

MAINE STATE LEGISLATURE

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(New Draft of H.P. 2085, L.D. 2027)
(New Title)
(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 2108

H. P. 2263 House of Representatives, March 29, 1982
Reported by Representative Carter from the Committee on Appropriations and Financial Affairs and printed under Joint Rules No. 2.
EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT Making Appropriations, Authorizations and Allocations Enabling the State Planning Office to Administer the Small Cities Program Community Development Block Grant.

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

Whereas, the Federal Government has changed its method of distributing certain funds related to the small cities program community development block grant to allow for state administration, effective October 1, 1981; and

Whereas, the Legislature has determined that it is necessary and appropriate to enable the State Planning Office to accept and distribute small cities program community development block grant funds; and

1 Whereas, in the judgment of the Legislature, these
2 facts create an emergency within the meaning of the Consti-
3 tution of Maine and require the following legislation as
4 immediately necessary for the preservation of the public
5 peace, health and safety; now, therefore,

6 Be it enacted by the People of the State of Maine as fol-
7 lows:

8 **PART A**

9 **Appropriations from General Fund.** In order to provide
10 for necessary expenditures of State Government and other
11 purposes for the fiscal year ending June 30, 1982, and June
12 30, 1983, the following sums, as designated in the following
13 tabulations, are appropriated out of any moneys in the Gen-
14 eral Fund not otherwise appropriated.

	<u>Appropriations from General Fund</u>	
	<u>1981-82</u>	<u>1982-83</u>

18 EXECUTIVE DEPARTMENT

19 State Planning Office

20	All Other	\$33,333	\$100,000
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21 To provide matching and
22 technical assistance funds
23 for block grants for small
24 cities program community
25 development.

26	TOTAL PART A	\$33,333	\$100,000
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27 **PART B**

28 **Sec. 1. Block grant authorization.** In accordance with
29 the Revised Statutes, Title 5, section 1670, the agency
30 listed in this Part is authorized to accept the federal
31 small cities program community development block grant in
32 the following amounts:

	<u>State Fiscal Year 1982</u>	<u>State Fiscal Year 1983</u>	<u>Federal Fiscal Year 1982</u>
33	<u>Department</u>	<u>Department</u>	<u>Total Federal</u>
34	<u>Estimate</u>	<u>Estimate</u>	<u>Block Grant</u>

1 Community Development \$4,307,000 \$5,783,000 \$10,090,000

2	<u>State</u>	<u>Federal</u>
3	<u>Fiscal Year</u>	<u>Fiscal Year</u>
4	<u>1983</u>	<u>1983</u>
5	<u>Department</u>	<u>Total Federal</u>
6	<u>Estimate</u>	<u>Block Grant</u>

7 Community Development \$10,045,000 \$10,045,000

8 **Sec. 2. Block grant allocations.** In order to provide
9 for necessary expenditures of State Government and other
10 purposes for the fiscal years ending June 30, 1982, and June
11 30, 1983, the following sums, as designated in the following
12 tabulations, are allocated from the revenues derived from
13 the federal small cities program community development block
14 grant. Notwithstanding any other provision of law, all fed-
15 eral block grant allocations included in this Part shall be
16 subject to the Revised Statutes, Title 5, section 1585.

17	<u>Allocations State</u>	<u>Allocations State</u>
18	<u>Fiscal Year 1982</u>	<u>Fiscal Year 1983</u>

19 EXECUTIVE DEPARTMENT

20 State Planning Office

21 Community Development

22	Positions	(5)	(5)
23	Personal Services	\$ 32,000	\$ 145,000
24	All Other	4,275,000	15,683,000

25 Ninety-eight percent of block grant
26 funds will be distributed to local gov-
27 ernments to undertake housing, economic
28 development and public works projects.
29 A portion of all other category
30 expenses, \$75,000 in fiscal year 1982
31 and \$85,000 in fiscal year 1983, will
32 support State Planning Office adminis-
33 trative costs and subcontracts to
34 regional nonprofit groups for outreach
35 and technical assistance activities.

36	TOTAL PART B		
37	EXECUTIVE DEPARTMENT	\$4,307,000	\$15,828,000

1 PART C

2 5 MRSA §3305, sub-§1, ¶1 is enacted to read:

3 I. Act as the public agency of the State for the pur-
4 pose of accepting and distributing federal funds or
5 other assistance in relation to community and economic
6 development in those nonentitlement areas and for those
7 projects duly authorized under of the United States
8 Housing and Community Development Act of 1974, Title 1,
9 and its subsequent amendments. The director may
10 promulgate such rules as deemed necessary to distrib-
11 ute the funds or assistance. These rules shall be
12 adopted in accordance with the Maine Administrative
13 Procedure Act, Title 5, chapter 375, and shall be con-
14 sistent with the annual final statement for the State
15 Community Development Program submitted to the Federal
16 Government. The State Planning Office shall give
17 notice in writing of any such rules to the legislative
18 joint standing committee having jurisdiction over
19 appropriations and financial affairs at least 20 days
20 before the hearing, as stipulated in the Maine Adminis-
21 trative Procedure Act, or before the deadline for com-
22 ments if no hearing is scheduled.

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

25 STATEMENT OF FACT

26 The Federal Omnibus Budget Reconciliation Act of 1981
27 contains provisions for the state administration of the
28 small cities program community development block grant. The
29 purpose of this block grant is to provide funds to units of
30 local government to support activities which either benefit
31 low and moderate income people, aid in the prevention or
32 elimination of slums and blight or address serious and
33 immediate threats to the health and welfare of a community.
34 This new draft enables the State Planning Office to act as
35 the public agency which would administer this program for
36 the State.

37 No more than 2% of federal funds may be used for state
38 administrative costs. The State must match funds used for
39 administration on a 50/50 basis.

40 Federal funds for the small cities program community
41 development block grant are expected to be available in
42 March, 1982. In order to distribute the funds to communi-

1 ties in a timely manner, emergency enactment is necessary.

2 Part A of this new draft appropriates General Fund
3 dollars which are necessary for the State to conduct this
4 program.

5 Part B, section 1, authorizes the acceptance of the
6 federal block grant.

7 Part B, section 2, makes allocations of such funds for
8 state fiscal years 1982 and 1983 only.

9 Part C establishes the State Planning Office as the
10 public agency to accept and distribute these funds.

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