

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 1943

H.P. 1378

House of Representatives, December 13, 2007

**Resolve, Regarding Legislative Review of Portions of Chapter 11:
Consumer Directed Personal Assistance Services, a Major
Substantive Rule of the Department of Health and Human Services**

(EMERGENCY)

Reported by Representative PERRY of Calais for the Department of Health and Human Services pursuant to the Maine Revised Statutes, Title 5, section 8072.

Received by the Clerk of the House on December 12, 2007. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to 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 11:
15 Consumer Directed Personal Assistance Services, a provisionally adopted major
16 substantive rule of the Department of Health and Human Services that has been submitted
17 to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375,
18 subchapter 2-A, is authorized.

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

21

SUMMARY

22 This resolve provides for legislative review of portions of Chapter 11, Consumer
23 Directed Personal Assistance Services, a major substantive rule of the Department of
24 Health and Human Services.