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Legislative Document

No. 1419

H.P. 977

House of Representatives, April 11, 2017

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Late-filed Major Substantive Rule of the Department of Health and Human Services

(EMERGENCY)

Reported by Representative HYMANSON of York for the Department of Health and Human Services pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council.

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
- 6 **Whereas,** the above-named major substantive rule has been submitted to the 7 Legislature outside the legislative rule acceptance period; 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 29, Allowances for Support Services 16 for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a provisionally 17 adopted major substantive rule of the Department of Health and Human Services that has 18 been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 19 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is 20 authorized.
- Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.
- 23 SUMMARY

This resolve provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period.