

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2002

CHAPTER 100

H.P. 1625 - L.D. 2125

**Resolve, Regarding Legislative
Review of Chapter 50: Variance
From Educational Qualifications for
Issuance of an Interim Forester
License, a Major Substantive Rule of
the Department of Professional and
Financial Regulation, Office of
Licensing and Regulation**

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a provisionally adopted major substantive rule of the Department of Professional and Financial Regulation, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized.

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

Effective April 3, 2002.

CHAPTER 101

H.P. 1632 - L.D. 2135

**Resolve, Regarding Legislative
Review of Chapter 21: Statewide
Standards for Timber Harvesting in
Shoreland Areas, a Major
Substantive Rule of the Department
of Conservation**

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate action on this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, regulatory consistency continues to be an important public policy goal for the health of Maine's forest economy and natural resources; and

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

Sec. 1. Adoption not authorized. Resolved: That final adoption of Chapter 21: Statewide Standards for Timber Harvesting in Shoreland Areas, a provisionally adopted major substantive rule of the Department of Conservation, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is not authorized; and be it further

Sec. 2. Report. Resolved: That the Commissioner of Conservation, no later than January 2, 2003, shall report back to the joint standing committee of the Legislature having jurisdiction over forestry matters with recommendations for a regulatory framework and an implementation plan for the Maine Forest Service to assume existing responsibilities of the Department of Environmental Protection and the Maine Land Use Regulation Commission for timber