

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 119

S.P. 31

In Senate, January 8, 2025

**An Act to Include the Declaration of an Emergency by the President
of the United States as a Basis to Allow the Governor to Provide
Disaster Relief to Local Governments**

Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BEEBE-CENTER of Knox.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 37-B MRSA §744, sub-§2-A**, as corrected by RR 2019, c. 1, Pt. B, §47, is
3 amended to read:

4 **2-A. Assistance to local governmental units.** Assistance to local governmental units
5 ~~shall be~~ is governed as follows.

6 A. Whenever the President of the United States declares that an emergency or a major
7 disaster exists in the State, the Governor may:

8 (1) Apply for a public assistance grant from the Federal Government under Public
9 Law 93-288 on behalf of both the State and local governmental units for the
10 purposes of emergency work or repairing or replacing publicly owned facilities
11 within the disaster area or relocating public facilities outside of the disaster area;

12 (2) Obligate state financial resources, as a condition for receiving such a federal
13 grant, up to, but not in excess of, 25% of the total public assistance requested; and

14 (3) Enter into an agreement with the affected local governmental units to obligate
15 local financial resources up to, but not in excess of, 10% of the total cost of damage
16 to local public facilities, ~~provided that~~ as long as the local share ~~shall does~~ not
17 exceed 10% of total local annual operating budget, exclusive of educational
18 budgets.

19 B. If the President of the United States declares that an emergency or a major disaster
20 exists in the State, the Governor may:

21 (1) Apply for a loan from the Federal Government on behalf of a unit of local
22 government if the Governor determines that the unit will suffer a substantial loss
23 of tax and other revenues as a result of an emergency or a major disaster and has
24 demonstrated a need for financial assistance to perform its governmental functions;

25 (2) Receive and disburse the proceeds of any approved loan to an applicant local
26 government;

27 (3) Determine the amount needed by any applicant local government to restore or
28 resume its governmental functions and certify the amount to the Federal
29 Government, except that no application amount may exceed 25% of the annual
30 operating budget of the applicant for the fiscal year in which the emergency or
31 major disaster occurs; and

32 (4) Recommend to the Federal Government, based upon the Governor's review,
33 the cancellation of all or any part of repayment when, after 3 full fiscal years
34 following the emergency or major disaster, the revenues of the local government
35 are insufficient to meet its operating expenses, including additional municipal
36 expenses related to the emergency or disaster.

37 **SUMMARY**

38 This bill includes the declaration of an emergency by the President of the United States
39 as a basis to allow the Governor to provide disaster relief to local governments.