

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 34

H.P. 35

House of Representatives, January 4, 2007

**Resolve, Regarding Legislative Review of Portions of Chapter 28:  
Closing a School in the Unorganized Territory, a Major Substantive  
Rule of the Department of Education**

(EMERGENCY)

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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

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

3       **Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires  
4 legislative authorization before major substantive agency rules may be finally adopted by  
5 the agency; and

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

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

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

14       **Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 28:  
15 Closing a School in the Unorganized Territory, a provisionally adopted major substantive  
16 rule of the Department of Education that has been submitted to the Legislature for review  
17 pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is  
18 authorized.

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

21

#### SUMMARY

22       This resolve provides for legislative review of portions of Chapter 28: Closing a  
23 School in the Unorganized Territory, a major substantive rule of the Department of  
24 Education.