

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 11

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H.P. 16

House of Representatives, January 6, 2005

**Resolve, Regarding Legislative Review of Chapter 40: Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education**

(EMERGENCY)

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Reported by Representative NORTON of Bangor 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 under Joint Rule 218.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

4               **Whereas,** the Maine Revised Statutes, Title 5, chapter 375,  
6 subchapter 2-A requires legislative authorization before major  
substantive agency rules may be finally adopted by the agency; and

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

12       **Whereas,** immediate enactment of this resolve is necessary to  
record the Legislature's position on final adoption of the rule;  
14 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

22       **Sec. 1. Adoption. Resolved:** That final adoption of Chapter  
40: Medication Administration in Maine Schools, a provisionally  
24 adopted major substantive rule of the Department of Education  
that has been submitted to the Legislature for review pursuant to  
26 the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A,  
is authorized.

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

32  
34                                   **SUMMARY**

36               This resolve provides for legislative review of Chapter 40:  
Medication Administration in Maine Schools, a major substantive  
rule of the Department of Education.