

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1567

H.P. 1137

House of Representatives, June 26, 2013

Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-Target Deposition, a Latefiled Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

(EMERGENCY)

Reported by Representative DILL of Old Town for the Department of Agriculture, Conservation and Forestry pursuant to the Maine Revised Statutes, Title 5, section 8072. Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed pursuant to Joint Rule 218.

Millicent M. Mac Jarland

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 portions of Chapter 22: 15 Standards for Outdoor Application of Pesticides by Powered Equipment in Order to 16 Minimize Off-Target Deposition, a provisionally adopted major substantive rule of the 17 Department of Agriculture, Conservation and Forestry that has been submitted to the 18 Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, 19 subchapter 2-A outside the legislative rule acceptance period, is authorized.
- 20 **Emergency clause.** In view of the emergency cited in the preamble, this 21 legislation takes effect when approved.
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SUMMARY

This resolve provides for legislative review of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order to Minimize Off-Target Deposition, a major substantive rule of the Department of Agriculture, Conservation and Forestry that was filed outside the legislative rule acceptance period.