





124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 268

H.P. 211

House of Representatives, January 27, 2009

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization, and Approval of Education Personnel, Part I and Part II, 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 Jailand

MILLICENT M. MacFARLAND Clerk

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Emergency preamble. Whereas, acts and resolves of the Legislature do not 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 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 immediately necessary for the preservation of the public peace, health and safety; now, 12 13 therefore, be it

14 Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Part I and Part II, a 15 provisionally adopted major substantive rule of the Department of Education that has 16 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 legislation takes effect when approved. 20

SUMMARY

22 This resolve provides for legislative review of portions of Chapter 115: Certification, 23 Authorization and Approval of Education Personnel, Part I and Part II, a major substantive rule of the Department of Education. 24