

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1358

H.P. 978

House of Representatives, March 4, 1997

An Act to Amend the Procedures for Finalizing the Kennebec County Budget.

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 JONES of Pittsfield.
Cosponsored by Senator CAREY of Kennebec and
Representatives: COLWELL of Gardiner, FULLER of Manchester, JABAR of Waterville,
Senator: MILLS of Somerset.

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4 **Sec. 1. 30-A MRSA c. 3, sub-c. I, art. 8, first 2 lines,** as repealed
and replaced by PL 1991, c. 533, §1, are repealed and the
6 following enacted in their place:

8 **Article 8**

10 **KENNEBEC COUNTY BUDGET COMMITTEE**

12 **Sec. 2. 30-A MRSA §862,** as amended by PL 1991, c. 533, §3, is
repealed.

14 **Sec. 3. 30-A MRSA §862-A** is enacted to read:

16 **§862-A. Kennebec County Budget Committee**

18 In Kennebec County there is established the Kennebec County
20 Budget Committee to carry out the purposes of this article. The
budget committee consists of 9 voting members and 3 nonvoting
22 members selected as follows.

24 1. **Municipal representatives.** Prior to September 15th each
year, municipal officers within each commissioner district shall
26 caucus and elect members from that district for terms as provided
in paragraph A. There must be 3 members from each commissioner
28 district, 2 of whom are municipal officers and one of whom is a
municipal official as defined in section 2001. No more than one
30 member may represent the same municipality at one time.

32 A. Members serve for 3-year terms, except that initially
each district caucus selects one member for a one-year term,
34 one member for a 2-year term and one member for a 3-year
term. If a budget committee member ceases to be a municipal
36 officer or official during the term of membership, that
member shall resign the membership and the next district
38 caucus shall elect a qualified municipal officer or official
to fill the membership for the remainder of the unexpired
40 term.

42 2. **Legislative member.** By December 1st every other year,
the Kennebec County legislative delegation shall select 3 of the
44 delegation's members to serve on the budget committee as
nonvoting members.

46 3. **Budget committee chair.** The budget committee shall
select its own chair each year.

48 **Sec. 4. 30-A MRSA §863,** as repealed and replaced by PL 1991,
50 c. 533, §4, is repealed.

52 **Sec. 5. 30-A MRSA §864, sub-§§1, 2 and 3,** as amended by PL 1991,
54 c. 533, §5 and affected by §10, are further amended to read:

2 **1. Proposed budget.** The county commissioners shall submit
3 an itemized budget--estimate,--as-described--in--sections--701,--702
4 and--7503, finance estimates in the form of a budget to the
5 advisory budget committee ~~in a timely fashion~~, no later than 60
6 days before the end of the county's fiscal year.

7 **2. Budget review process.** The advisory budget committee
8 shall review the ~~proposed~~ itemized estimated budget prepared by
9 the county commissioners, together with any supplementary
10 material prepared by the head of each county department or
11 provided by any independent board or institution or another
12 governmental agency. The advisory budget committee ~~may advise~~
13 ~~that the proposed budget be increased, decreased, altered or~~
14 ~~revised, provided that~~ shall prepare a proposed budget and may
15 increase, decrease or alter the estimated budget as long as:

16 A. The advisory budget committee enters into its minutes an
17 explanation for any recommended change in the estimated
18 expenditures and revenues as initially presented by the
19 county commissioners; and

20 B. In the proposed budget, total estimated revenues,
21 together with the amount of county tax to be levied, equals
22 the total estimated expenditures.

23 **3. Public hearing.** The advisory budget committee shall
24 hold at least 2 public hearings in the county on the proposed
25 budget before the end of the county's fiscal year and before the
26 ~~commissioners finally approve~~ final adoption of the budget. At
27 least one public hearing must be held in the northern part of the
28 county and at least one public hearing must be held in the
29 southern part of the county. Notice of the hearing must be given
30 at least 10 days before the hearing in a newspaper of general
31 circulation within the county.

32 **Sec. 6. 30-A MRSA §864, sub-§4**, as amended by PL 1991, c. 533,
33 §7 and affected by §10, is repealed.

34 **Sec. 7. 30-A MRSA §864, sub-§4-A**, as enacted by PL 1991, c.
35 533, §8 and affected by §10, is repealed.

36 **Sec. 8. 30-A MRSA §864, sub-§4-B** is enacted to read:

37 **4-B. Adoption of budget; tax levy.** After the public
38 hearing is completed, the budget committee shall adopt a final
39 budget and transmit that budget to the county commissioners.

40 A. The county commissioners may not further increase,
41 decrease, alter or revise the budget adopted by the budget
42 committee except by unanimous vote of the county
43 commissioners. If the adopted budget is changed by the
44 county commissioners, the budget committee may reject that
45 change by a 2/3 vote of its membership. The budget is final

