

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

---

Legislative Document

No. 1743

---

H.P. 1190

House of Representatives, April 30, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative FOSS of Yarmouth.

Cosponsored by Senator CAHILL of Sagadahoc and Senator HOLLOWAY of Lincoln.

---

STATE OF MAINE

---

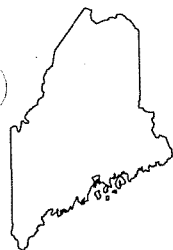
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

---

**An Act to Provide for Deferrals of Unfunded State Mandates for  
Municipalities Experiencing Financial Hardships.**

---

(EMERGENCY)



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

Whereas, unfunded state mandates are creating financial hardship for many municipalities; and

Whereas, the financial hardship for municipalities makes it necessary to allow the State Planning Office to defer state mandates creating financial hardship; and

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

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

30-A MRS §5684, sub-§2 is enacted to read:

2. Deferral of state mandates. If a municipality demonstrates to the State Planning Office that the municipality would suffer financial hardship by funding a state mandate enacted by the Legislature prior to July 1, 1991, the State Planning Office may defer the state mandate for a period of up to 12 months. A municipality may reapply to the State Planning Office for further deferrals of the state mandate for up to 12 months if the municipality demonstrates that it would suffer financial hardship by funding the state mandate.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

#### STATEMENT OF FACT

This bill provides that if a municipality can demonstrate to the State Planning Office that it would suffer financial hardship by funding a state mandate the State Planning Office may defer the mandate for up to 12 months. The municipality may reapply for further deferrals if the financial hardship continues. The bill applies to state mandates enacted by the Legislature prior to July 1, 1991. Under existing law any legislation enacted by the Legislature after July 1, 1991 that requires additional funding must provide for full funding by the State. This bill is proposed as an emergency to assist municipalities suffering financial hardship.