

MAINE STATE LEGISLATURE

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STATE AND LOCAL GOVERNMENT

Reported by: The Minority of the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 613, L.D. 1617, Bill, "An Act to Establish the Penobscot County Budget Committee"

Amend the bill in section 1 in that part designated "~~§900-H.~~" by striking out all of subsection 1 and inserting in its place the following:

'1. Membership. The budget committee consists of 15 members as follows:

A. Three members elected from each commissioner district as provided in subsection 2;

B. One municipal official appointed by each county commissioner from the commissioner's district; and

C. Three members of the county legislative delegation selected by the delegation.'

Further amend the bill in section 1 by striking out all of that part designated "~~§900-I.~~" and inserting in its place the following:

'§900-I. Budget process

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

2. Budget; submission to budget committee. The Penobscot County commissioners shall submit a budget for the coming year to

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the budget committee no later than November 1st of each year. The budget committee shall review the budget and make additions or deletions to the budget by a majority vote of the committee. The budget must be presented to the county commissioners by December 1st of each year. The county commissioners shall act on the budget no later than December 15th of the year preceding the budget year. If the adopted budget is changed by the county commissioners, the budget committee may reject that change by a 2/3 vote of its membership no later than December 31st of that year. Those actions are final and not subject to further action by either the county commissioners or the budget committee.

3. Budget presentation to legislative delegation. Before December 15th annually, the county commissioners, in conjunction with the budget committee, shall present the proposed budget to the Penobscot County legislative delegation at a meeting called by the chair of the legislative delegation for that purpose. Copies of the proposed budget must be submitted to the chair of the legislative delegation at least 7 days prior to the meeting.

4. Assessment of taxes. The budget adopted under subsection 2 is the final authorization for the assessment of county taxes. The county tax authorized is apportioned and collected in accordance with section 706.

5. Final budget: filing. A copy of the final budget must be filed on forms approved by the Department of Audit with the State Auditor, who shall retain them for 3 years.

6. Interim budget. If the budget is not approved before 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.'

Further amend the bill in section 1 by inserting at the end before the statement of fact the following:

'§900-J. Repeal

This article is repealed December 31, 1999.'

Further amend the bill by inserting at the end before the statement of fact the following:

'FISCAL NOTE

The establishment of the Penobscot County Budget Committee represents a state mandate pursuant to the Constitution of Maine. The additional local costs associated with the budget

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committee including additional advertising, postage and printing costs are expected to be minor. General Fund appropriations will be required to fund at least 90% of the additional costs.'

STATEMENT OF FACT

This amendment amends the bill to accomplish the following:

1. Change the selection process for the county legislative delegation members of the budget committee so that they are chosen by the county delegation;

2. Require the county commissioners and budget committee to explain the proposed county budget to the legislative delegation at a meeting called by the chair of the legislative delegation;

3. Change the vote needed for the budget committee to override changes made by the county commissioners in the budget committee's recommended budget from 4/5 of the committee's membership to 2/3;

4. Clarifies that the budget as finalized by the county commissioners and budget committee is the authorization for the assessment of county taxes;

5. Repeals the budget committee on December 31, 1999; and

6. Adds a fiscal note.