

125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 743

H.P. 550

House of Representatives, March 1, 2011

Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual Chapter III, Section 21: Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services

(EMERGENCY)

Reported by Representative STRANG BURGESS of Cumberland 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.

Heath & Pruit

HEATHER J.R. PRIEST Clerk

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- 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
- 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
- 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 21: Allowances for Home and 16 Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, 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

This resolve provides for legislative review of portions of Chapter 101, MaineCare
Benefits Manual Chapter III, Section 21: Allowances for Home and Community Benefits
for Members with Intellectual Disabilities or Autistic Disorder, a major substantive rule
of the Department of Health and Human Services.