

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 2076

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H.P. 1477

House of Representatives, January 28, 2020

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

(EMERGENCY)

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Reported by Representative KORNFIELD 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 pursuant to Joint Rule 218.

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

ROBERT B. HUNT  
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,** a major substantive rule has been submitted to the Legislature for review;  
7 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 portions of Chapter 40: Rule  
15 for Medication Administration in Maine Schools, a provisionally adopted major  
16 substantive rule of the Department of Education 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 portions of Chapter 40: Rule for  
23 Medication Administration in Maine Schools, a major substantive rule of the Department  
24 of Education.