



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2069

H.P. 1464

House of Representatives, March 14, 2006

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of Chapter 130: Rules for Equivalent Instruction Programs, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education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

MILLICENT M. MacFARLAND 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

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requires legislative authorization before major substantive agency rules may be finally adopted, amended, suspended or repealed by the agency; and

6 **Whereas,** the final repeal of the above-named major substantive rule has been 7 submitted to the Legislature for review; and

8 Whereas, immediate enactment of this resolve is necessary to record the 9 Legislature's position on final repeal 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

14 Sec. 1. Repeal. Resolved: That final repeal of Chapter 130: Rules for 15 Equivalent Instruction Programs, a provisionally repealed major substantive rule of the 16 Department of Education that has been submitted to the Legislature for review pursuant 17 to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

SUMMARY

21 This resolve provides for legislative review of the final repeal of Chapter 130: Rules

- 22 for Equivalent Instruction Programs, a major substantive rule of the Department of
- 23 Education that has been provisionally repealed.

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