

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1480

H.P. 1012

House of Representatives, April 10, 1991

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

A handwritten signature in cursive script that reads "Ed Pert".

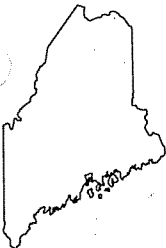
EDWIN H. PERT, Clerk

Presented by Representative GREENLAW of Standish.

STATE OF MAINE

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

An Act to Amend the Budget Procedure for Cumberland County.



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

4 Sec. 1. 30-A MRSA c. 3, sub-c. I, art. 4, as amended, is repealed.

6 Sec. 2. 30-A MRSA c. 3, sub-c. I, art. 4-A is enacted to read:

8 Article 4-A

10 CUMBERLAND COUNTY FINANCE COMMITTEE

12 §747. Cumberland County finance committee

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

18 1. Membership. The finance committee consists of 9
20 members, 3 members from each commissioner district elected as
provided in this subsection. The county commissioners shall
22 designate 3 district subdivisions within each district from each
of which one member of the finance committee must be elected.

24 A. Finance committee members must be elected on the Tuesday
26 following the first Monday of November in each even-numbered
year. Nominations for the office of finance committee
28 member must be nonpartisan and made by petition in
accordance with Title 21-A, chapter 5, subchapter II, except
30 that candidates need not verify by oath or affirmation that
they are not enrolled in a party and the number of
32 signatures of voters on a nomination petition for a
candidate in each district subdivision must be at least 25
34 and not more than 40. The election must be conducted and
the results determined as provided for the election of
36 county commissioners in section 61.

38 B. Before the first election of finance committee members,
40 the county commissioners shall designate 5 district
subdivisions for which members of the finance committee
42 shall serve an initial term of 4 years and 4 district
subdivisions for which members of the finance committee
44 shall serve an initial term of 2 years. All subsequent
terms are for 4 years. The county commissioners shall
46 reapportion these subdivisions after each Federal Decennial
Census.

48 C. The finance committee shall annually elect a chair,
vice-chair and secretary from among its members.

2 D. A vacancy occurring on the finance committee must be
4 filled by the committee, subject to confirmation by a
6 majority of the county commissioners, 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.

8 E. Members are not entitled to compensation.

10 F. The finance committee shall review and approve the
12 budget and estimates.

14 **§748. Finance committee organization**

16 The finance committee shall conduct its meetings in public
18 at county buildings. The county commissioners shall direct the
20 county clerk to call an organizational meeting of the finance
22 committee no later than 60 days before the end of the county's
24 fiscal year. The county commissioners shall provide the finance
 committee with necessary clerical assistance, office expenses and
 suitable meeting space, as well as access to county files and
 information. The finance committee shall adopt its own rules or
 procedures and bylaws.

26 **§749. Budget procedures**

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

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

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

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

50 3. Public hearing. The finance committee shall hold a
52 public hearing in the county on its proposed budget before the
 end of the county's fiscal year and before the final adoption of

2 the budget. Notice of the hearing must be given at least 10 days
4 before the hearing in all newspapers of general circulation
6 within the county. Written notice and a copy of the proposed
8 budget must be sent by mail, or delivered in person, to the clerk
10 of each municipality in the county. The municipal clerk shall
12 notify the municipal officials of the proposed budget.

8 4. Finality of budget. After the public hearing is
10 completed, the finance committee shall adopt a final budget and
12 transmit that budget to the county commissioners. The county
14 commissioners may not increase, decrease, alter or revise the
16 budget as adopted by the finance committee, except by unanimous
18 vote of the county commissioners. If the adopted budget is
20 changed by the county commissioners, the finance committee may
22 reject that change by a 2/3 vote of its membership. The vote of
24 the county commissioners described in this subsection is final
26 and not subject to further action by the county commissioners and
28 the vote of the finance committee described in this subsection is
30 final and not subject to further action by the county
32 commissioners or the finance committee.

22 5. Assessment of taxes. The budget as adopted and changed
24 under subsection 4 is the final authorization for the assessment
26 of county taxes. The approved final budget must be sent to the
28 county commissioners and the county tax authorized must be
30 apportioned and collected in accordance with section 706.

28 6. Interim budget. Until a budget is finally approved, the
30 county shall operate on an interim budget, which may not exceed
32 the previous year's budget.

32 7. Transfer of funds. The county commissioners may
34 transfer funds as provided in section 922.

34 §750. Budget amendments

36 The approved final budget governs the expenditures of the
38 county during the fiscal year. Expenses may not be incurred in
40 excess of those shown in the approved final budget, but the
42 budget may be from time to time revised by the preparation and
44 submission of a proposed amended budget by the county
46 commissioners to the finance committee for approval. Only after
48 the finance committee has approved an amended final budget does
50 the amendment become effective. The finance committee may reject
52 the amendment by a 2/3 vote of its membership. A report of
54 approval of an amended budget must be transmitted to the State
Auditor within 15 days of an approval of an amended budget by the
finance committee.

50 §751. Filing of county budget

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

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STATEMENT OF FACT

This bill creates a finance committee for Cumberland County to review the estimated budget prepared by the county commissioners, prepare a proposed budget, hold hearings on its proposal and transmit a final budget to the county commissioners. The county commissioners may change the budget only upon a unanimous vote. The finance committee may reject a change by a 2/3 vote.