

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1546

H. P. 1361

House of Representatives, April 16, 1981

Submitted by the Department of Finance and Administration pursuant to Joint Rule 24

Out of Order, referred to the Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Pearson of Old Town.

Cosponsor: Representative Kany of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

RESOLVE, to Authorize Expenditure of Certain Federal Funds for New or Expanded Programs.

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

Whereas, the Revised Statutes, Title 5, section 1669, provides that, except when the Legislature is not in session, "No state department or agency may make expenditures of any federal funds or expenditures in anticipation of receipt of federal funds for any new or expanded programs, unless such federal funds are approved by the Legislature;" and

Whereas, it is expected that federal funds will be made available very soon to the State for certain specific programs which appear to be in the state's best interests; 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

Expenditure of federal funds authorized. Resolved: That the Legislature approve the expenditure of available federal funds subject to the Revised Statutes, Title 5, section 1669, for the following departments and purposes: Department of Environmental Protection, enforcement of the United States Safe Drinking Water Act; Department of Educational and Cultural Services, project relative to National Evaluation of Migrant Children; and Department of Conservation, state consultation in the United States Department of Energy nuclear waste isolation studies.

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

STATEMENT OF FACT

When the Federal Expenditure Budget, Title 5, chapter 150, was repealed it was replaced by Title 5, section 1669. That section requires legislative approval of any new federally funded program or any expansion of existing federally funded programs proposed during such time as the Legislature is in session.

The federal grants identified in this resolve are considered to be new programs and enactment of this measure will provide the necessary legislative approval to permit acceptance of the available funds.