

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 2191

S.P. 812

In Senate, February 3, 1998

**An Act to Provide State Matching Funds for Federal Disaster Assistance
Relating to the January Ice Storms.**

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President LAWRENCE of York. (GOVERNOR'S BILL).
Cosponsored by Speaker MITCHELL of Vassalboro and
Senators: AMERO of Cumberland, BENNETT of Oxford, MICHAUD of Penobscot,
Representatives: DONNELLY of Presque Isle, KERR of Old Orchard Beach.

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

4
6 Whereas, the State was ravaged by 2 ice storms in January
1998 and has been declared a Federal Disaster Area; and

8 Whereas, these storms caused a tremendous amount of damage
in municipalities across the State; and

10
12 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
14 necessary for the preservation of the public peace, health and
safety; now, therefore,

16
18 **Be it enacted by the People of the State of Maine as follows:**

20 **Sec. 1. 5 MRSA §1513, sub-§1-I is enacted to read:**

22 1-I. Transfer from Maine Rainy Day Fund; disaster
assistance. Notwithstanding subsection 2 and section 1585, an
amount not to exceed \$5,000,000 in fiscal year 1997-98 may be
transferred from the available balance in the Maine Rainy Day
Fund to the "Administration - Maine Emergency Management Agency"
program in the Department of Defense, Veterans and Emergency
Management to be made available by financial order upon the
recommendation of the State Budget Officer and approval of the
Governor to be used as the State's matching share for disaster
assistance associated with the ice storms of 1998.

32 **Sec. 2. Unexpended resources.** Notwithstanding any other
provision of law, the Commissioner of Defense, Veterans and
34 Emergency Management is authorized to use, after identifying all
outstanding obligations and commitments, all remaining resources
36 available, including beginning cash balances and current year
appropriations, within the General Fund Disaster Assistance
38 account within the Maine Emergency Management Agency, in order to
carry out the intent of this Act.

40
42 **FISCAL NOTE**

44 This bill authorizes the transfer of up to \$5,000,000 from
the Maine Rainy Day Fund in fiscal year 1997-98 to the Department
of Defense, Veterans and Emergency Management for the State's
46 share for disaster assistance associated with the ice storms of
1998.

2 The amount of interest earnings that will be lost to the
Maine Rainy Day Fund as a result of this transfer is estimated at
4 approximately \$100,000 for the balance of fiscal year 1997-98.

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

8
10 **SUMMARY**

12 This bill authorizes the transfer of \$5,000,000 from the
Maine Rainy Day Fund to the Maine Emergency Management Agency to
14 match public and individual federal disaster assistance. The
bill also authorizes the Commissioner of Defense, Veterans and
Emergency Management to use all remaining resources available
16 within the General Fund Disaster Assistance account to carry out
this Act.