

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 8

H.P. 13

House of Representatives, January 6, 2005

**Resolve, Regarding Legislative Review of the Repeal of Chapter
130: Rules for Equivalent Instruction Programs, a Major
Substantive Rule That Has Been Provisionally Repealed by the
Department of Education**

(EMERGENCY)

Reported by Representative NORTON of Bangor for the Department 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, amended,
8 suspended or repealed by the agency; and

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

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

16 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
18 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
20 safety; now, therefore, be it

22 **Sec. 1. Repeal. Resolved:** That final repeal of Chapter 130:
Rules for Equivalent Instruction Programs, a provisionally
24 repealed major substantive rule of the Department of Education
that has been submitted to the Legislature for review pursuant to
26 the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A,
is authorized.

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

32
SUMMARY

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36 This resolve provides for legislative review of the repeal
of Chapter 130: Rules for Equivalent Instruction Programs, a
major substantive rule of the Department of Education.