

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1830

H.P. 1353

House of Representatives, January 13, 2004

**Resolve, Regarding Legislative Review of Portions of Chapter 16:  
Foster Home Licensing Rule Regarding Smoking by Foster Parents,  
a Major Substantive Rule of the Department of Human Services**

(EMERGENCY)

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Reported by Representative KANE of Saco for the Department of Human Services pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Health and Human Services suggested and ordered printed under Joint Rule 218.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

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6           **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

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

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

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16          **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

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22          **Sec. 1. Adoption. Resolved:** That final adoption of Portions of  
Chapter 16: Foster Home Licensing Rule Regarding Smoking by  
Foster Parents, a provisionally adopted major substantive rule of  
the Department of Human Services that has been submitted to the  
Legislature for review pursuant to the Maine Revised Statutes,  
Title 5, chapter 375, subchapter 2-A, is authorized.

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28          **Emergency clause.** In view of the emergency cited in the  
preamble, this resolve takes effect when approved.

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### SUMMARY

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36          This resolve provides for legislative review of Portions of  
Chapter 16: Foster Home Licensing Rule Regarding Smoking by  
Foster Parents, a major substantive rule of the Department of  
Human Services.

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