

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1750

H.P. 1251

House of Representatives, June 13, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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 Speaker MARTIN of Eagle Lake.

STATE OF MAINE

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

An Act to Establish Finance Committee Districts and Procedures for
Aroostook County.

(AFTER DEADLINE)



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

3 30-A MRSA art. 3-A is enacted to read:

5 ARTICLE 3-A. AROOSTOOK COUNTY FINANCE COMMITTEE

7
9 §739. Aroostook County finance committee

11 In Aroostook County, there is established a finance
13 committee to carry out the purposes of this article. As used in
this article, "county commissioners" means the county
commissioners of Aroostook County.

15 1. Membership. The finance committee shall consist of 9
17 members, 3 members from each commissioner district selected under
paragraphs A and B. The county commissioners shall designate 3
19 district subdivisions within each district from each of which one
member of the finance committee shall be elected.

21 A. The county commissioners shall notify all municipal
23 officers in the county to caucus by county commissioner
district at a specified date, time and place for the purpose
25 of nominating at least one resident of each district
subdivision of voting age as a candidate for the county
27 finance committee. A county commissioner shall serve as
nonvoting moderator for the county commissioner's district
29 caucus. Nominations shall be received from the floor and
require a majority vote of those present to be approved.
31 The names of those duly nominated shall be recorded and
forwarded to the county commissioners to be placed on a
33 written ballot.

35 B. The county commissioners shall have written ballots
printed with the names of those candidates selected in each
37 district subdivision in accordance with paragraph A. Each
commissioner district shall require a separate ballot and
39 each ballot shall specify each candidate's full name and
municipality. The county commissioners shall distribute the
41 appropriate ballots to each municipality within a
commissioner district. The municipal officers shall vote,
43 as a board, for one finance committee member from each
commissioner district subdivision within that district from
45 the candidates on the ballot and return the ballot to the
county commissioners by a date set by the county
47 commissioners. The ballots shall be counted at a regular
meeting of the county commissioners. Each vote shall be
49 weighted according to that municipality's population as a
proportion of the district's total population. The county
51 commissioners shall:

1 (1) Notify each municipality, in writing, of the
3 election results; and

5 (2) Certify the results to the Secretary of State.

7 C. It is the responsibility of the county finance committee
9 to review the budget and estimates, including the budget for
11 municipal services in the unorganized territory prepared by
13 the county commissioners.

15 D. Five members of the finance committee shall serve terms
17 of 4 years and 4 members of the finance committee shall
19 serve terms of 2 years.

21 E. A vacancy occurring on the finance committee shall be
23 filled by the committee for the balance of the unexpired
25 term. The person appointed to fill the vacant office must
27 be from the same municipality or unorganized territory as
29 the person vacating the office.

31 F. Members shall serve without compensation.

33 §739-A. Finance committee organization

35 The finance committee shall conduct its meetings in public
37 at the county courthouse. The county commissioners shall direct
39 the county clerk to call an organizational meeting of the finance
41 committee no later than 60 days before the end of the county's
43 fiscal year. The county commissioners shall provide the
45 committee with necessary clerical assistance, office expenses and
47 suitable meeting space, as well as access to county files and
49 information. The finance committee shall select its own chair,
51 vice-chair and secretary. The finance committee shall adopt its
 own rules or procedures and bylaws.

§739-B. Budget procedures

1. Proposed budget. The county commissioners shall submit
 itemized finance estimates, as described in sections 701, 702 and
 7503, in the form of a budget, to the finance committee in a
 timely fashion, no later than 60 days before the end of the
 county's fiscal year.

2. Budget review process. The finance committee shall
 review the itemized estimated budget prepared by the county
 commissioners, together with any supplementary material prepared
 by the head of each county department or provided by any
 independent board or institution or another governmental agency.
 The finance committee shall prepare a proposed budget and may
 increase, decrease or alter the estimated budget provided that:

1 A. The finance committee enters into its minutes an
3 explanation for any suggested change in the estimated
5 expenditures and revenues as initially presented by the
7 county commissioners; and

9 B. In the proposed budget, the total estimated revenues,
11 together with the amount of county tax to be levied, equals
13 the total estimated expenditures.

15 3. Public hearing. The finance committee shall hold a
17 public hearing in the county on its proposed budget before the
19 end of the county's fiscal year and before the final adoption of
21 the budget. Notice of the hearing shall be given at least 10
23 days before the hearing in all newspapers of general circulation
25 within the county. Written notice and a copy of the proposed
27 budget shall be sent by registered or certified mail with return
29 receipt requested, or delivered in person, with proof of receipt
31 of the delivery, to the clerk of each municipality in the
33 county. The municipal clerk shall notify the municipal officials
35 of the proposed budget.

37 4. Finality of budget. After the public hearing is
39 completed, the finance committee shall adopt a final budget and
41 transmit that budget to the county commissioners. The county
43 commissioners shall not further increase, decrease, alter or
45 revise the budget as adopted by the finance committee, except by
47 unanimous vote of the county commissioners. If the adopted
49 budget is changed by the county commissioners, the finance
51 committee may reject that change by a 2/3 vote of its
53 membership. Those actions shall be final and not subject to
55 further action by either the county commissioners or finance
57 committee.

59 5. Assessment of taxes. The budget as so adopted and
61 changed under subsection 4 is the final authorization for the
63 assessment of county taxes. The approved final budget shall be
65 sent to the county commissioners and the county tax authorized
67 shall be apportioned and collected in accordance with section
69 706. The approved final budget for the unorganized territories
71 will be sent to the State as provided by section 7503.

73 6. Interim budget. Until a budget is finally approved, the
75 county shall operate on an interim budget which shall not exceed
77 the previous year's budget.

79 7. Transfer of funds. The county commissioners may
81 transfer funds as provided in section 922.

83 §739-C. Budget amendments

1 The approved final budget shall govern the expenditures of
2 the county during the fiscal year. No expenses may be incurred
3 in excess of those shown in the approved final budget, but the
4 budget may be from time to time revised by the preparation and
5 submission of a proposed amended budget by the county
6 commissioners to the Legislature for approval. Only after the
7 Legislature has approved an amended approved final budget, shall
8 the amendment become effective. A report of approval of an
9 amended budget shall be transmitted to the State Auditor within
10 15 days of an approval of an amended budget by the Legislature.

11 **§739-D. Filing of county budget**

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

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18 **STATEMENT OF FACT**

19
20 This bill establishes a finance committee in Aroostook
21 County to review the county budget. Three members of the finance
22 committee shall be from each district, with one member from each
23 district subdivision as designated by the county commissioners.
24 The finance committee's budget recommendations may only be
25 overridden by unanimous consent of the county commissioners.
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