



131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 2018

H.P. 1300

House of Representatives, July 6, 2023

**Resolve, Regarding Legislative Review of Portions of Chapter 301:
Fee Schedule and Administrative Procedures for Payment of Court
or Commission Assigned Counsel, a Late-filed Major Substantive
Rule of the Maine Commission on Indigent Legal Services**

(EMERGENCY)

Reported by Representative MOONEN of Portland for the Maine Commission on Indigent Legal 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 Judiciary suggested and ordered printed pursuant to Joint Rule 218.

Handwritten signature of Robert B. Hunt in cursive.

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**, a major substantive rule has been submitted to the Legislature outside the
7 legislative rule acceptance period; 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 portions of Chapter 301: Fee
15 Schedule and Administrative Procedures for Payment of Court or Commission Assigned
16 Counsel, a provisionally adopted major substantive rule of the Maine Commission on
17 Indigent Legal Services that has been submitted to the Legislature for review pursuant to
18 the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule
19 acceptance period, is authorized.

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

22 **SUMMARY**

23 This resolve provides for legislative review of portions of Chapter 301: Fee Schedule
24 and Administrative Procedures for Payment of Court or Commission Assigned Counsel, a
25 major substantive rule of the Maine Commission on Indigent Legal Services that was filed
26 outside the legislative rule acceptance period.