

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 890

S. P. 285

In Senate, March 15, 1977

In Senate rules suspended, read twice and passed to be engrossed without reference. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Chapman of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Suspend Certain Municipal Charter Provisions to Fiscal Year Transitions.

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

Whereas, the provisions of the certain municipal charters limit municipal fiscal years in a manner that creates severe difficulties in a transition to a new fiscal year; and

Whereas, certain municipal charter restrictions are more restrictive than the general law; and

Whereas, municipalities may desire to change fiscal years to conform to the fiscal years of the local schools during the present year; and

Whereas, amendments to municipal charters could not be adopted in time to allow the transition this year; 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 enacted by the People of the State of Maine, as follows:

30 MRSA § 5110, as enacted by PL 1975, c. 651, § 3, is amended by adding at the end the following new sentence:

From January 1, 1977, to July 1, 1978, any municipal charter provision that requires a minimum period for a municipal fiscal year may be suspended, by

majority vote of the municipal legislative body, in order to allow a change in municipal fiscal years under this section.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is to allow suspension of any municipal charter provision that requires a minimum period for a municipal fiscal year. This bill will thus allow municipalities that have such a charter restriction to adjust their fiscal years to coincide with the fiscal year of the State and of local schools. If present charter provisions are not suspended, transitions to new fiscal years could be unnecessarily disruptive to municipal finances and tax collections, and could also create difficulties for resident homeowners who have mortgages.