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Resolve
124th Legislature
Second Regular Session

Chapter 174
H.P. 1241 - L.D. 1744

**Resolve, Regarding Legislative Review of Chapter 9: Rule
Requiring Best Management Practices for Growing Crops To
Minimize Cross Contamination, a Major Substantive Rule of
the Department of Agriculture, Food and Rural Resources**

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 2-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 9: Rule Requiring Best Management Practices for Growing Crops to Minimize Cross Contamination, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the rule is amended in Section 4, subsection 2 by:

1. Replacing the first sentence with language clarifying that the expectation is for the grower to employ the procedures most appropriate for the crop and site after considering the list of potential protective procedures; and

2. Changing punctuation and adding conjunctions as needed in paragraphs A to K clarifying that paragraphs A to K list potential protective procedures to consider rather than required measures.

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