

126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1772

H.P. 1270

House of Representatives, February 11, 2014

Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Latefiled Major Substantive Rule of the Department of Environmental Protection

(EMERGENCY)

Reported by Representative WELSH of Rockport for the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072.

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

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MILLICENT M. MacFARLAND 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 outside the legislative rule acceptance period; 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 Chapter 200: Metallic 15 Mineral Exploration, Advanced Exploration and Mining, a provisionally adopted major 16 substantive rule of the Department of Environmental Protection that has been submitted 17 to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, 18 subchapter 2-A outside the legislative rule acceptance period, 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 Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a major substantive rule of the Department of Environmental Protection that was filed outside the legislative rule acceptance period.