

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2382

H.P. 1702

House of Representatives, February 25, 1992

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 that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative ROTONDI of Athens.

Cosponsored by Representative TARDY of Palmyra, Representative GWADOSKY of
Fairfield and Senator WEBSTER of Franklin.

STATE OF MAINE

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

An Act to Create a Somerset County Budget Committee.

(AFTER DEADLINE)



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

Sec. 1. 30-A MRSA c. 3, sub-c. I, art. 6-A is enacted to read:

Article 6-A

SOMERSET COUNTY ADVISORY BUDGET COMMITTEE

§831. Somerset County Advisory Budget Committee

In Somerset County there is established the Somerset 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 members who are elected officials are appointed as provided in this section.

A. Annually, the county commissioners shall call a meeting of elected officials within each county commissioner district no later than September 15th. A public notice of the meeting must be issued at least 10 days before the meeting is held. Each commissioner serves as the nonvoting moderator of the meeting in that commissioner's district. At the meeting, the elected officials shall nominate a slate of proposed members for the advisory budget committee. Each commissioner shall select one advisory budget committee member from the slate of proposed members within 7 days of the meeting, except for the selection of the initial advisory budget committee as provided in subsection 3.

2. Membership; legislative delegation. A subcommittee of 6 members of the Somerset County legislative delegation or their designees serve as nonvoting members of the advisory budget committee.

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

B. The subcommittee serves as a resource to the advisory budget committee and as a liaison to the legislative delegation.

3. Initial election. Notwithstanding subsections 1 and 5, in the initial election of the advisory budget committee, 3 members are elected from each county commissioner district. One

member from each district is appointed for a term of 3 years, one member from each district is appointed for a term of 2 years and one member from each district is appointed for a term of one year.

4. Duties. The advisory budget committee shall review the budget estimates prepared by the county commissioners, hold public hearings in the county and submit their recommendations to the county commissioners.

5. Term of office. The term of office for an advisory budget committee member who is an elected official is 3 years, provided that an advisory budget committee member remains an elected official in the elected official's municipality. This subsection does not apply to the initial advisory budget committee members whose terms are described in subsection 3.

6. Vacancies. The county commissioners shall appoint an elected official to fill any vacancy occurring on the advisory budget committee. A vacancy must be filled from the commissioner district in which the vacancy occurred and is for the balance of the unexpired term.

7. Expenses. Members are not entitled to compensation, but must be reimbursed at the county rate from the county treasury for expenses authorized by the county commissioners that are lawfully incurred in the performance of their duties.

§832. Advisory budget committee organization

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

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

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

B. Adopt rules, procedures and bylaws.

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

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

6 **§833. Budget procedures**

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

12 2. Budget review process. The advisory budget committee
13 shall review the proposed itemized budget prepared by the county
14 commissioners, together with any supplementary material prepared
15 by the head of each county department or provided by any
16 independent board or institution or another governmental agency.
17 The advisory budget committee may advise that the proposed budget
18 be increased, decreased, altered or revised, provided that:

19 A. The advisory budget committee enters into its minutes an
20 explanation for any recommended change in the estimated
21 expenditures and revenues as initially presented by the
22 county commissioners; and

23 B. The total estimated revenues, together with the amount
24 of county tax to be levied, equals the total estimated
25 expenditures.

26 3. Public hearing. The advisory budget committee shall
27 hold at least 2 public hearings in the county on the proposed
28 budget before the end of the county's fiscal year and before the
29 commissioners finally approve the budget. At least one public
30 hearing must be held in the northern part of the county and at
31 least one public hearing must be held in the southern part of the
32 county. Notice of the hearing must be given at least 10 days
33 before the hearing in a newspaper of general circulation within
34 the county.

35 4. Written notification. Written notice and a copy of the
36 proposed budget must be sent at least 10 days before the public
37 hearing to the clerk of each municipality in the county. The
38 municipal clerk shall notify the elected officials of the
39 proposed budget.

40 5. Approval of budget. After the public hearings are
41 completed, the advisory budget committee shall submit its
42 recommendations to the county commissioners for approval not
43 later than the end of the county's fiscal year, subject to the
44 conditions and restrictions imposed in subsection 2.

2 6. Legislative approval. Before January 15th of the fiscal
3 year for which the budget is prepared, the county commissioners
4 shall submit the budget to the Legislature. The Legislature
5 shall approve, disapprove or amend the budget as submitted.

6
7 7. Interim budget. If the budget is not approved before
8 the start of a fiscal year, until a budget is finally adopted,
9 the county shall operate on an interim budget that may not exceed
10 the previous year's budget.

11
12 8. Transfer of funds. The county commissioners may
13 transfer funds as provided in section 922.

14 **§834. Filing of county budget**

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

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21
22 **STATEMENT OF FACT**

23 This bill creates the Somerset County Budget Committee.