

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

H.P. 172 - L.D. 269

**Resolve, Regarding Legislative Review of Portions of Chapter 375: No
Adverse Environmental Effect Standards of the Site Location of
Development Act, a Major Substantive Rule of the Department of
Environmental Protection**

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, a 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 portions of Chapter 375: No Adverse Environmental Effect Standards of the Site Location of Development Act, a provisionally adopted major substantive rule of the Department of Environmental Protection 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 following changes are made:

1. The rule must be amended to remove Section 15-A(B)(1)(b); and
2. The rule must be amended to remove Section 15-A(B)(3)(e).

The rule may be amended as necessary to incorporate, through formatting and numbering and other technical, nonsubstantive revisions, the changes described in subsections 1 and 2.

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