

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(EMERGENCY)  
SECOND REGULAR SESSION

---

---

ONE HUNDRED AND EIGHTH LEGISLATURE

---

---

**Legislative Document**

**No. 1923**

H. P. 1860

Office of the Clerk of the House

The Committee on Appropriations and Financial Affairs suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mr. Drinkwater of Belfast

Cosponsor: Mr. Shute of Stockton Springs

---

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-EIGHT

---

**AN ACT to Restore Matching Funds to the Maine Criminal Justice Planning and Assistance Agency.**

---

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

Whereas, the Maine Criminal Justice Planning and Assistance Agency has federal moneys available for matching with state moneys for state and local projects in the field of criminal justice; and

Whereas, the agency cannot at present award supporting funds for any new criminal justice project on a state or local level because of lack of state funds to match with available federal funds; and

Whereas, it is vital to the safety and welfare of the State that the State and localities be able to undertake new projects as soon as possible in order to stem the rise in crime in this State and to enable the criminal justice system of Maine to more effectively and more quickly provide criminal justice for the citizens of Maine; 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:

**Appropriation.** Funds shall be appropriated from the General Fund as follows to carry out the purposes of this Act:

	1977-78	1978-79
<b>EXECUTIVE DEPARTMENT</b>		
Maine Criminal Justice Planning and Assistance Agency		
All Other	\$159,000	\$132,000

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

#### STATEMENT OF FACT

The first regular session reduced the requested appropriation of the Maine Criminal Justice Planning and Assistance Agency by \$211,000 in both the fiscal years 1977-78 and 1978-79.

The federal act requires that matching funds be specifically appropriated for those purposes which are utilized to provide the full 10% required match for state agency or other nonlocal projects or half of the nonfederal share, usually 5% of the project cost, on projects of local units of government, i.e., the municipalities and counties.

The impact of the \$11,000 cut in personal services will reduce the number of criminal justice interns placed in criminal justice agencies each summer and provides agency match in other than personal service areas. Restoration is not requested.

Each federal fiscal year Maine received, upon approval of the plan by LEAA, a formula-based block award of funds with which to achieve implementation of that plan over a period of 3 years. Therefore, at any given point in time MCJPAA is working with federal funds from 3 federal fiscal years. It was for this reason that the Appropriations Committee in years past, up until the cut imposed by the first regular session last year, has made the appropriation for match, nonlapsing.

Each month the MCJPAA Board of Directors reviews grant applications, for programs approved in the agency plan, from criminal justice agencies of state, county and municipal governments and from private nonprofit criminal justice services providers, e.g., halfway houses, et al. Awards approved by the board are then entered into the agency grants management accounting system as an "encumbrance" or "obligation" of the available federal and required state matching dollars for drawdown and expenditure over the period of the project.

Because of the earlier first regular session appropriation cut and because MCJPAA could no longer accumulate the state appropriation and request only the "net new" moneys required, the fiscal year 1978-79 appropriation request was based upon the amount of funds required to match existing awards and the amount needed to match unawarded funds on hand plus new anticipated moneys, all on the estimated time frame of cash disbursements. Thus, the request for 401 thousand dollars of matching moneys in each year of the biennium would support cash disbursements against awards already made and operating and, in addition, against awards anticipated to be made from unawarded funds on hand plus new federal receipts from the approved plan.

On the basis of the foregoing, the previous appropriation of approximately 201 thousand dollars will only supply the required match for those awards already made.

The agency is, therefore, unable to take action on project applications from any state or local agencies. It is in effect at a standstill in the grant process and unable to make use of those federal dollars.

In order to make use of these dollars, based upon the estimated level of state agency versus local unit grants, the agency would require an additional \$159,000 be restored to the appropriation in the year 1977-78 and \$132,000 in the fiscal year 1978-79. This request reflects the reduction in the federal fund availability under LEAA's congressional appropriation.