

## **127th MAINE LEGISLATURE**

## **SECOND REGULAR SESSION-2016**

**Legislative Document** 

No. 1460

H.P. 1002

House of Representatives, December 8, 2015

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

(EMERGENCY)

Reported by Representative HOBBINS of Saco for the Maine Commission on Indigent Legal Services pursuant to the Maine Revised Statutes, Title 5, section 8072.

Received by the Clerk of the House on December 4, 2015. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 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 for review; 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 301: 15 Fee Schedule and Administrative Procedures for Payment of 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, is authorized.
- Emergency clause. In view of the emergency cited in the preamble, this
  legislation takes effect when approved.
- 21 SUMMARY

This resolve provides for legislative review of portions of Chapter 301: Fee Schedule
 and Administrative Procedures for Payment of Commission Assigned Counsel, a major
 substantive rule of the Maine Commission on Indigent Legal Services.