MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 973

H.P. 686

House of Representatives, March 9, 2017

An Act To Allow the Waldo County Budget Committee To Appoint Replacement Members

(EMERGENCY)

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

ROBERT B. HUNT
Clerk

Presented by Representative GILLWAY of Searsport.
Cosponsored by President THIBODEAU of Waldo and
Representatives: HERBIG of Belfast, KINNEY of Knox, WARD of Dedham, ZEIGLER of
Montville.

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, the budgets of counties are important undertakings requiring the 4 participation of representatives of municipalities throughout the county; and 5 Whereas, when a vacancy occurs in a county budget committee, it reduces the ability of the budget committee to adequately represent all of its constituents and makes 6 7 the task of creating a county budget more difficult; and 8 Whereas, county budget committees need adequate and prompt mechanisms to fill a vacancy when a municipality of a vacating member is unwilling or unable to fill the 9 10 vacancy so that the budget committee can timely and efficiently produce a budget representing the interests of the entire county; and 11 12 Whereas, there may be a need to replace committee members before the next budget cycle; and 13 14 Whereas, in the judgment of the Legislature, these facts create an emergency within 15 the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, 16 17 therefore, 18 Be it enacted by the People of the State of Maine as follows: 19 Sec. 1. 30-A MRSA §853, sub-§4, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is 20 further amended to read: 21 22 **4.** Vacancies. A vacancy occurring on the budget committee shall must be filled by 23 the committee for the balance of the unexpired term. The person appointed to fill the 24 vacant office must be a municipal officer from the same municipality as the person 25 vacating the office. If the municipality of the person vacating the office declines to send 26 a new member, the committee may solicit another municipality in the same district as the 27 municipality of the vacating member that does not have a member sitting on the 28 committee to send a municipal officer to fill the vacancy. 29 **Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved. 30 31 SUMMARY 32 This bill amends the Waldo County Budget Committee membership provisions by 33 providing that when a vacancy on the committee occurs and the municipality of the 34 vacating member declines to send a replacement, the budget committee may solicit another municipality in the district that does not have a member currently sitting on the 35

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committee to fill the vacancy.