

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (After Deadline)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 2031

8
9 S.P. 805

In Senate, February 18, 1986

10 Approved for introduction by a majority of the Legislative Council
11 pursuant to Joint Rule 27.

12 Reference to the Committee on Local and County Government suggested
and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by President Pray of Penobscot.

13 Cosponsored by Representative Law of Dover-Foxcroft, Representative
Lander of Greenville and Representative Masterman of Milo.

14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-SIX
18

19 AN ACT to Establish a Piscataquis County
20 Budget Committee.
21

22 Emergency preamble. Whereas, Acts of the Legisla-
23 ture do not become effective until 90 days after ad-
24 journment unless enacted as emergencies; and

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

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

31 Whereas, in the judgment of the Legislature,
32 these facts create an emergency within the meaning of
33 the Constitution of Maine and require the following
34 legislation as immediately necessary for the preser-

1 vation of the public peace, health and safety; now,
2 therefore,

3 Be it enacted by the People of the State of Maine as
4 follows:

5 30 MRSA c. 10-A is enacted to read:

6 CHAPTER 10-A

7 PISCATAQUIS COUNTY BUDGET COMMITTEE

8 §1421. Purpose

9 The purpose of this chapter is to establish in
10 Piscataquis County a method of appropriating money
11 for county expenditures, including expenditures for
12 municipal services in the unorganized territory, ac-
13 cording to a budget, which shall first be adopted by
14 a budget committee and shall then be approved by the
15 Legislature. This chapter amends the present statuto-
16 ry method in sections 252 and 253 by creating a com-
17 mittee with authority to adopt or amend the budget.
18 The Legislature shall continue to have authority to
19 approve, but not to amend, the budget. This chapter
20 applies only to Piscataquis County.

21 §1422. Definitions

22 As used in this chapter, unless the context oth-
23 erwise indicates, the following terms have the fol-
24 lowing meanings.

25 1. County commissioners. "County commissioners"
26 means the elected county commissioners of Piscataquis
27 County.

28 2. Municipal officials. "Municipal officials"
29 means the mayor, aldermen, councillors or manager of
30 a city, the selectmen, councillors or manager of a
31 town and the assessors of a plantation located in
32 Piscataquis County. The municipal officer means
33 elected mayor, aldermen or councillors of a city, the
34 selectmen or councillors of a town and the assessors
35 of a plantation located in Piscataquis County.

36 §1423. Piscataquis County Budget Committee

1 In Piscataquis County there shall be established
2 the Piscataquis County Budget Committee to carry out
3 the purposes of this chapter.

4 1. Membership. The budget committee shall con-
5 sist of 9 members, 3 members from each commissioner
6 district selected at least 90 days prior to the end
7 of the fiscal year as provided for in this section.

8 A. Of the 3 members from each commissioner dis-
9 trict, one must be a municipal official, ap-
10 pointed by the county commissioners; one must be
11 a representative of the general public, appointed
12 by the county commissioners; and one appointed by
13 the Piscataquis County legislative delegation.

14 B. It is the responsibility of the county budget
15 committee to review the budget and estimates, in-
16 cluding the budget for municipal services in the
17 unorganized territory prepared by the county com-
18 missioners, and to approve a final county and un-
19 organized budget.

20 C. The term of office shall be 3 years; except
21 that of those members first elected, the municipi-
22 pal officers shall each serve a term of 2 years.

23 D. A vacancy occurring on the budget committee
24 shall be filled in the same manner as the origi-
25 nal appointment for the balance of the unexpired
26 term. The person appointed to fill the vacant
27 office must have the same qualifications as the
28 person vacating the office.

29 E. Members shall serve without compensation.

30 §1424. Budget committee organization

31 The budget committee shall conduct its meetings
32 in public at the county courthouse. The county com-
33 missioners shall direct the county clerk to call an
34 organizational meeting of the budget committee no la-
35 ter than 30 days after the county budget has been
36 prepared by the county commissioners. The county
37 commissioners shall provide the committee with neces-
38 sary clerical assistance, office expenses and suit-
39 able meeting space, as well as access to county files

1 and information. The budget committee shall select
2 its own chairman, vice-chairman and secretary. The
3 budget committee shall adopt its own rules or proce-
4 dures and bylaws.

5 §1425. Budget procedures

6 1. Proposed budget. The county commissioners
7 shall submit itemized budget estimates, as described
8 in sections 252, 253 and 5903, to the budget commit-
9 tee in a timely fashion, no later than 60 days prior
10 to the end of the county's fiscal year.

11 2. Budget review process. The budget committee
12 shall review the proposed itemized budgets prepared
13 by the county commissioners, together with any sup-
14plementary material prepared by the head of each
15 county department or provided by any independent
16 board, institution or another governmental agency.
17 The budget committee may increase, decrease, alter or
18 review the proposed budgets provided that:

19 A. The budget committee shall enter into its
20 minutes a statement of the basis for any change
21 in the estimated expenditures and revenues as
22 initially presented by the county commissioners;
23 and

24 B. The total estimated revenues, together with
25 the amount of county tax to be levied, shall
26 equal the total estimated expenditures.

27 3. Public hearing. The budget committee shall
28 hold a public hearing in the county on the proposed
29 budget prior to the end of the county's fiscal year
30 and before the final adoption of the budget. Notice
31 of the hearing shall be given at least 10 days prior
32 to the hearing in all newspapers of general circula-
33tion within the county. Written notice and a copy of
34 the proposed budget shall be sent by registered or
35 certified mail with return receipt requested, or de-
36livered by hand in person, with proof received of the
37 delivery, to the clerk of each municipality in the
38 county. The municipal clerk shall notify the municip-
39al officials of the proposed budget.

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

9 5. Interim approval by legislative delegation.
10 Prior to submission of the budget to the Legislature
11 pursuant to subsection 6, the budget committee shall
12 submit the proposed budget to the legislative delega-
13 tion. If the legislative delegation disapproves of
14 the budget, the budget committee shall submit, within
15 15 calendar days, new budget proposals in accordance
16 with subsection 1 and the provisions of this section
17 shall be followed until a budget is approved by the
18 legislative delegation.

19 6. Final budget approval. Prior to January 15th
20 of the fiscal year for which the budget is prepared,
21 the budget committee shall submit the proposed budget
22 to the Legislature. The Legislature shall approve or
23 disapprove the budget as submitted prior to April 1st
24 of each year.

25 The budget as approved by the Legislature shall be
26 the final authorization for the assessment of county
27 taxes. The budget shall be transmitted to the county
28 commissioners and the county tax authorized shall be
29 apportioned and collected in accordance with section
30 254. The budget for the unorganized territories shall
31 be transmitted to the State as provided by section
32 5903.

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

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

38 §1426. Budget amendments

39 The approved budget shall govern the expenditures
40 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 within 15 calendar days approve, disapprove or amend
7 this revised budget. In the event that the proposed
8 revised budget is approved or amended, the budget
9 committee within this same time period shall forward
10 the revised budget to the Legislature for final ap-
11 proval. The Legislature shall have 15 calendar days
12 to render a decision on the revised budget. A report
13 of approval of a revised budget shall be transmitted
14 to the State Auditor within 15 days of an approval of
15 a revised budget by the Legislature on the revised
16 budget.

17 §1427. Filing of county budget

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

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

25 STATEMENT OF FACT

26 The purpose of this bill is to establish a
27 Piscataquis County Budget Committee.

28 5462021086