MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1887

H.P. 1305

House of Representatives, May 22, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on State and Local Government suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative FOSS of Yarmouth.

Cosponsored by Representative REED of Falmouth, Representative MacBRIDE of Presque Isle and Senator FOSTER of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

Resolve, to Override a Departmental Rule Imposing Certain ASHRAE Standards on Local School Districts.

(AFTER DEADLINE)

(EMERGENCY)

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	Emergency preamble. Whereas, Acts and resolves of the
2	Legislature do not become effective until 90 days after
	adjournment unless enacted as emergencies; and
4	
	Whereas, the Bureau of Public Improvements has adopted a
6	rule imposing ANSI/ASHRAE Standard 62-1981R governing indoor air
	quality and ventilation on public schools; and
8	
	Whereas, the bureau cited the Maine Revised Statutes, Title
10	5, section 7142, subsection 24 as authority for its rule; and
	WNYB
12	Whereas, this provision does not apply to public schools and
14	was not intended to authorize the bureau to impose standards on
14	public schools; and
16	Whereas, the imposition of this rule constitutes a hardship
10	on the school districts of the State and must be reversed before
18	the expiration on the 90-day period; and
	one outplied on one ye way position, and
20	Whereas, in the judgment of the Legislature, these facts
	create an emergency within the meaning of the Constitution of
22	Maine and require the following legislation as immediately
	necessary for the preservation of the public peace, health and
24	safety; now, therefore, be it
26	Bureau of Public Improvements; repeal. Resolved: That the
	Bureau of Public Improvements shall immediately repeal any rule
28	that imposes ANSI/ASHRAE Standard 62-1981R on public schools,
	shall refrain from any activity to enforce any such rule pending
30	repeal and may not adopt new rules imposing any similar standards
0.0	on public schools without express legislative authority to do so.
32	With the second of the second
34	Emergency clause. In view of the emergency cited in the
34	preamble, this resolve takes effect when approved.
36	
30	STATEMENT OF FACT
38	O HIE I BAVELAI VI OI I I I O I
	This resolve overrules a departmental rule that imposed
40	ASHRAE air quality and ventilation standards on new public school
	construction.