

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 730

S. P. 256

In Senate, February 23, 1979

On Motion of Senator Huber of Cumberland, referred to the Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

Presented by Senator Huber of Cumberland.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Establish a Statutory Limit on County Expenditures during any One Fiscal Year.

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

30 MRSA § 427 is enacted to read:

§ 427. County expenditures

1. **Limitation of county expenditures.** Commencing with the first fiscal year after December 31, 1979, the total expenditures of any county government shall not exceed its expenditures for the prior fiscal year by a greater percentage than the lesser percentage change either in the cost of living or in Maine personal income. These percentage changes shall be established by recognized indices selected by the Commissioner of Finance and Administration in accordance with Title 5, Part 18, so that percentage changes are set no later than 4 weeks after the convening of each regular legislative session. These indices shall be identical to any indices selected by the Legislature as part of a statute imposing a general limitation on state expenditures. Expenditures of federal funds and expenditures made for debt-service payments shall be excluded from this limitation.

2. **Suspension of limit.** No expenditures shall be made above this limitation unless ratification is made by the electors of the appropriate county in accordance

with this subsection. If the county commissioners of a county vote to recommend suspension of the expenditure limitation imposed by this section, they shall, within 60 days of that vote, submit the question of suspension to a referendum of legal voters of that county held at an election called in accordance with applicable law by the county commissioners for that purpose. The county commissioners shall cause the preparation of the required ballots, which shall contain the following question:

Shall the expenditures of the County of(—————) during the fiscal year () exceed the statutory spending limitation imposed by the Revised Statutes, Title 30, section 427?

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of this question. If a majority of the legal voters voting at this election are in favor of exceeding the statutory spending limit imposed by this section, this section shall not apply to county expenditures during the applicable fiscal year, provided that the total number of votes cast for and against this question equals or exceeds 30% of the total votes for all candidates for Governor cast in that county during the last gubernatorial election.

The results of any election held under this subsection shall be declared by the county commissioners of the county holding the referendum and those county commissioners shall file due certificate of those results with the Secretary of State.

County commissioners are authorized to expend those funds which are necessary to implement a referendum under this subsection.

STATEMENT OF FACT

This bill provides for a statutory limitation on county expenditures during any fiscal year. The limitation is set at the county's expenditures during the previous fiscal year plus either the change in cost of living or in Maine personal income, whichever is less.

The bill provides also that a county may exceed this statutory limitation if the voters of that county vote to do so.