



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2082

H.P. 1483

House of Representatives, January 28, 2020

**Resolve, Regarding Legislative Review of Portions of Chapter 28:
Notification Provisions for Outdoor Pesticide Applications, a Major
Substantive Rule of the Department of Agriculture, Conservation
and Forestry, Board of Pesticides Control**

(EMERGENCY)

Reported by Representative HICKMAN of Winthrop for the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control 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.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
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

3 **Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires
4 legislative authorization before major substantive agency rules may be finally adopted by
5 the agency; and

6 **Whereas,** a major substantive rule has been submitted to the Legislature for review;
7 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 28:
15 Notification Provisions for Outdoor Pesticide Applications, a provisionally adopted major
16 substantive rule of the Department of Agriculture, Conservation and Forestry, Board of
17 Pesticides Control that has been submitted to the Legislature for review pursuant to the
18 Maine Revised Statutes, Title 5, chapter 375, 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

22 This resolve provides for legislative review of portions of Chapter 28: Notification
23 Provisions for Outdoor Pesticide Applications, a major substantive rule of the Department
24 of Agriculture, Conservation and Forestry, Board of Pesticides Control.