

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 290, L.D. 772, Bill, "An
Act Relating to the Knox County Budget Process"

Amend the bill by striking out everything after the enacting
clause and before the statement of fact and inserting in its
place the following:

'30-A MRSA c. 3, sub-c. I, art. 4-A is enacted to read:

Article 4-A

KNOX COUNTY BUDGET COMMITTEE

§751. Knox County budget committee

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

1. Membership. The budget committee consists of 9 members
who are elected from districts defined in section 757 and as
provided in this subsection. Each committee member shall serve a
4-year term, with the exception of the initial committee members
whose terms are described in section 757.

A. Budget committee members must be elected on the Tuesday
following the first Monday of November in each even-numbered
year beginning in 1994.

B. Nominations for the office of budget committee member
must be nonpartisan and be made by petition in accordance
with Title 21-A, chapter 5, subchapter II, except that
candidates need not verify by oath or affirmation that they
are not enrolled in a party and the number of signatures of
voters must be at least 25 and not more than 40 on a
nomination petition for a candidate in each district

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2 subdivision. The election must be conducted and the results
3 determined as provided for in the election of county
4 commissioners in section 61. Costs for reproduction and
5 distribution of ballots must be paid by Knox County.

6 C. The budget committee shall elect annually a chair from
7 among its members.

8
9 D. A vacancy occurring on the budget committee must be
10 filled by the committee, subject to confirmation by a
11 majority of the county commissioners, for the balance of the
12 unexpired term. The person appointed to fill the vacant
13 office must be from the same municipality or unorganized
14 territory as the person vacating the office.

15 E. Members shall serve without compensation.

16
17 F. The county budget committee shall review the itemized
18 estimated budget prepared by the county commissioners,
19 prepare a proposed budget and after a public hearing approve
20 a final budget.

21 **§752. Budget committee organization**

22
23 The budget committee shall conduct its meetings in public at
24 county buildings. The county commissioners shall direct the
25 county clerk to call an organizational meeting of the budget
26 committee no later than 60 days before the end of the county's
27 fiscal year. The county commissioners shall provide the
28 committee with necessary clerical assistance, office expenses and
29 suitable meeting space, as well as access to county files and
30 information. The budget committee shall select from among its
31 members a chair, vice-chair and secretary. The budget committee
32 shall adopt its own rules or procedures and bylaws.

33 **§753. Budget procedures**

34
35 1. Proposed budget. The county commissioners shall submit
36 an itemized estimated budget, as described in sections 701, 702
37 and 7503 in the form of a budget, to the budget committee in a
38 timely fashion no later than 60 days before the end of the
39 county's fiscal year.

40
41 2. Budget review process. The budget committee shall
42 review the itemized estimated budget prepared by the county
43 commissioners, together with any supplementary material prepared
44 by each county department or provided by any independent board or
45 institution or another governmental agency. The budget committee
46 shall prepare a proposed budget and may increase, decrease or
47 alter the itemized estimated budget if:
48
49
50

2 A. The budget committee records in its minutes an
4 explanation for any suggested change in the estimated
6 expenditures and revenues as initially presented by the
8 county commissioners; and

10 B. The total estimated revenues, together with the amount
12 of county tax to be levied, equals the total estimated
14 expenditures in the proposed budget.

16 3. Public hearing. The budget committee shall hold a
18 public hearing in the county on its proposed budget before the
20 end of the county's fiscal year and before the final adoption of
22 the budget. Notice of the hearing must be given at least 10 days
24 before the hearing in all newspapers of general circulation
26 within the county. Written notice and a copy of the proposed
28 budget must be sent by mail or delivered in person to the clerk
30 of each municipality in the county. The municipal clerk shall
32 notify the municipal officials of the receipt of the proposed
34 budget.

36 4. Finality of budget. After the public hearing is
38 completed, the budget committee shall adopt a final budget and
40 transmit that budget to the county commissioners. The county
42 commissioners may not further increase, decrease, alter or revise
44 the budget as adopted by the budget committee, except by
46 unanimous vote of the county commissioners. If the adopted
48 budget is changed by the county commissioners, the budget
50 committee may reject that change by a 2/3 vote of its
52 membership. Those actions are final and are not subject to
54 further action by either the county commissioners or the budget
56 committee.

58 5. Assessment of taxes. The budget as adopted and changed
60 under subsection 4 is the final authorization for the assessment
62 of county taxes. The approved final budget must be sent to the
64 county commissioners and the county tax authorized is apportioned
66 and collected in accordance with section 706.

68 6. Interim budget. Until a budget is finally approved, the
70 county shall operate on an interim budget that may not exceed the
72 previous year's budget.

74 7. Transfer of funds. The county commissioners may
76 transfer funds as provided in section 922.

78 **\$754. Budget amendments**

80 The approved final budget governs the expenditures of the
82 county during the fiscal year. Expenses may not be incurred in
84 excess of those shown in the approved final budget. The budget

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may be revised if the county commissioners prepare and submit a proposed budget amendment to the budget committee for approval. The amended budget becomes effective only after the budget committee has approved the amendment. A report of an approval of a budget amendment must be transmitted to the State Auditor within 15 days of that approval by the budget committee.

§755. Filing of county budget

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

§756. Initial budget committee selection; process

Notwithstanding other provisions of this article:

1. Nomination. Nominating petitions for election to the initial budget advisory committee must be made available from the Secretary of State and must be accepted for filing from June 1, 1991 to August 1, 1991;

2. Committee selection. The initial election to the budget committee must occur on the Tuesday following the first Monday of November 1991. The committee consists of 9 members elected from the districts defined in section 757 and as provided for in section 751, subsection 1, paragraph B:

3. Organization meeting. The county clerk shall call an organization meeting of the initial budget committee no later than 50 days before the end of the county's fiscal year; and

4. Submission of itemized budget estimate. The county commissioners shall submit an itemized budget estimate to the initial budget committee no later than 50 days before the end of the county's fiscal year.

§757. Budget committee membership districts

One budget committee member must be elected from each of the following districts, with the exception of district 3 which shall elect 2 members at large. The county commissioners shall redistrict these seats by June 1, 1993 and every 10 years thereafter. The budget committee member districts are as follows.

1. District 1. District 1 consists of Criehaven, Isle au Haut, Matinicus Plantation, North Haven, Vinalhaven and St. George. The initial term for district 1 expires on the Tuesday following the first Monday of November 1996.

2. District 2. District 2 consists of South Thomaston and Owl's Head. The initial term for district 2 expires on the Tuesday following the first Monday of November 1994.

3. District 3. District 3 consists of Rockland and elects 2 members at large. The initial term for district 3 expires on the Tuesday following the first Monday of November 1996.

4. District 4. District 4 consists of Camden. The initial term for district 4 expires on the Tuesday following the first Monday of November 1994.

5. District 5. District 5 consists of Hope and Rockport. The initial term for district 5 expires on the Tuesday following the first Monday of November 1996.

6. District 6. District 6 consists of Appleton, Union and Washington. The initial term for district 6 expires on the Tuesday following the first Monday of November 1994.

7. District 7. District 7 consists of Warren and Friendship. The initial term for district 7 expires on the Tuesday following the first Monday of November 1996.

8. District 8. District 8 consists of Thomaston and Cushing. The initial term for district 8 expires on the Tuesday following the first Monday of November 1994.'

STATEMENT OF FACT

This amendment replaces the original language of the bill and adopts a budget committee format similar to that of Aroostook County. It also provides for staggered terms for the budget committee membership and defines the districts from which the initial budget committee members are elected.

Reported by Senator Berube for the Committee on State and Local Government. Reproduced and Distributed Pursuant to Senate Rule 12.

(5/2/91)

(Filing No. S-116)