

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
106TH LEGISLATURE

SENATE AMENDMENT " C " to H. P. 1549, L. D. 1983, Bill, "AN ACT
Relating to County Estimates."

Amend said Bill by striking out all of sections 3, 3-A and
4 and inserting in place thereof the following:

'Sec. 3. R. S., T. 30, §252, amended. The first and 2nd
paragraphs, as repealed and replaced by section 1 of chapter 541 of
the public laws of 1967 and as amended, and the 4th paragraph, as
enacted by section 3 of chapter 380 of the public laws of 1971,
are repealed and the following enacted in place thereof:

In order to assess a county tax, county commissioners, prior to November 20th,
shall prepare specific estimates of the sums necessary to defray the expenses which may
have or may probably accrue for the coming year, including personal and contractual
services, debt service, commodities and capital expenditures. Such estimates shall be
drawn so as to authorize the appropriations to be made to each department or agency of
the county government for the coming year and shall be made on such forms and in such
manner as shall be approved by the State Department of Audit. A copy of such estimates
shall be transmitted by registered or certified mail with return receipt requested,
to the municipal officers of each municipality in said county prior to December 1st.

After advance newspaper notice of at least 7 days and prior to December 20th,
the county commissioners and the county finance committee shall hold a public hearing
on said estimates. The county finance committee shall have the authority to review
proposed estimates and to make recommended changes, alterations and revisions to the
proposed estimates and to formally adopt the estimates. The county finance committee
shall meet to review the proposed estimates and to fully adopt them by resolution not
later than December 31st of each year.

Immediately upon final adoption of the estimates, an appropriation resolution
in the form of the final estimates shall be passed by the county finance committee
and filed with the clerk of the county commissioners. Where the appropriation
resolution shall have been passed, the county tax shall be determined to be set
and levied and the county commissioners shall proceed to assess the county tax.

(Filing No. S-247)

Sec. 3-A. R. S., T. 30, §252, amended. Section 252 of Title 30 of the Revised Statutes, as repealed and replaced by section 1 of chapter 541 of the public laws of 1967 and as amended, is further amended by adding at the end 2 new subsections to read as follows:

1. County finance committee. There is established in each county, a county finance committee. The committee shall elect a chairman by majority vote who shall serve at the pleasure of the committee. A majority of the committee shall constitute a quorum for conducting the business of the committee. Vacancies in the municipal membership on the committee shall be filled by the municipality represented on the committee by the vacant position. The person to fill the vacant position shall be selected in the same manner as the original representative from the municipality, to serve the remainder of the term of the person whose vacancy exists. The members of the committee shall receive their actual expenses incurred while in performance of their official duties.

2. Membership.

A. Municipal Membership. Each municipality within the county shall select one person to serve on the county finance committee, except that each municipality with a population of over 10,000 shall select one person for each 10,000 population or part thereof. The person or persons who are to serve on the county finance committee shall be chosen by the municipal officers and shall be municipal officers of the municipality which they are to represent. The term of each municipal representative shall be for one year, to commence on May 1st of the year in which he is selected. Each municipal representative on the county finance committee shall have one vote per (twenty million dollars) or part thereof of the State valuation of the municipality represented.

B. Legislative Delegation Membership. Two members of the committee shall be members of the county legislative delegation and shall be chosen at a caucus by the members of the delegation. A member of the majority and minority party shall be chosen to serve when both parties have representatives within the county. The Senator or Senators residing within the county shall be recognized as the only members of the Senate eligible to serve on the county finance committee.

C. Authority. In addition to the other authority granted in this section, the county finance committee shall have the authority to determine the salaries of the respective county commissioners. No such salary shall be less than the amount specified by law previous to the effective date of this Act.

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Sec. 4. R. S., T. 30, §§252-A and 252-B, additional. Title 30 of the Revised Statutes is amended by adding 2 new sections to be numbered 252-A and 252-B to read as follows:

§252-A. Authorized expenditures

The county commissioners may raise or appropriate money for the following purposes:

1. Operating expenses:

A. Providing for the operation of county government;

B. Establishing a contributory pension system for its officials and employees, or participating in an existing system, including the ~~state retirement system~~;

C. Providing for the operation of various departments of county government;

D. Insuring officials, employees and volunteer workers against public liability and property damage resulting from their negligent operation of any vehicle owned or leased by the county or being used for county purposes or business;

E. Obtaining the services of county advisory organizations.

2. Public Works:

A. Providing for buildings.

3. Health and Welfare:

A. Providing for a food stamp or donated food program in conformity with regulations promulgated by the United States Department of Agriculture and the United States Department of Health, Education and Welfare.

4. Development:

A. Supporting a chamber of commerce or board of trade;

B. Advertising resources and attractions;

C. Purchasing real estate and property for county purposes, including purchases from the ~~federal government~~.

5. General duties and operation:

A. Performing any of the duties required of it by law;

B. Providing for any operations authorized by law which by their nature require the expenditure of money.

The powers and authority provided in this section are additional and supplemental to any other authority or power of the counties, whether that authority or power be expressed or implied in existing statutes or other enabling provisions and shall not be regarded as in derogation of or as repealing any authority or power now existing under any other law.

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6. Contracted services for municipalities. The county commissioners may contract with municipalities within a county to perform, for a municipality or a combination of municipalities, any of the functions and duties authorized or required by law to be performed by municipalities. Contracts for such services shall be prepared, approved and executed in the same form and by the same method as required of interlocal agreements between municipalities under this Title.

§252-B. Federal and state grants

A county may accept grants.

1. Federal. Counties may apply for and accept federal grants for any purpose for which federal grants are made available to counties, either directly or through the State.

2. State. Counties may apply for and accept state grants for any purpose for which state grants are made available to counties, either directly or through a state agency.'

Further amend said Bill in section 5 by inserting after the underlined word "county" in the 12th line (11th line in L. D.) the following 'or any municipality or combination of municipalities which pay at least 50% of the county tax'; and by striking out in the last line (next to the last line in L. D.) the underlined figure "30" and inserting in place thereof the underlined figure '45'

Further amend said Bill by striking out all of section 6 and inserting in place thereof the following:

'Sec. 6. R. S., T. 30, §254, amended. Section 254 of Title 30 of the Revised Statutes is amended by adding after the first sentence the following new sentence:

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If any such tax is not paid before October 1st, the county commissioners may charge interest thereon after October 1st. The rate of said interest shall be specified by the county commissioners on or before January 31st of the taxable year. Said rate of interest shall not exceed the highest conventional rate of interest charged for commercial unsecured loans by Maine banking institutions on the first business day of the calendar year. The highest conventional rate of interest charged for commercial unsecured loans by Maine banking institutions on the first business day of each calendar year shall be determined in his best judgment by the Treasurer of State, who shall send a written notice of such rate to the county commissioners. Such interest shall be added to and shall become part of the taxes.'

Further amend said Bill in section 7 by inserting after the underlined word "county" in the next to the last line (last line in L.D.) of the first paragraph of that part designated "§409." the underlined words 'by vote of the people'

Further amend said Bill in section 7 by inserting after the underlined word "provisions" in the 4th line of the 2nd paragraph (3rd line in L. D.) of that part designated "§409." the underlined words 'only after issuance of such bonds has been approved by the voters'

Further amend said Bill by inserting at the end the following section:

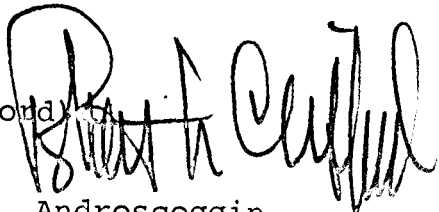
'Sec. 10. Effective date. This Act shall become effective on January 1, 1974 and the budgetary process specified under this Act shall be commenced for the fiscal year beginning January 1, 1975.'

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Statement of Fact

The purpose of this amendment is to provide for equity between representation on county finance committees and amount of county taxes paid; clarify authority of county finance committees regarding county budgets; delineate county functions vis-a-vis municipal functions; enable municipalities to appeal the county budget to the Legislature; more clearly specify the interest rate on county taxes; and, insure that bonds could only be issued after a referendum vote. This amendment has been agreed to by the sponsor of L.D. 1983, the county commissioners and the Maine Municipal Association.

(Clifford)
NAME:



COUNTY: Androscoggin

Reproduced and distributed pursuant to Senate Rule No. 11 A.

June 19, 1973 (Filing No. S-247).