

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

S.P. 31 - L.D. 119

**An Act to Include the Declaration of an Emergency by the President of the
United States as a Basis to Allow the Governor to Provide Disaster Relief to
Local Governments**

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

Sec. 1. 37-B MRSA §744, sub-§2-A, as corrected by RR 2019, c. 1, Pt. B, §47, is amended to read:

2-A. Assistance to local governmental units. Assistance to local governmental units ~~shall be~~ is governed as follows.

A. Whenever the President of the United States declares that an emergency or a major disaster exists in the State, the Governor may:

- (1) Apply for a public assistance grant from the Federal Government under Public Law 93-288 on behalf of both the State and local governmental units for the purposes of emergency work or repairing or replacing publicly owned facilities within the disaster area or relocating public facilities outside of the disaster area;
- (2) Obligate state financial resources, as a condition for receiving such a federal grant, up to, but not in excess of, 25% of the total public assistance requested; and
- (3) Enter into an agreement with the affected local governmental units to obligate local financial resources up to, but not in excess of, 10% of the total cost of damage to local public facilities, ~~provided that as long as~~ as long as the local share ~~shall~~ does not exceed 10% of total local annual operating budget, exclusive of educational budgets.

B. If the President of the United States declares that an emergency or a major disaster exists in the State, the Governor may:

- (1) Apply for a loan from the Federal Government on behalf of a unit of local government if the Governor determines that the unit will suffer a substantial loss of tax and other revenues as a result of an emergency or a major disaster and has demonstrated a need for financial assistance to perform its governmental functions;

- (2) Receive and disburse the proceeds of any approved loan to an applicant local government;
- (3) Determine the amount needed by any applicant local government to restore or resume its governmental functions and certify the amount to the Federal Government, except that no application amount may exceed 25% of the annual operating budget of the applicant for the fiscal year in which the emergency or major disaster occurs; and
- (4) Recommend to the Federal Government, based upon the Governor's review, the cancellation of all or any part of repayment when, after 3 full fiscal years following the emergency or major disaster, the revenues of the local government are insufficient to meet its operating expenses, including additional municipal expenses related to the emergency or disaster.