

## 130th MAINE LEGISLATURE

## **SECOND REGULAR SESSION-2022**

**Legislative Document** 

No. 1935

H.P. 1446

House of Representatives, January 25, 2022

Resolve, Regarding Legislative Review of Portions of Chapter 60: New School Siting Approval, Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and Portions of Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units, Major Substantive Rules of the Department of Education, State Board of Education

(EMERGENCY)

Reported by Representative BRENNAN of Portland for the Department of Education, State Board of Education pursuant to the Maine Revised Statutes, Title 5, section 8072.

Received by the Clerk of the House on January 21, 2022. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

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 legislative authorization before major substantive agency rules may be finally adopted by

legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review;

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

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 60: New School Siting Approval, portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and portions of Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units, provisionally adopted major substantive rules of the Department of Education, State Board of Education that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

23 SUMMARY

and

This resolve provides for legislative review of portions of Chapter 60: New School Siting Approval, portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and portions of Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units, major substantive rules of the Department of Education, State Board of Education.