

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 971

6
7 H.P. 685

House of Representatives, March 8, 1985

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

10 EDWIN H. PERT, Clerk

Presented by Representative Drinkwater of Belfast.

11 Cosponsored by Representative Crowley of Stockton Springs,
Representative Tardy of Palmyra and Representative Stevenson of Unity.

12 STATE OF MAINE
13

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

17 AN ACT to Establish a Budget Committee to
18 Provide Local Input in the Waldo County
19 Budget-making Process.
20

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

23 30 MRSA c. 10 is enacted to read:

24 CHAPTER 10

25 WALDO COUNTY BUDGET COMMITTEE

26 §1401. Purpose

27 The purpose of this chapter is to establish in
28 Waldo County a method of appropriating money for
29 county expenditures, according to a budget, which
30 shall first receive approval of a budget committee.
31 This chapter amends the present statutory method in
32 sections 252 and 253 by transferring the authority of
33 the Waldo County legislative delegation and the Leg-

1 islature to approve the Waldo County budget to a com-
2 mittee comprised of Waldo County and municipal offi-
3 cials. This chapter shall apply only to Waldo Coun-
4 ty.

5 §1402. Definitions

6 As used in this chapter, unless the context indi-
7 cates otherwise, the following terms have the follow-
8 ing meanings.

9 1. County commissioners. "County commissioners"
10 means the elected county commissioners of Waldo Coun-
11 ty.

12 2. Municipal officers. "Municipal officers"
13 means the mayor or councilors or selectman.

14 §1403. Waldo County Budget Committee

15 In Waldo County there shall be established a bud-
16 get committee to carry out the purposes of this chap-
17 ter.

18 1. Membership. The budget committee shall con-
19 sist of 9 members, 3 members from each commissioner
20 district selected as provided for in this section and
21 3 county commissioners who shall serve on the commit-
22 tee in an advisory capacity only and shall not vote
23 on any committee matters.

24 In 1985, and thereafter, at least 90 days prior to
25 the end of every other fiscal year, the 9 members
26 shall be elected by the following procedure.

27 A. The county commissioners shall notify all mu-
28 nicipal officers in the county to caucus by coun-
29 ty commissioner districts at a specified date,
30 time and place for the purpose of nominating at
31 least 3 municipal officers from each district as
32 candidates for the county budget committee. The
33 county commissioners shall serve as nonvoting
34 moderators for their district caucuses. Nomina-
35 tions shall be received from the floor. The 3
36 nominees receiving the most votes shall be ap-
37 proved. Any other nominees who receive a majori-

1 ty vote of those present shall also be approved.
2 The names of those duly approved shall be re-
3 corded and forwarded to the county commissioners
4 to be placed on a written ballot.

5 B. The county commissioners shall have written
6 ballots printed with the names of those candi-
7 dates selected in their districts in accordance
8 with paragraph A. The county commissioners shall
9 distribute these ballots to each municipality.
10 Each commissioner district shall require a sepa-
11 rate ballot and each ballot shall specify each
12 candidate's full name and municipality. The mu-
13 nicipal officers shall vote as a board for 3 bud-
14 get committee members from the candidates on the
15 ballot and return the ballot to the county com-
16 missioners by a certain date. The ballots shall
17 be counted at a regular meeting of the county
18 commissioners. Each vote shall be weighed ac-
19 ording to that municipality's population as a
20 proportion of the district's total population,
21 except that no municipality may have more than
22 one budget committee member. The county commis-
23 sioners shall notify each municipality, in writ-
24 ing, of the results of the election and shall
25 certify the results to the Secretary of State.

26 2. Responsibilities. It is the responsibility
27 of the county budget committee to review the budget
28 estimates prepared by the county commissioners and to
29 approve a final county budget.

30 3. Term of office. The term of office shall be
31 2 years, provided that a budget committee member re-
32 mains a municipal officer in his municipality.

33 4. Vacancies. A vacancy occurring on the budget
34 committee shall be filled by the committee for the
35 balance of the unexpired term. The person appointed
36 to fill the vacant office shall be a municipal offi-
37 cer from the same municipality as the person vacating
38 the office.

39 5. Expenses. Members shall serve without com-
40 pensation, but shall be reimbursed from the county
41 treasury for expenses lawfully incurred by them in
42 the performance of their duties.

1 §1404. Budget committee organization

2 The budget committee shall conduct its meetings
3 in public at the county courthouse. The county com-
4 missioners shall direct the county clerk to call an
5 organizational meeting of the budget committee no la-
6 ter than 60 days prior to the end of the county's
7 fiscal year. The county commissioners shall provide
8 the committee with necessary clerical assistance, of-
9 ice expenses and suitable meeting space, as well as
10 access to county files and information. The budget
11 committee shall adopt its own rules or procedures and
12 bylaws.

13 §1405. Budget procedures

14 1. Proposed budget. The county commissioners
15 shall submit an itemized budget estimate, as de-
16 scribed in sections 252 and 253, to the budget com-
17 mittee in a timely fashion, no later than 60 days
18 prior to the end of the county's fiscal year.

19 2. Budget review process. The budget committee
20 shall review the proposed itemized budget prepared by
21 the county commissioners, together with any supple-
22 mentary material prepared by the head of each county
23 department or provided by any independent board or
24 institution or another governmental agency. The bud-
25 get committee may increase, decrease, alter or revise
26 the proposed budget, provided that:

27 A. The budget committee shall enter into its
28 minutes a statement of the basis for any change
29 in the estimated expenditures and revenues as
30 initially presented by the county commissioners;
31 and

32 B. The total estimated revenues, together with
33 the amount of county tax to be levied, shall
34 equal the total estimated expenditures.

35 3. Public hearing. The budget committee shall
36 hold a public hearing in the county on the proposed
37 budget prior to the end of the county's fiscal year
38 and before the final adoption of the budget. Notice
39 of the hearing shall be given at least 10 days prior
40 to the hearing in a newspaper of general circulation

1 within the county. Written notice and a copy of the
2 proposed budget shall be sent by registered or certi-
3 fied mail with return receipt requested, or delivered
4 by hand in person, with proof received of the deliv-
5 ery, to the clerk of each municipality in the county.
6 The municipal clerk shall notify the municipal offi-
7 cers of the proposed budget.

8 4. Adoption of budget. After completion of the
9 public hearing, the budget committee may further in-
10 crease, decrease, alter and revise the proposed item-
11 ized budget, subject to the conditions and restric-
12 tions imposed in subsection 2. The proposed itemized
13 budget shall be finally adopted by a majority vote of
14 the budget committee at a duly called meeting not la-
15 ter than the end of the county's fiscal year. The
16 approved budget shall be the final authorization for
17 the assessment of county taxes. The budget shall be
18 transmitted to the county commissioners and the coun-
19 ty tax authorized shall be apportioned and collected
20 in accordance with section 254.

21 In the event the budget is not approved before the
22 start of a fiscal year, the county shall, until a
23 budget is finally adopted, operate on an interim bud-
24 get which shall not exceed the previous year's bud-
25 get.

26 The county commissioners may transfer funds as pro-
27 vided in section 252.

28 §1406. Budget amendments

29 The approved budget shall govern the expenditures
30 of the county during the fiscal year. No expenses
31 may be incurred in excess of those shown in the ap-
32 proved budget, but the budget may be revised from
33 time to time by the preparation and submission of a
34 proposed amended budget by the county commissioners
35 to the budget committee. The budget committee shall,
36 not less than 15 calendar days, except in emergen-
37 cies, nor more than 30 days after the submission to
38 it, render a decision on any such revised budget. An
39 approved revised budget shall be transmitted to the
40 State Auditor within 15 days of the budget commit-
41 tee's action.

1 §1407. Filing of county budget

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

6 STATEMENT OF FACT

7 The purpose of this bill is to establish a county
8 budget committee in Waldo County which would be re-
9 sponsible for approving the county budget. The
10 present authority of the Waldo County legislative
11 delegation and the full Legislature to approve the
12 county budget would be transferred to a committee
13 comprised of elected Waldo County municipal selectmen
14 and councilors.

15 The Waldo County Budget Committee would be com-
16 prised of 9 elected municipal officers, 3 from each
17 commissioner district and the county commissioners
18 who will serve on the committee in a nonvoting, ad-
19 visory capacity.

20 All the municipal officers in Kennebec County
21 shall caucus by commissioner districts and nominate
22 at least 3 municipal officers as candidates to the
23 budget committee. Each municipality's officers shall
24 vote by commissioner district for 3 budget committee
25 members from the list of candidates to represent that
26 commissioner district on the full budget committee.
27 Votes would be weighed according to each
28 municipality's population as a proportion of the dis-
29 trict's total population. There would be no more
30 than one committee member from any municipality.

31 It would be the responsibility of the Waldo Coun-
32 ty Budget Committee to review the annual budget esti-
33 mates prepared by the county commissioners and to ap-
34 prove a final county budget.

35 This proposal applies to Waldo County only.

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