

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 462

H.P. 301

House of Representatives, February 24, 2015

An Act To Clarify Rulemaking for Transportation of Public School Students

Submitted by the Department of Education pursuant to Joint Rule 204.
Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HUBBELL of Bar Harbor.
Cosponsored by Senator LANGLEY of Hancock and
Representative: DAUGHTRY of Brunswick.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §5401, sub-§17**, as enacted by PL 2007, c. 572, Pt. A, §5, is
3 amended to read:

4 **17. Rules.** The department may adopt rules to implement the provisions of this
5 section. ~~A rule authorized or provisionally adopted by the department pursuant to this~~
6 ~~subsection or Title 29-A, section 2311 after January 1, 2008 that concerns the~~
7 ~~transportation of public preschool students is a major substantive rule and subject to~~
8 ~~legislative review in accordance with Title 5, chapter 375, subchapter 2-A. An~~
9 ~~amendment to a rule adopted pursuant to this subsection or Title 29-A, section 2311 prior~~
10 ~~to January 1, 2008 is considered a major substantive rule when the amendment concerns~~
11 ~~the transportation of public preschool students, and it is subject to legislative review in~~
12 ~~accordance with Title 5, chapter 375, subchapter 2-A.~~

13 **Sec. 2. 29-A MRSA §2311**, as amended by PL 2007, c. 572, Pt. A, §17, is further
14 amended to read:

15 **§2311. Rules**

16 The Commissioner of Education may adopt or amend rules consistent with this Title
17 and in accordance with the Maine Administrative Procedure Act, concerning school bus
18 construction, equipment, operation and identification. ~~Rules adopted pursuant to this~~
19 ~~section that concern the transportation of public preschool students are major substantive~~
20 ~~rules as defined in Title 5, chapter 375, subchapter 2-A.~~

21 **SUMMARY**

22 This bill removes from the education laws rule-making language regarding the
23 transportation of public preschool students.