

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 294

H.P. 214

House of Representatives, February 21, 1989

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

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative McCORMICK of Rockport.

Cosponsored by Senator BRAWN of Knox, Representative SKOGLUND of St. George and Representative HUTCHINS of Penobscot.

STATE OF MAINE

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

An Act Relating to the Knox County Budget Process.

(EMERGENCY)



1 **Emergency preamble.** Whereas, Acts of the Legislature do not
2 become effective until 90 days after adjournment unless enacted
3 as emergencies; and

5 Whereas, it is desired to obtain the benefits of
6 participation by local officials at the earliest possible time;
7 and

9 Whereas, the budget advisory committee by terms of this Act
10 must meet at least 90 days prior to the end of the fiscal year;
11 and

13 Whereas, in the judgment of the Legislature, these facts
14 create an emergency within the meaning of the Constitution of
15 Maine and require the following legislation as immediately
16 necessary for the preservation of the public peace, health and
17 safety; now, therefore,

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

21 **30-A MRSA c. 3, sub-c. I, art. 5-A is enacted to read:**

23 ARTICLE 5-A. KNOX COUNTY BUDGET ADVISORY COMMITTEE

25 §781. Budget; appropriations; approval

27 Notwithstanding sections 2, 701 and 702, in Knox County the
28 county commissioners may appropriate money, according to a
29 budget, which must be approved by a majority of the county
30 commissioners.

31 §782. Interim budget

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

37 §783. Advisory committee

39 1. Membership. There is established a Knox County Budget
40 Advisory Committee which shall consist of 9 members, 3 members
41 from each commissioner district selected as provided for in this
42 section.

44 In 1987, and every 3rd year thereafter, the 9 members shall be
45 elected by the following procedure.

47 A. The county commissioners shall notify all municipal
48 officers in the county to caucus by county commissioner
49 districts at a specified date, time and place for the
50 purpose of nominating at least 3 residents of the district
51 of voting age as candidates for the county budget advisory

1 committee. At least 2 of the persons nominated must not be
2 municipal officials. A county commissioner shall serve as
3 nonvoting moderator for that commissioner district caucus.
4 Nominations shall be received from the floor and require a
5 majority vote of those present to be approved. The names of
6 those duly nominated shall be recorded and forwarded to the
7 county commissioners to be placed on a written ballot.

8
9 B. The county commissioners shall have written ballots
10 printed with the names of those candidates selected in each
11 county commissioner district under paragraph A. Each
12 commissioner district shall require a separate ballot and
13 each ballot shall specify each candidate's full name and
14 municipality. The county commissioners shall distribute the
15 appropriate ballots to each municipality within a
16 commissioner district. The selectmen or city councillors
17 shall vote, as a board, for 3 budget committee members from
18 the candidates on the ballot. The municipal officers must
19 vote for at least 2 candidates who are not municipal
20 officials. After voting, the municipal officers shall
21 return the ballot to the county commissioners by a certain
22 date.

23
24 C. The ballots shall be counted at a regular meeting of the
25 county commissioners. Each municipality's vote shall be
26 weighted according to that municipality's population as a
27 proportion of the district's total population, except that
28 no municipality may have more than one budget advisory
29 committee member. The 2 candidates with the highest vote
30 totals and who are not municipal officials and the candidate
31 with the otherwise highest vote total are elected to
32 membership on the county budget advisory committee for each
33 district. The county commissioners shall notify each
34 municipality, in writing, of the results of the election and
35 shall certify to the Secretary of State the results of the
36 election.

37
38 D. The votes of each municipality shall be multiplied by
39 the figure opposite the municipality's name as follows.

40 (1) For commissioner district number one:

41
42 (a) Owl's Head 1,633

43
44 (b) Rockland 7,919

45
46 (c) South Thomaston 1,064

47
48 (2) For commissioner district number 2:

49
50 (a) Cushing 795

51
52 (b) Friendship 1,000

(c) <u>Isle Au Haut</u>	<u>57</u>
(d) <u>Matinicus Island</u>	<u>66</u>
(e) <u>North Haven</u>	<u>373</u>
(f) <u>St. George</u>	<u>1,948</u>
(g) <u>Thomaston</u>	<u>2,900</u>
(h) <u>Vinalhaven</u>	<u>1,211</u>
(i) <u>Warren</u>	<u>2,566</u>
(3) <u>For commissioner district number 3:</u>	
(a) <u>Appleton</u>	<u>818</u>
(b) <u>Camden</u>	<u>4,584</u>
(c) <u>Hope</u>	<u>730</u>
(d) <u>Rockport</u>	<u>2,749</u>
(e) <u>Union</u>	<u>1,569</u>
(f) <u>Washington</u>	<u>954</u>

These population figures shall be revised after each Federal Decennial Census.

2. Duties. The county budget advisory committee shall review the budget and estimates, including the salaries for county officers, in preparation for review by the county commissioners. The county commissioners shall approve a final draft of the county budget and submit it to the legislative delegation for approval and submission to the Legislature.

3. Term of office. The term of office for budget advisory committee members is 3 years.

4. Vacancies. A vacancy occurring on the budget advisory committee shall be filled by the committee for the balance of the unexpired term. The person appointed to fill the vacant office must be from the same municipality as the person vacating the office.

5. Expenses. Members shall serve without compensation, but shall be reimbursed from the county treasury for expenses lawfully incurred by them in the performance of their duties.

1 The budget advisory committee shall conduct its meetings in
3 public at the county courthouse. The county commissioners shall
5 direct the county clerk to call an organizational meeting of the
7 budget committee at least 90 days before the end of the county's
9 fiscal year. The county commissioners shall provide the
11 committee with necessary clerical assistance, office expenses and
13 suitable meeting space, as well as access to county files and
15 information. The budget advisory committee shall select its own
17 chair, vice-chair and secretary. The budget advisory committee
19 shall adopt its own rules or procedures and bylaws.

21 **§784. Public hearing**

23 The Knox County commissioners shall hold one or more public
25 hearings on the budget estimate annually prior to December 1st.

27 **§785. Budget estimate; submission to advisory committee**

29 The Knox County commissioners shall submit a budget estimate
31 to the advisory committee no later than October 1st for the
33 coming year. The advisory committee shall review the budget
35 estimate and make recommendations to the commissioners prior to
37 November 15th. The county commissioners shall act on the budget
39 in a timely fashion and, in any event, not later than December
41 15th of the budget year.

43 **§786. Final budget estimates; filing**

45 A copy of the final budget estimates shall be filed on forms
47 approved by the Department of Audit with the State Auditor, who
49 shall retain it for 3 years.

51 **Emergency clause.** In view of the emergency cited in the
53 preamble, this Act shall take effect when approved.

55 **STATEMENT OF FACT**

57 This bill establishes a county budget advisory committee for
59 Knox County.