

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1867

H.P. 1391

House of Representatives, February 25, 2004

Resolve, Regarding Legislative Review of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-medical Institution Services, 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
MILLCENT 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

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

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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

20

22 **Sec. 1. Adoption. Resolved:** That final adoption of Chapter
101: MaineCare Benefits Manual, Chapter III, Section 97, Private
Non-medical Institution Services, 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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30 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

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SUMMARY

36 This resolve provides for legislative review of Chapter 101:
MaineCare Benefits Manual, Chapter III, Section 97, Private
Non-medical Institution Services, a major substantive rule of the
Department of Human Services.

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