

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

---

Legislative Document

No. 361

H.P. 274

House of Representatives, January 25, 2005

### An Act To Reestablish the Penobscot County Budget Committee

---

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BLANCHARD of Old Town.  
Cosponsored by Senator PERRY of Penobscot and  
Representatives: BLANCHETTE of Bangor, CAIN of Orono, CARR of Lincoln, CLARK of  
Millinocket, DUCHESNE of Hudson, DUNN of Bangor, FISHER of Brewer.

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

4 **Sec. 1. 30-A MRSA c. 3, sub-c. 1, art. 15** is enacted to read:

6 **ARTICLE 15**

8 **PENOBSCOT COUNTY BUDGET COMMITTEE**

10 **§900-K. Definitions**

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

14 1. **Budget committee.** "Budget committee" means the Penobscot County Budget Committee.

16 2. **Municipal official.** "Municipal official" means any elected member of a municipal government in Penobscot County.

20 **§900-L. Budget; appropriations and approval**

22 Notwithstanding sections 2, 701 and 702, in Penobscot County the county commissioners may appropriate money according to a budget that must be prepared and finalized in accordance with this article.

26 **§900-M. Budget committee**

28 There is established the Penobscot County Budget Committee to carry out the purposes of this article.

30 1. **Membership.** The budget committee consists of the following members:

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

34 B. Two municipal officials appointed by each county commissioner from the commissioner's district; and

36 C. One member of the county legislative delegation appointed by each county commissioner from the commissioner's district.

38 2. **Municipal official elections.** Before October 15th of every year, the county commissioners shall notify all municipal officials to caucus by county commissioner district at a specified date, time and place for the purpose of electing 2 municipal officials from each district as members of the

2 budget committee. Each county commissioner shall serve as  
3 nonvoting moderator for that district caucus. Nominations must  
4 be received from the floor. The 2 nominees receiving the most  
5 votes are the budget committee members. The names of those  
6 elected by the caucus must be recorded and forwarded to the  
7 county commissioners.

8 3. Term; vacancy; replacement. Budget committee members  
9 serve 2-year terms. If a budget committee member ceases to be a  
10 municipal official during the term of membership, the budget  
11 committee member vacates membership and a replacement must be  
12 appointed by the county commissioner from the district in which  
13 the vacancy occurred.

#### 14 **§900-N. Budget process**

15  
16  
17 1. Public hearing. The county commissioners shall hold one  
18 or more public hearings on the budget at times convenient for the  
19 residents of the county and before December 16th of each year.

20  
21 2. Budget; submission to budget committee. The Penobscot  
22 county commissioners shall submit a budget for the coming year to  
23 the budget committee no later than November 10th of each year.  
24 The budget committee shall review the budget with the county  
25 commissioners prior to November 30th and make additions or  
26 deletions to the budget by a majority vote of the budget  
27 committee. A unanimous vote of the county commissioners is  
28 required to override the budget committee.

29  
30 3. Assessment of taxes. The budget adopted under  
31 subsection 2 is the final authorization for the assessment of  
32 county taxes. The county tax authorized is apportioned and  
33 collected in accordance with section 706.

34  
35 4. Final budget; filing. A copy of the final budget must  
36 be filed on forms approved by the Department of Audit with the  
37 State Auditor, who shall retain it for 3 years.

38  
39 5. Interim budget. If the budget is not approved before  
40 the start of the fiscal year, the county must operate on an  
41 interim budget that does not exceed the budget of the previous  
42 year until a final budget is adopted.

#### 43 **SUMMARY**

44  
45  
46 This bill reestablishes the Penobscot County Budget  
47 Committee.  
48