

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 640, L.D. 1688, Bill, "An Act to Review the Kennebec County Budget Committee"

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

Sec. 1. 30-A MRSA c. 3, sub-c. I, art. 8, first 2 lines, are repealed and the following enacted in their place:

Article 8

KENNEBEC COUNTY ADVISORY BUDGET COMMITTEE

Sec. 2. 30-A MRSA §861, sub-§2, as enacted by PL 1989, c. 473, is repealed.

Sec. 3. 30-A MRSA §862, as enacted by PL 1989, c. 473, is amended to read:

§862. Kennebec County Advisory Budget Committee.

In Kennebec County there is established the Kennebec County Advisory Budget Committee to carry out the purposes of this article. The advisory budget committee consists of 9 elected officials and a subcommittee of 6 nonvoting members of the county legislative delegation or their designees as provided in this section.

1. Membership; elected officials. The 9 advisory budget committee shall-consist-of-9 members who are elected officials are appointed as provided in this section. The--county-commissioners--shall--serve--on--the--committee--in--an--advisory capacity-only-and-may-not-vote-on-any-committee-matters.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 640, L.D. 1688

2 A. In ~~1989~~ 1991 and annually thereafter, the county
3 commissioners shall ~~nominate 3 municipal officers from each~~
4 ~~commissioner district by August 1st of each year~~ call a
5 meeting of elected officials within each county commissioner
6 district no later than September 15th. The ~~county~~
7 ~~commissioners shall immediately send to the chair of the~~
8 ~~Kennebec County legislative delegation a list of the~~
9 ~~municipal officers nominated by the commissioners.~~ A public
10 notice of the meeting must be issued at least 10 days before
11 the meeting is held. Each commissioner shall serve as the
12 nonvoting moderator of the meeting in that commissioner's
13 district. At the meeting, the elected officials shall
14 nominate a slate of proposed members for the advisory budget
15 committee. Each commissioner shall select one advisory
16 budget committee member from the slate of proposed members
17 within 7 days of the meeting, except for the selection of
18 the initial advisory budget committee as provided in
19 subsection 1-B.

20 B. ~~The Legislature shall promptly approve or disapprove by~~
21 ~~majority vote the nominations made by the county~~
22 ~~commissioners and notify the commissioners of its~~
23 ~~decisions. If any nomination is disapproved, the county~~
24 ~~commissioners shall promptly submit a replacement nominee to~~
25 ~~the Legislature for its approval or disapproval until the~~
26 ~~necessary members have been approved by the Legislature.~~

27 1-A. Membership; legislative delegation. A subcommittee of
28 6 members of the Kennebec County legislative delegation or their
29 designees shall serve as nonvoting members of the advisory budget
30 committee.

31 A. The subcommittee is appointed by the chair and must be
32 ratified by a vote of the legislative delegation.

33 B. The subcommittee shall serve as a resource to the
34 advisory budget committee and as a liaison to the
35 legislative delegation.

36 1-B. Initial election. Notwithstanding subsections 1 and
37 3, in the initial election of the advisory budget committee in
38 1991, 3 members are elected from each county commissioner
39 district. One member from each district is appointed for a term
40 of 3 years, one member from each district is appointed for a term
41 of 2 years and one member from each district is appointed for a
42 term of one year.

43 2. Duties. The county advisory budget committee shall
44 review the budget estimates prepared by the county commissioners
45 and approve a final county budget, hold public hearings in the
46 and

R. of S.

2 county and submit their recommendations to the county
3 commissioners.

4 3. Term of office. The term of office for an advisory
5 budget committee member who is an elected official is 3 years,
6 provided that a an advisory budget committee member remains a
7 municipal-officer an elected official in the municipal-officer's
8 elected official's municipality,--except that,--of these appointed
9 in-1989,--one from each district shall be appointed for a term of
10 3-years,--one from each district shall be appointed for a term of
11 2-years,--and one from each district shall be appointed for a term
12 of one-year. This subsection does not apply to the initial
13 advisory budget committee members whose terms are described in
14 subsection 1-B.

15 4. Vacancies. The county commissioners shall appoint a
16 municipal--officer,--subject--to--the--approval--of--the--county
17 legislative--delegation--as--provided--in--subsection-1, an elected
18 official to fill any vacancy occurring on the advisory budget
19 committee. Vacancies--shall A vacancy must be filled from the
20 commissioner district in which the vacancy occurred and is for
21 the balance of the unexpired term.

22 5. Expenses. Members shall-serve-without-are not entitled
23 to compensation, but shall must be reimbursed at the county rate
24 from the county treasury for expenses authorized by the county
25 commissioners that are lawfully incurred by--them in the
26 performance of their duties.

27 Sec. 4. 30-A MRSA §863, as enacted by PL 1989, c. 473, is
28 repealed and the following enacted in its place:

29 **§863. Advisory budget committee organization**

30 The advisory budget committee shall organize and conduct its
31 meetings as follows.

32 1. Organization. The county commissioners shall direct the
33 county clerk to call an organizational meeting of the advisory
34 budget committee no later than 60 days before the end of the
35 county's fiscal year. At the organizational meeting, the
36 committee shall:

37 A. Elect a chair and a recording secretary from among its
38 members; and

39 B. Adopt rules, procedures and bylaws.

40 2. Meetings. The advisory budget committee shall determine
41 the time and location of the advisory budget committee meetings.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 640, L.D. 1688

2 The meetings must be held at times convenient for the public.
3 The advisory budget committee shall keep minutes and record votes
4 for every meeting. The county clerk shall issue a public notice
5 of a meeting no later than 7 days before the meeting is held.

6 3. Resources. The county commissioners shall provide the
7 advisory budget committee with necessary clerical assistance,
8 office expenses and suitable meeting space, as well as access to
9 county files and information.

10
11 **Sec. 5. 30-A MRS §864, sub-§§1 to 3, as enacted by PL 1989, c.**
12 **473, are amended to read:**

13
14 **1. Proposed budget.** The county commissioners shall submit
15 an itemized budget estimate, as described in sections 701, 702
16 and 7503, to the advisory budget committee in a timely fashion,
17 no later than 60 days before the end of the county's fiscal year.

18
19 **2. Budget review process.** The advisory budget committee
20 shall review the proposed itemized budget prepared by the county
21 commissioners, together with any supplementary material prepared
22 by the head of each county department or provided by any
23 independent board or institution or another governmental agency.
24 The advisory budget committee may ~~increase, decrease, alter or~~
25 ~~revise the proposed budget~~ advise that the proposed budget be
26 increased, decreased, altered or revised, provided that:

27
28 **A.** The advisory budget committee shall ~~enter~~ enters into
29 its minutes an explanation for any recommended change in the
30 estimated expenditures and revenues as initially presented
31 by the county commissioners; and

32
33 **B.** The total estimated revenues, together with the amount
34 of county tax to be levied, ~~must equal~~ equals the total
35 estimated expenditures.

36
37 **3. Public hearing.** The advisory budget committee shall
38 hold a at least 2 public hearing hearings in the county on the
39 proposed budget before the end of the county's fiscal year and
40 before the ~~final adoption of~~ commissioners finally approve the
41 budget. At least one public hearing must be held in the northern
42 part of the county and at least one public hearing must be held
43 in the southern part of the county. Notice of the hearing shall
44 must be given at least 10 days before the hearing in a newspaper
45 of general circulation within the county. ~~Written notice and a~~
46 ~~copy of the proposed budget shall be sent by registered or~~
47 ~~certified mail with return receipt requested, or delivered in~~
48 ~~person, with proof received of the delivery, to the clerk of each~~
49 ~~municipality in the county. The municipal clerk shall notify the~~
50 ~~municipal officers of the proposed budget.~~

R. 013

COMMITTEE AMENDMENT "A" to S.P. 640, L.D. 1688

2 1. The committee serves in an advisory capacity only and
its name is changed to the Kennebec County Advisory Budget
4 Committee.

6 2. The committee consists of 9 elected officials appointed
by the county commissioners from a slate of elected officials
8 proposed at a meeting of those elected officials and a
subcommittee of 6 nonvoting members of the legislative delegation
10 or their designees appointed by the delegation chair and ratified
by the delegation.

12 3. The committee's authority to approve the final budget
and approve any amendment to the final budget is deleted. The
14 authority to grant final budget approval is returned to the
16 Legislature.

18 4. The committee is given specific direction with regard to
its organization and methods of operation.

20 5. The public hearing requirement is expanded to require at
22 least 2 meetings, with at least one meeting held in each of the
southern and northern parts of the county.

24

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

(6/25/91)

(Filing No. S-369)