

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND TWELVE

—
H.P. 1404 - L.D. 1902

Resolve, Regarding Legislative Review of Chapter 30: Maine Uniform Accounting and Auditing Practices for Community Agencies, a Major Substantive Rule of the Department of Health and Human Services

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 Chapter 30: Maine Uniform Accounting and Auditing Practices for Community Agencies, 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 only if the rule is amended to reflect that restricted revenue is income from organizations and individuals that require the funds to be used for a specific purpose within a program and unrestricted revenue is revenue from funding sources to a community agency that is not restricted for a particular purpose within a program by the donor. The rule must reflect that revenue that has been designated to a specific program, but not for a specific purpose, is considered unrestricted revenue.

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

In House of Representatives, 2012

Read and passed finally.

..... Speaker

In Senate, 2012

Read and passed finally.

..... President

Approved 2012

..... Governor