MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

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No. 1247

H.P. 924

House of Representatives, April 13, 1993

An Act to Implement the Constitutional Amendment Requiring the State to Fund Mandates.

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

•

OSEPH W. MAYO, Clerk

Presented by Representative JOSEPH of Waterville.

Cosponsored by Representatives: ADAMS of Portland, COLES of Harpswell, GEAN of Alfred, HEESCHEN of Wilton, Senator: HANDY of Androscoggin.

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| | Constitutionally required vote; preamble. This measure |
|------|--|
| 2 | implements the Constitution of Maine, Article IX, Section 21, |
| 4 | governing state funding of mandates imposed on municipalities. |
| 4 | Pursuant to the Constitution of Maine, Article IX, Section 21, |
| 6 | two thirds of all of the members elected to each House have voted to enact this measure. |
| 8 | Be it enacted by the People of the State of Maine as follows: |
| 10 | Sec. 1. 30-A MRSA §5684, as amended by PL 1991, c. 847, §4, |
| 10 | |
| | is repealed. |
| 12 | C |
| | Sec. 2. 30-A MRSA §5685 is enacted to read: |
| 14 | |
| | §5685. Funding for state-mandated programs |
| 16 | |
| | 1. Definitions. As used in this section and in Article IX, |
| 18 . | Section 21 of the Constitution of Maine, unless the context |
| | otherwise indicates, the following terms have the following |
| 20 . | meanings. |
| | |
| 22 | A. "Local revenues" means revenues generated by authority |
| 22 | of local units of government, including property taxes. |
| 24 | or local units of government, including property caxes. |
| 24 | |
| 2.0 | B. "Local units of government" means municipalities, school |
| 26 | districts, counties and special districts. |
| | |
| 28 | 2. Funding. Funds to implement mandates may come from |
| | revenues appropriated by the State or through state authorization |
| 30 | to local units of government to levy fees or taxes not previously |
| | levied by local government. |
| 32 | |
| | If a local unit of government receives any funds from the sale or |
| 34 | disposition of real or personal property purchased with state |
| | funds provided to implement a mandate, the local unit of |
| 36 | government must forward the proceeds to the State after deducting |
| | the costs of the sale or disposition. |
| 38 | |
| | |
| 40 | |
| 40 | STATEMENT OF FACT |
| | STATEMENT OF FACT |
| 42 | |
| | This bill provides enabling legislation to implement the |
| 44 | provisions of Constitutional Resolution 1991, chapter 2, which |
| | prohibits unfunded state mandates. |
| 46 | |
| | The bill defines some of the terms used in the |
| 48 | constitutional amendment. |