

# MAINE STATE LEGISLATURE

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OK  
R.O.S.

L.D. 1441

(Filing No. H- 492 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1075, L.D. 1441, Bill, "An Act to Amend the Laws Governing the Knox County Budget Committee"

Amend the bill by inserting after the title and before the enacting clause the following:

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the beginning of a new fiscal year necessitates a new budget proposal by the Knox County budget committee; and

Whereas, the changes enacted in this legislation clarify the budget procedures of the Knox County budget committee; and

Whereas, the emergency enactment of this legislation will correct and improve the recommendations of the Knox County budget committee; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "A" to H.P. 1075, L.D. 1441

2 Further amend the bill in section 2 by striking out all of  
subsubsection 1 and inserting in its place the following:

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6 '1. Proposed budget. The county commissioners shall submit  
an itemized estimated budget, as described in sections 701, 702  
and 7503, in the form of a budget, to the budget committee in a  
8 timely fashion no later than 60 days before the end of the  
county's fiscal year. The county commissioners must identify in  
10 the itemized estimated budget all revenue sources, including  
12 balances in reserve accounts and other such funds, used in  
arriving at their budget estimates.'

14 Further amend the bill by striking out all of section 3 and  
inserting in its place the following:

16 'Sec. 3. 30-A MRSA §753, sub-§2, as enacted by PL 1991, c.  
18 257, is amended to read:

20 2. Budget review process. The budget committee shall  
review the itemized estimated budget prepared by the county  
22 commissioners, together with any supplementary material prepared  
by each county department or provided by any independent board or  
24 institution or another governmental agency. The budget committee  
26 may use the surplus balance in any reserve account retained by  
the county after the purposes for which the account was created  
28 are accomplished or abandoned to reduce the county tax levy in  
the same manner as county commissioners are authorized to do  
30 under section 921. The budget committee shall prepare a proposed  
budget and may increase, decrease or alter the itemized estimated  
budget if:

32 A. The budget committee records in its minutes an  
34 explanation for any suggested change in the itemized  
estimated expenditures--and--revenues--as budget initially  
36 presented by the county commissioners; and

38 B. The total estimated revenues, together with the amount  
of county tax to be levied, equals the total estimated  
40 expenditures in the proposed budget.'

42 Further amend the bill by striking out all of section 5 and  
inserting in its place the following:

44 'Sec. 5. 30-A MRSA §757, as amended by PL 1991, c. 548, Pt.  
46 C, §6, is repealed and the following enacted in its place:

48 §757. Budget committee membership districts

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1075, L.D. 1441

1 1. Redistricting process. The county commissioners shall  
2 prepare a redistricting plan for county budget committee seats by  
3 June 1, 1993 and every 10 years thereafter. The county  
4 commissioners shall submit the plan to the Secretary of State  
5 within 5 days of adoption. The Secretary of State shall  
6 immediately transmit the redistricting plan to the Legislature  
7 for review and enactment.

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10 2. Budget committee districts. Budget committee members  
11 must be elected from districts as provided in this subsection.

12 A. District 1 consists of Criehaven, Isle au Haut,  
13 Matinicus Isle Plantation, North Haven, Vinalhaven and St.  
14 George and elects one member. The initial term for District  
15 1 expires on December 31, 1996.

16 B. District 2 consists of South Thomaston and Owls Head and  
17 elects one member. The initial term for District 2 expires  
18 on December 31, 1994.

19 C. District 3 consists of Rockland and elects 2 members at  
20 large. The initial term for District 3 expires on December  
21 31, 1996.

22 D. District 4 consists of Camden and elects one member.  
23 The initial term for District 4 expires on December 31, 1994.

24 E. District 5 consists of Hope and Rockport and elects one  
25 member. The initial term for District 5 expires on December  
26 31, 1996.

27 F. District 6 consists of Appleton, Union and Washington  
28 and elects one member. The initial term for District 6  
29 expires on December 31, 1994.

30 G. District 7 consists of Warren and Friendship and elects  
31 one member. The initial term for District 7 expires on  
32 December 31, 1996.

33 H. District 8 consists of Thomaston and Cushing and elects  
34 one member. The initial term for District 8 expires on  
35 December 31, 1994.

36 Emergency clause. In view of the emergency cited in the  
37 preamble, this Act takes effect when approved.'

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40 Further amend the bill by inserting at the end before the  
41 statement of fact the following:  
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**COMMITTEE AMENDMENT**

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1075, L.D. 1441

**FISCAL NOTE**

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This bill requires local units of government to make additional expenditures to include additional items in the presentation of the budget of Knox County. Pursuant to the mandate preamble, the 2/3 vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local cost of these requirements.'

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**STATEMENT OF FACT**

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This amendment maintains the requirement that the Knox County commissioners include in their estimated budget all revenues used in arriving at their estimates, including balances in reserve accounts and similar accounts. The amendment requires that funds in reserve accounts and similar accounts must first be used for the purposes for which the funds were created. Once those purposes have been accomplished or abandoned, the county budget committee may use the funds to reduce the tax levy. The bill allowed the county budget committee to use all funds in reserve accounts and similar accounts to reduce the tax levy.

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The amendment adds a provision requiring the county commissioners to prepare a redistricting plan for the county budget committee. The redistricting plan must be submitted to the Secretary of State, who must transmit the plan to the Legislature for review and enactment.

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The amendment also makes technical changes to the bill and adds the state mandate preamble, an emergency preamble and emergency clause and a fiscal note.

Reported by the Committee on State and Local Government  
Reproduced and distributed under the direction of the Clerk of the House  
6/1/93

(Filing No. H-492)