

## **126th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2013

**Legislative Document** 

No. 323

H.P. 232

House of Representatives, February 7, 2013

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 MacDONALD of Boothbay 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.

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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 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

This resolve provides for 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.