MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1542

H.P. 1109

House of Representatives, May 20, 2013

Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education

(EMERGENCY)

Reported by Representative MacDONALD of Boothbay 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 pursuant to Joint Rule 218.

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Clerk

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	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
6 7	Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and
8 9	Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and
10 11 12 13	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
14 15 16 17	Sec. 1. Adoption. Resolved: That final adoption of Chapter 180: Performance Evaluation and Professional Growth Systems, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.
19 20	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
21	SUMMARY
22 23 24	This resolve provides for legislative review of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education that was filed outside the legislative rule acceptance period.