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**Resolve**  
123rd Legislature  
Second Regular Session

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**Chapter 169**  
**H.P. 1533 - L.D. 2158**

**Resolve, Regarding Legislative Review of Portions of Chapter  
34.10(1)(B)(4)(b)(viii): Atlantic Halibut, Landings Tag, Proposed Fee,  
a Major Substantive Rule of the Department of Marine 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 portions of Chapter 34.10(1)(B)(4)(b)(viii): Atlantic Halibut, Landings Tag, proposed fee, a provisionally adopted major substantive rule of the Department of Marine 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 as follows:

1. Language is deleted specifying that the landing tag fee will be set at a rate determined by the department that will cover the costs of the tag, administration and mailing; and

2. Language is added providing that the landing tag fee will be \$1 except that the department may increase the fee to cover increased tag, administration and mailing costs and that a portion of the tag fee may be used to fund Atlantic halibut research.

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

Effective March 27, 2008.