

# MAINE STATE LEGISLATURE

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DECEMBER SPECIAL SESSION

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E I G H T Y - S I X T H   L E G I S L A T U R E

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**Legislative Document**

**No. 112**

H. P. 89

House of Representatives, Dec. 7, 1933.

Referred to Committee on Appropriations and Financial Affairs and 500 copies ordered printed. Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Piper of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND THIRTY-THREE

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**AN ACT Providing Flexibility in the Handling of State Revenues and Expenditures During the Period of the Present State Cash Stringency**

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**Emergency Preamble.** Whereas, as a result of the existing depression in the United States and in the State of Maine, a general condition has arisen which operates to curtail the direct revenues of the state; and

Whereas, as a result of laws now in force it is anticipated that the cash available and to be available with the receipts from direct taxation and indirect sources will be insufficient to carry on all of the functions of government unless pooled for a common purpose; and

Whereas, the pooling of indirect revenues and the making of the same available for general expenditure without regard to existing statutes requiring the segregation of funds for special purposes will make it possible to so carry on all the functions; and

Whereas, in the judgment of this legislature the facts herein before set forth create an emergency within the meaning of article XXXI 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:

**Sec. 1. Flexibility in handling state revenue.** In order to provide flexibility in the handling of the revenue of the state, whether derived from

direct taxation or from indirect sources of whatever nature, the governor and council are hereby authorized, notwithstanding any provision of law requiring any part or parts of such revenues to be set aside or segregated and held in a separate fund or funds for any specific purpose or purposes, to use such direct tax money and indirect receipts in accordance with their best judgment in such manner as will provide for the carrying on of all governmental functions, provided, however, that the controller shall show by proper record the special funds as constituted by law from which any such revenues are diverted, that proper provision may be made when funds are available for the restoration thereof.

**Sec. 2. Governor and council authorized to delay expenditure.** Notwithstanding the terms of any act or resolve passed by this legislature providing for the appropriation of any funds for any particular purpose or purposes, the governor and council are hereby authorized to delay the expenditure of such fund or funds for such purposes until in their judgment the cash position of the state warrants such expenditure or expenditures.

**Sec. 3. Emergency clause.** In view of the emergency recited in the preamble this act shall take effect when approved; and shall remain in effect until January 1, 1935.