

# MAINE STATE LEGISLATURE

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R.D.S.

L.D. 758

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DATE: June 13, 2001 (Filing No. S-346)

6 Reproduced and distributed under the direction of the Secretary  
of the Senate.

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**STATE OF MAINE  
SENATE  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

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COMMITTEE OF CONFERENCE AMENDMENT "A" to H.P. 603, L.D.  
758, Bill, "An Act to Require Certain Employers to Provide  
Certification for Employees Who Dispense Medications"

20 Amend the bill by striking out the title and substituting  
the following:

22 **'An Act Concerning the Training of Personnel Who Administer  
Medications in Schools'**

24  
26 Further amend the bill by striking out everything after the  
enacting clause and before the summary and inserting in its place  
the following:

28  
30 **'Sec. 1. 20-A MRSA §254, sub-§5, ¶A, as enacted by PL 1999, c.  
669, §1, is amended to read:**

32 A. The commissioner shall adopt ~~or amend~~ rules for the  
34 administration of medication in public or approved private  
schools, including the training of unlicensed personnel to  
36 administer medication. The rules for training must describe  
how the department will provide training at the local level  
directly to unlicensed personnel in each school  
38 administrative unit or approved private school in the  
State. Rules adopted pursuant to this section are ~~routine~~  
40 ~~technical~~ major substantive rules pursuant to Title 5,  
chapter 375, subchapter II-A.

42  
44 **Sec. 2. Commissioner to submit draft rules.** The Commissioner of  
Education shall submit the provisionally adopted rules required  
46 by the Maine Revised Statutes, Title 20-A, section 254,  
subsection 5 to the Legislature for review by the Joint Standing  
48 Committee on Business and Economic Development no later than  
February 28, 2002.'

**CONFERENCE AMENDMENT**

2 Further amend the bill by inserting at the end before the  
summary the following:

4  
6 **FISCAL NOTE**

8 The additional costs associated with adopting certain rules  
can be absorbed by the Department of Education utilizing existing  
10 budgeted resources.'

12 **SUMMARY**

14 This amendment is the report of the Committee of Conference  
on L.D. 758. It strikes and replaces the original bill. The  
16 amendment amends current law that requires the Commissioner of  
Education to adopt rules for administration of medication in  
18 schools, including the training of unlicensed personnel who  
administer medication. The amendment requires the commissioner  
20 to describe how the department will provide training directly to  
such personnel at the local level. It also amends current law to  
22 make the rules developed for the administration of medication in  
schools major substantive rules. Finally, it requires the  
24 commissioner to submit the provisionally adopted rules to the  
Joint Standing Committee on Business and Economic Development no  
26 later than February 28, 2002.