

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1869

H.P. 1393

House of Representatives, February 25, 2004

**Resolve, Regarding Portions of Chapter 115: Certification,
Authorization and Approval of Education Personnel, a Major
Substantive Rule of the Department of Education, State Board of
Education**

(EMERGENCY)

Reported by Representative CUMMINGS of Portland for the Department of Education,
State Board of Education pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Education and Cultural Affairs suggested and ordered
printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 **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

8
10 **Whereas,** the above-named major substantive rule has been
submitted to the Legislature for review; and

12 **Whereas,** immediate enactment of this resolve is necessary to
record the Legislature's position on final adoption of the rule;
and

14
16 **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

20
22 **Sec. 1. Adoption. Resolved:** That final adoption of portions of
Chapter 115: Certification, Authorization and Approval of
Education Personnel, a provisionally adopted major substantive
rule of the Department of Education, State Board of Education
that has been submitted to the Legislature for review pursuant to
the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A,
is authorized.

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

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SUMMARY

36 This resolve provides for legislative review of portions of
Chapter 115: Certification, Authorization and Approval of
Education Personnel, a major substantive rule of the Department
of Education, State Board of Education.

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