

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. H-930)

HOUSE AMENDMENT "Y" to S.P. 590, L. D. 1896, Bill, "AN  
ACT to Make Additional Corrections of Errors and Inconsistencies  
in the Laws of Maine."

Amend the Bill by inserting after section 48 the following:

'Sec. 48-A. 10 MRSA §802, 2nd sentence, as last repealed  
and replaced by PL 1977, c. 78, §33, is repealed and the following  
enacted in its place:

'The Governor <sup>shall</sup> transfer to that fund sufficient moneys for the  
appropriate purpose from the State Contingent Account or from the  
proceeds of bonds to be issued as provided in this section or  
by requesting an appropriation from the Legislature, if it is  
in session.'

Statement of Fact

The purpose of this change is to insure that the Governor  
and Legislature retain control over the funds of the Maine  
Guarantee Authority. The present wording of Title 10, section  
802, is somewhat ambiguous in that it suggests that the authority  
can order the Governor to provide additional moneys. This is  
inconsistent with the statutory and constitutional responsibility  
of the Governor to administer the fund.

In addition, the present wording of this section directs  
the Governor to the State Contingent Account or a bond issue as  
sources of funding for the additional moneys requested. The  
Legislature should have a voice in determining how the money  
of the State is to be spent. This goal can be accomplished  
by providing a request to the Legislature for appropriations

as a source for additional moneys.

There is no reason for the Maine Guarantee Authority to be a special exception. These changes will provide checks and balances and safeguard the proper role and responsibility of the Governor and Legislature, in order to insure that public funds are dispersed and committed in a manner which is consistent with the best interests of Maine taxpayers.

Filed by Mr. Perkins of Blue Hill.

Reproduced and distributed under the direction of the Clerk of the House.

7/7/77

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