

# 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. 115**

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S. P. 42

In Senate, Dec. 7, 1933.

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

ROYDEN V. BROWN, Secretary.

Presented by Senator Fernandez of Penobscot.

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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 laws now in force it  
it anticipated that the cash available and to be available with the receipts  
from direct taxation and indirect sources is insufficient to carry on all  
the functions of government upon the scale provided by existing appro-  
priations; and

Whereas: The insufficiency of such revenues renders it necessary that  
all income shall be pooled, notwithstanding the provisions of existing  
statutes requiring the segregation of funds for special purposes, and  
that with the said pooling certain appropriations shall be reduced, which  
it is impossible for the legislature to specify at the present time; 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 imme-  
diately 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.** 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.** 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.** In view of the emergency recited in the preamble this act shall take effect when approved; and shall remain in effect from January 1, 1934 to December 31, 1934.