

MAINE STATE LEGISLATURE

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(New Draft of H.P. 446, L.D. 628)
(New Title)
SECOND REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 2143

H.P. 1523 House of Representatives, March 6, 1986
Reported by Representative Gwadosky from the Committee on State
Government and printed under Joint Rule 2. Original bill sponsored by
Representative Webster of Cape Elizabeth. Cosponsored by Representative
Jackson of Harrison and Representative Bell of Paris.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT Requiring Fiscal Impact Statements
Describing the Costs and Benefits
Associated with Each Legislative
Document and Agency Rule that Affect
Political Subdivisions of the State.

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

Sec. 1. 3 MRSA §163-A, sub-§12, as enacted by PL 1985, c. 501, Pt. B, §5, is amended to read:

12. Statement of costs. To prepare statements pertaining to the existence of cost or the amount of cost to municipalities or counties political subdivisions of the State for implementing or complying with a proposed law. The statement of cost shall be made within the limits of information provided to by the office designated by the Legislative Council as having responsibility for financial analysis as provided

1 in chapter 26. The statements shall be furnished to
2 the appropriate committee for the information of its
3 members and for inclusion in bills which receive an
4 ought to pass report when reported by the committee.
5 A statement shall not be necessary for any bill which
6 has no cost to municipalities or counties political
7 subdivisions as defined in chapter 26; and

8 Sec. 2. 3 MRSA c. 26 is enacted to read:

9 CHAPTER 26

10 FISCAL IMPACT STATEMENTS DESCRIBING COSTS
11 AND BENEFITS OF LEGISLATIVE DOCUMENTS AND STATE
12 AGENCY RULES TO POLITICAL SUBDIVISIONS OF THE STATE

13 §571. Statements reflecting fiscal impact of legis-
14 lation on political subdivisions

15 The Legislature shall designate a staff agency or
16 agencies of the Legislature to analyze legislative
17 documents and to prepare statements of projected fis-
18 cal impact upon political subdivisions of the State
19 for each legislative document.

20 The fiscal impact statements shall identify all
21 costs likely to be incurred by, and all benefits
22 likely to accrue to, each subdivision of the State.

23 Every county, municipality and school administra-
24 tive unit shall cooperate with and expeditiously pro-
25 vide information to the legislative staff agencies in
26 the performance of their duties and responsibilities
27 under this chapter.

28 For the purposes of this chapter "political sub-
29 division" means counties, municipalities and school
30 administrative units.

31 §572. Statements reflecting fiscal impact of state
32 agency rules on political subdivisions

33 The Governor shall designate a staff agency or
34 agencies of the Executive Department to analyze pro-
35 posed state agency rules and to prepare statements of
36 projected fiscal impact upon political subdivisions
37 of the State for each proposed state agency rule.

1 Each fiscal impact statement shall identify all
2 costs likely to be incurred by, and all benefits
3 likely to accrue to, each subdivision of the State.

4 Sec. 3. 5 MRSA §8052, sub-§4, as amended by PL
5 1981, c. 524, §3, is further amended to read:

6 4. Relevant information considered. The agency
7 shall consider all relevant information available to
8 it, including statements and arguments filed, before
9 adopting any rule. No proposed rule may be adopted
10 until a fiscal impact statement has been prepared for
11 each rule as required by section 8053-A and Title 3,
12 chapter 26.

13 Sec. 4. Appropriation. The following funds are
14 appropriated from the General Fund to carry out the
15 purposes of this Act.

16 1986-87

17 FINANCE AND ADMINISTRATION,
18 DEPARTMENT OF

19 Administration-Finance and

20 Administration

21 Positions

(1)

22 Personal Services

\$27,508

23 All Other

1,000

24 Capital Expenditures

500

25 Total

\$29,008

26 Provides funds
27 for one posi-
28 tion to assess
29 the fiscal im-
30 pact of pro-
31 posed state
32 agency rules
33 upon political
34 subdivisions.

35 Legislature

36 Positions

(3)

37 Personal Services

\$ 82,859

38 All Other

110,320

39 Capital Expenditures

6,600

40 Total

\$199,779

1 Provides funds
2 for 2 budget
3 analyst and 1
4 senior analyst
5 to assess the
6 fiscal impact
7 of proposed
8 legislation
9 upon political
10 subdivisions.
11 This appropria-
12 tion also pro-
13 vides funds to
14 renovate office
15 space for these
16 3 positions.

17 TOTAL APPROPRIATIONS \$228,787

18 FISCAL NOTE

19 This new draft will incur an initial cost to the
20 General Fund of \$228,787 for the fiscal year 1986-87.
21 In the subsequent years, the Capital Expenditures and
22 All Other costs included in this appropriation will
23 not be necessary.

24 STATEMENT OF FACT

25 The purpose of this new draft is to establish the
26 requirement of a fiscal note for each legislative
27 document and state agency rule to describe the fiscal
28 impact of each proposed law and agency rule upon mu-
29 nicipalities, counties and school administrative
30 units. By being made aware of the costs of proposed
31 laws and agency rules, Legislators and state agencies
32 may be able to make decisions with greater facility
33 than previously.

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