

MAINE STATE LEGISLATURE

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R. of S.

L.D. 363

(Filing No. S-63)

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 151, L.D. 363, Bill, "An Act Allowing Local Governments to Accept Federal and State Funds"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 30-A MRSA §5682, as amended by PL 1989, c. 295, is repealed and the following enacted in its place:

§5682. State and federal funds

Each municipality may accept funds provided by the Legislature and by the Federal Government only upon an affirmative vote of its legislative body. Those funds not accepted by any municipality must remain with the governmental unit from which the funds originated. This section applies to any town meeting held after January 1, 1991.

Those municipalities holding a town meeting are subject to the following requirements.

1. Warrant requirements. The warrant must indicate estimates of the amounts of state and federal funding to be received. The estimates do not have to be part of the article but must be:

A. Estimates of the total amount of state funding and the total amount of federal funding; or

B. Estimates for each category of state funding and each category of federal funding.

2. Article requirements. One of the following types of articles must be used on the warrant:

A. A separate article for each category of state funding and federal funding that must read as follows: "Shall the

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2 town vote to accept (category of funding) as provided by the
3 (name of the governmental entity providing the funding)?";

4 B. A single article containing a list of each category of
5 state funding and a single article containing a list of each
6 category of federal funding. Each article must read as
7 follows: "Shall the town vote to accept the categories of
8 funds listed below as provided by the (name or names of the
9 governmental entity providing the funding)?"; or

10 C. A general article that must read as follows: "Shall the
11 town vote to accept all funding provided by the Maine State
12 Legislature and the United States Federal Government?"
13 Municipalities using this option may accept, without a vote,
14 additional state or federal funds that exceed the estimates
15 indicated on the warrant pursuant to subsection 1. The
16 final allocation of the additional funds must be approved by
17 a vote of the municipal residents.'

18
19 Further amend the bill by inserting after the emergency
20 clause and before the statement of fact the following:

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22 **FISCAL NOTE**

23
24 This bill provides standardized language for municipalities
25 to utilize in accepting federal and state funds. This may
26 minimize the loss of these funds to local governments.
27 Consequently, it may also reduce the amount of funds retained by
28 the State.'

29
30
31 **STATEMENT OF FACT**

32
33 This amendment eliminates the proposed new section of law
34 and amends existing law to reduce confusion while achieving the
35 same substantive end as the original bill. The Maine Revised
36 Statutes, Title 30-A, section 5682 is:

- 37
38 A. Restructured into an outline type format; and
39
40 B. Changed to:
41
42 (1) Include voting for federal as well as state funds;
43
44 (2) Include the option of using a general article to
45 accept all state and federal funds while retaining the
46 two original article options; and
47
48 (3) Require that municipalities using the general
49 article option obtain the approval of municipal
50 residents for the final allocation of any additional
51 funds the municipality accepts.
52

R. of S.
COMMITTEE AMENDMENT "A " to S.P. 151, L.D. 363

2 This amendment does not effect the retroactivity section or the emergency clause.

Reported by Senator Berube for the Committee on State and Local Government. Reproduced and Distributed Pursuant to Senate Rule 12.

(4/16/91)

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