

MAINE STATE LEGISLATURE

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L.D. 1710

(Filing No. H- 363)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "H" to S.P. 592, L.D. 1710,
Bill, "AN ACT to Establish County Budget Committees."

Amend the bill by striking out all of the title
and inserting in its place the following:

'AN ACT to Provide a Referendum to Establish County
Budget Committees.'

Further amend the bill by inserting after the
enacting clause the following:

'Sec. 1. 30 MRSA §2, sub-§1, as last amended by
PL 1981, c. 654, §§1 to 17, is further amended to
read:

1. County officers' salaries. ~~The~~ If a county
has not adopted a county budget committee, the county
commissioners, treasurers, sheriffs, judges of pro-
bate, registers of probate and registers of deeds in
the several counties shall receive annual salaries
from the county treasury, in weekly, biweekly or
monthly payments, as follows:

A. Androscoggin County:

(1) Commissioners

(a) Chairman \$ 5,050

(b) Members 4,250

(2) Treasurer 11,235

(3) Sheriff 16,050

(4) Judge of probate 9,069

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1	(5) Register of probate	11,220
2	(6) Register of deeds	13,000
3	B. Aroostook County:	
4	(1) Commissioners	
5	(a) Chairman	\$ 8,556
6	(b) Members	4,400
7	(3) Sheriff	16,500
8	(4) Judge of probate	9,350
9	(5) Register of probate	10,000
10	(6) Register of deeds	
11	(a) Northern District	12,100
12	(b) Southern District	12,100
13	C. Cumberland County:	
14	(1) Commissioners	
15	(a) Chairman	\$ 6,192
16	(b) Members	6,192
17	(2) Treasurer	11,994
18	(3) Sheriff	17,225
19	(4) Judge of probate	14,322
20	(5) Register of probate	11,824
21	(6) Register of deeds	11,994

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1	D. Franklin County:	
2	(1) Commissioners	
3	(a) Chairman	\$ 3,724
4	(b) Members	3,424
5	(2) Treasurer	3,750
6	(3) Sheriff	18,000
7	(4) Judge of probate	8,500
8	(5) Register of probate	11,458
9	(6) Register of deeds	11,856
10	E. Hancock County:	
11	(1) Commissioners	
12	(a) Chairman	\$5,224
13	(b) Members	4,835
14	(2) Treasurer	4,366
15	(3) Sheriff	18,002
16	(4) Judge of probate	10,731
17	(5) Register of probate	7,915
18	(6) Register of deeds	11,464
19	F. Kennebec County:	
20	(1) Commissioners	
21	(a) Chairman	\$ 4,883

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1	(b) Members	4,557
2	(2) Treasurer	7,052
3	(3) Sheriff	17,577
4	(4) Judge of probate	11,284
5	(5) Register of probate	12,502
6	(6) Register of deeds	12,502
7	G. Knox County:	
8	(1) Commissioners	
9	(a) Chairman	\$ 3,108
10	(b) Members	2,865
11	(2) Treasurer	4,446
12	(3) Sheriff	16,305
13	(4) Judge of probate	9,784
14	(5) Register of probate	10,435
15	(6) Register of deeds	12,167
16	H. Lincoln County:	
17	(1) Commissioners	
18	(a) Chairman	\$ 4,050
19	(b) Members	3,400
20	(2) Treasurer	3,950
21	(3) Sheriff	18,535

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1	(4)	Judge of probate	10,000
2	(5)	Register of probate	11,550
3	(6)	Register of deeds	13,900
4	I.	Oxford County:	
5	(1)	Commissioners	
6	(a)	Chairman	\$ 3,774
7	(b)	Members	3,396
8	(2)	Treasurer	4,818
9	(3)	Sheriff	18,199
10	(4)	Judge of probate	10,043
11	(5)	Register of probate	11,552
12	(6)	Register of deeds	
13	(a)	Eastern District	11,930
14	(b)	Western District	8,533
15	J.	Penobscot County:	
16	(1)	Commissioners	
17	(a)	Chairman	\$6,032
18	(b)	Members	5,720
19	(2)	Treasurer	600
20	(3)	Sheriff	16,120
21	(4)	Judge of probate	\$14,300

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1	(5) Register of probate	11,960
2	(6) Register of deeds	11,960
3	K. Piscataquis County:	
4	(1) Commissioners	
5	(a) Chairman	\$ 3,700
6	(b) Members	3,000
7	(2) Treasurer	3,700
8	(3) Sheriff	14,950
9	(4) Judge of probate	9,000
10	(5) Register of probate	10,150
11	(6) Register of deeds	10,558
12	L. Sagadahoc County:	
13	(1) Commissioners	
14	(a) Chairman	\$ 2,987
15	(b) Members	2,710
16	(2) Treasurer	5,713
17	(3) Sheriff	14,765
18	(4) Judge of probate	10,526
19	(5) Register of probate	11,501
20	(6) Register of deeds	12,645
21	M. Somerset County:	

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1	(1) Commissioners	
2	(a) Chairman	\$ 3,500
3	(b) Members	3,000
4	(2) Treasurer	6,869
5	(3) Sheriff	16,500
6	(4) Judge of probate	11,000
7	(5) Register of probate	11,600
8	(6) Register of deeds	10,579
9	N. Waldo County:	
10	(1) Commissioners	
11	(a) Chairman	\$ 2,530
12	(b) Members	2,530
13	(2) Treasurer	3,815
14	(3) Sheriff	16,849
15	(4) Judge of probate	9,848
16	(5) Register of probate	10,884
17	(6) Register of deeds	10,884
18	O. Washington County:	
19	(1) Commissioners	
20	(a) Chairman	\$ 4,250
21	(b) Members	3,542

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1	(2) Treasurer	9,755
2	(3) Sheriff	17,710
3	(4) Judge of probate	11,051
4	(5) Register of probate	10,940
5	(6) Register of deeds	10,940

6 P. York County:

7	(1) Commissioners	
8	(a) Chairman	\$ 4,500
9	(b) Member	4,000
10	(2) Treasurer	3,182
11	(3) Sheriff	17,500
12	(4) Judge of probate	10,000
13	(5) Register of probate	11,235
14	(6) Register of deeds	14,000'

15 Further amend the bill by striking out the first
16 3 lines of section 1 (page 1, lines 23, 24 and 25 in
17 L.D.) and inserting in their place the following:

18 'Sec. 1. 30 MRSA §2, sub-§1-A is enacted to
19 read:'

20 Further amend the bill in section 1 in subsection
21 1 in the first line (page 1, line 26 in L.D.) by
22 striking out the underlined figure "1" and inserting
23 in its place the following: '1-A'

24 Further amend the bill in section 1 in subsection

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1 in the first line (page 1, line 26 in L.D.) by
2 striking out the underlined word "The" and inserting
3 in its place the underlined words and punctuation 'In
4 those counties which have adopted a county budget
5 committee, the' and in the 3rd and 4th lines (page 1,
6 lines 28 and 29 in L.D.) by striking out the under-
7 lined words "in the several counties"

8 Further amend the bill by striking out all of
9 section 2 and inserting in its place the following:

10 'Sec. 2. 30 MRSa §252, as amended by PL 1981, c.
11 406, §1, is further amended by adding before the
12 first paragraph a new paragraph to read:

13 This section shall apply to any county which has
14 not adopted a county budget committee.'

15 Further amend the bill by inserting after section
16 2 the following:

17 'Sec. 3. 30 MRSa §252-A is enacted to read:

18 §252-A. Annual estimates for county taxes; penalty;
19 budget committee

20 This section shall apply to any county which has
21 adopted a county budget committee.

22 In order to assess a county tax, county commis-
23 sioners, at least 60 days prior to the end of the
24 county's fiscal year, shall prepare estimates of the
25 sums necessary to defray the expenses which have ac-
26 crued or may probably accrue for the coming year,
27 including salaries of the county officers and employ-
28 ees, the building and repairing of jails, courthouses
29 and appurtenances, with the debts owed by their coun-
30 ties.

31 The estimates shall be drawn so as to authorize
32 the appropriations to be made to each department or
33 agency of the county government for the year. The

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1 estimates shall provide specific amounts for personal
2 services, contractual services, commodities, debt
3 service and capital expenditures. These estimates
4 shall be made on such forms and in such manner as
5 shall be approved by the Department of Audit.

6 Copies of the forms shall be transmitted to the
7 county commissioners of each county by the office of
8 the Secretary of State 4 months prior to the end of a
9 county's fiscal year.

10 Prior to the convening of the budget committee,
11 the county commissioners of each county shall
12 finalize estimates for the year. The county commis-
13 sioners shall also show the county budget committee
14 any assessment for services to be provided to
15 unorganized territories under Title 36, section 1603,
16 subsection 1, paragraph C. These assessments shall be
17 provided to the budget committee, prior to being sub-
18 mitted to the State Tax Assessor, in a form that
19 shows how the funds are to be spent on the unorgan-
20 ized territories and any current balance of unorgan-
21 ized territory funds held by the county.

22 Whenever any specific appropriation of a depart-
23 ment or agency of county government shall prove
24 insufficient to pay the required expenditures for
25 which that appropriation was made, the county commis-
26 sioners may, upon written request of that department
27 or agency, transfer from any other specific line
28 appropriation of the same department or agency an
29 amount as required to meet the expenditure, provided
30 that the request shall bear the written approval of
31 the majority of the county commissioners.

32 There is established a contingent account in each
33 county in an amount not to exceed \$50,000. Such funds
34 as are available to each county may be used for this
35 purpose. This fund shall be used for emergency pur-
36 poses only at the discretion of the county commis-
37 sioners. At the end of each fiscal year, there shall
38 be transferred from unencumbered county funds an

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1 amount sufficient to restore the established county
2 contingent account.

3 The county treasurer shall keep a record of any
4 transfers between specific line categories or from
5 the contingent account. This record shall be certi-
6 fied by the county commissioners within 30 days of
7 each transfer.'

8 Further amend the bill by striking out all of
9 section 3 and inserting in its place the following:

10 'Sec. 3. 30 MRSA §253, as amended by PL 1981, c.
11 279, §12, is further amended by adding before the
12 first paragraph a new paragraph to read:

13 This section shall apply to any county which has
14 not adopted a county budget committee.'

15 Further amend the bill by inserting after section
16 3 the following:

17 'Sec. 4. 30 MRSA §253-A is enacted to read:

18 §253-A. Estimates recorded and sent to county budget
19 committee

20 This section shall apply to any county which has
21 adopted a county budget comimttee.

22 These estimates shall be recorded by their clerk
23 in a book. A copy thereof shall be signed by the
24 chairman of the county commissioners and attested by
25 their clerk, who shall transmit it to the budget
26 committee no later than 60 days prior to the end of
27 the county's fiscal year, together with the county
28 reports for the 2 preceding years.

29 Any county which is the recipient of federal
30 funds shall provide for the expenditure of those
31 funds in accordance with the laws and procedures
32 applicable to the expenditure of its own revenue and

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1 shall record estimates of the expenditure as provided
2 in this section.'

3 Further amend the bill in section 4 in that part
4 designated "§253-B." in the 4th line (page 4, line 31
5 in L.D.) by striking out the stricken out word
6 "Legislature" and inserting in its place the follow-
7 ing: 'Legislature or'

8 Further amend the bill in section 5 in that part
9 designated "§253-C." in the 4th and 5th lines (page
10 5, lines 2 and 3 in L.D.) by striking out the follow-
11 ing: "while the Legislature is not in session after
12 the budget is approved" and inserting in its place
13 the following: 'while the Legislature is not in
14 session for those counties which have not adopted a
15 county budget committee or after the budget is
16 approved for those counties which have adopted a
17 county budget committee'

18 Further amend the bill in section 5 in that part
19 designated "§253-C." in the 8th line (page 5, line 6
20 in L.D.) by striking out the stricken out word
21 "Legislature" and inserting in its place the follow-
22 ing: 'Legislature or' and in the 15th and 16th lines
23 (page 5, lines 13 and 14 in L.D.) by striking out the
24 following: "Legislature from the county" and insert-
25 ing in its place the following: 'Legislature from the
26 that county for those counties which have not adopted
27 a county budget committee or budget committee for
28 those counties which have adopted a county'

29 Further amend the bill by striking out all of
30 section 6.

31 Further amend the bill in section 7 in that part
32 designated "§1401." in the 3rd line (page 6, line 15
33 in L.D.) by striking out the underlined words "each
34 county" and inserting in their place the underlined
35 words 'any county which has adopted a county budget
36 committee'

HOUSE AMENDMENT "A" to S.P. 592, L.D. 1710

1 Further amend the bill in section 7 in that part
2 designated "§1403." in the 2nd line (page 6, line 30
3 in L.D.) by inserting after the underlined word
4 "county" the underlined words 'which shall approve by
5 referendum a county budget committee'

6 Further amend the bill in section 7 in that part
7 designated "§1405." in subsection 1 in the first line
8 (page 9, line 19 in L.D) by striking out the under-
9 lined word "The" and inserting in its place the
10 underlined words and punctuation 'In counties which
11 have adopted county budget committees, the'

12 Further amend the bill in section 7 in that part
13 designated "§1406." in the 8th line (page 10, line 41
14 in L.D.) by striking out the underlined word and
15 punctuation "committee." and inserting in their place
16 the underlined words and punctuation 'committee in
17 those counties which have adopted county budget com-
18 mittees.'

19 Further amend the bill by striking out all of
20 section 8 and inserting in its place the following:

21 'Sec. 8. Referendum; submission at election;
22 form of question; effective date. This Act shall be
23 submitted to the legal voters of each county of this
24 State at an election to be held on the Tuesday fol-
25 lowing the first Monday of November following passage
26 of this Act.

27 The county commissioners of each county are
28 authorized to expend such funds as are necessary to
29 implement the referendum.

30 The county clerk shall prepare the required bal-
31 lots on which he shall state the subject matter of
32 this Act in the following question:

33 "Shall there be established for the County
34 of (name of county) a county budget committee
35 whose duties shall be to finally approve the

1 county budget?"

2 The voters shall indicate by a cross or check
3 mark against the words "Yes" or "No" the opinion of
4 the same.

5 Sections 2, 4, 6 and 9 of this Act shall take
6 effect upon the acceptance by a majority of the legal
7 voters in that county voting at that election; pro-
8 vided the total number of votes cast for and against
9 the acceptance equals or exceeds 10% of the total
10 votes for all candidates for Governor cast in the
11 next previous gubernatorial election in that county.

12 The results of those elections shall be declared
13 by the board of commissioners of each county and due
14 certificates thereof filed by each county clerk with
15 the Secretary of State.

16 In any county which adopts a county budget com-
17 mittee, the provisions of section 2 of this Act shall
18 take effect on January 1, 1984.'

19 Further amend the bill by renumbering the sec-
20 tions to read consecutively.

21 STATEMENT OF FACT

22 The purpose of this amendment is to provide for a

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1 referendum on the adoption of county budget commit-
2 tees. The amendment would permit counties to adopt a
3 budget committee format or to continue under the cur-
4 rent method of budget approval.

5

4333060783

Filed by Rep. Carter of Winslow
Reproduced and distributed under the direction of the Clerk of
the House
6/8/83 (Filing No. H-363)