



## **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.

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4 legislative authorization before major substantive agency rules may be finally adopted, 5 amended, suspended or repealed by the agency; and
- 6 **Whereas,** the final repeal of the above-named major substantive rule has been 7 submitted to the Legislature for review; and
- 8 **Whereas,** immediate enactment of this resolve is necessary to record the 9 Legislature's position on final repeal 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. Repeal. Resolved: That final repeal of Chapter 101, MaineCare Benefits 15 Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with 16 Intellectual Disabilities or Pervasive Developmental Disorders, a provisionally repealed 17 major substantive rule of the Department of Health and Human Services that has been 18 submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, 19 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 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.