

MAINE STATE LEGISLATURE

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(EMERGENCY)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 816

H.P. 647

House of Representatives, February 18, 1983

Referred to the Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Kiesman of Fryeburg.

Cosponsors: Senator Diamond of Cumberland, Senator Perkins of Hancock and Representative Connolly of Portland.

STATE OF MAINE

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

AN ACT to Provide Legislative
Participation in the Allocation of Consumer
Settlements.

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

Whereas, the State will imminently receive in excess of \$1,000,000 from partial settlements of oil overcharge cases; and

Whereas, the Legislature is the branch of government whose members have been elected to allocate revenues and protect the public interest; and

Whereas, there is an urgent need to allocate consumer settlements in the best interest of the State consistent with applicable federal requirements; and

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

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

9 5 MRSA §1671 is enacted to read:

10 §1671. Federal grants from settlements

11 1. Application. This section shall apply to fed-
12 eral grants in excess of \$500,000 that are the result
13 of class action or other litigation that involves the
14 citizens of the State.

15 2. Allocation. No expenditure may be made from
16 any such grants unless allocation of the funds is
17 recommended by the joint standing committee of the
18 Legislature having jurisdiction over appropriations
19 and financial affairs and approved by the Legis-
20 lature.

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

24 STATEMENT OF FACT

25 Last year the State received \$200,000 as a result
26 of a settlement of oil company overcharges. This year
27 the State may receive in excess of \$1,000,000 in ad-
28 ditional funds. The money has been allocated to the
29 states by Congress for use in energy programs that
30 benefit consumers, since it is consumers who were the
31 subject of the original overcharges.

32 This bill requires that these federal grants be
33 further allocated by the Legislature. The Legislature
34 is the elected body constitutionally mandated to con-
35 trol the spending of the State. Any legislative allo-

1 cation would have to be consistent with all federal
2 requirements.

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