

MAINE STATE LEGISLATURE

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L.D. 2090
(Filing No. H - 578)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "^A" to H.P. 1536, L.D. 2090,
Bill "AN ACT Concerning State Mandates to Local
Governments."

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Amend the bill by inserting after the enacting
clause the following:

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'Sec. 1. 1 MRSa §364 is enacted to read:

§364. State mandates

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At least 14 days must pass from the introduction
of a bill to create or enlarge a state mandate to
local governments until that bill is enacted by the
Legislature. A state mandate means any
state-initiated, constitutional or statutory action
that requires a local government to establish, expand
or modify its activities in such a way as to
necessitate additional expenditures from local
revenues, excluding any order issued by a state court
or any legislation necessary to accomplish a federal
mandate. Local governments means counties,
municipalities and school administrative units. This
requirement may be waived for a specific bill by a 2/3
vote of both houses of the Legislature.'

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Further amend the bill in Sec. 3, in that part
designated "§19302." in subsection 7, in the 3rd line

COMMITTEE AMENDMENT "A" to H.P. 1536, L.D. 2090

1 (page 4, line 26, in L.D.) by inserting after the
2 underlined word "affect" the underlined word and
3 punctuation 'state,'

4 Further amend the bill by inserting after section
5 3 the following:

6 'Sec. 4. Status report. By May 1, 1989, the
7 office of the Governor shall submit a status report to
8 the Joint Standing Committee on State and Local
9 Government. This report shall provide the status of
10 the performance of duties contained in the Maine
11 Revised Statutes, Title 5, section 19302, a time
12 schedule regarding them and a proposal for staffing.
13 If Title 5, section 19302 is not law, the duties
14 listed in Executive Order 5 FY 83-84, dated November
15 15, 1983, shall be substituted in this report. This
16 report shall be written within the framework of Title
17 5, chapter 551 which requires that all these duties be
18 performed by one office. This report shall be
19 submitted regardless of whether funds are appropriated
20 by this Act to an Office of Intergovernmental Affairs.'

21 Further amend the bill in section 4 by striking
22 out the first 3 lines (page 4, lines 32 to 34 in L.D.)
23 and inserting in its place the following:

24 'Sec. 4. Appropriation. The following funds
25 are appropriated from the General Fund to carry out
26 section 3 of this Act.'

27 Further amend the bill by renumbering the sections
28 to read consecutively.

29 STATEMENT OF FACT

30 This amendment adds a provision that at least 2
31 weeks shall elapse between the time a state mandate
32 bill is introduced and the time that it may be passed.

33 It adds a requirement that the Office of
34 Intergovernmental Affairs monitor the effect of
35 federal policies on State Government, as well as on
36 county and local government.

COMMITTEE AMENDMENT "A" to H.P. 1536, L.D. 2090

1 It also requires the office of the Governor to
2 submit a status report relative to the
3 intergovernmental functions required by this Act.
4 This report is due regardless of the funding which is
5 eventually provided under the Act. It is the intent
6 of this amendment that all the functions listed for
7 the Office of Intergovernmental Affairs be performed
8 by one office, rather than being allotted among
9 various agencies.

10 It is the intent of this amendment that, for
11 funding purposes, its various sections be treated as
12 distinct entities and that failure to obtain adequate
13 funding shall affect only the section on the Office of
14 Intergovernmental Affairs and that the other sections
15 which required no funding shall continue. This
16 provision includes continuing the requirement for the
17 intergovernmental affairs status report, since the
18 Joint Standing Committee on State and Local Government
19 has determined that there is currently a person in the
20 executive office who devotes some time to
21 federal-state affairs and who, it is felt, could
22 provide the desired status report.

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Reported by the Committee on State and Local Government
Reproduced and distributed under the direction of the Clerk of the
House
3/31/88 (Filing No. H-578)