

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)

(New Title)
New Draft of: H. P. 780, L. D. 925

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1615

H. P. 1488

House of Representatives, May 18, 1981

Reported by Representative Roberts from the Committee on Local and
County Government. Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Permit the Abolition of the Position of Elected County Treasurer and
Allow the Appointment of a Treasurer by the County Officers.**

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

30 MRSA §§ 606 and 607 are enacted to read:

§ 606. Creation of position of appointed county treasurer

1. **Definition of county officers.** For the purposes of this section and section 607, "county officers" has the meaning set forth in section 1502, subsection 1.

2. **County officers' decision.** Notwithstanding sections 601 and 602, the county officers may decide to abolish the position of elected county treasurer and replace it with an appointed county treasurer. This decision shall not be effective until approved by the voters of the county under the procedures set forth in subsection 6.

3. **Alternative method initiative.** On the written petition of a number of voters equal to at least 10% of the number of votes cast in the county at the last gubernatorial election, the county officers shall, by order, provide for the abolition of the position of elected county treasurer and its replacement with an appointed county treasurer in the form and manner provided in this section and section 607.

4. **Petition procedure.** The petition procedure set forth in section 1551, subsection 3, shall be used in the alternative method set out in subsection 3, except that the legend at the top of each petition form shall read as follows:

“County of.....
Each of the undersigned voters respectively requests the county officers to abolish the position of elected county treasurer and replace it with a county treasurer appointed by the county officers.”

5. **Procedure after filing.** The procedure after the petition is filed shall be the same as that set forth in section 1551, subsection 4.

6. **Election procedure.** Within 30 days after a decision under subsection 2 or the receipt of a certificate or final determination of sufficiency under subsection 5, the county officers shall by order submit the question of the abolition of the position of elected county treasurer and its replacement with an appointed county treasurer to the voters of the county at the next regular or special statewide election. The question to be submitted to the voters shall be in substance as follows:

“Shall the position of elected county treasurer be abolished and replaced with a treasurer appointed by the county officers?”

Upon an affirmative vote by a majority of those voting on this question, the position of elected county treasurer shall be abolished after the term of the current elected county treasurer expires and the county officers shall appoint a treasurer under section 607.

§ 607. Term; qualification; compensation of appointed treasurer

Upon abolition of the position of elected county treasurer under section 606, the county officers shall appoint a treasurer to serve at their pleasure and, notwithstanding section 604, with the compensation they set. The treasurer shall be qualified in matters of business administration and finance. The appointed treasurer shall have all authority granted to treasurers under this subchapter and be subject to all requirements of this subchapter.

STATEMENT OF FACT

The intent of this new draft is to provide a procedure under which all counties may have the opportunity to abolish the position of elected county treasurer and replace it with an appointed treasurer. The county officers may initially decide to make the change, or the voters in a county may petition for the change, but voter approval is required for the change to be effective. The county officers then have authority to set the term and salary of the appointed treasurer. Certain qualifications for the treasurer are prescribed.