

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1915

H.P. 1406

House of Representatives, February 18, 1994

An Act to Establish the Somerset County Advisory Budget Committee.

(AFTER DEADLINE)

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 "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative ROTONDI of Athens.

Cosponsored by Representatives: GOULD of Greenville, JOSEPH of Waterville, REED of Dexter, TARDY of Palmyra.

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

2
4 Sec. 1. 30-A MRSA c. 3, art. 12 is enacted to read:

6
8 Article 12

10 Somerset County Advisory Budget Committee

12 §895. Definitions

14 As used in this article, unless the context otherwise
16 indicates, the following terms have the following meanings.

18 1. County commissioners. "County commissioners" means the
20 county commissioners of Somerset County.

22 §896. Somerset County Advisory Budget Committee

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

36 1. Membership; elected officials. The 9 advisory budget
38 committee members who are elected officials are appointed as
40 provided in this section.

42 A. Beginning with 1994, the county commissioners shall call
44 an annual meeting of elected officials within each county
46 commissioner district not later than September 15th. A
48 public notice of the meeting must be issued at least 10 days
50 before the meeting is held. Each commissioner shall serve
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 shall 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.

2 B. The subcommittee shall serve as a resource to the
3 advisory budget committee and as a liaison to the
4 legislative delegation.

6 3. Initial election. Notwithstanding subsections 1 and 5,
7 in the initial election of the advisory budget committee in 1994,
8 3 members are elected from each county commissioner district.
9 One member from each district is appointed for a term of 3 years,
10 one member from each district is appointed for a term of 2 years
11 and one member from each district is appointed for a term of one
12 year.

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

18 5. Term of office. The term of office for an advisory
19 budget committee member who is an elected official is 3 years,
20 only if an advisory budget committee member remains an elected
21 official in the elected official's municipality. This subsection
22 does not apply to the initial advisory budget committee members
23 whose terms are described in subsection 3.

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

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

36 §897. Advisory budget committee organization

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

42 1. Organization. The county commissioners shall direct the
43 county clerk to call an organizational meeting of the advisory
44 budget committee not later than 60 days before the end of the
45 county's fiscal year. At the organizational meeting, the
46 committee shall:

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

50

2 B. Adopt rules, procedures and bylaws.

4 2. Meetings. The advisory budget committee shall determine
6 the time and location of the advisory budget committee meetings.
8 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 not later than 7 days before the meeting is held.

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

16 §898. Budget procedures

18 1. Proposed budget. The county commissioners shall submit
20 an itemized budget estimate, as described in sections 701, 702
 and 7503, to the advisory budget committee in a timely fashion,
 not later than 60 days before the end of the county's fiscal year.

22 2. Budget review process. The advisory budget committee
24 shall review the proposed itemized budget prepared by the county
26 commissioners, together with any supplementary material prepared
28 by the head of each county department or provided by an
 independent board or institution or another governmental agency.
 The advisory budget committee may advise that the proposed budget
 be increased, decreased, altered or revised, only if:

30 A. The advisory budget committee enters into its minutes an
32 explanation for the recommended change in the estimated
34 expenditures and revenues as initially presented by the
 county commissioners; and

36 B. The total estimated revenues, together with the amount
38 of county tax to be levied, equals the total estimated
 expenditures.

40 3. Public hearing. The advisory budget committee shall
42 hold at least 2 public hearings in the county on the proposed
44 budget before the end of the county's fiscal year and before the
46 commissioners finally approve the budget. At least one public
48 hearing must be held in the northern part of the county and at
 least one public hearing must be held in the southern part of the
 county. Notice of the hearing must be given at least 10 days
 before the hearing in a newspaper of general circulation within
 the county.

50 4. Written notification. Written notice and a copy of the
 proposed budget must be sent at least 10 days before the public

2 hearing to the clerk of each municipality in the county. The
3 municipal clerk shall notify the elected officials of the
4 proposed budget.

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

10 6. Legislative approval. Before January 15th of the fiscal
11 year for which the budget is prepared, the county commissioners
12 shall submit the budget to the Legislature. The Legislature
13 shall approve, disapprove or amend the budget as submitted.

14 7. Interim budget. If the budget is not approved before
15 the start of a fiscal year, until a budget is finally adopted,
16 the county shall operate on an interim budget, which may not
17 exceed the previous year's budget.

18 8. Transfer of funds. The county commissioners may
19 transfer funds as provided in section 922.

20 **§899. Filing of county budget**

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

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32 **STATEMENT OF FACT**

33 This bill establishes the Somerset County Advisory Budget
34 Committee.

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40 This document has not yet been reviewed to determine the
41 need for cross-reference, stylistic and other technical
42 amendments to conform existing law to current drafting standards.