

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
S.P. 484 - L.D. 1507

An Act To Establish a Local Fiscal Recovery Funds Program and Allocation

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

Whereas, the federal American Rescue Plan Act of 2021, Public Law 117-2, provides, through the Coronavirus Local Fiscal Recovery Fund, funding for 3 categories: metropolitan cities, counties and nonentitlement units of local government; and

Whereas, amounts identified for nonentitlement units of local government will be provided to the State for distribution; and

Whereas, while it is expected that metropolitan and county funds will be provided directly to those entities by the Federal Government, it may be possible these funds will also be provided to the State for distribution; and

Whereas, according to the American Rescue Plan Act of 2021, the funds must be distributed to the local governments after receipt by the State within 30 days; and

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 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. Legislative intent regarding allocations to the Department of Administrative and Financial Services, American Rescue Plan Act of 2021 - Local Fiscal Recovery Funds program. It is the intent of the Legislature that the total combined allocation in section 2 of \$493,973,030 for fiscal years 2020-21 and 2021-22 represents the estimated maximum total amount to be distributed to the 3 categories of local government, which are county, metropolitan and other units of local government, scheduled for receipt of local fiscal recovery funds in the federal American Rescue Plan Act of 2021. While the Legislature expects that county and metropolitan funds will be provided directly to those entities by the Federal Government, the Legislature understands that federal regulations may require distribution of the local fiscal recovery fund portion of

the funds from the federal American Rescue Plan Act of 2021 through the State to those entities and has allocated the combined total to provide for that possibility. The allocation in fiscal year 2022-23 allows for the expenditure of any remaining funds that may carry into that fiscal year. The Department of Administrative and Financial Services may adjust allotments by financial order to conform to guidance put forth by the Federal Government regarding the local fiscal recovery funds.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
American Rescue Plan Act of 2021 - Local Fiscal Recovery Funds N359**

Initiative: Provides one-time allocations necessary to distribute the local fiscal recovery funds authorized in the federal American Rescue Plan Act of 2021.

FEDERAL EXPENDITURES FUND - ARP	2020-21	2021-22	2022-23
All Other	\$246,986,515	\$246,986,515	\$500
FEDERAL EXPENDITURES FUND - ARP TOTAL	\$246,986,515	\$246,986,515	\$500

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