

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

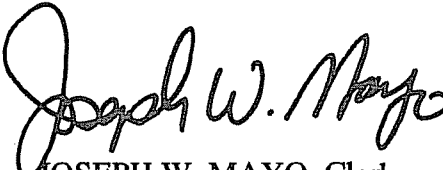
No. 1402

H.P. 1050

House of Representatives, May 3, 1993

An Act to Establish the Penobscot County Budget Advisory Committee.

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


JOSEPH W. MAYO, Clerk

Presented by Representative CASHMAN of Old Town.
Cosponsored by Representatives: CAMPBELL of Holden, CATHCART of Orono, HICHBORN of Howland, PLOWMAN of Hampden, RUHLIN of Brewer, SAXL of Bangor, STROUT of Corinth, SULLIVAN of Bangor, Senators: O'DEA of Penobscot, PEARSON of Penobscot.

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. 14 is enacted to read:

6 Article 14

8 PENOBSCOT COUNTY BUDGET ADVISORY COMMITTEE

10 §900-H. Budget; appropriations and approval

12 Notwithstanding sections 2, 701 and 702, in Penobscot County
14 the county commissioners may appropriate money, according to a
16 budget that must be prepared and finalized in accordance with
18 this article.

20 §900-I. Budget advisory committee

22 This section establishes the Penobscot County Budget
24 Advisory Committee, referred to in this article as the "budget
26 advisory committee."

28 1. Appointment. Each county commissioner shall appoint 5
30 municipal officials from the commissioner's respective county
32 commissioner district prior to September 30th of every year.

34 2. Municipal official elections. Before September 30th of
36 every year, the county commissioners shall notify all municipal
38 officials to caucus by county commissioner district at a
40 specified date, time and place for the purpose of electing 5
42 municipal officials from each district as members of the county
44 budget advisory committee. Each county commissioner shall serve
46 as nonvoting moderator for that district caucus. Nominations
48 must be received from the floor. The 5 nominees receiving the
50 most votes are the budget advisory committee members. The names
of those elected by the caucus must be recorded and forwarded to
the county commissioners.

3. Term; vacancy; replacement. Budget advisory committee
members serve one-year terms. If a budget advisory committee
member ceases to be a municipal official during the term of
membership, the committee member vacates membership and a
replacement must be appointed by the county commissioner from the
district in which the vacancy occurred. If a budget advisory
committee member is unable to attend a meeting, a designee from
that member's municipality may attend.

4. Municipal official; definition. The term "municipal
official," as it refers to the budget advisory committee in this
section, means any elected or appointed member of a municipal
government.

2 **§900-J. Budget process**

4 **1. Public hearing.** The Penobscot County commissioners
6 shall hold one or more public hearings on the budget estimate at
 times convenient for the residents of the county and before
 November 1st of each year.

8 **2. Budget estimate; submission to budget advisory**
10 **committee.** The Penobscot County commissioners shall submit a
12 budget estimate for the coming year to the budget advisory
14 committee no later than November 1st of each year. The budget
16 advisory committee shall review the budget estimate and prepare
18 the budget. The budget must be presented to the county
20 commissioners by December 1st of each year. The county
22 commissioners shall act on the budget in a timely fashion, not
 later than December 15th of the year preceding the budget year.
 If the adopted budget is changed by the county commissioners, the
 budget advisory committee may reject that change by a 4/5 vote of
 its membership. Those actions are final and not subject to
 further action by either the county commissioners or the budget
 advisory committee.

24 **3. Final budget; filing.** A copy of the final budget must
26 be submitted to the legislative delegation for Penobscot County
28 who must approve or disapprove but may not change the budget. If
30 the county legislative delegation disapproves the budget, the
32 budget advisory committee may override that disapproval by a 4/5
 vote or adopt a new final budget, which is not submitted to the
 county legislative delegation, by a 4/5 vote. A copy of the
 final budget must be filed on forms approved by the Department of
 Audit. The State Auditor shall retain the budget for 3 years.

34 **4. Interim budget.** If the budget is not approved before
36 the start of the fiscal year, the county must operate on an
 interim budget that does not exceed the budget of the previous
 year until a final budget is adopted.

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STATEMENT OF FACT

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44 This bill establishes the Penobscot County Budget Advisory
 Committee.