

### SECOND REGULAR SESSION

### ONE HUNDRED AND THIRTEENTH LEGISLATURE

# Legislative Document

NO. 2141

H.P. 1570 House of Representatives, January 26, 1988 Approved for introduction by a majority of the

Legislative Council pursuant to Joint Rule 26. Reference to the Committee on State and Local Government suggested and ordered printed.

EDWIN H. PERT, Clerk Presented by Representative JOSEPH of Waterville. Cosponsored by Senators KANY of Kennebec and BUSTIN of Kennebec. (By Request)

STATE OF MAINE

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

AN ACT Regarding Amendments to the Kennebec County Budget.

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

6 **30 MRSA §1415,** as enacted by PL 1985, c. 737, 7 Pt. A, §85-A, is repealed and the following enacted in 8 its place:

9 §1415. Budget amendments

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The approved budget shall govern the expenditures of the county during the fiscal year. No expenses may be incurred in excess of those shown in the approved 1 2 3 budget, but the county commissioners may transfer funds as provided in section 252 and the budget may be, from time to time, increased, decreased or revised 4 5 6 7 by the preparation of a proposed amended budget by the county commissioners. This proposed amended budget shall be submitted to the county budget committee for review. The budget committee shall submit any 8 9 10 recommendations that it wishes to make within 10 calendar days of receipt of the proposed revisions. After receiving the recommendation of the budget 11 12 13 committee, the county commissioners shall forward the 14 15 proposed revised budget to the Legislature for approval, disapproval or amendment. 16

If the Legislature does not render a decision on the proposed revision within 30 days of its submission to the Legislature, the commissioners may transfer 17 18 19 20 equivalent amounts between departments or agencies. Until such time as the Legislature renders a decision, the commissioners may also increase or decrease the total budget on a month-by-month basis. The increase 21 22 23 shall not exceed the expenditures for the same period of the previous year by more than 10 percentage points above the percentage point difference between the total current year and the total previous year. Any 24 25 26 27 28 changes to the budget without legislative approval shall only be made on approval of the budget advisory committee or after 10 days have passed since their 29 30 31 submission to the committee and that body has not 32 rendered a decision.

#### STATEMENT OF FACT

This bill clarifies that the county commissioners in Kennebec County may increase or decrease the county budget during the year but may only do so with the approval of the Legislature. It adds a provision that if the requested revisions have not been acted upon by the Legislature within 30 days of its submission, the budget may be revised on a month to month basis until such time as a decision is

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1 rendered. This increased budget, however, may not .2 exceed the same period of the previous year by more than 10 percentage points above the percentage difference between the total budget for the current 3 4 5 year and the previous year. For example, if the total 1987 budget exceeded the 1986 expenditures by 5%, then 6 the August 1987 budget could be 15% greater than August 1986, or 5% plus 10%. Reference to the total 7 8 9 current year is required since counties do not submit budgets on a month by month basis. 10 Any changes made 11 without legislative approval are to require the 12 approval of the budget advisory committee. Those with 13 legislative approval require only consideration of the 14 recommendations of the advisory committee.

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