

**Title 30-A: MUNICIPALITIES AND COUNTIES**  
**Part 1: COUNTIES**  
**Chapter 3: COUNTY BUDGET AND FINANCES**  
**Subchapter 1: TAX ASSESSMENT AND BUDGET PROCESS**  
**Article 8: KENNEBEC COUNTY BUDGET COMMITTEE**  
<https://legislature.maine.gov/statutes/30-A/title30-Asec862.html> (starts)

**§862. Kennebec County Budget Committee**

In Kennebec County there is established the Kennebec County Budget Committee to carry out the purposes of this article. The budget committee consists of 9 elected or appointed municipal officials and a subcommittee of 6 nonvoting members of the county legislative delegation or their designees as provided in this section. [PL 2001, c. 471, Pt. B, §16 (AMD); PL 2001, c. 471, Pt. B, §18 (AFF).]

**1. Municipal representatives.** No later than 100 days before the end of the county's fiscal year, municipal officers within each commissioner district shall caucus and elect members from that district for terms as provided in [paragraph A](#). There must be 3 members from each commissioner district, 2 of whom are municipal officers and one of whom may be a municipal official who is not a municipal officer as defined in [section 2001](#). No more than one member may represent the same municipality at one time.

A. Members serve for 3-year terms, except that initially each district caucus selects one member for a one-year term, one member for a 2-year term and one member for a 3-year term. If a budget committee member ceases to be a municipal officer or official during the term of membership, that member shall resign the membership and the next district caucus shall elect a qualified municipal officer or official to fill the membership for the remainder of the unexpired term. [PL 2001, c. 471, Pt. B, §17 (RPR); PL 2001, c. 471, Pt. B, §18 (AFF).]

B. [PL 1991, c. 533, §3 (RP); PL 1991, c. 533, §10 (AFF).]

[PL 2007, c. 663, §15 (AMD).]

**1-A. Membership; legislative delegation.** A subcommittee of 6 members of the Kennebec County legislative delegation or their designees shall serve as nonvoting members of the budget committee.

A. The subcommittee is appointed by the chair and must be ratified by a vote of the legislative delegation. [PL 1991, c. 533, §3 (NEW); PL 1991, c. 533, §10 (AFF).]

B. The subcommittee shall serve as a resource to the budget committee and as a liaison to the legislative delegation. [PL 2001, c. 170, §2 (AMD).]

[PL 2001, c. 170, §2 (AMD).]

**1-B. Initial election.**

[PL 2001, c. 170, §2 (RP).]

**2. Duties.** The budget committee shall review the budget estimates prepared by the county commissioners, hold public hearings in the county and submit their recommendations to the county commissioners.

[PL 2001, c. 170, §2 (AMD).]

**3. Term of office.** The term of office for a budget committee member who is an elected official is 3 years, provided that a budget committee member remains an elected official in the elected official's municipality.

[PL 2001, c. 170, §2 (AMD).]

**4. Vacancies.** The county commissioners shall appoint an elected official to fill any vacancy occurring on the budget committee. A vacancy must be filled from the commissioner district in which the vacancy occurred and is for the balance of the unexpired term.

[PL 2001, c. 170, §2 (AMD).]

**5. Expenses.** Members are not entitled to compensation, but must be reimbursed at the county rate from the county treasury for expenses authorized by the county commissioners that are lawfully incurred in the performance of their duties.

[PL 1991, c. 533, §3 (AMD); PL 1991, c. 533, §10 (AFF).]

**SECTION HISTORY**

PL 1989, c. 473 (NEW). PL 1991, c. 533, §3 (AMD). PL 1991, c. 533, §10 (AFF). PL 2001, c. 170, §2 (AMD). PL 2001, c. 172, §1 (AMD). PL 2001, c. 471, §§B16,17 (AMD). PL 2001, c. 471, §B18 (AFF). PL 2007, c. 663, §15 (AMD).

### §863. Budget committee organization

The budget committee shall organize and conduct its meetings as follows. [PL 2001, c. 170, §3 (AMD).]

**1. Organization.** The county commissioners shall direct the county clerk to call an organizational meeting of the budget committee no later than 60 days before the end of the county's fiscal year. At the organizational meeting, the committee shall:

A. Elect a chair and a recording secretary from among its members; and [PL 1991, c. 533, §4 (NEW); PL 1991, c. 533, §10 (AFF).]

B. Adopt rules, procedures and bylaws. [PL 1991, c. 533, §4 (NEW); PL 1991, c. 533, §10 (AFF).]  
[PL 2001, c. 170, §3 (AMD).]

**2. Meetings.** The budget committee shall determine the time and location of the budget committee meetings. The meetings must be held at times convenient for the public. The budget committee shall keep minutes and record votes for every meeting. The county clerk shall issue a public notice of a meeting no later than 7 days before the meeting is held.

[PL 2001, c. 170, §3 (AMD).]

**3. Resources.** The county commissioners shall provide the budget committee with necessary clerical assistance, office expenses and suitable meeting space, as well as access to county files and information.

[PL 2001, c. 170, §3 (AMD).]

#### SECTION HISTORY

PL 1989, c. 473 (NEW). PL 1991, c. 533, §4 (RPR). PL 1991, c. 533, §10 (AFF). PL 2001, c. 170, §3 (AMD).

### §864. Budget procedures

**1. Commissioners' budget.** The county commissioners shall submit an itemized budget estimate, as described in [sections 701](#), [702](#) and [7503](#), to the budget committee in a timely fashion, no later than 60 days before the end of the county's fiscal year.

[PL 2001, c. 170, §4 (AMD).]

**2. Budget review process.** The budget committee shall develop a proposed budget following review of the itemized budget estimate prepared by the county commissioners, together with any supplementary material prepared by the head of each county department or provided by any independent board or institution or another governmental agency. The budget committee may propose that the budget estimate be increased, decreased, altered or revised, provided that:

A. The budget committee enters into its minutes an explanation for any recommended change in the estimated expenditures and revenues as initially presented by the county commissioners; and [PL 2001, c. 170, §4 (AMD).]

B. The total estimated revenues, together with the amount of county tax to be levied, equals the total estimated expenditures. [PL 1991, c. 533, §5 (AMD); PL 1991, c. 533, §10 (AFF).]

[PL 2001, c. 170, §4 (AMD).]

**3. Public hearing.** The budget committee shall hold at least 2 public hearings in the county on the proposed budget before the end of the county's fiscal year and before submitting the budget to the commissioners. At least one public hearing must be held in the northern part of the county and at least one public hearing must be held in the southern part of the county. Notice of the hearing must be given at least 10 days before the hearing in a newspaper of general circulation within the county.

[PL 2001, c. 170, §4 (AMD).]

**3-A. Written notification.** Written notice and a copy of the proposed budget must be sent at least 10 days before the public hearing to the clerk of each municipality in the county. The municipal clerk shall notify the elected officials of the proposed budget.

[PL 1991, c. 533, §6 (NEW); PL 1991, c. 533, §10 (AFF).]

**4. Approval of budget.** After the public hearings are completed, the budget committee shall adopt a final budget and shall submit that budget to the county commissioners for review not later than the end of the county's fiscal year, subject to the conditions and restrictions imposed in [subsection 2](#). The county commissioners may not revise the budget adopted by the budget committee except by unanimous vote of the county commissioners. If the adopted budget is changed by the county commissioners, the budget committee may reject that change by a 2/3 vote of its membership. Those actions are final and are not subject to further action by either the county commissioners or the budget committee.

[PL 2001, c. 170, §4 (AMD).]

#### **4-A. Legislative approval.**

[PL 2001, c. 170, §4 (RP).]

**5. Interim budget.** If the budget is not approved before the start of a fiscal year, until a budget is finally adopted, the county shall operate on an interim budget that may not exceed the previous year's budget.

[PL 2001, c. 170, §4 (AMD).]

**6. Transfer of funds.** The county commissioners may transfer funds as provided in [section 922](#).

[PL 1989, c. 473 (NEW).]

SECTION HISTORY

PL 1989, c. 473 (NEW). PL 1991, c. 533, §§5-8 (AMD). PL 1991, c. 533, §10 (AFF). PL 2001, c. 170, §4 (AMD).

**§866. Filing of county budget**

A copy of the final budget and subsequent amendments shall be filed, on forms approved by the Office of the State Auditor, with the State Auditor, who shall retain them for 3 years. [PL 1989, c. 473 (NEW); PL 2013, c. 16, §10 (REV).]