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Resolve
123rd Legislature
First Regular Session

Chapter 71
H.P. 1269 - L.D. 1821

Resolve, Regarding Legislative Review of Portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a Major Substantive Rule of the Department of Education

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 the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

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 131: The Maine Federal, State and Local Accountability Standards, 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 only if the provisionally adopted rule is amended as follows:

1. The rule must be amended in the parts designated "Grades Pre-K-2" to delete the standards and performance indicators for the prekindergarten to grade 2 grade span in all of the content areas addressed in the rule;

2. The rule must be amended in the parts designated "1. English Language Arts" and "3. Science and Technology" to revise selected text to improve the clarity of the content standards and performance indicators in these content areas; and

3. The rule must be amended in the addendum to the rule in the part designated "Appendix A" to delete the standards and performance indicators established in 1997 for the content areas of mathematics, reading and science and technology for the secondary school grade span.

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

Effective June 8, 2007.