

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 316

S. P. 140

In Senate, February 2, 1979

Referred to the Committee on Local & County Government. Sent down for concurrence and ordered printed.

Presented by Mr. Huber of Cumberland.

Cosponsor: Mrs. Najarian of Cumberland.

MAY M. ROSS, Secretary of the Senate.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Insure the Accountability of Counties in the Expenditure of Federal Funds.**

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

**30 MRSA § 253**, as last amended by PL 1977, c. 148, § 4, is repealed and the following enacted in its place:

**§ 253. Estimates recorded and sent to Secretary of State**

These estimates shall be recorded by their clerk in a book. A copy thereof shall be signed by the chairman of the county commissioners and attested by their clerk, who shall transmit it to the office of the Secretary of State on or before the first day of each January, together with the county reports for the 2 preceding years, to be by him laid before the Legislature.

Any county which is the recipient of federal funds shall provide for the expenditure of those funds in accordance with the laws and procedures applicable to the expenditure of its own revenue and shall record estimates of the same as provided in this section.

A copy of these estimates, with any amendments attached thereto adopted by the Legislature, including any changes in specific line categories, for the

assessment of the county taxes, shall be filed by the Legislature with the State Auditor who shall retain them for a period of 3 years. These estimates shall be a public record at the office of the clerk of courts in the county which transmitted them.

If federal funds become available to the county for expenditure by the county while the Legislature is not in session, and if availability of those funds could not reasonably have been anticipated and included in the estimate adopted by the Legislature for the fiscal year in question, the county may accept these funds on its behalf and may make expenditures of such funds as are authorized by federal and state law. Upon application for those funds, and upon receipt of those funds, the chairman of the county commissioners shall submit to the clerk of each municipality in the county and to each member of the Legislature from the county a statement:

1. Describing manner of federal expenditure. Describing the proposed federal expenditure in the same manner as it would be described in the estimate; and

2. Statement as to why availability of federal funds could not have been anticipated. Containing a statement as to why the availability of those federal funds and the necessity of their expenditure could not have been anticipated in time for that expenditure to be adopted as part of the estimates for that particular fiscal year. No federal expenditure may be made by the county for any program for more than one fiscal year without advance legislative approval.

#### STATEMENT OF FACT

The purpose of this bill is to insure legislative scrutiny of federal funds expended by counties. As of November 1, 1978, a similar procedure is required in the preparation of the state budget whereby federal funding is considered by the Legislature as part of the total budget. As long as county budgets are adopted by the Legislature, it is the intent of this bill that the total budget be acted upon.