

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 800

S. P. 289

In Senate, February 16, 1955

Referred to the Committee on Judiciary, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Reid of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

**AN ACT Declaring Lawful Certain Rules and Regulations Promulgated by
State Departments.**

Emergency preamble. Whereas, the power of administrative agencies to make rules and regulations is of the utmost importance to the orderly functioning of our government; and

Whereas, the repealing of the revised statutes of 1944 and acts amendatory thereof and the enactment of the revised statutes of 1954 has given rise to a question concerning the legal existence after December 31, 1954, of certain rules and regulations properly promulgated under the revised statutes of 1944 and acts amendatory thereof; and

Whereas, it is necessary that the State have rules and regulations of unquestioned validity that shall be effective immediately; and

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

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

R. S., c. 10, § 21-A, additional. Chapter 10 of the revised statutes is hereby amended by adding thereto a new section to be numbered 21-A, to read as follows:

'Sec. 21-A. Rules and regulations declared lawful. Rules and regulations duly and properly promulgated by the various Departments, Boards, Bureaus,

Agencies and Commissions of the State under the provisions of laws contained in the Revised Statutes of 1944, and acts supplemental or amendatory thereto, and which were in effect on December 30, 1954, are hereby declared to be lawful and in effect.

Nothing contained herein shall be construed as depriving the various Departments, Boards, Bureaus, Agencies and Commissions of the right to amend, revise or otherwise change their rules and regulations in accordance with existing law in their present form or as amended or supplemented.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.