

130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1865

H.P. 1375

House of Representatives, January 5, 2022

Resolve, Regarding Legislative Review of Chapter 34: Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services

(EMERGENCY)

Reported by Representative MEYER of Eliot for the Department of Health and Human Services, Office of Child and Family 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.

R(+ B. Hunt

ROBERT B. HUNT 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
- Whereas, a major substantive rule has been submitted to the Legislature for review;
 and
- 8 **Whereas**, immediate enactment of this resolve is necessary to record the Legislature's 9 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 Chapter 34: Child Care 15 Provider (Child Care Facilities and Family Child Care Providers) Background Check 16 Licensing Rule, a provisionally adopted major substantive rule of the Department of Health 17 and Human Services, Office of Child and Family Services that has been submitted to the 18 Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, 19 subchapter 2-A, is authorized.
- 20 Emergency clause. In view of the emergency cited in the preamble, this legislation
 21 takes effect when approved.
- 22 SUMMARY
- This resolve provides for legislative review of Chapter 34: Child Care Provider (Child
 Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a
 major substantive rule of the Department of Health and Human Services, Office of Child
 and Family Services.