

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2006

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Legislative Document

No. 2064

H.P. 1459

House of Representatives, March 14, 2006

**Resolve, Regarding Legislative Review of Portions of Chapter 33:  
Home Day Care Provider Rules, a Major Substantive Rule of the  
Department of Health and Human Services**

(EMERGENCY)

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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 33:  
15 Home Day Care Provider Rules, a provisionally adopted major substantive rule of the  
16 Department of Health and Human Services that has been submitted to the Legislature for  
17 review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is  
18 authorized.

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

21

#### SUMMARY

22           This resolve provides for legislative review of portions of Chapter 33: Home Day  
23 Care Provider Rules, a major substantive rule of the Department of Health and Human  
24 Services.