

MAINE STATE LEGISLATURE

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February 21, 1991
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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 772

S.P. 290

Received by the Secretary, February 21, 1991

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRAWN of Knox
Cosponsored by Representative SAVAGE of Union.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Relating to the Knox County Budget Process.

(EMERGENCY)

Printed on recycled paper



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

4
Whereas, it is desired to obtain the benefits of
6 participation by local officials at the earliest possible time;
and

8
Whereas, the Knox County Budget Advisory Committee
10 established by this Act must meet at least 90 days prior to the
end of the fiscal year; and

12
Whereas, in the judgment of the Legislature, these facts
14 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
16 necessary for the preservation of the public peace, health and
safety; now, therefore,

18
Be it enacted by the People of the State of Maine as follows:

20
30-A MRSA c. 3, sub-c. I, art. 9 is enacted to read:

22
Article 9
24 **KNOX COUNTY BUDGET**

26 **§881. Budget; appropriations; approval**

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

32 **§882. Interim budget**

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

38 **§883. County budget advisory committee**

40 1. Membership. The Knox County Budget Advisory Committee
42 is established and consists of 10 members, 3 members from each
commissioner district and one member of the county legislative
44 delegation, selected as provided for in this section.

46 A. In 1991, and every 3rd year thereafter, 9 members must
be elected by the following procedures. The county
48 commissioners shall notify all municipal officers in the
county to caucus by county commissioner districts at a
50 specified date, time and place for the purpose of electing
at least 3 residents of the district of voting age as
52 members of the county budget advisory committee. At least 2
of the persons nominated must not be municipal officials. A

2 county commissioner shall serve as nonvoting moderator for
4 that county commissioner's district caucus. Nominations
6 must be received from the floor and require a majority vote
 of those present to be approved. The names of those duly
 elected by the caucus must be recorded and forwarded to the
 county commissioners.

8 B. The Knox County legislative delegation shall select
10 annually one member of the delegation who resides in Knox
 County to serve on the county budget advisory committee.

12 C. A municipality may not have more than one county budget
14 advisory committee member.

16 2. Duties. The county budget advisory committee shall
18 review the budget and estimates, including the salaries for
20 county officers, in preparation for review by the county
 commissioners. The county commissioners shall approve a final
 county budget.

22 3. Term of office. The term of office for county budget
24 advisory committee members is 3 years, except that the member of
 the legislative delegation serves for a one-year period.

26 4. Vacancies. If a county budget advisory committee member
28 who is a municipal official ceases to be a municipal official
30 during the term of membership, the committee member shall vacate
32 membership and the next district caucus shall elect a qualified
34 municipal officer to serve for the remainder of the unexpired
 term. All other vacancies occurring on the county budget
 advisory committee must 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.

36 5. Expenses. Members shall serve without compensation, but
38 are entitled to reimbursement from the county treasury for
40 expenses lawfully incurred by them in the performance of their
 duties.

42 6. Meetings. The county budget advisory committee shall
44 conduct its meetings in public at the county courthouse. The
46 county commissioners shall direct the county clerk to call an
48 organizational meeting of the county budget advisory committee at
50 least 90 days before the end of the county's fiscal year. The
52 county commissioners shall provide the committee with necessary
 clerical assistance, office expenses, suitable meeting space and
 access to county files and information. The county budget
 advisory committee shall select its own chair, vice-chair and
 secretary. The county budget advisory committee shall adopt its
 own rules or procedures and bylaws.

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§884. Public hearing

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

§885. Budget estimate; submission to county budget advisory committee

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

§886. Final budget estimates; filing

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

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

This bill establishes the Knox County Budget Advisory Committee.