

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1582

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H.P. 1153

House of Representatives, December 30, 2013

**Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a Major Substantive Rule of the Department of Health and Human Services**

(EMERGENCY)

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Reported by Representative FARNSWORTH of Portland 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 23, 2013. 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 101,  
15 MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services  
16 for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a  
17 provisionally adopted major substantive rule of the Department of Health and Human  
18 Services that has been submitted to the Legislature for review pursuant to the Maine  
19 Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

22   **SUMMARY**

23           This resolve provides for legislative review of portions of Chapter 101, MaineCare  
24 Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children  
25 with Intellectual Disabilities or Pervasive Developmental Disorders, a major substantive  
26 rule of the Department of Health and Human Services.