

125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1838

H.P. 1360

House of Representatives, March 1, 2012

Resolve, Regarding Legislative Review of Chapter 33: Regulations Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved Private Schools, a Major Substantive Rule of the Department of Education

(EMERGENCY)

Reported by Representative RICHARDSON of Carmel 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.

Heath & Print

HEATHER J.R. PRIEST 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
- Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires
 legislative authorization before major substantive agency rules may be finally adopted by
 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 33: Regulations 15 Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and 16 Approved Private Schools, a provisionally adopted major substantive rule of the 17 Department of Education that has been submitted to the Legislature for review pursuant 18 to the Maine Revised Statutes, Title 5, chapter 375, 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

This resolve provides for legislative review of Chapter 33: Regulations Governing
 Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved
 Private Schools, a major substantive rule of the Department of Education.

SUMMARY