

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2011

H.P. 1413

House of Representatives, February 8, 2006

**Resolve, Regarding Legislative Review of Portions of Chapter 113:
Regulations Governing the Licensing and Functioning of Assisted
Housing Programs: Level III Residential Care Facilities, 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.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

3 **Whereas**, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires
4 legislative authorization before major substantive agency rules may be finally adopted by
5 the agency; and

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

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

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

14 **Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 113:
15 Regulations Governing the Licensing and Functioning of Assisted Housing Programs:
16 Level III Residential Care Facilities, a provisionally adopted major substantive rule of the
17 Department of Health and Human Services that has been submitted to the Legislature for
18 review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is
19 authorized.

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

22 **SUMMARY**

23 This resolve provides for legislative review of portions of Chapter 113: Regulations
24 Governing the Licensing and Functioning of Assisted Housing Programs: Level III
25 Residential Care Facilities, a major substantive rule of the Department of Health and
26 Human Services.