics in Packaging, a provisionally adopted major substantive rule of the 16 Department of Environmental Protection that has been submitted to the Legislature for 17 review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside 18 the legislative rule acceptance period, is authorized.

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

SUMMARY

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This resolve provides for legislative review of portions of Chapter 80: Reduction of
Toxics in Packaging, a major substantive rule of the Department of Environmental
Protection that was filed outside the legislative rule acceptance period.