

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 25

H. P. 22

Office of the Clerk of the House

Filed December 27, 1968 under Joint Rule 6 by Mr. Ross of Bath. To be printed and delivered to the House of Representatives of the 104th Legislature.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Ross of Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Setting Salaries of All County Officials Except County Commissioners and County Attorneys.

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

Whereas, the Legislature under present law determines the salaries of all county officials; and

Whereas, it is desirable that more consideration be given to the county commissioners of the respective counties to permit them more latitude in determining what the salaries of the respective county officials should be in conjunction with the members of the Legislature resident in the respective counties; and

Whereas, it is in the interest of the people of the State of Maine and in the promotion of better government on the county level that the following legislation be enacted; 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. R. S., T. 4, § 301, amended. The 2nd paragraph of section 301 of Title 4 of the Revised Statutes is amended to read as follows:

Judges of probate in the several counties shall receive annual salaries as set forth in Title 30, section ~~2-A~~.

Sec. 2. R. S., T. 4, § 554, amended. The first paragraph of section 554 of Title 4 of the Revised Statutes is amended to read as follows:

The clerks of the judicial courts in the several counties shall receive annual salaries as set forth in Title 30, section ~~2-A~~.

Sec. 3. R. S., T. 18, § 251, amended. The 2nd paragraph of section 251 of Title 18 of the Revised Statutes is amended to read as follows:

Registers of probate in the several counties shall receive annual salaries as set forth in Title 30, section ~~2-A~~.

Sec. 4. R. S., T. 30, § 2, repealed and replaced. Section 2 of Title 30 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

§ 2. Salaries; county attorneys and commissioners

The county commissioners shall receive annual salaries from the county treasury in weekly or monthly payments as follows, except that the county attorneys and their assistants shall receive annual salaries from the State Treasury in monthly payments on the last day of each month in a sum which will, in the year's aggregate, most nearly equal the annual salary, as follows, and no other fees, costs or emoluments shall be allowed them:

Androscoggin County: County commissioners, \$2,800, chairman, \$3,400; county attorney, \$6,500; first assistant county attorney, \$4,500; second assistant county attorney, \$3,500.

Aroostook County: County commissioners, \$1,500, except that one member of the board, designated by the board as chief administrative officer, shall receive \$5,500; county attorney, \$6,500; assistant county attorney, \$4,500.

Cumberland County: County commissioners, \$4,750; county attorney, \$8,000; first assistant county attorney, \$6,000; second assistant county attorney, \$5,000; third assistant county attorney, \$4,000.

Franklin County: County commissioners, \$1,000; county attorney, \$5,000.

Hancock County: County commissioners, \$1,450; county attorney, \$5,000.

Kennebec County: County commissioners, \$2,250; chairman, \$2,500; county attorney, \$6,500; assistant county attorney, \$4,500.

Knox County: County commissioners, \$1,200; county attorney, \$5,000.

Lincoln County: County commissioners, \$1,100; chairman, \$1,300; county attorney, \$5,000.

Oxford County: County commissioners, \$1,950; chairman, \$2,150; county attorney, \$5,000; assistant county attorney, \$3,500.

Penobscot County: County commissioners, \$2,750; county attorney, \$6,000; first assistant county attorney, \$5,000; second assistant county attorney, \$4,000.

Piscataquis County: County commissioners, \$1,100; chairman, \$1,350; county attorney, \$5,000.

Sagadahoc County: County commissioners, \$1,250; county attorney, \$5,200.

Somerset County: County commissioners, \$1,000; chairman, \$1,200; county attorney, \$5,000; assistant county attorney, \$3,500.

Waldo County: County commissioners, \$1,200; county attorney, \$5,000.

Washington County: County commissioners, \$1,800; chairman, \$2,100; county attorney, \$5,000.

York County: County commissioners, \$2,250; county attorney, \$6,500; assistant county attorney, \$4,500.

Sec. 5. R. S., T. 30, § 2-A, additional. Title 30 of the Revised Statutes is amended by adding a new section 2-A, to read as follows:

§ 2-A. —Other officials

The salaries of all clerks of the judicial courts and their deputies, county treasurers and their deputies, sheriffs, registers of deeds, judges of probate and registers of probate in the several counties shall be determined by the respective county commissioners with the advice and consent of all members of the Legislature resident in the respective county at a meeting to be specially called therefor by the chairmen of the respective county commissioners. The meeting shall be held on or before the regular session of the county commissioners next before the first day of each January in which the Legislature meets. At least 7 days' notice thereof shall be given to the members of the Legislature resident in the county.

The salaries shall all be subject to the final approval of the Legislature.

The salaries shall be paid from the county treasury in weekly or monthly payments.

The salaries mentioned in section 2 and this section shall be in full compensation for the performance of all official duties by said officers and judges. County commissioners shall allow to said officers all office expense, clerk hire and travel which are necessary, just and proper to the performance of their official duties.

All fees and charges of whatever nature, except charges for the publication of notices required by law, which may be payable to any county officer, shall be payable by them to the county treasurer for the use and benefit of the county, but preserving the right of sheriffs and their deputies to receive fees for service of civil process and of sheriffs and their deputies not on a salary or per diem basis to receive fees for service of criminal process, and no county officer shall receive a private benefit from the labor of any person in the employ of the county.

Sec. 6. R. S., T. 30, § 604, amended. Section 604 of Title 30 of the Revised Statutes is amended to read as follows:

§ 604. Salaries

County treasurers and their deputies shall receive annual salaries as set forth in section ~~2-A~~.

Sec. 7. R. S., T. 30, § 908, amended. The first sentence of section 908 of Title 30 of the Revised Statutes is amended to read as follows:

The sheriffs of the several counties shall receive annual salaries as set forth in section ~~2-A~~, together with free rental of the house or living apartment connected with the county jail in each county, including the necessary light and fuel.

Sec. 8. R. S., T. 33, § 604, amended. The first paragraph of section 604 of Title 33 of the Revised Statutes is amended to read as follows:

Registers of deeds in the several counties shall receive annual salaries as set forth in Title 30, section ~~2-A~~.

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