

## **125th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2011

**Legislative Document** 

No. 331

H.P. 264

House of Representatives, February 7, 2011

**Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission** 

(EMERGENCY)

Reported by Representative FITTS of Pittsfield for the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed pursuant to Joint Rule 218.

Heath & Print

HEATHER J.R. PRIEST 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
- 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 **Whereas,** the above-named major substantive rule has been submitted to the 7 Legislature for review; and
- 8 **Whereas,** immediate enactment of this resolve is necessary to record the 9 Legislature's 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 895: 15 Underground Facility Damage Prevention Requirements, a provisionally adopted major 16 substantive rule of the Public Utilities Commission that has been submitted to the 17 Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, 18 subchapter 2-A, is authorized.
- 19 Emergency clause. In view of the emergency cited in the preamble, this
  20 legislation takes effect when approved.
- 21 SUMMARY

This resolve provides for legislative review of portions of Chapter 895: Underground
 Facility Damage Prevention Requirements, a major substantive rule of the Public Utilities
 Commission.