

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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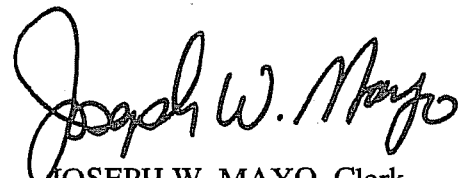
Legislative Document

No. 111

H.P. 81

House of Representatives, January 21, 1993

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative KETTERER of Madison.

Cosponsored by Representative HATCH of Skowhegan, Representative REED of Dexter and Senator CIANCHETTE of Somerset.

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STATE OF MAINE

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

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**An Act Relating to the Somerset County Budget Process.**

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

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

Article 6-A

SOMERSET COUNTY FINANCE COMMITTEE

§831. Finance committee

1. Finance committee established; membership. There is established the Somerset County Finance Committee referred to in this article as "the finance committee," to carry out the purposes of this article. The finance committee consists of 12 members: two municipal officers from each of the 3 county commissioner districts, one representative of the general public from each of the 3 county commissioner districts and one municipal official from each of the 3 county commissioner districts. Finance committee members serve 3-year terms, except for the initial members whose terms are provided in subsection 2, paragraph B. If a finance committee member who is elected as a municipal officer or municipal official ceases to hold a municipal office during the term of membership on the committee, that member shall vacate membership. If a member vacates, resigns or is unable to complete the term of office to which that member was elected, the next district caucus shall elect a qualified replacement to serve for the remainder of the unexpired term.

2. Election. The finance committee is elected as follows.

A. Before September 15th of every year, the county commissioners shall notify all municipal officers in the county to caucus by county commissioner districts at a specified date, time and place for the purpose of electing the membership of the Somerset County Finance Committee. Whenever a public member of the finance committee is elected, the county commissioners must issue a public notice of that fact that includes the date, time and place of the caucus. The county commissioner shall serve as nonvoting moderator for that county commissioner's district caucus. Nominations must be received from the floor. The nominee receiving the most votes is elected as a finance committee member.

B. In 1993, each district caucus shall initially elect 4 members whose terms are as follows.

(1) One of the members who is a municipal officer serves an initial term of one year.

2           (2) One of the members who is a municipal officer and  
3           one of the members who is a municipal official, serve  
4           an initial term of 2 years.

5           (3) The member who is a representative of the general  
6           public serves an initial term of 3 years.

7           §832. Finance committee organization

8           The finance committee shall conduct its meetings in public  
9           at county buildings. The county commissioners shall direct the  
10           county clerk to call an organizational meeting of the finance  
11           committee no later than 60 days before the end of the county's  
12           fiscal year. The county commissioners shall provide the  
13           committee with necessary clerical assistance, office expenses and  
14           suitable meeting space, as well as access to county files and  
15           information. The finance committee shall select annually from  
16           among its members a chair, vice-chair and secretary. The finance  
17           committee shall adopt its own rules or procedures and bylaws.

18           §833. Budget procedures

19           1. Proposed budget. The county commissioners shall submit  
20           an itemized estimated budget, as described in sections 701, 702  
21           and 7503, to the finance committee in a timely fashion no later  
22           than 60 days before the end of the county's fiscal year.

23           2. Budget review process. The finance committee shall  
24           review the itemized estimated budget prepared by the county  
25           commissioners, together with any supplementary material prepared  
26           by each county department or provided by any independent board or  
27           institution or another governmental agency. The finance  
28           committee shall prepare a proposed budget and may increase,  
29           decrease or alter the itemized estimated budget if:

30           A. The finance committee records in its minutes an  
31           explanation for any suggested change in the estimated  
32           expenditures and revenues as initially presented by the  
33           county commissioners; and

34           B. The total estimated revenues, together with the amount  
35           of county tax to be levied, equals the total estimated  
36           expenditures in the proposed budget.

37           3. Public hearing. The finance committee shall hold a  
38           public hearing in the county on its proposed budget before the  
39           end of the county's fiscal year and before the final adoption of  
40           the budget. Notice of the hearing must be given at least 10 days  
41           before the hearing in all newspapers of general circulation  
42           within the county. Written notice and a copy of the proposed  
43           budget must be sent by mail or delivered in person to the clerk  
44           of each municipality in the county. The municipal clerk shall

2 notify the municipal officers of the receipt of the proposed  
3 budget.

4 4. Adoption of budget. After the public hearing is  
5 completed, the finance committee shall adopt a final budget and  
6 transmit that budget to the county commissioners. The county  
7 commissioners may not further increase, decrease, alter or revise  
8 the budget as adopted by the finance committee, except by  
9 unanimous vote of the county commissioners. If the adopted  
10 budget is changed by the county commissioners, the finance  
11 committee may reject that change by a 2/3 vote of its  
12 membership. Those actions are final and are not subject to  
13 further action by either the county commissioners or the finance  
14 committee.

15 5. Assessment of taxes. The budget as adopted and changed  
16 under subsection 4 is the final authorization for the assessment  
17 of county taxes. The approved final budget must be sent to the  
18 county commissioners and the county tax authorized is apportioned  
19 and collected in accordance with section 706.

20 6. Interim budget. If the county commissioners fail to  
21 submit an itemized estimated budget, the county shall operate on  
22 an interim budget that may not exceed the previous year's  
23 budget. If the county commissioners submit an itemized estimated  
24 budget, but a final budget is not approved by December 31st, the  
25 county commissioners' estimated budget becomes the county budget.

26 7. Transfer of funds. The county commissioners may  
27 transfer funds as provided in section 922.

28 **§834. Budget amendment**

29 The approved final budget governs the expenditures of the  
30 county during the fiscal year. Expenses may not be incurred in  
31 excess of those shown in the approved final budget. The budget  
32 may be revised if the county commissioners prepare and submit a  
33 proposed budget amendment to the finance committee for approval.  
34 The amended budget becomes effective only after the finance  
35 committee has approved the amendment. A report of an approval of  
36 the budget amendment must be transmitted to the State Auditor  
37 within 15 days of the approval by the finance committee.

38 **§835. Filing of county budget**

39 A copy of the approved final budget and subsequent  
40 amendments must be filed, on forms approved by the Department of  
41 Audit, with the State Auditor, who shall retain them for 3 years.  
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**STATEMENT OF FACT**

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This bill establishes a budget finance committee for  
Somerset County.

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