

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

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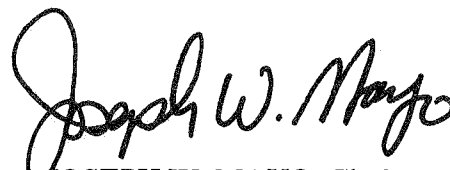
H.P. 1135

House of Representatives, March 19, 1997

An Act to Amend the Washington County Budget Process.

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative BUNKER of Kossuth Township.

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

4 Whereas, county budget preparation for the following
6 calendar year must begin in early fall; and

8 Whereas, immediate enactment of this change in the
Washington County budget approval process is necessary for the
10 preparation of the 1998 county budget; and

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

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

20 **Sec. 1. 30-A MRSA §900**, as enacted by PL 1991, c. 777, §1, is
amended to read:

22 **§900. Budget; appropriations; approval**

24 Notwithstanding sections 2, 701 and 702, in Washington
26 County the county commissioners may appropriate money, according
to a budget that must be approved by a majority of the county
28 commissioners or as otherwise provided in this article.

30 **Sec. 2. 30-A MRSA §900-B, sub-§1, ¶A**, as enacted by PL 1991,
c. 777, §1, is amended to read:

32 A. Before September 15th of every year, the county
34 commissioners shall notify all municipal officers in the
county to caucus by county commissioner districts at a
36 specified date, time and place for the purpose of electing
at least one municipal officer from each district as a
38 member of the budget advisory committee; except that, in
1992, at least 3 municipal officers must be selected from
40 each district unless the municipal officers of a district
decide that another person from that district would be
42 better qualified. A municipality may not be represented by
more than one officer at a time. The county commissioner
44 shall serve as nonvoting moderator for that district
caucus. Nominations must be received from the floor. The
46 nominee receiving the most votes is approved as a budget
advisory committee member except that, in 1992, each caucus
48 shall elect 3 members. The names of those elected by the
caucus must be recorded and forwarded to the county
50 commissioners.

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Sec. 3. 30-A MRSA §900-B-1 is enacted to read:

§900-B-1. Prior year's budget available

Annually by September 15th, the county commissioners shall publish, deliver to the budget advisory committee and make available to the public copies of the prior year's budget showing funds authorized and expenditures made for each department, account and program.

Sec. 4. 30-A MRSA §900-D, as enacted by PL 1991, c. 777, §1, is amended to read:

§900-D. Budget estimate; submission to advisory committee; legislative delegation role

The Washington County commissioners shall submit a budget estimate to the budget advisory committee no later than October 1st for the coming year. The budget advisory committee shall review the budget estimate and make recommendations to the commissioners before November 15th. The county commissioners shall act on the budget in a timely fashion and, in any event, not later than December 15th of the budget year. If county commissioners wish to make changes in the budget recommended by the budget advisory committee, the county commissioners shall schedule one or more meetings with the budget advisory committee before December 15th for the purpose of negotiating a final budget.

If, following negotiations, a final budget that is acceptable to the budget advisory committee is not approved by the county commissioners by December 15th, the budget advisory committee may request that the county legislative delegation, as a body, arbitrate to establish a final budget. The request must be in writing and signed by a majority of the budget advisory committee and must identify the specific budget line item or items in dispute. The legislative delegation may act only on the line item or items identified as in dispute and the delegation must approve either the position of the county commissioners or that of the budget advisory committee. A majority vote of the full county legislative delegation is necessary and its decision is final. The delegation must act on the request and return the final budget to the county commissioners by January 1st. If the delegation fails to act by that date or if the budget advisory committee does not request arbitration, the county commissioners shall approve the final budget.

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

SUMMARY

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4 This bill makes several changes to the current budget
approval process for Washington County. The bill does the
following.

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8 1. It limits municipalities to one officer serving at a
time on the budget advisory committee.

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12 2. It requires the county commissioners to publish the
prior year's budget and make copies available to the budget
advisory committee and the public.

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16 3. It requires the county commissioners to meet with the
budget advisory committee to negotiate a budget if one is not
finalized by the commissioners before December 15th.

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20 4. The bill authorizes the budget advisory committee to
petition the Washington County legislative delegation to
arbitrate and decide specific budget issues in dispute if the
budget is not finalized by December 15th. The legislative
22 delegation must act before January 1st and resolve disputed
budget issues by a majority vote of the full delegation. If the
24 budget advisory committee fails to request arbitration by the
legislative delegation or if the delegation fails to act in time,
26 the county commissioners shall approve the final county budget.