

MAINE STATE LEGISLATURE

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COMMITTEE AMENDMENT " A" to S.P. 332, L.D. 1118, Bill,
"AN ACT to Authorize County Commissioners to Provide or
Contract for Certain County and Municipal Services."

Amend said Bill by striking out everything after the
enacting clause and before the Statement of Fact and inserting
in place thereof the following:

'30 MRSA §63 is enacted to read:

§63. Powers to provide services under contract

The county commissioners of each county may contract
with municipalities within the county to provide services
that either a county or a municipality may perform. Pursuant
to such a contract, the county commissioners may also
contract with other political subdivisions of the State,
quasi-municipal corporations, any agency or instrumentality
of the State or with private enterprises, to enable or assist
in performing all or part of the services contracted for by
a municipality.

Appropriate action by ordinance, resolution or other
action pursuant to law of the governing body of any municipality
entering into such contract with a county shall be necessary
before any such contract may enter into force.

Any contract with a municipality shall specify the
following:

1. Duration. Its duration;
2. Purpose. Its purpose;

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3. Financing. The manner and amount of financing for the contracted services and maintaining a budget;

4. Services. The scope and nature of the services to be performed by the county;

5. Administration. The manner of administering the performance of the contract and the methods and extent of municipal control of such administration;

6. Property. The manner of acquiring, holding and disposing of real and personal property acquired or used in performing the contract;

7. Other contracts. Any limitations on the county commissioners' power to contract with other political subdivisions, quasi-municipal corporations, agencies, instrumentalities or enterprises to perform the services specified in the municipal-county contract, including the duties and activities that may be contracted for by the county;

8. Termination. The method of partial or complete termination of the contract and the obligations and responsibilities of each party on such termination; and

9. Other matters. Any other necessary and proper matters.

Every contract between a county and municipalities within the county shall be approved by the Attorney General as to its conformity with this section. Failure of the

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Attorney General to disapprove such a contract within 30 days of its submission to him for approval shall constitute approval of the contract. After approval, a copy of such contract shall be filed with the clerk of each municipality that is a party thereto and in the office of county commissioners.'

Statement of Fact

The purpose of this amendment is to clarify the drafting of the bill so as to provide in detail the contracting power of the county.

Reported by the Majority of the Committee on Local and County Government.
Reproduced and distributed pursuant to Senate Rule 11-A.
May 20, 1975. (Filing No. S-172).