

# MAINE STATE LEGISLATURE

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L.D. 799

( Filing No. H-440 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A"  
to S.P. 310, L.D. 799, Bill, "AN ACT to Establish an  
Aroostook County Budget Committee."

Amend the Amendment by striking out all of the  
first paragraph after the title and inserting in its  
place the following:

'Amend the Bill by inserting before the enacting  
clause the following:

'Emergency preamble. Whereas, Acts of the Legis-  
lature do not become effective until 90 days after  
adjournment unless enacted as emergencies; and

Whereas, it is desired to obtain the benefits of  
participation by local officials at the earliest pos-  
sible time; and

Whereas, the budget committee by terms of this  
Act must be elected at least 90 days prior to the end  
of the fiscal year; and

Whereas, in the judgment of the Legislature,  
these facts create an emergency within the meaning of  
the Constitution of Maine and require the following  
legislation as immediately necessary for the preser-  
vation of the public peace, health and safety; now,  
therefore,

Further amend the Bill by striking out all of  
that part designated "§1401." and inserting in its  
place the following:

'§1401. Purpose

The purpose of this chapter is to establish in

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1 Aroostook County a method of appropriating money for  
2 county expenditures, including expenditures for mu-  
3 nicipal services in the unorganized territory, ac-  
4 ording to a budget, which shall first be adopted by  
5 a budget committee and shall then be approved by the  
6 Legislature. This chapter amends the present statuto-  
7 ry method in sections 252 and 253 by creating a com-  
8 mittee elected by Aroostook County municipal officers  
9 with authority to adopt or amend the budget. The Leg-  
10 islature shall continue to have authority to approve,  
11 but not to amend, the budget. This chapter applies  
12 only to Aroostook County.

13 Further amend the amendment by inserting after  
14 the 2nd paragraph after the title, the following:

15 'Further amend the bill in that part designated  
16 "§1403." in subsection 1, paragraph A, by striking  
17 out all of the 2nd sentence and inserting in its  
18 place the following:

19 'A county commissioner shall serve as nonvoting mod-  
20 erator for his district caucus.'

21 Further amend the bill in that part designated  
22 "§1403." in subsection 1, paragraph B, in the 3rd  
23 line (page 3, line 12 in L.D.) by striking out the  
24 underlined word "their" and inserting in its place  
25 the underlined word 'his'

26 Further amend the bill in that part designated  
27 "§1403." in subsection 1, paragraph D, in the 2nd and  
28 3rd lines (page 3, lines 35 and 36 in L.D.) by strik-  
29 ing out the underlined words and punctuation "budget,  
30 estimates, including the budget for" and inserting in  
31 their place the words and punctuation 'budget and es-  
32 timates, including the budget for municipal services  
33 in'

34 Further amend the Amendment by inserting after  
35 the 5th paragraph after the title the following:

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1           'Further amend the Bill in that part designated  
2   "§1405." by striking out all of subsection 4 and in-  
3   serting in its place the following:

4           '4. Adoption of budget. After completion of the  
5   public hearing, the budget committee may further in  
6   crease, decrease, alter and revise the proposed item-  
7   ized budgets, subject to the conditions and restric-  
8   tions imposed in subsection 2. The proposed itemized  
9   budget shall be finally adopted by a majority vote of  
10   the budget committee at a duly called meeting not la-  
11   ter than the end of the county's fiscal year.

12           5. Final budget approval. Prior to January 15th  
13   of the fiscal year for which the budget is prepared,  
14   the budget committee shall submit the proposed budget  
15   to the Legislature. The Legislature shall approve or  
16   disapprove the budget as submitted prior to April 1st  
17   of each year.

18           If the Legislature disapproves of the budget, the  
19   budget committee shall submit within 15 calendar  
20   days, new budget proposals in accordance with subsec-  
21   tion 1 and the provisions of this section shall be  
22   followed until a budget is finally approved.

23           The budget as approved by the Legislature shall be  
24   the final authorization for the assessment of county  
25   taxes. The budget shall be transmitted to the county  
26   commissioners and the county tax authorized shall be  
27   apportioned and collected in accordance with section  
28   254. The budget for the unorganized territories will  
29   be transmitted to the State as provided by section  
30   5903.

31           The county shall, until a budget is finally adopted,  
32   operate on an interim budget which shall not exceed  
33   the previous year's budget.

34           The county commissioners may transfer funds as pro-

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1 vided in section 252.'

2 Further amend the Bill in that part designated  
3 "§1406." by striking out all of the 3rd underlined  
4 sentence and inserting in its place the following:  
5 'The budget committee shall within 15 calendar days  
6 approve, disapprove or amend this revised budget. In  
7 the event that the proposed revised budget is ap-  
8 proved or amended, the budget committee within this  
9 same time period shall forward the revised budget to  
10 the Legislature for final approval. The Legislature  
11 shall have 15 calendar days to render a decision on  
12 the revised budget.'

13 Further amend the Bill in that part designated  
14 "§1406." in the next to the last line and the last  
15 line (page 6, lines 10 and 11 in L.D.) by striking  
16 out the following: "the budget committee's action"  
17 and inserting in its place the following: 'an approv-  
18 al of a revised budget by the Legislature'

19 Further amend the Amendment by inserting after  
20 the 7th paragraph after the title the following:

21 'Further amend the Bill by inserting at the end  
22 before the Statement of Fact the following:

23 'Emergency clause. In view of the emergency cited  
24 in the preamble, this Act shall take effect when ap-  
25 proved.'

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STATEMENT OF FACT

2           This amendment clarifies that the Legislature and  
3 not the legislative delegation is the final approving  
4 authority for the Aroostook County budget.

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Filed by Rep. McHenry of Madawaska  
Reproduced and distributed under the direction of the  
Clerk of the House

6/17/85

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