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Resolve, Regarding Legislative Review of Chapter 13: Municipal Service Fee, a Major Substantive Rule of the Department of Health and Human Services

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2#A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1 Adoption. Resolved: That final adoption of Chapter 13: Municipal Service Fee, a provisionally adopted 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 only if the following changes are made:

1. The name of the fee in the rule is changed to the state share of vital records fee from the municipal service fee;

2. The date of each month by which municipalities must remit the state share of vital records fee to the State is changed to the 30th of each month from the 15th; and

3. The portion of the rule allowing the cap on the state share of vital records fees to increase by up to 5% per fiscal year is removed from the rule.

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