

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 755

H.P. 557

House of Representatives, March 14, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative STROUT of Corinth.

Cosponsored by Representative MacBRIDE of Presque Isle, Speaker MARTIN of Eagle Lake and Representative HUSSEY of Milo.

STATE OF MAINE

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

An Act Relating to Municipal Funding.

(AFTER DEADLINE)

(EMERGENCY)



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

5 Whereas, the law requiring municipalities to accept funds
provided by the Legislature only upon affirmative vote of the
7 municipal legislative body becomes effective on July 1, 1989; and

9 Whereas, the law has created considerable confusion among
municipal legislative bodies; and

11 Whereas, municipalities will not be prepared to comply with
13 this law by July 1, 1989; and

15 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
17 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
19 safety; now, therefore,

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

23 **30 MRSA §5058**, as enacted by PL 1987, c. 816, Pt. KK, §22,
is amended to read:

25 **§5058. Funding**

27 Effective July 1, 1989 1990, municipalities shall accept
29 funds provided by the Legislature only upon an affirmative vote
of their legislative bodies. Those municipalities holding a town
31 meeting shall include a separate article on the warrant for each
category of state funding which shall read as follows: "Shall
33 the town vote to accept (category of funding) as provided by the
Maine State Legislature?". The town shall indicate an estimate
35 of the amount to be received for each category of state funding
on the warrant, but it does not have to be part of the article.
37 Those funds not accepted by any municipality shall remain with
the State. This section applies to any town meeting held after
39 January 1, 1990.

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

43
45 **STATEMENT OF FACT**

47 This bill postpones the date by which municipalities are
required to obtain an affirmative vote of their legislative
49 bodies before accepting funds provided by the Legislature. Under
current law, the date this requirement becomes effective is July

1 1, 1989. This bill sets a new date of April 1, 1990 to allow
2 municipalities enough time to understand and comply with this
3 requirement. Under this bill, the affirmative vote of a
4 municipal legislative body at a town meeting held after January
5 1, 1990, will satisfy the affirmative vote requirement.