

MAINE STATE LEGISLATURE

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L.D. 1710

2

(Filing No. H- 414)

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STATE OF MAINE
 HOUSE OF REPRESENTATIVES
 11TH LEGISLATURE
 FIRST REGULAR SESSION

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

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10

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

11

12

'AN ACT to Provide Referenda Concerning County Budget
 Committees and County Government.'

13

14

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

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'Sec. 1. 30 MRSA §2, sub-§1, as amended by PL
 1983, c. 228, is further amended to read:

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22

23

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:

24

A. Androscoggin County:

25

(1) Commissioners

26

(a) Chairman \$ 5,050

27

(b) Members 4,250

28

(2) Treasurer 15,000

29

(3) Sheriff 18,050

30

(4) Judge of probate 10,069

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

1	(5) Register of probate	13,520
2	(6) Register of deeds	14,300
3	B. Aroostook County:	
4	(1) Commissioners	
5	(a) Chairman	\$ 8,556
6	(b) Members	4,400
7	(2) Treasurer	6,600
8	(3) Sheriff	17,000
9	(4) Judge of probate	9,350
10	(5) Register of probate	10,500
11	(6) Register of deeds	
12	(a) Northern District	12,600
13	(b) Southern District	12,600
14	C. Cumberland County:	
15	(1) Commissioners	
16	(a) Chairman	\$ 6,192
17	(b) Members	6,192
18	(2) Treasurer	11,994
19	(3) Sheriff	22,225
20	(4) Judge of probate	14,322
21	(5) Register of probate	11,824

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

1	(6) Register of deeds	11,994
2	D. Franklin County:	
3	(1) Commissioners	
4	(a) Chairman	\$ 3,875
5	(b) Members	3,675
6	(2) Treasurer	4,012
7	(3) Sheriff	19,260
8	(4) Judge of probate	8,500
9	(5) Register of probate	12,261
10	(6) Register of deeds	12,686
11	E. Hancock County:	
12	(1) Commissioners	
13	(a) Chairman	\$5,224
14	(b) Members	4,835
15	(2) Treasurer	12,192
16	(3) Sheriff	19,042
17	(4) Judge of probate	10,731
18	(5) Register of probate	10,281
19	(6) Register of deeds	11,464
20	F. Kennebec County:	
21	(1) Commissioners	

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

1	(a) Chairman	\$ 5,274
2	(b) Members	4,922
3	(2) Treasurer	7,616
4	(3) Sheriff	18,983
5	(4) Judge of probate	12,187
6	(5) Register of probate	13,502
7	(6) Register of deeds	13,502
8	G. Knox County:	
9	(1) Commissioners	
10	(a) Chairman	\$ 3,508
11	(b) Members	3,165
12	(2) Treasurer	4,946
13	(3) Sheriff	16,891
14	(4) Judge of probate	10,239
15	(5) Register of probate	10,904
16	(6) Register of deeds	12,670
17	H. Lincoln County:	
18	(1) Commissioners	
19	(a) Chairman	\$ 4,375
20	(b) Members	3,675
21	(2) Treasurer	4,270

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

1	(3) Sheriff	19,626
2	(4) Judge of probate	10,800
3	(5) Register of probate	12,474
4	(6) Register of deeds	15,362
5	I. Oxford County:	
6	(1) Commissioners	
7	(a) Chairman	\$ 4,038
8	(b) Members	3,634
9	(2) Treasurer	5,155
10	(3) Sheriff	18,979
11	(4) Judge of probate	10,746
12	(5) Register of probate	12,332
13	(6) Register of deeds	
14	(a) Eastern District	12,710
15	(b) Western District	9,313
16	J. Penobscot County:	
17	(1) Commissioners	
18	(a) Chairman	\$6,344
19	(b) Members	6,032
20	(2) Treasurer	1,300
21	(3) Sheriff	19,136

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

1	(4) Judge of probate	\$16,120
2	(5) Register of probate	14,768
3	(6) Register of deeds	14,768
4	K. Piscataquis County:	
5	(1) Commissioners	
6	(a) Chairman	\$ 3,700
7	(b) Members	3,000
8	(2) Treasurer	4,000
9	(3) Sheriff	17,000
10	(4) Judge of probate	9,900
11	(5) Register of probate	11,150
12	(6) Register of deeds	11,558
13	L. Sagadahoc County:	
14	(1) Commissioners	
15	(a) Chairman	\$ 3,136
16	(b) Members	2,845
17	(2) Treasurer	5,999
18	(3) Sheriff	15,799
19	(4) Judge of probate	11,052
20	(5) Register of probate	12,076
21	(6) Register of deeds	13,530

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

1	M. Somerset County:	
2	(1) Commissioners	
3	(a) Chairman	\$ 3,710
4	(b) Members	3,180
5	(2) Treasurer	7,282
6	(3) Sheriff	17,490
7	(4) Judge of probate	11,660
8	(5) Register of probate	12,296
9	(6) Register of deeds	11,214
10	N. Waldo County:	
11	(1) Commissioners	
12	(a) Chairman	\$ 2,632
13	(b) Members	2,632
14	(2) Treasurer	3,815
15	(3) Sheriff	17,523
16	(4) Judge of probate	10,242
17	(5) Register of probate	11,319
18	(6) Register of deeds	11,319
19	O. Washington County:	
20	(1) Commissioners	
21	(a) Chairman	\$ 4,505

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

1	(b) Members	3,755
2	(2) Treasurer	10,340
3	(3) Sheriff	18,773
4	(4) Judge of probate	11,715
5	(5) Register of probate	11,597
6	(6) Register of deeds	11,597
7	P. York County:	
8	(1) Commissioners	
9	(a) Chairman	\$ 4,500
10	(b) Members	4,000
11	(2) Treasurer	3,182
12	(3) Sheriff	17,500
13	(4) Judge of probate	10,000
14	(5) Register of probate	11,235
15	(6) Register of deeds	14,000'

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

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

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

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

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

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

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

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

16 Further amend the bill by inserting after section
17 2 the following:

18 'Sec. 3. 30 MRSA §252-A is enacted to read:

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

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

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

32 The estimates shall be drawn so as to authorize
33 the appropriations to be made to each department or

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

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

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

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

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

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

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

1 be transferred from unencumbered county funds an
2 amount sufficient to restore the established county
3 contingent account.

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

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

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

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

16 Further amend the bill by inserting after section
17 3 the following:

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

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

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

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

30 Any county which is the recipient of federal
31 funds shall provide for the expenditure of those
32 funds in accordance with the laws and procedures

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

1 applicable to the expenditure of its own revenue and
2 shall record estimates of the expenditure as provided
3 in this section.

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

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

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

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

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

HOUSE AMENDMENT "M" 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. 10. County charter commission. If the
22 question concerning the establishment of a county
23 charter commission is approved in any county under
24 section 12, a commission shall be established for
25 that county and shall proceed in accordance with the
26 provisions of the Revised Statutes, Title 30, chapter
27 11.

28 Sec. 11. Reassignment of functions, duties and
29 powers. If the question concerning the abolition of
30 county government is approved in any county under
31 section 12, the Legislature shall, prior to January
32 1, 1985, enact legislation assigning the current
33 functions, duties and powers of county government in
34 that county to appropriate state and municipal
35 departments and agencies.

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

1 Sec. 12. Referendum; submission at election;
2 form of question; effective date. This Act shall be
3 submitted to the legal voters of each county of this
4 State at an election to be held on the Tuesday fol-
5 lowing the first Monday of November following passage
6 of this Act.

7 The county commissioners of each county are
8 authorized to expend such funds as are necessary to
9 implement the referendum.

10 The county clerk shall prepare the required bal-
11 lots on which he shall state the subject matter of
12 this Act in the following questions:

13 "Shall there be established for the County
14 of (name of county) a county budget committee
15 whose duties shall be to finally approve the
16 county budget?"

17 "Shall a charter commission be established
18 for the purpose of revising the county charter or
19 establishing a new county charter?"

20 "Shall county government be eliminated and
21 shall the Legislature enact legislation
22 reassigning the functions and duties of county
23 government to appropriate state and municipal
24 departments and agencies?"

25 The voters shall indicate by a cross or check
26 mark against the words "Yes" or "No" the opinion of
27 the same.

28 Sections 2, 4, 6 and 9 of this Act shall take
29 effect upon the acceptance of the question concerning
30 county budget committees by a majority of the legal
31 voters in that county voting at that election; pro-
32 vided the total number of votes cast for and against
33 the acceptance equals or exceeds 10% of the total
34 votes for all candidates for Governor cast in the
35 next previous gubernatorial election in that county.

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

1 Section 10 of this Act shall take effect upon the
2 acceptance of the question concerning the establish-
3 ment of a county charter commission by a majority of
4 the legal voters in that county voting at that elec-
5 tion; provided the total number of votes cast for and
6 against the acceptance equals or exceeds 10% of the
7 total votes for all candidates for Governor cast in
8 the next previous gubernatorial election in that
9 county.

10 Section 11 of this Act shall take effect upon the
11 acceptance of the question concerning abolition of
12 county government by a majority of the legal voters
13 in that county voting at the election; provided the
14 total number of votes cast for and against the accep-
15 tance equals or exceeds 10% of the total votes for
16 all candidates for Governor cast in the next previous
17 gubernatorial election in that county.

18 The results of those elections shall be declared
19 by the board of commissioners of each county and due
20 certificates thereof filed by each county clerk with
21 the Secretary of State.

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

25 Further amend the bill by renumbering the sec-
26 tions to read consecutively.

27 STATEMENT OF FACT

28 The purposes of this amendment are to provide for
29 referenda on the following:

30 1. Establishment of county budget committees;

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

1 2. Establishment of county charter commission-
2 ers; and

3 3. Abolition of county government.

4

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