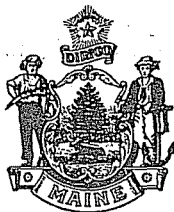


MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1749

H.P. 1243

House of Representatives, January 19, 2010

**Resolve, Regarding Legislative Review of Portions of 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 PERRY of Calais 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 pursuant to Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Emergency preamble. Whereas, acts and resolves of the 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

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

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

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

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

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

SUMMARY

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