

MAINE STATE LEGISLATURE

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(EMERGENCY)
New Draft of S. P. 533, L. D. 1494
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1616

S. P. 611

In Senate, May 15, 1981

Reported by the Minority of the Committee on Local and County Government, and Printed under Joint Rules No. 2.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

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

AN ACT to Reorganize the Government of Aroostook County.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the purposes of this legislation can only be effectively accomplished if action is commenced prior to July 1, 1981; and

Whereas, in the judgment of the Legislature, these facts create an emergency within 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, therefore,

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

Sec. 1. Establishment of a study commission from Aroostook County. There is established the Aroostook County Study Commission to study and consider changes in the structure and operation of Aroostook County government.

Sec. 2. Membership. The Aroostook County Study Commission shall consist of 9 members who shall be selected as follows.

- A. The Aroostook County commissioners shall appoint one member.
- B. The President of the Senate shall appoint one member.

C. The Speaker of the House of Representatives shall appoint one member.

D. The elected municipal officials of each county commissioner district of Aroostook County shall select 2 members from their commissioner districts.

Selection shall be by nomination and majority vote of a caucus of no less than 1/3 of the elected municipal officials of the commissioner district. Each member selected shall be a voter and resident of the commissioner district from which he is selected, and at least one member selected from each commissioner district shall be an elected municipal official. The 2nd member selected from each commissioner district may not be a resident of the municipality from which the elected municipal official member is selected. The selections shall be made with consideration given to achieving equal representation of Republican and Democrat party members among the selected study commission members.

Consideration shall be given in making these appointments and selections to individuals who are knowledgeable and experienced in public affairs or related areas of law or financial management and who are available and willing to serve in a diligent manner. Incumbent county or state elected officials may be appointed or selected to the study commission.

The county clerk shall notify those designated in paragraphs A, B and C of their need to appoint a member of the study commission within the time frame set in section 3. The clerk shall notify the elected municipal officials of the date, time and place or places of the meeting or meetings to select study commission members under paragraph D.

Sec. 3. Announcement of membership. Announcement of appointments and selections of members of the study commission shall be made at a reasonable date, time and place to be designated by the chairman of the Aroostook County commissioners on or before June 30, 1981, written notice of which shall be mailed to each Aroostook County commissioner and elected municipal official no less than 10 days prior to the date designated.

Sec. 4. Organization. Immediately following the appointment and selection of the study commission members, the county clerk shall notify the members of the study commission of the date, time and place of the organizational meeting of the study commission. The date, time and place shall be fixed by the clerk and 7-days' notice thereof shall be given.

The study commission shall organize by electing from its members a chairman, vice-chairman and a secretary and shall file notice thereof with the county clerk. Vacancies of members appointed under section 2, paragraph A, B or C, shall be filled in the same manner as the original appointment. Vacancies of members selected under section 2, paragraph D, shall be filled by nomination and majority vote of the study commission, subject to the qualification requirements and political party consideration of that paragraph.

Members shall serve without compensation, but shall be reimbursed from the commission's account for legitimate expenses incurred by them in the performance of their duties.

Sec. 5. Rules; staff. The study commission shall adopt rules governing the conduct of its meetings and proceedings and may employ necessary legal, research, clerical or other employees and consultants within the limits of its budget.

Sec. 6. Funding. Aroostook County shall provide the study commission, free of charge, with suitable office space and reasonable access to facilities for holding public hearings, shall permit the study commission to consult with and obtain advice and information from county officers, officials and employees during ordinary working hours and may contribute clerical and other assistance to the study commission.

Within 20 days after the appointment and selection of a study commission, the county officers shall credit to the study commission account the sum of \$100. The county may from time to time appropriate additional funds to the study commission account. These funds may be transferred from surplus or from other accounts in the county budget.

In addition to funds made available by the county, the study commission account may receive funds from any other source, public or private, provided that no contribution of more than \$5 may be accepted from any source other than the county or a municipality in the county, unless the name and address of the person or agency making the contribution and the amount of the contribution are disclosed in writing, filed with the county clerk. Prior to the termination of its existence, the study commission shall file with the county clerk a complete account of all its receipts and expenditures for public inspection. Any balance remaining in its account shall be credited to the county's surplus account.

Sec. 7. Hearings; reports; time limits. Within 30 days after its organizational meeting, the study commission shall hold a public meeting for the purpose of receiving information, views, comments and other pertinent material relative to its functions.

Within 5 months after its organizational meeting, the study commission shall prepare a preliminary report, including the recommendations and legislation which the study commission intends to submit to the Legislature and any explanatory information the study commission deems desirable, shall cause the report to be printed and circulated throughout the county and shall provide sufficient copies of the preliminary report to the county clerk to permit its distribution to each voter requesting a copy. Within a month after the distribution of the preliminary report, the study commission shall hold a public meeting for the purpose of receiving comments on the report.

The study commission shall submit its final report to the Second Regular Session of the 110th Legislature by January 10, 1982. The final report shall include

the full text and an explanation of proposed legislation for consideration by the Legislature, which the Legislature may enact as proposed or amended, subject to referendum of the voters of Aroostook County.

Sec. 8. Termination. The study commission shall continue in existence until June 30, 1982, for the purpose of winding up its affairs and for advising the Legislature regarding enactment of legislation for Aroostook County.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this new draft is to set up a mechanism through which the substantive text of a proposed reorganization of Aroostook County government may be submitted to the voters of that county.