

MAINE STATE LEGISLATURE

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(EMERGENCY)
(New Draft of H.P. 463, L.D. 618)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1692

H.P. 1240 House of Representatives, May 29, 1987
Reported by the Majority from the Committee on State and
Local Government and printed under Joint Rule 2.

EDWIN H. PERT, Clerk
Original bill sponsored by Representative CASHMAN of Old
Town. Cosponsored by Representatives NADEAU of Lewiston and
INGRAHAM of Houlton.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **Resolve, Requiring a Legislative Study of**
2 **County Budget Procedures.**
3

4 **Emergency preamble.** Whereas, Acts and resolves
5 of the Legislature do not become effective until 90
6 days after adjournment unless enacted as emergencies;
7 and

8 Whereas, Maine law has traditionally required the
9 approval of county budgets by the Legislature; and

10 Whereas, municipalities have long advocated a
11 role in the county budget-making function, since the
12 revenues used by the counties are to be a significant
13 degree obtained from the local property tax; and

1 Whereas, in recent years legislation has been enacted for individual counties which aims to locate the approval process with the county commissioners or at the municipal level; and

5 Whereas, this legislation has resulted in a large number of diverse budgetary procedures; and

7 Whereas, it might be observed that experience is proving some of these procedures to be better than others; and

10 Whereas, a simplified, uniform procedure would be preferable administratively; and

12 Whereas, numerous reviews in recent years have recommended revision of the county budget process; and

15 Whereas, the Speaker's Select Committee on Property Tax Reform has recommended that the Legislature study the various provisions relating to county budgets; and

19 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 preservation of the public peace, health and safety; now, therefore,

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

27 **Study. Resolved:** That the joint standing committee of the Legislature having jurisdiction over state and local government shall study county budget procedures and initiate any required legislation. The study shall include, but not be limited to, the following questions:

33 1. Which of the following roles should the Legislature, legislative delegation, county commissioners or municipal budget committees have in regards to the county budget: Review and recommendation, revision, adoption, first approval or final approval;

1 All Other 5,600
2
3 Total \$9,200

4 Emergency clause. In view of the emergency cited
5 in the preamble, this resolve shall take effect when
6 approved.

7 FISCAL NOTE

8 This resolve will require a \$9,200 General Fund
9 appropriation in fiscal year 1988 to fund the per di-
10 em, travel and related expenses of the legislative
11 study of county budget procedures.

12 STATEMENT OF FACT

13 This new draft eliminates a uniform budget pro-
14 cess for all counties as an objective of the study of
15 county budget procedures. The Joint Standing Commit-
16 tee on State and Local Government has determined that
17 this is not a desirable or attainable objective.

18 The new draft changes the reporting date for the
19 study to November 1, 1987, and adds a fiscal note for
20 \$9,200 to fund the study.

21 2852052087