

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 537

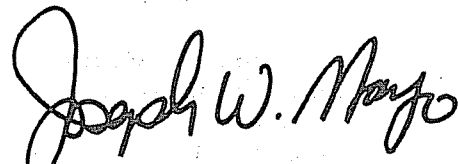
H.P. 418

House of Representatives, February 17, 1993

**Resolve, Requiring All State Departments and Agencies to Analyze
Unfunded Mandates.**

(EMERGENCY)

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


JOSEPH W. MAYO, Clerk

Presented by Representative FOSS of Yarmouth.

Cosponsored by Representatives: MacBRIDE of Presque Isle, REED of Falmouth, SMALL of Bath.

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

4
6 Whereas, quantitative data is needed to assess the impact of
unfunded federal mandates on the budget of State Government; and

8 Whereas, this data must be presented to the United States
Congress at the earliest opportunity in an effort to gain fiscal
10 relief as the State struggles with its budget problems; and

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

18 **Sec. 1. Data on unfunded federal mandates. Resolved:** That all
departments and agencies of State Government, including
20 independent agencies and the institutions of higher education
that receive an appropriation from the General Fund, shall
22 collect data on the federal mandates that have been imposed on
those agencies for which no or partial funding has been
24 provided. Data must be organized in such a way as to identify
individual mandated activities, the federal statutes or rules
26 that created each mandate and the estimated cost to fulfill each
mandate for state fiscal years 1993-94 and 1994-95.

28
30 For the purposes of this resolve, "federal mandate" means
any federal legislation or administrative rule adopted by a
32 federal agency that has necessitated a state department or agency
to make additional expenditures; and be it further

34 **Sec. 2. Report to the Joint Standing Committee on Appropriations
and Financial Affairs. Resolved:** That each department or agency
36 subject to the provisions of section 1 of this resolve shall
report its findings to the Joint Standing Committee on
38 Appropriations and Financial Affairs no later than March 15, 1993.

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

42
44 **STATEMENT OF FACT**

46 State Government has been made responsible for carrying out
a variety of activities that have been mandated by the Federal
48 Government but for which federal funds for implementation have
not been made available.

2 This resolve provides for the collection of quantitative
4 data from each department and agency of State Government on the
6 annual cost of these unfunded federal mandates. This data will
 be presented to the United States Congress in an effort to assist
 the State in relaxing these mandates and in balancing its budget
 for the fiscal years 1993-94 and 1994-95.