

127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1522

H.P. 1047

House of Representatives, January 6, 2016

Resolve, Regarding Legislative Review of the Final Repeal 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)

Reported by Representative GATTINE of Westbrook 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.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted amended, suspended or repealed by the agency; and
6 7	Whereas, the final repeal of the above-named major substantive rule has been submitted to the Legislature for review; and
8 9	Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final repeal of the rule; and
10 11 12 13	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
14 15 16 17 18 19	Sec. 1. Repeal. Resolved: That final repeal of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a provisionally repealed major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised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.
20 21	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
22	SUMMARY
23 24 25 26	This resolve provides for legislative review of the repeal 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.