



125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1724

H.P. 1273

House of Representatives, December 29, 2011

**Resolve, Regarding Legislative Review of Portions of Chapter 101:
Maine Unified Special Education Regulation Birth to Age Twenty, a
Major Substantive Rule of the Department of Education**

(EMERGENCY)

Reported by Representative RICHARDSON of Carmel for the Department of Education pursuant to the Maine Revised Statutes, Title 5, section 8072.

Received by the Clerk of the House on December 27, 2011. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
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 101:
15 Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally
16 adopted major substantive rule of the Department of Education that has been submitted to
17 the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375,
18 subchapter 2-A, is authorized.

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

21 **SUMMARY**

22 This resolve provides for legislative review of portions of Chapter 101: Maine
23 Unified Special Education Regulation Birth to Age Twenty, a major substantive rule of
24 the Department of Education.