

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

NO. 2407

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H.P. 1758 House of Representatives, March 2, 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 HANDY of Lewiston.

Cosponsored by Representatives LAPOINTE of Auburn, TRACY  
of Rome and ALIBERTI of Lewiston.

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STATE OF MAINE

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

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AN ACT to Promote Fiscal  
Responsibility in Androscoggin County  
Government.

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

7 Sec. 1. 30 MRSA §1451, as enacted by PL 1985,  
8 c. 806, is amended to read:

1 §1451. Purpose

2 The purpose of this chapter is to establish in  
3 Androscoggin County a method of appropriating money  
4 for county expenditures, including the salaries for  
5 county officers, according to a budget which must  
6 first be adopted by a budget committee and then be  
7 approved by the Legislature the county  
8 commissioners. This chapter amends the present  
9 statutory method in sections 2, 252 and 253 by  
10 creating a committee elected by Androscoggin County  
11 municipal officers with authority to adopt or amend  
12 the budget. The legislature continues to have  
13 authority to approve but not to amend the budget.  
14 This chapter applies only to Androscoggin County.

15 Sec. 2. 30 MRSA §§1453 and 1454, as enacted by  
16 PL 1985, c. 806, are repealed.

17 Sec. 3. 30 MRSA §§1455 and 1456, as enacted by  
18 PL 1985, c. 806, are amended to read:

19 §1455. Budget procedure

20 1. Proposed budget. The county commissioners  
21 shall submit compile itemized budget estimates, as  
22 described in sections 252 and 253 to the budget  
23 committee in a timely fashion, at least 60 days  
24 before the end of the county's fiscal year.

25 2. Public hearing on commissioners' budget.  
26 The budget committee county commissioners shall  
27 review the proposed itemized budgets prepared by the  
28 county commissioners, together with any supplementary  
29 material prepared by the head of each county  
30 department or provided by any independent board or  
31 institution or another governmental agency. The  
32 budget committee commissioners shall hold a public  
33 hearing, with notice as provided in subsection 4, on  
34 the proposed itemized budgets prepared by the county  
35 commissioners.

36 3. Revision process. After the public hearing  
37 required under subsection 2 is completed, the budget  
38 committee commissioners may increase, decrease, alter

1 or revise the proposed budgets provided that:

2 A. The budget committee commissioners shall  
3 enter into its their minutes a statement of the  
4 basis for any change in the estimated expenditures  
5 and revenues as initially presented by the  
6 county-commissioners; and

7 B. The total estimated revenues, together with  
8 the amount of county tax to be levied, must equal  
9 the total estimated expenditures.

10 4. Public hearing on revised budget. The  
11 budget committee commissioners shall hold at least  
12 one additional public hearing in the county on the  
13 proposed budget, as revised by the budget  
14 committee, before the end of the county's fiscal year  
15 and before the final adoption of the budget. Notice  
16 of the hearing must be given at least 10 days before  
17 the hearing in all newspapers of general circulation  
18 within the county. Written notice and a copy of the  
19 proposed budget shall be mailed or delivered by hand  
20 in person to the clerk of each municipality in the  
21 county. The municipal clerk shall notify the  
22 municipal officials of the proposed budget.

23 5. Adoption of budget. After the public hearing  
24 or hearings held under subsection 4 are completed,  
25 the budget committee commissioners may further  
26 increase, decrease, alter and revise the proposed  
27 itemized budgets, subject to the conditions and  
28 restrictions imposed in subsection 3. The proposed  
29 itemized budget shall be finally adopted by a majority  
30 vote of the budget committee commissioners at a  
31 duly called meeting held before the end the county's  
32 fiscal year.

33 6- Final budget approval. Before January 15th  
34 of the fiscal year for which the budget is prepared,  
35 the budget committee shall submit the proposed budget  
36 to the Legislature. The Legislature shall approve or  
37 disapprove the budget as submitted before May 1st of  
38 each year.

39 ~~If the Legislature disapproves of the budget, the~~

1 budget committee shall submit, within 15 calendar  
2 days, new budget proposals in accordance with  
3 subsection 1 and the provisions of this section shall  
4 be-followed-until-a-budget-is-finally-approved-

5 7. Assessment of taxes. The budget as approved  
6 by the legislature is the final authorization for the  
7 assessment of county taxes. The budget shall be  
8 transmitted to the county commissioners and the  
9 county tax authorized shall be apportioned and  
10 collected in accordance with section 254.

11 8. Interim budget. Until a budget is finally  
12 adopted, the county shall operate on an interim budget  
13 which may not exceed the previous year's budget.

14 §1456. Budget amendments

15 The approved budget shall govern the expenditures  
16 of the county during the fiscal year. No expenses  
17 may be incurred in excess of those shown in the  
18 approved budget, but the county commissioners may  
19 transfer funds as provided in section 252, and the  
20 budget may be from time to time revised by the  
21 preparation and submission of a proposed amended  
22 budget by the county commissioners to the budget  
23 committee. The budget committee shall within 15  
24 calendar days approve, disapprove or amend this  
25 revised budget. If the proposed revised budget is  
26 approved or amended, the budget committee within this  
27 same time period shall forward the revised budget to  
28 the legislature for final approval. The legislature  
29 has 15 calendar days to approve or disapprove the  
30 revised budget. If the legislature is not in session  
31 or does not approve the revised budget within this  
32 time, it is disapproved. A report of approval of a  
33 revised budget shall be transmitted to the State  
34 Auditor within 15 days of the legislature's approval  
35 of-a-revised-budget-

36 STATEMENT OF FACT

37 This bill provides for direct representation

1 through the county commissioners in Androscoggin  
2 County in that the commissioners will have full  
3 control of and accountability for the county budget by  
4 removing the budget committee process and review and  
5 approval by the legislative delegation and the  
6 Legislature.

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