





## 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

Legislative Document

No. 79

H.P. 69

House of Representatives, January 9, 2009

Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education

(EMERGENCY)

Reported by Representative SUTHERLAND of Chapman 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 Jarland

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 by
  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 61: 15 State Board of Education Rules for Major Capital School Construction Projects, a 16 provisionally adopted major substantive rule of the Department of Education that has 17 been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 18 5, chapter 375, subchapter 2-A, is authorized.

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

SUMMARY

21

This resolve provides for legislative review of portions of Chapter 61: State Board of
 Education Rules for Major Capital School Construction Projects, a major substantive rule
 of the Department of Education.