

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1586

H.P. 1158

House of Representatives, April 28, 2003

Resolve, Regarding Legislative Review of Portions of the MaineCare Benefits Manual, Chapter 111, Section 97: Private Non-Medical Institutions and Appendices B, C, D, E and F, a Major Substantive Rule of the Department of Human Services

(EMERGENCY)

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

4
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

8
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

14
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

20
22 **Sec. 1. Adoption. Resolved:** That final adoption of Portions of
the MaineCare Benefits Manual, Chapter 111, Section 97: Private
24 Non-Medical Institutions and Appendices B, C, D, E and F, a
provisionally adopted major substantive rule of the Department of
26 Human Services that has been submitted to the Legislature for
review pursuant to the Maine Revised Statutes, Title 5, chapter
28 375, subchapter 2-A, is authorized.

30 **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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This resolve provides for legislative review of Portions of
the MaineCare Benefits Manual, Chapter 111, Section 97: Private
38 Non-Medical Institutions and Appendices B, C, D, E and F, a major
substantive rule of the Department of Human Services.