## MAINE STATE LEGISLATURE

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## 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

Legislative Document

No. 1741

H.P. 1238

House of Representatives, January 14, 2010

Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation, 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 pursuant to Joint Rule 218.

Millicent M. Macfarland MILLICENT M. MacFARLAND 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 for review; 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 18		<b>Sec. 1. Adoption. Resolved:</b> That final adoption of portions of Chapter 101: Maine Unified Special Education Regulation, 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, 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 portions of Chapter 101: Maine Unified Special Education Regulation, a major substantive rule of the Department of Education.