

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

D. OF R.

L.D. 1624

STATE OF MAINE
SENATE
110TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-304)

SENATE AMENDMENT" A" to S.P. 618, L.D. 1624, Bill, "AN ACT to License Community and Home Health Agencies."

Amend the bill in section 1, in that part designated "§802." subsection 2, 5th line (4th line in LD) by inserting after the underlined words "professional nursing" the underlined words and punctuation ',or professional nursing'

Further amend the bill in section 1 in that part designated "§803." subsection 1, 2nd paragraph, by striking out the last sentence and inserting in its place the following:

'The standards shall be promulgated as rules pursuant to the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

When a rule is proposed pursuant to this section, a copy of the proposed rule shall be sent to the legislative committee having jurisdiction over Health and Institutional Services.

A copy of any rule adopted by the bureau shall be submitted to the same committee. The committee may review the rule and if it determines that it should be stricken or amended, the committee may prepare legislation to accomplish the committee's purpose. The legislation shall be submitted to the full Leg-

islature according to the legislative rules.

The rule shall remain in effect unless the full Legislature acts to strike or amend it, or it is repealed or amended by the bureau in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375.'

Statement of Fact

This amendment amends the new draft by requiring that changes in rules adopted by the commissioner be adopted by the entire Legislature after the Committee on Health and Institutional Services reviews them and recommends alternatives.

This process is required by law which prohibits the Legislature from delegating its function to a committee.

The amendment also corrects a technical error.

(Sen. Gill)

NAME:

Barbara A. Gill

COUNTY: Cumberland

Reproduced and distributed pursuant to Senate Rule 11-A.

May 28, 1981

(Filing No. S-304)