

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1512

H.P. 1061

House of Representatives, December 10, 2009

An Act To Amend the Laws Governing the Somerset County Budget Procedure

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 8, 2009. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CURTIS of Madison.
Cosponsored by Representative McCABE of Skowhegan.

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

3 **Whereas,** this legislation needs to take effect before the beginning of the next fiscal
4 year; and

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

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

10 **Sec. 1. 30-A MRSA §897, sub-§4,** as enacted by PL 1993, c. 582, §1, is amended
11 to read:

12 **4. Adoption of budget; tax levy.** After the public hearing under subsection 3 is
13 completed, the budget committee shall adopt a final budget and transmit that budget to
14 the county commissioners may further increase, decrease or alter the proposed budget
15 based on information obtained during the public hearing process. The proposed budget
16 must be approved by a majority vote of the budget committee at a duly called meeting not
17 later than 15 days prior to the beginning of the county's fiscal year. The budget
18 committee shall send the approved budget to the county commissioners. The county
19 commissioners may adopt the budget as submitted by the budget committee or after
20 increasing, decreasing or altering the budget by a majority vote of the county
21 commissioners by June 30th.

22 A. ~~The county commissioners may not further increase, decrease, alter or revise the~~
23 ~~budget adopted by the budget committee except by unanimous vote of the county~~
24 ~~commissioners. If the adopted budget is changed by the county commissioners, the~~
25 ~~budget committee may reject that change by a 2/3 vote of its membership. The~~
26 ~~budget is final and not subject to further action by either the county commissioners or~~
27 ~~the budget committee upon failure of the commissioners to unanimously recommend~~
28 ~~changes in the budget transmitted from the budget committee or upon acceptance or~~
29 ~~rejection of changes by the budget committee.~~

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

33 **Sec. 2. 30-A MRSA §898,** as enacted by PL 1993, c. 582, §1, is amended to read:

34 **§898. Interim budget**

35 If the budget is not approved before the start of a fiscal year, until a budget is finally
36 adopted, the county shall operate on an interim budget, which may not exceed 80% of the
37 previous year's budget.

38 **Emergency clause.** In view of the emergency cited in the preamble, this
39 legislation takes effect when approved, except as otherwise indicated.

1

SUMMARY

2 This bill amends the laws governing the procedure for adopting the Somerset County
3 budget by allowing the budget to be increased, decreased or altered by the budget
4 committee based on information obtained during the public hearing process. The budget
5 must be approved by a majority vote of the budget committee at a meeting called for that
6 purpose. The county commissioners may adopt the budget as submitted by the budget
7 committee or after increasing, decreasing or altering the proposed budget by a majority
8 vote by June 30th. Current law requires a unanimous vote of the commissioners to
9 change the budget. The bill also requires that, if the county does not approve a new
10 budget, it operate on an interim budget not to exceed the previous year's budget. Current
11 law requires that, if the county does not approve a new budget, it operate on an interim
12 budget not to exceed 80% of the previous year's budget.