

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1261

H.P. 904

House of Representatives, April 20, 1989

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

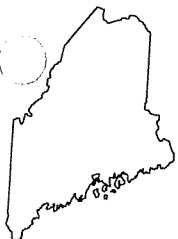
Ed Pert
EDWIN H. PERT, Clerk

Presented by Representative SHELTRA of Biddeford.

STATE OF MAINE

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

An Act Authorizing Changes to the Budget Process in York County.



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

3 30-A MRSA c. 3, sub-c. I, art. 8 is enacted to read:

5 ARTICLE 8. YORK COUNTY BUDGET COMMITTEE

7 §871. Definitions

9 As used in this article, unless the context otherwise
11 indicates, the following terms have the following meanings.

13 1. County commissioners. "County commissioners" means the
elected county commissioners of York County.

15 2. Municipal officials. "Municipal officials" may include
17 the mayor, aldermen, councillors or manager of a city, the
selectmen, councillors or manager of a town and the assessors of
19 a plantation located in York County.

21 3. Municipal officers. "Municipal officers" means the
elected mayor, aldermen or councillors of a city, the selectmen
23 or councillors of a town and the assessors of a plantation
located in York County.

25 §872. York County Budget Committee

27 In York County there is established the York County Budget
29 Committee to carry out the purposes of this article.

31 1. Membership. The budget committee shall consist of 9
members, 3 members from each commissioner district selected at
33 least 90 days before the end of the fiscal year as provided for
in this section.

35 A. Of the 3 members from each commissioner district, one
37 must be a municipal official and one must be a
representative of the general public. All 3 members shall
39 be appointed by the county commissioners.

41 One member of the general public on the committee must be a
resident of the unorganized territories. No other member of
43 the general public on the committee may be a resident of the
unorganized territories.

45 B. It is the responsibility of the county budget committee
47 to review the budget and estimates, including the budget for
municipal services in the unorganized territory prepared by
49 the county commissioners, and to make recommendations
concerning the budget and estimates.

51 C. The term of office is as follows:

1 (1) The member who is a municipal officer, appointed
3 by the county commissioners, has an initial term of one
 year;

5 (2) The member who is a representative of the general
7 public, appointed by the county commissioners, has an
 initial term of 2 years; and

9 (3) The 3rd member has an initial term of 3 years.

11 The terms of the respective members shall increase by one
13 year at the time of reappointment, except the 3-year term,
 which shall become a one-year term.

15 D. A vacancy occurring on the budget committee shall be
17 filled in the same manner as the original appointment for
19 the balance of the unexpired term. The person appointed to
 fill the vacant office must have the same qualifications as
 the person vacating the office.

21 E. Members shall serve without compensation.

23 **§873. Budget committee organization**

25 The budget committee shall conduct its meetings in public at
27 the county courthouse. The county commissioners shall direct the
29 county clerk to call an organizational meeting of the budget
31 committee within 15 days after the county budget has been
33 prepared by the county commissioners. The county commissioners
35 shall provide the committee with necessary clerical assistance,
 office expenses and suitable meeting space, as well as access to
 county files and information. The budget committee shall select
 its own chair, vice-chair and secretary. The budget committee
 shall adopt its own rules or procedures and bylaws.

37 **§874. Budget procedures**

39 1. Proposed budget. The county commissioners shall submit
41 itemized budget estimates, as described in sections 701, 702 and
 7503, to the budget committee in a timely fashion, no later than
 90 days before the end of the county's fiscal year.

43 2. Budget review process. The budget committee shall
45 review the proposed itemized budgets prepared by the county
47 commissioners, together with any supplementary material prepared
49 by the head of each county department or provided by any
51 independent board, institution or another governmental agency.
 The budget committee may make recommendations concerning any
 increase, decrease, alteration or revision to the proposed
 budget. These activities shall be done before November 1st.

1 3. Meeting with legislative delegation. Before November
2 15th, the county commissioners shall meet with the county
3 legislative delegation to review and finalize estimates for the
4 year.

5
6 4. Public hearing. The county commissioners shall hold a
7 public hearing in the county on the proposed budget prior to
8 December 1st and before the final adoption of the budget. Notice
9 of the hearing shall be given at least 10 days before the hearing
10 in all newspapers of general circulation within the county.
11 Written notice and a copy of the proposed budget shall be sent by
12 mail or delivered in person to the clerk of each municipality in
13 the county and to the members of the budget committee. The
14 municipal clerk shall notify the municipal officials of the
15 proposed budget and the date of the public hearing.

16 5. Adoption of budget. After the public hearing is
17 completed, the county commissioners may further increase,
18 decrease, alter and revise the proposed itemized budgets provided
19 that:

20 A. The county commissioners shall enter into their minutes
21 and submit to the budget committee a statement of their
22 bases for any rejection of any recommendation of the budget
23 committee; and

24 B. The county commissioners shall hold a public meeting
25 prior to December 7th with the budget committee to discuss
26 any rejections.

27 The proposed itemized budget must be finally adopted by a
28 majority vote of the county commissioners at a duly called
29 meeting not later than December 15th.

30
31 6. Interim approval by legislative delegation. Before
32 submitting the budget to the Legislature under subsection 7, the
33 county commissioners shall submit the proposed budget to the
34 legislative delegation. The delegation shall render a decision
35 by January 1st. Failure to do so is considered approval of the
36 budget as submitted. If the legislative delegation disapproves
37 of the budget, the county commissioners shall submit, within 15
38 calendar days, new budget proposals in accordance with subsection
39 1 and the provisions of this section shall be followed until a
40 budget is approved by the legislative delegation.

41
42 7. Final budget approval. Before January 15th of the
43 fiscal year for which the budget is prepared, the county
44 commissioners shall submit the proposed budget to the
45 Legislature. The Legislature shall approve, disapprove or amend
46 the budget as submitted.

1 8. Assessment of taxes. The budget as approved by the
2 Legislature is the final authorization for the assessment of
3 county taxes. The budget shall be sent to the county
4 commissioners and the county tax authorized shall be apportioned
5 and collected in accordance with section 706. The budget for the
6 unorganized territories shall be sent to the State as provided by
7 section 7503.

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

13 10. Transfer of funds. The county commissioners may
14 transfer funds as provided in section 922.

15 **§875. Budget amendments**

17 The approved budget shall govern the expenditures of the
18 county during the fiscal year. No expenses may be incurred in
19 excess of those shown in the approved budget, but the budget may
20 be from time to time revised by the preparation of a proposed
21 amended budget by the county commissioners. This proposed
22 amended budget shall be submitted to the county budget committee
23 for review. Any recommendations by this committee must be
24 submitted within 10 calendar days. After receiving the
25 recommendation of the budget committee, the county commissioners
26 shall forward the proposed revised budget to the legislative
27 delegation for approval. The delegation has 10 calendar days to
28 render a decision on the proposed revision. Failure of the
29 delegation to render a decision within the specified time is
30 considered an approval of the revision. If the delegation
31 disapproves of the revision, the procedure of section 874,
32 subsection 6, shall be followed. The county commissioners shall
33 submit the proposed revised budget to the Legislature for
34 approval, disapproval or amendment. If approved, the Legislature
35 shall transmit a report of approval of a revised budget to the
36 State Auditor within 15 days of that approval.

37 **§876. Filing of county budget**

39 A copy of the final budget and subsequent amendments shall
40 be filed, on forms approved by the Department of Audit, with the
41 State Auditor, who shall retain them for 3 years.

45
46
47 **STATEMENT OF FACT**

48 This bill authorizes changes in the budget process in York
49 County.