

MAINE STATE LEGISLATURE

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L.D. 1754

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DATE: March 20, 1996 (Filing No. S- 492)

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. 685, L.D. 1754, Bill, "An Act to Improve the Hancock County Budget Procedure"

Amend the bill by inserting after the title 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.'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 30-A MRSA §764, as enacted by PL 1991, c. 749, §1, is amended to read:

§764. Public hearing

The Hancock County commissioners shall hold one or more public hearings on the budget estimate before October 1st and ~~an informational meeting, in conjunction with the budget advisory committee, with the Hancock County legislative delegation before December 1st.~~

Sec. 2. 30-A MRSA §§765-A and 765-B are enacted to read:

§765-A. Budget presentation to legislative delegation

COMMITTEE AMENDMENT

PL 913

COMMITTEE AMENDMENT "A" to S.P. 685, L.D. 1754

2 Before December 1st, the county commissioners, in
3 conjunction with the budget advisory committee, shall present the
4 budget estimate to the Hancock County legislative delegation at a
5 meeting called by the chair of the legislative delegation for
6 that purpose. Copies of the budget estimate must be submitted to
7 the chair of the legislative delegation at least 7 days before
8 the meeting.

9 **§765-B. Assessment of taxes**

10 The budget as adopted under section 765 is the final
11 authorization for the assessment of county taxes. The county tax
12 authorized is apportioned and collected in accordance with
13 section 706.

14
15 **Sec. 3. 30-A MRSA §766, as enacted by PL 1991, c. 749, §1, is**
16 **amended to read:**

17
18 **§766. Final budget estimates; filing**

19
20 A copy of the final budget estimates must be filed, on forms
21 approved by the Department of Audit, with the State Auditor, who
22 shall retain them for 3 years.'

23
24 Further amend the bill by inserting at the end before the
25 statement of fact the following:

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28 **FISCAL NOTE**

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31 The bill requires the Hancock County Commissioners to
32 present the county budget to the Hancock County legislative
33 delegation. This requirement represents a state mandate pursuant
34 to the Constitution of Maine. The additional local costs of
35 presenting the county budget are expected to be minor. Pursuant
36 to the Mandate Preamble, the two-thirds vote of all members
37 elected to each House exempts the State from the constitutional
38 requirement to fund 90% of the additional costs.'

39
40
41 **STATEMENT OF FACT**

42
43 This amendment replaces the bill. The amendment shifts the
44 responsibility for calling and scheduling the informational
45 meeting on the Hancock County budget estimates from county
46 commissioners to the chair of the county legislative delegation.
47 Copies of the budget estimate must be provided for the delegation
48 7 days before the meeting. The amendment also clarifies the
49 process for the apportionment of county taxes and clarifies that
50 a copy of the final county budget must be filed with the State
51 Auditor. Finally, the amendment adds a mandate preamble and
52 fiscal note to the bill.

COMMITTEE AMENDMENT