MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 972

H.P. 685

House of Representatives, March 9, 2017

An Act To Modify the Lincoln County Budget Advisory Committee

Reference to the Committee on State and Local Government suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative HAWKE of Boothbay Harbor.

Cosponsored by Senator DOW of Lincoln and Representatives: BRADSTREET of Vassalboro, DEVIN of Newcastle, HANINGTON of Lincoln, HANLEY of Pittston, MALABY of Hancock, PIERCE of Dresden, SANDERSON of Chelsea, SIMMONS of Waldoboro.

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

Sec. 1. 30-A MRSA §792, as enacted by PL 1989, c. 718, is amended to read:

§792. Interim budget

If the budget is not approved before the start of a fiscal year, until a budget is finally adopted, the county shall operate on an interim budget, which may not exceed 80% of the previous year's budget.

Sec. 2. 30-A MRSA §793, as amended by PL 2007, c. 663, §10, is further amended to read:

§793. Advisory committee

There is established a Lincoln County Budget Advisory Committee, referred to in this article as "the advisory committee," as provided in this section.

- 1. Municipal officers; election; term. The municipal officers governing bodies from each county commissioner district municipality shall choose the budget advisory committee members by the following procedure.
 - A. No later than 100 days before the end of the county's fiscal year, the county commissioners shall notify all municipal officers governing bodies in the county to caucus by county commissioner districts at a specified date, time and place for the purpose of electing at least select one municipal officer from each district the governing body's municipality as a member of the county budget advisory committee except, in 1990, at least 3 municipal officers must be selected from each district. The county commissioner shall serve as nonvoting moderator for that district caucus. Nominations must be received from the floor. The nominee receiving the most votes is approved as a budget committee member except, in 1990, each caucus shall elect 3 members. The names of those elected by the caucus Each municipal governing body must be recorded record and forwarded forward the name of the municipal officer from that municipality selected to serve on the advisory committee to the county commissioners or, if the municipal governing body declines to have membership on the advisory committee, inform the county commissioners that the municipality will have no membership on the advisory committee.
 - B. Budget committee members serve 3-year terms except, in 1990, one member from each district must be elected for a one-year term, one for a 2-year term and one for a 3-year term. If a budget committee member ceases to be a municipal officer during the term of membership, the committee member vacates membership and the next district caucus shall elect a qualified municipal officer to serve for the remainder of the unexpired term.
- **2.** Legislative member. The Lincoln County legislative delegation shall annually select one member of the delegation who resides in Lincoln County to serve on the budget advisory committee.

- **3.** Chair. The budget advisory committee shall annually select one of its members to chair the committee.
 - Sec. 3. 30-A MRSA §795, as amended by PL 2007, c. 663, §12, is further amended to read:

§795. Budget estimate; submission to advisory committee

The Lincoln County commissioners shall submit a budget estimate to the advisory committee no later than 90 days before the end of the county's fiscal year for the coming year. The advisory committee shall review the budget estimate and make recommendations adopt a final budget and transmit that budget to the commissioners no later than 45 days before the end of the county's fiscal year. The county commissioners shall act on the budget in a timely fashion and, in any event, not later than 15 days before the end of the county's fiscal year. The county commissioners may not further increase, decrease, alter or revise the budget adopted by the advisory committee, except by unanimous vote of the county commissioners. If the adopted budget is changed by the county commissioners, the advisory committee may reject that change by a 2/3 vote of the members present. Those actions are final and are not subject to further action by either the county commissioners or the advisory committee.

18 SUMMARY

This bill changes the Lincoln County budget procedures in the following ways.

- 1. Current law requires an interim county budget before a final county budget is approved to be no more than 80% of the amount of the preceding county budget. This bill raises the level of the interim county budget to no more than the full amount of the preceding county budget.
- 2. Current law requires the Lincoln County Budget Advisory Committee to be comprised of 3 municipal officers per county commissioner district elected by their respective district caucuses and serving staggered 3-year terms. This bill requires that each municipality has the option to have one municipal officer from that municipality selected by the municipality's governing body to serve on the committee for a one-year term.
- 3. Current law requires the committee to submit budget recommendations to the Lincoln County commissioners, who have the final say on the county budget. This bill gives the committee the authority to submit a budget to the commissioners, who need a unanimous vote to make any changes, and the power to veto any change to the budget by the commissioners by a 2/3 vote of the committee members present.