

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2460

H.P. 1794

House of Representatives, March 29, 1990

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.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative CARTER of Winslow.

Cosponsored by Senator PEARSON of Penobscot, Speaker MARTIN of Eagle Lake and President PRAY of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Implement Meaningful Legislative Oversight of State
Finances.

(AFTER DEADLINE)



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

2
3 **Sec. 1. 3 MRSA §522**, as enacted by PL 1981, c. 702, Pt. S, is
4 amended to read:

6 **§522. Purpose and powers**

8 The joint standing committee of the Legislature having
9 jurisdiction over appropriations and financial affairs shall
10 oversee the transfer of funds in accordance with Title 5, section
11 1585, block grant changes in accordance with Title 5, section
12 1670 and any other related fiscal matters. The committee has the
13 power to investigate and consider any matter relative to
14 revenues, budgets, appropriations, allocations, expenditures,
15 finances or any other fiscal matter of the State. The committee
16 may meet ~~monthly~~ or while the Legislature is in session and
17 during the interim as often as is deemed determined necessary by
18 the ~~chairmen~~ chairs. Members of the committee shall be ~~paid per~~
19 ~~diem and expenses~~ receive the legislative per diem as defined in
20 section 2 for each ~~day~~ days of attendance ~~as authorized by the~~
21 ~~Legislative Council.~~

22 **Sec. 2. 5 MRSA §1585, sub-§1**, as amended by PL 1985, c. 737,
23 Pt. B, §7, is further amended to read:

24 **1. Transfer procedures.** Any balance of any appropriation,
25 allocation or subdivision of an appropriation or allocation made
26 by the Legislature for any state department or agency, which at
27 any time may not be required for the purpose named in such
28 ~~appropriations~~ that appropriation, allocation or subdivision, may
29 be transferred at any time prior to the closing of the books to
30 any other appropriation, allocation or subdivision of an
31 appropriation or allocation made by the Legislature for the use
32 of the same department or agency for the same fiscal year subject
33 to review and prior approval by the joint standing committee of
34 the Legislature having jurisdiction over appropriations and
35 financial affairs. Financial orders describing such those
36 transfers shall must be submitted by the Bureau of the Budget to
37 the Office of Fiscal and Program Review 30 days before the
38 transfer is to be implemented. In case of extraordinary emergency
39 transfers, the 30-day prior submission requirement may be waived
40 by vote of the committee.

41 **Sec. 3. 5 MRSA §1669, first ¶**, as amended by PL 1985, c. 737,
42 Pt. B, §9, is further amended to read:

43 No state department or agency may make expenditures of any
44 federal funds or expenditures in anticipation of receipt of
45 federal funds for any new or expanded programs, unless such
46 federal funds are approved by the Legislature. The Governor may,
47 subject to review and prior approval by the joint standing
48 committee of the Legislature having jurisdiction over

2 appropriations and financial affairs, authorize the expenditure
of such federal funds for a period not to exceed 12 calendar
4 months, and shall notify the Office of Fiscal and Program Review
of such--action any proposed authorization of an expenditure of
6 federal funds 30 days before the proposed effective date of that
authorization.

8 **Sec. 4. Effective date.** This Act takes effect only if the
Constitution of Maine is amended to add a section authorizing
10 legislative oversight of state finances.

12
14 **STATEMENT OF FACT**

16 This bill is a companion measure to L.R. 3717. Changes are
made in the laws to implement the legislative financial oversight
18 clause proposed as an amendment to the Constitution of Maine.
The Joint Standing Committee on Appropriations and Financial
20 Affairs is given oversight responsibility over state finances and
the authority to approve or reject financial changes that vary
22 the terms of an enacted appropriation measure. These changes
will take effect only if the proposed constitutional amendment is
ratified by the voters.