

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1350

H.P. 864

House of Representatives, March 28, 2023

**An Act Regarding the Composition of the Budget Advisory
Committee and the Finality of the Budget in the Franklin County
Budget Process**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LANDRY of Farmington.
Cosponsored by Representatives: HALL of Wilton, SOBOLESKI of Phillips.

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

2 **Sec. 1. 30-A MRSA §873, sub-§1**, as enacted by PL 1991, c. 495, is amended to
3 read:

4 **1. Municipal officers.** Municipal officers within each commissioner district shall
5 caucus and shall elect municipal officers from that district to fill vacancies ~~as they arise,~~
6 for terms as provided in paragraph A B.

7 ~~A. Members shall serve for 3-year terms, except that initially each district caucus shall~~
8 ~~select one member for a one-year term, one member for a 2-year term and one member~~
9 ~~for a 3-year term. There must be 3 members from each commissioner district. If a~~
10 ~~committee member ceases to be a municipal officer during the term of membership,~~
11 ~~the committee member shall resign the membership and the next district caucus shall~~
12 ~~elect a qualified municipal officer to fill the membership for the remainder of the~~
13 ~~unexpired term.~~

14 B. Each commissioner district has 2 permanent members. Members serve for 3-year
15 terms. There is a rotating member who serves a one-year term, selected in 2025 by
16 commissioner district one, selected in 2026 by commissioner district 2, selected in
17 2027 by commissioner district 3, selected in 2028 by commissioner district 4, selected
18 in 2029 by commissioner district 5 and selected in 2030 and succeeding years in the
19 same order as the first 5 years under this paragraph. If a committee member ceases to
20 be a municipal officer during the term of membership, the committee member shall
21 resign the membership and the next district caucus shall elect a qualified municipal
22 officer to fill the membership for the remainder of the unexpired term.

23 **Sec. 2. 30-A MRSA §874, sub-§4**, as enacted by PL 1991, c. 495, is amended to
24 read:

25 **4. Finality of budget.** After the public hearing is completed, the advisory committee
26 shall adopt a final budget and transmit that budget to the county commissioners. The
27 county commissioners may not further increase, decrease, alter or revise the budget adopted
28 by the advisory committee, except by ~~unanimous~~ a 3/5 vote of the entire membership of
29 the county commissioners. If the adopted budget is changed by the county commissioners,
30 the advisory committee may reject that change by a 2/3 vote of its membership. Those
31 actions are final and are not subject to further action by either the county commissioners or
32 the advisory committee.

33 **Sec. 3. Franklin County Budget Advisory Committee initial terms.**
34 Notwithstanding the Maine Revised Statutes, Title 30-A, section 873, subsection 1,
35 paragraph B, members of the Franklin County Budget Advisory Committee serve for 3-
36 year terms, except initially commissioner districts one and 2 shall select one member for a
37 one-year term and one member for a 2-year term, commissioner districts 3 and 4 shall select
38 one member for a 2-year term and one member for a 3-year term and commissioner district
39 5 shall select one member for a one-year term and one member for a 3-year term.

40 **Sec. 4. Effective date.** This Act takes effect November 5, 2024.

SUMMARY

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On November 5, 2024, current law changes the number of commissioner districts in Franklin County from 3 districts to 5 districts. This bill changes the composition of the Franklin County Budget Advisory Committee to reflect the change in commissioner districts by changing the composition of the committee from 3 to 5 districts and from 3 members for each district serving 3-year terms to 2 permanent members for each district serving 3-year terms and one rotating member serving a one-year term, with each district selecting the rotating member for one year of the 5-year period. The bill also changes the vote for the final adoption of the Franklin County budget from a unanimous vote to a 3/5 vote of the entire membership of the county commissioners. The legislation takes effect November 5, 2024.