



## **122nd MAINE LEGISLATURE**

## FIRST SPECIAL SESSION-2005

**Legislative Document** 

No. 1620

H.P. 1143

House of Representatives, May 3, 2005

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97 - Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services

(EMERGENCY)

Reported by Representative PINGREE of North Haven for the Department of Health and 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.

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MILLICENT M. MacFARLAND Clerk **Emergency preamble. Whereas,** acts and resolves of the 2 Legislature do not 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

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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; 14 and

16 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 18 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 20 safety; now, therefore, be it

 Sec. 1. Adoption. Resolved: That final adoption of portions 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 Health and 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.

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

## SUMMARY

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