

MAINE STATE LEGISLATURE

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(EMERGENCY)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1239

H.P. 958

House of Representatives, March 17, 1983

Submitted by the Department of Labor pursuant to Joint Rule 24.
Referred to the Committee on Labor. Sent up for concurrence and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Gwadosky of Fairfield.

Cosponsors: Representative Locke of Sebec, Speaker Martin of Eagle
Lake and Senator Wood of York.

STATE OF MAINE

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

**AN ACT to Provide Authority to the
Department of Labor to Receive and Expend
Federal Funds Pursuant to the Federal Job
Training Partnership Act.**

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

Whereas, Maine has the right and privilege to
participate in the Federal Job Training Partnership
Act as provided in Public Law 97-300, 93 STAT 1322,
October 13, 1982; and

Whereas, the Department of Labor is the agency of
the State selected by the Governor to receive and
expend federal funds allocated for the purpose of
this Act; and

1 Whereas, Title 5, section 1669 requires legis-
2 lative approval for expenditures of federal funds;
3 and

4 Whereas, these funds are initially expected to be
5 allocated to the Department of Labor within 30 days;
6 and

7 Whereas, in the judgment of the Legislature,
8 these facts create an emergency within the meaning of
9 the Constitution of Maine and require the following
10 legislation as immediately necessary for the preser-
11 vation of the public peace, health and safety; now,
12 therefore,

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

15 Sec. 1. 26 MRSa §1402 is enacted to read:

16 §1402. Job Training Partnership Act Fund

17 A special fund is created separate and apart from
18 all public moneys or funds of this State and shall be
19 administered by the commissioner exclusively for the
20 purposes of this chapter. The fund shall be known as
21 the Job Training Partnership Fund. All moneys in the
22 fund shall be expended solely for the purposes of ad-
23 ministering and implementing the provisions of Public
24 Law 97-300, the Federal Job Training Partnership Act,
25 93 STAT 1322, October 13, 1982. The fund shall con-
26 sist of all moneys received from the United States
27 pursuant to the Federal Job Training Partnership Act
28 and any moneys appropriated by this State. All moneys
29 in this fund shall be deposited, administered and
30 disbursed in the same manner and under the same con-
31 ditions and requirements as is provided by law for
32 other special funds in the State Treasury. Any bal-
33 ances in this fund shall not lapse but shall be
34 available for expenditure consistent with this chap-
35 ter.

36 The commissioner may enter into agreements with
37 agencies of the Federal Government, State Government
38 or county government as required for the purpose of
39 implementing the Federal Job Training Partnership
40 Act.

1 Sec. 2. 30 M RSA §256 is enacted to read:

2 §256. Legislative approval

3 In no case may federal grants be accepted by
4 county commissioners or their designees if that ac-
5 ceptance may establish a contingent liability that
6 must be met by future county revenues, unless that
7 acceptance has the prior approval of the Legislature.

8 Sec. 3. Allocation of federal funds. Moneys
9 expected to be appropriated to the department, from
10 the Federal Government pursuant to Public Law 97-300
11 for the implementation of this Act, are allocated to
12 the department upon receipt.

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

16 STATEMENT OF FACT

17 This bill permits legislative review and approval
18 of the expenditure of federal funds expected by the
19 Department of Labor pursuant to the Federal Job
20 Training Partnership Act. The Governor has appointed
21 the Department of Labor as the recipient agency for
22 the purposes of the Federal Job Training Partnership
23 Act. For fiscal year 1982-83, the estimated funds
24 received will be \$69,000 to begin implementation of
25 the Federal Job Training Partnership Act. Expected in
26 July, 1983 is \$1,000,000. Expected in October, 1983
27 is \$9,000,000. Although these funds may be received
28 after adjournment of the Legislature, they may be
29 expended by authority of the Governor, pursuant to
30 Title 5, section 1669. Since county budgets are
31 approved by the delegation and the Legislature, any
32 potential pledge of future county revenues should
33 have the same approval.

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