

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 799

6
7 S.P. 310

In Senate, February 28, 1985

8 Referred to the Committee on Local and County Government. Sent down
9 for concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator McBreairty of Aroostook.

Cosponsored by Representative Crouse of Caribou, Representative Smith
11 of Mars Hill and Senator Carpenter of Aroostook.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Establish an Aroostook County
18 Budget Committee.
19

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

22 30 MRSA c. 10 is enacted to read:

23 CHAPTER 10

24 AROOSTOOK COUNTY BUDGET COMMITTEE

25 §1401. Purpose

26 The purpose of this chapter is to establish in
27 Aroostook County a method of appropriating money for
28 county expenditures, including expenditures for mu-
29 nicipal services in the unorganized territory, ac-
30 ording to a budget, which shall first receive ap-
31 proval of a budget committee. This chapter amends
32 the present statutory method in sections 252 and 253

1 by transferring the authority of the Aroostook County
2 legislative delegation and the Legislature to approve
3 the Aroostook County budget to a committee comprised
4 of Aroostook County and municipal officials. This
5 chapter applies only to Aroostook County.

6 §1402. Definitions

7 As used in this chapter, unless the context oth-
8 erwise indicates, the following terms have the fol-
9 lowing meanings.

10 1. County commissioners. "County commissioners"
11 means the elected county commissioners of Aroostook
12 County.

13 2. Municipal officials. "Municipal officials"
14 means the mayor, aldermen, councillors or manager of
15 a city, the selectmen, councillors or manager of a
16 town and the assessors of a plantation located in
17 Aroostook County. The municipal officer means
18 elected mayor, aldermen or councillors of a city, the
19 selectmen or councillors of a town and the assessors
20 of a plantation located in Aroostook County.

21 §1403. Aroostook County budget committee

22 In Aroostook County there shall be established a
23 budget committee to carry out the purposes of this
24 chapter.

25 1. Membership. The budget committee shall con-
26 sist of 10 members, 3 members from each commissioner
27 district selected as provided for in this section and
28 one member selected pursuant to paragraph C. The
29 county commissioners shall serve on the committee in
30 an advisory capacity only and shall not vote on any
31 committee matters.

32 In 1985, and every 3rd year thereafter, at least 90
33 days prior to the end of the fiscal year, the 10 mem-
34 bers shall be elected by the following procedure.

35 A. The county commissioners shall notify all mu-
36 nicipal officers in the county to caucus by coun-
37 ty commissioner districts at a specified date,
38 time and place for the purpose of nominating at

1 least 3 municipal officials as candidates for the
2 county budget committee. The county commission-
3 ers shall serve as nonvoting moderators for their
4 district caucuses. Nominations shall be received
5 from the floor and require a majority vote of
6 those present to be approved. The names of those
7 duly nominated shall be recorded and forwarded to
8 the county commissioners to be placed on a writ-
9 ten ballot.

10 B. The county commissioners shall have written
11 ballots printed with the names of those candi-
12 dates selected in their districts in accordance
13 with paragraph A. The county commissioners shall
14 distribute these ballots to each municipality.
15 Each commissioner district shall require a sepa-
16 rate ballot and each ballot shall specify each
17 candidate's full name and municipality. The mu-
18 nicipal officers shall vote, as a board, for 3
19 budget committee members from the candidates on
20 the ballot and return the ballot to the county
21 commissioners by a certain date. The ballots
22 shall be counted at a regular meeting of the
23 county commissioners. Each vote shall be
24 weighted according to that municipality's popula-
25 tion as a proportion of the district's total popu-
26 lation. The county commissioners shall notify
27 each municipality, in writing, of the results of
28 the election and shall certify the results to the
29 Secretary of State.

30 C. The county commissioners shall appoint one
31 qualified budget committee member from the unor-
32 ganized territory of Aroostook County to serve on
33 the budget committee.

34 D. It is the responsibility of the county budget
35 committee to review the budget, estimates, in-
36 cluding the budget for the unorganized territory
37 prepared by the county commissioners, and to ap-
38 prove a final county and unorganized budget.

39 E. The term of office shall be 3 years, provided
40 that a budget committee member remains a municipi-
41 pal official in his municipality or a legal voter
42 of the unorganized territory in his commissioner
43 district, as applicable.

1 F. A vacancy occurring on the budget committee
2 shall be filled by the committee for the balance
3 of the unexpired term. The person appointed to
4 fill the vacant office shall be a municipal official
5 from the same municipality or unorganized
6 territory as the person vacating the office.

7 G. Members shall serve without compensation.

8 §1404. Budget committee organization

9 The budget committee shall conduct its meetings
10 in public at the county courthouse. The county com-
11 missioners shall direct the county clerk to call an
12 organizational meeting of the budget committee no later
13 than 60 days prior to the end of the county's
14 fiscal year. The county commissioners shall provide
15 the committee with necessary clerical assistance, office
16 expenses and suitable meeting space, as well as
17 access to county files and information. The budget
18 committee shall select its own chairman, vice-
19 chairman and secretary. The budget committee shall
20 adopt its own rules or procedures and bylaws.

21 §1405. Budget procedures

22 1. Proposed budget. The county commissioners
23 shall submit itemized budget estimates, as described
24 in sections 252, 253 and 5903, to the budget committee
25 in a timely fashion, no later than 60 days prior
26 to the end of the county's fiscal year.

27 2. Budget review process. The budget committee
28 shall review the proposed itemized budgets prepared
29 by the county commissioners, together with any supplementary
30 material prepared by the head of each county department
31 or provided by any independent board or institution or another
32 governmental agency. The budget committee may increase,
33 decrease, alter or review the proposed budgets provided that:
34

35 A. The budget committee shall enter into its
36 minutes a statement of the basis for any change
37 in the estimated expenditures and revenues as
38 initially presented by the county commissioners;
39 and

1 B. The total estimated revenues, together with
2 the amount of county tax to be levied, shall
3 equal the total estimated expenditures.

4 3. Public hearing. The budget committee shall
5 hold a public hearing in the county on the proposed
6 budget prior to the end of the county's fiscal year
7 and before the final adoption of the budget. Notice
8 of the hearing shall be given at least 10 days prior
9 to the hearing in all newspapers of general circula-
10 tion within the county. Written notice and a copy of
11 the proposed budget shall be sent by registered or
12 certified mail with return receipt requested, or de-
13 livered by hand in person, with proof received of the
14 delivery, to the clerk of each municipality in the
15 county. The municipal clerk shall notify the municip-
16 al officials of the proposed budget.

17 4. Adoption of budget. After completion of the
18 public hearing, the budget committee may further in-
19 crease, decrease, alter and revise the proposed item-
20 ized budgets, subject to the conditions and restric-
21 tions imposed in subsection 2. The proposed itemized
22 budget shall be finally adopted by a majority vote of
23 the budget committee at a duly called meeting not la-
24 ter than the end of the county's fiscal year. The
25 approved budget shall be the final authorization for
26 the assessment of county taxes. The budget shall be
27 transmitted to the county commissioners and the coun-
28 ty tax authorized shall be apportioned and collected
29 in accordance with section 254. The unorganized bud-
30 get will be transmitted to the State as provided by
31 section 5903.

32 In the event the budget is not approved before the
33 start of a fiscal year, the county shall, until a
34 budget is finally adopted, operate on an interim bud-
35 get which shall not exceed the previous year's bud-
36 get.

37 The county commissioners may transfer funds as pro-
38 vided in section 252.

39 §1406. Budget amendments

40 The approved budget shall govern the expenditures
41 of the county during the fiscal year. No expenses

1 may be incurred in excess of those shown in the ap-
2 proved budget, but the budget may be from time to
3 time revised by the preparation and submission of a
4 proposed amended budget by the county commissioners
5 to the budget committee. The budget committee shall,
6 not less than 15 calendar days, except in emergen-
7 cies, nor more than 30 days after the submission to
8 it, approve or amend any such revised budget. A re-
9 port of approval of a revised budget shall be trans-
10 mitted to the State Auditor within 15 days of the
11 budget committee's action on the revised budget.

12 §1407. Filing of county budget

13 A copy of the final budget, and subsequent amend-
14 ments, shall be filed on forms approved by the De-
15 partment of Audit, with the State Auditor, who shall
16 retain them for a period of 3 years.

17 STATEMENT OF FACT

18 The purpose of this bill is to establish a county
19 budget committee in Aroostook County which is respon-
20 sible for approving the county budget. The present
21 authority of the Aroostook County legislative delega-
22 tion and the full Legislature to approve the county
23 budget would be transferred to a committee comprised
24 of elected Aroostook County municipal selectmen and
25 councillors.

26 The Aroostook County budget committee would be
27 comprised of 9 elected municipal officials, 3 from
28 each commissioner district, and the county commis-
29 sioners who will serve on the committee in a nonvot-
30 ing, advisory capacity.

31 All the municipal officers in Aroostook County
32 would caucus by commissioner districts and nominate
33 at least 3 municipal officials as candidates to the
34 budget committee. Each municipality votes by commis-
35 sioner district for 3 budget committee members from
36 the list of candidates to represent that commissioner
37 district on the full budget committee. Votes would
38 be weighted according to each municipality's popula-
39 tion as a proportion of the district's total popula-

1 tion. The proposal makes provisions for the citizens
2 of the unorganized area of Aroostook, unorganized
3 townships, to also be represented on the county bud-
4 get committee.

5 It would be the responsibility of the Aroostook
6 County budget committee to review the annual budget
7 estimates prepared by the county commissioners and to
8 approve a final county budget.

9 This proposal applies to Aroostook County only.

10

0754020485