



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 22

H.P. 22

House of Representatives, January 4, 2001

Resolve, Regarding Legislative Review of Chapter 125.17D: Regulations Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved Private Schools, a Major Substantive Rule of the Department of Education.

(EMERGENCY)

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

Reference to the Joint Standing Committee on Education and Cultural Affairs suggested and printing ordered under Joint Rule 218.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND, Clerk

Emergency preamble. Whereas, Acts and resolves of the 2 Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter II-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

16 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 18 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 20 safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 125.17D: Regulations Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved Private Schools, 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 II-A is authorized.

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

SUMMARY

36 This resolve provides for legislative review of Chapter 125.17D: Regulations Governing Timeout Rooms, Therapeutic 38 Restraints and Aversives in Public Schools and Approved Private Schools, a major substantive rule of the Department of Education.