

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1740

H.P. 1237

House of Representatives, January 14, 2010

Resolve, Regarding Legislative Review of Chapter 2: Change of Use, Downsizing, or Closure of Correctional Facilities, a Major Substantive Rule of the State Board of Corrections

(EMERGENCY)

Reported by Representative HASKELL of Portland for the State Board of Corrections pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed pursuant to Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

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

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

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

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

14 **Sec. 1. Adoption. Resolved:** That final adoption of Chapter 2: Change of Use,
15 Downsizing, or Closure of Correctional Facilities, a provisionally adopted major
16 substantive rule of the State Board of Corrections that has been submitted to the
17 Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375,
18 subchapter 2-A, is authorized.

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

21 **SUMMARY**

22 This resolve provides for legislative review of Chapter 2: Change of Use,
23 Downsizing, or Closure of Correctional Facilities, a major substantive rule of the State
24 Board of Corrections.