

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 225

H. P. 215

House of Representatives, February 9, 1977

Reported by Ms. Bachrach from the Joint Select Committee on County Government pursuant to H. P. 1670 and 1,800 printed under Joint Rules No. 17.

EDWIN H. PERT, Clerk

Filed by the Joint Select Committee on County Government, under Joint Rule 17, pursuant to House Paper 1670.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Establish County Boards, to Allow Them to Set and Approve
County Budgets and to Allocate Services.**

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

Sec. 1. 30 MRSA § 2, 1st 17 paragraphs, as amended, are further amended to read:

The ~~county commissioners~~ county treasurers and their deputies, sheriffs, registers of deeds, judges of probate and registers of probate in the several counties shall receive annual salaries from the county treasury in weekly or monthly payments as follows, except that the district attorneys and their assistants shall receive annual salaries from the State Treasury in biweekly payments on a date to be determined by the State Controller 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, except as hereinafter provided:

Androscoggin County: ~~County commissioners, \$3,784, chairman, \$4,452, clerk~~ Clerk of courts, \$10,963; county treasurer, \$8,125; sheriff, \$10,295; register of deeds, \$8,960; judge of probate, \$8,069; register of probate, \$8,292;

Aroostook County: ~~County commissioners, \$2,153, except that one member of the board, designated by the board as chief administrative officer, shall receive \$7,778, clerk~~ Clerk of courts, \$9,640; county treasurer, \$4,188; sheriff, \$8,974; register of deeds, northern district, \$7,778; southern district, \$7,778; judge of probate, \$6,581; register of probate, \$5,982;

Cumberland County: ~~County commissioners, \$5,787, clerk~~ Clerk of courts, \$10,634; deputy clerk of courts, \$9,969; county treasurer, \$9,969; sheriff, \$11,710; register of deeds, \$9,969; deputy register of deeds, \$7,975; judge of probate, \$12,020; register of probate, \$9,820;

Franklin County: ~~County commissioners, \$1,935, clerk~~ Clerk of courts; \$6,879; county treasurer, \$2,688; sheriff, \$8,136; register of deeds, \$6,879; judge of probate, \$6,450; register of probate, \$6,879;

Hancock County: ~~County commissioners, \$2,722, chairman, \$3,062, clerk~~ Clerk of courts, \$6,521; deputy clerk of courts, \$4,649; county treasurer, \$5,103; sheriff, \$7,939; register of deeds, \$6,521; judge of probate, \$6,521; register of probate, \$6,521;

Kennebec County: ~~County commissioners, \$3,561, chairman, \$3,896, clerk~~ Clerk of courts; \$8,375; deputy clerk of courts, \$5,857; county treasurer, \$5,565; sheriff, \$8,974; register of deeds, \$8,375; judge of probate, \$8,974; register of probate, \$8,375;

Knox County: ~~County commissioners, \$1,965, clerk~~ Clerk of courts, \$6,581; county treasurer, \$2,099; sheriff, \$6,771; register of deeds, \$6,771; judge of probate, \$5,982; register of probate, \$6,000;

Lincoln County: ~~County commissioners, \$1,795, chairman, \$2,393, clerk~~ Clerk of courts, \$7,537; county treasurer, \$2,512; sheriff, \$8,375; register of deeds, \$7,538; judge of probate, \$7,179; register of probate, \$7,298;

Oxford County: ~~County commissioners, \$2,551, chairman, \$2,778, clerk~~ Clerk of courts, \$7,060; county treasurer, \$3,589; sheriff, \$10,175; register of deeds, eastern district, \$6,699; western district, \$4,068; judge of probate, \$5,444; register of probate, \$5,743;

Penobscot County: ~~County commissioners, \$3,948, chairman, \$4,246, clerk~~ Clerk of courts, \$9,092; deputy clerk of courts, \$7,778; county treasurer, \$5,145; sheriff, \$8,963; register of deeds, \$8,375; judge of probate, \$9,572; register of probate, \$7,778;

Piscataquis County: ~~County commissioners, \$1,795; chairman \$2,153, clerk~~ Clerk of courts, \$6,581; county treasurer, \$2,495; sheriff, \$8,136; register of deeds, \$7,179; judge of probate, \$6,237; register of probate, \$6,581;

Sagadahoc County: ~~County commissioners, \$1,795, clerk~~ Clerk of courts; \$7,179; county treasurer, \$3,589; sheriff, \$8,812; register of deeds, \$7,478; judge of probate, \$6,699; register of probate, \$7,179;

Somerset County: ~~County commissioners, \$1,795, chairman, \$2,093, clerk~~ Clerk of courts, \$7,478; county treasurer, \$3,410; sheriff, \$7,478; register of deeds; \$7,478; judge of probate, \$7,478; register of probate, \$7,478;

Waldo County: ~~County commissioners, \$1,675, clerk~~ Clerk of courts, \$7,538; county treasurer, \$2,381; sheriff, \$7,657; register of deeds, \$6,581; judge of probate, \$6,581; register of probate, \$6,581;

Washington County: ~~County commissioners, \$2,153, chairman, \$2,512, clerk~~ Clerk of courts, \$6,221; county treasurer, \$5,385; sheriff, \$7,478; register of deeds, \$6,221; judge of probate, \$6,820; register of probate, \$6,221;

York County : ~~County commissioner, \$2,893, clerk~~ Clerk of courts; \$9,672; deputy clerk of courts, \$6,341; county treasurer, \$3,110; sheriff, \$10,768; register of deeds, \$8,974; judge of probate, \$8,375; register of probate, \$6,581;

Sec. 2. 30 MRSA § 2, as last amended by PL 1975, c. 735, §§ 21 and 22, is further amended by adding at the end a new paragraph to read:

On and after January 1, 1981, the salaries of the county treasurer, deputy treasurer, sheriff, register of deeds, deputy register of deeds, judge of probate and register of probate shall be established by the county commissioners as provided in sections 252 and 253, and the salaries established in this section shall no longer apply.

Sec. 3. 30 MRSA § 51, 1st sentence, is amended to read:

No person holding the office of county commissioner district or at-large member of the board of county commissioners shall at the same time hold either the office of mayor or assessor of a city or of selectman or assessor of a town. No municipal member of the board of county commissioners shall hold any other county office.

Sec. 4. 30 MRSA § 101, as last amended by PL 1975, c. 771, § 308, is repealed and the following enacted in its place:

§ 101. Board membership; chairman; title

1. Board membership. There shall be a board of commissioners, which shall be the governing and policy-making body of the county. The board shall consist of 7 members: Three district members, 3 municipal members and one at-large member. Each district member shall be a resident in and elected by the voters of a commissioner district, with one district member elected from each commissioner district in the county. Each municipal member shall be a municipal officer of a municipality in a commissioner district and shall be elected by the voters of that district. One municipal member shall be elected from each commissioner district in the county. The at-large member shall be a resident in the county and elected by the voters of the county.

2. Municipal members' resignation prohibited. Municipal members shall not resign their municipal offices because of their election to the board.

3. Chairman. The members of the board shall elect a chairman and a vice-chairman, to act in the absence of the chairman. The election shall be held at the first board meeting on or after the first day of January annually, and the chairman and vice-chairman shall act for one year.

4. Title. Members of the board shall be known as county commissioners, and all statutory references to county commissioners shall mean members of the board of commissioners.

Sec. 5. 30 MRSA § 192, as amended by PL 1975, c. 332, § 2, is repealed and the following enacted in its place:

§ 102. Vacancies; appointed

When a vacancy occurs in the office of county commissioner by death, resignation, removal from the county or district, by resignation of municipal office under section 101, subsection 2, or for any other reason, the board of county commissioners shall appoint a qualified person to fill the vacancy, who shall hold office for the remainder of the unexpired term. If the vacancy occurs in a district member's office, the board shall appoint a new member from the same district. If the vacancy occurs in a municipal member's office, the board shall appoint a new municipal officer from a municipality in the same district to the vacant office. Appointments shall only be by a majority vote of all members of the board.

Sec. 6. 30 MRSA § 105 is repealed and the following enacted in its place:

§ 105. Election; term; districting

1. Election. The members of the board shall be elected in the same manner as town officials, when those officials are nominated by nomination paper and elected by secret ballot. The nomination shall be made by nomination papers signed by not less than 75 nor more than 125 voters who are eligible to vote for the candidate's office. The election shall be held on the Tuesday following the first Monday in November for all officers whose term expires in the year of the election. The nomination papers and official ballots shall by apt words designate the term and commission office, either District Member, At-large Member or Municipal Member, for which the person is to be nominated or elected.

2. Term. Each district member and the at-large member shall be elected for a term of 3 years beginning on January 1st following their election. Each municipal member shall be elected for a term of one year, beginning on January 1st following their election.

3. Districting. Those members required to be elected from commissioner districts under section 101, subsection 1, shall be elected from and by the districts established under sections 105-A to 105-U.

Sec. 7. 30 MRSA § 105-B, last ¶, as enacted by PL 1969, c. 331, § 1, is repealed.

Sec. 8. 30 MRSA § 105-C, last ¶, as enacted by PL 1969, c. 352, § 1, is repealed.

Sec. 9. 30 MRSA § 105-D, last ¶, as enacted by PL 1971, c. 86, is repealed.

Sec. 10. 30 MRSA § 105-E, last ¶, as enacted by PL 1971, c. 370, § 1, is repealed.

Sec. 11. 30 MRSA § 105-F, last ¶, as enacted by PL 1973, c. 625, § 194, is repealed.

Sec. 12. 30 MRSA § 105-G is enacted to read:

§ 105-G. Creation of Cumberland County Commissioner Districts
Cumberland County shall be divided into the following 3 districts:

Commissioner District number 1, consisting of the municipality of Portland.

Commissioner District number 2, consisting of the municipalities of South Portland, Cape Elizabeth, Scarborough, Cumberland, Falmouth and Westbrook.

Commissioner District number 3, consisting of the municipalities of Baldwin, Bridgeton, Brunswick, Casco, Freeport, Gorham, Gray, Harpswell, Harrison, Naples, New Gloucester, North Yarmouth, Otisfield, Pownal, Raymond, Sebago, Standish, Windham and Yarmouth.

Sec. 13. 30 MRSA § 105-H is enacted to read:

§ 105-H. Creation of Washington County Commissioner Districts

Washington County shall be divided into the following 3 districts:

Commissioner District number 1, consisting of the municipalities and unorganized territories of Calais, Danforth, Unorganized Territories-North, Vanceboro, Codyville Plantation, Waite, Talmadge, Grand Lake Stream Plantation, Plantation Number 21, Princeton, Baileyville, Alexander, Crawford, Wesley and Unorganized Territory of Barington.

Commissioner District number 2, consisting of the municipalities and unorganized territories of East Machias, Machiasport, Northfield, Robbinston, Perry, Charlotte, Meddybemps, Cooper, Plantation Number 14, Dennysville, Whiting, Cutler, Unorganized Territory - East Central, Lubec, Pembroke and Eastport.

Commissioner District number 3, consisting of the municipalities and unorganized territories of Deblois, Cherryfield, Steuben, Milbridge, Harrington, Addison, Jonesport, Beals, Beddington, Columbia, Columbia Falls, Centerville, Jonesboro, Roque Bluffs, Whitneyville, Marshfield and Machias.

Sec. 14. 30 MRSA § 105-I, last ¶, as enacted by PL 1973, c. 544, § 1, is repealed.

Sec. 15. 30 MRSA § 105-J, last ¶, as enacted by PL 1973, c. 149, § 1, is repealed.

Sec. 16. 30 MRSA § 105-O, last ¶, as amended by PL 1975, c. 53, § 1, is repealed.

Sec. 17. 30 MRSA § 105-P, last ¶, as enacted by PL 1975, c. 145, § 1, is repealed.

Sec. 18. 30 MRSA § 105-Q, last ¶, as enacted by PL 1975, c. 226, § 1, is repealed.

Sec. 19. 30 MRSA § 105-S, last ¶, as enacted by PL 1975, c. 645, § 1, is repealed.

Sec. 20. 30 MRSA § 105-T, last ¶, as enacted by PL 1975, c. 405, § 1, is repealed.

Sec. 21. 30 MRSA § 105-U, last ¶, as enacted by PL 1975, c. 334, § 1, is repealed.

Sec. 22. 30 MRSA § 106, as amended by PL 1975, c. 267, is repealed and the following enacted in its place:

§ 106. Salaries

The county commissioners in the several counties shall receive annual salaries or compensation as follows:

District members: \$3,500

At-large members: \$3,500

Municipal members: \$25 per board meeting or for each day spent in official county duties.

The salaries of district and at-large members shall be paid in monthly, semi-annual or annual payments as determined by the county commissioners, but the payments shall be made at the end of the pay period that is chosen.

The salaries of the district and at-large members shall be full compensation for all services, expenses and travel to and from the county seat, except as provided in this section. The municipal members shall be allowed all necessary traveling expenses in addition to their compensation. All county commissioners shall be allowed the charges and expenses authorized by section 55. When outside of the county seat on official business, including public hearings, inspection and supervising construction, snow removal and maintenance of roads in unincorporated townships in their respective counties, all county commissioners shall be allowed, in addition to their salaries, all necessary traveling and hotel expenses connected therewith. All bills for such expenses shall be approved by the chairman of the board of county commissioners and paid by the treasurer of that county.

On and after January 1, 1981, the salaries of the county commissioners shall be established by the county commissioners as provided in section 252 and 253, and the salaries established in this section shall no longer apply.

Sec. 23. 30 MRSA § 151, as amended by PL 1969, c. 99, is repealed and the following enacted in its place:

§ 151. Sessions

The county commissioners of each county shall hold sessions at least once each month in the shire town. They may hold other sessions or meetings as they find necessary. The county commissioners shall establish a regular day for the required monthly session, and shall give public notice of that day at least once each year.

Sec. 24. 30 MRSA § 152 is repealed and the following enacted in its place:

§ 152. Quorum

Four commissioners constitute a quorum, if at least one of them is a Municipal Member. When a quorum is not present, the commission members

present may adjourn to a convenient time and place. When no commissioner attends, the clerk may adjourn as provided in Title 4, section 112.

Sec. 25. 30 MRSA § 201, last sentence, as enacted by PL 1975, c. 736, § 2, is repealed and the following enacted in its place:

The county clerk may also serve as the county administrator, if qualified and appointed by the county commissioners.

Sec. 26. 30 MRSA § 202, 3rd ¶, 2nd sentence, as enacted by PL 1975, c. 736, § 3, is amended to read:

He ~~shall~~ may act as the clerk of the county or as county treasurer, if appointed as clerk or treasurer by the county commissioners.

Sec. 27. 30 MRSA § 202, 3rd ¶, as enacted by PL 1975, c. 736, § 3, is amended by adding at the end a new sentence to read:

He may undertake such other duties as may be authorized by the county commissioners.

Sec. 28. 30 MRSA § 202, last 2 paragraphs, as enacted by PL 1975, c. 736, § 3, are repealed.

Sec. 29. 30 MRSA § 251, 1st sentence, is amended to read:

The county commissioners shall make the county estimates, approve the county budget and cause the taxes to be assessed.

Sec. 30. 30 MRSA § 252, as last amended by PL 1975, c. 716, § 1, is repealed and the following enacted in its place:

§ 252. Estimated budget; public hearing

The county commissioners shall prepare a county budget each year that will estimate the sums necessary to defray the expenses of the county for the coming fiscal year, which have accrued or may probably accrue for the purposes set forth in subchapter II, article 9. The estimated county budget shall be drawn so as to authorize appropriations for each department or agency of the county government for the year. In the budget prepared for 1981 and every year thereafter, the salaries of county officers shall be separately established by the commissioners. The estimated county budget shall include expenditures of federal revenue sharing funds or any other federal or state grants received pursuant to section 255.

At least one public hearing shall be held in the county on the estimated county budget, prior to its final approval and adoption by the county commissioners. At least 10 days prior to the public hearing, the commissioners shall cause to be published a public notice of the hearing in a newspaper of general circulation within the county, and shall also distribute to each municipality in the county a copy of the estimated county budget. Copies shall also be available during normal business hours in the office of the county commissioners for public inspection and copies shall be provided, at cost, to any county resident.

Sec. 31. 30 MRSA § 253, as last amended by PL 1975, c. 716, §§ 2, 3 and 4, is repealed and the following enacted in its place:

§ 253. Approval and adoption of budget; fiscal year

1. **Approval and adoption of budget.** Prior to December 31st, the county commissioners shall approve and adopt a final county budget for the coming fiscal year. As part of that budget for 1981 and thereafter, the commissioners shall separately approve and adopt salaries for county officers. The final county budget shall be the estimated county budget, together with any amendments approved by the county commissioners. All amendments to the estimated county budget and the approval and adoption of the final county budget shall be only by a majority vote of all members of the board of county commissioners, and shall be discussed and adopted at a public meeting.

Copies of all approved amendments to the estimated county budget and of the final county budget shall be distributed to the clerk of each municipality of the county and to the State Auditor. A copy of the estimated county budget, amendments thereto and the final county budget shall be a public record at the office of the county clerk and each municipal clerk, and shall be retained for a period of 4 years.

2. **Fiscal year.** The fiscal year for the county shall begin on January 1st and end on December 31st.

Sec. 32. 30 MRSA § 253-A, as enacted by PL 1973, c. 229, § 2, is repealed.

Sec. 33. 30 MRSA § 253-B, as enacted by PL 1975, c. 654, § 1, is repealed.

Sec. 34. 30 MRSA § 254, 1st sentence, as amended by PL 1973, c. 155, is repealed and the following enacted in its place:

When the final county budget is approved and adopted according to section 253, the total amount of that budget is granted as a tax on the county. The county commissioners shall, in January in the year for which such tax is granted, apportion it upon the towns and other places according to the last state valuation and fix the time for the payment of the same, which shall not be earlier than the first day of the following July.

Sec. 35. 30 MRSA § 401-A, 1st ¶, as enacted by PL 1975, c. 5, is amended to read:

The county commissioners of all counties may borrow in anticipation of taxes ~~and to the extent that the county budget has not been approved by the Legislature, the county commissioners of each county may borrow~~ an amount not exceeding 80% of the ~~previous year's budget~~ final county budget.

Sec. 36. 30 MRSA c. 1, sub-c. II, art. 9 is enacted to read:

ARTICLE 9. POWERS AND EXPENDITURES

§ 431. Authorized expenditures

The county may raise and appropriate money for the purposes of operating county government, performing any duties required by law and providing any services or facilities authorized by statute.

No authority or power now existing under any other statute shall be repealed or limited by this section.

§ 432. Buildings, parks, airports, utilities

The county shall only raise and appropriate money for the purpose of providing or maintaining buildings, that are not authorized under section 301, or of providing and maintaining parks or airports, or providing water or sewer utilities, that are not authorized by law prior to January 1, 1977, when such services or facilities are authorized by a contract under section 63.

§ 433. Planning and program review

1. Exercising powers. Each county may establish a planning department and undertake the activities authorized by this section, if this is approved by a majority of the voters of the counties as provided in subsection 5. If a county undertakes planning as authorized by this section, written notice shall be transmitted to the Governor, the State Planning Office and Regional Planning Commission whose jurisdiction includes all or part of the county, and all municipalities within the county. For the purposes of this section, county shall mean a county authorized under this subsection to exercise planning powers.

2. Planning authority.

A. The county may prepare a comprehensive plan for the county which contains recommendations for the development of the county. The plan shall be advisory and shall have as its purpose the promotion of the health, safety and general welfare of county residents. The plan may contain recommendations relating to the use of land, the general location, extent, type of use, character and development of public ways, public property, public utilities and services, and for the improvement, redevelopment rehabilitation and conservation of industrial, commercial, residential, recreational and other areas. The plan may be designed to encourage the most appropriate use of land for agriculture, forestry, industry, commerce and residence; to provide adequate transportation and communication; to provide for the proper location of public utilities and services; to encourage the development of adequate recreational areas; to promote good civic design; and to encourage the judicious expenditure of public funds.

B. The county commissioners may adopt, amend or repeal all or part of a county plan by a majority vote after a public hearing. An adopted county plan and any amendments thereto may be filed with the planning board of any municipality in the county and with the State Planning Office.

3. Notice to counties to establish or change land use zones. When a municipality proposes to establish or change a land use zone or any regulation affecting the use of a zone any portion of which is within 500 feet of the boundary of another municipality located within the county, the municipality shall give written notice of its public hearing to be held in relation thereto. The county shall study such proposal and shall report its findings and recommendations thereon to the municipality at or before the hearing. If such an advisory report of the county is not submitted at or before the hearing, it shall constitute approval.

4. Local assistance.

A. The county may make recommendations on the basis of its plans and studies to local planning boards or to the municipal officers of any municipality within the county, and to any regional planning commission, state or federal authorities.

B. A municipal planning board may use any part of the county studies which pertain to the municipality in its own comprehensive plan.

C. The county may assist any of its members in solving a local planning problem. All or part of the cost of local assistance may be paid by the municipality or paid from general county revenues.

5. Referendum. The county commissioners, by majority vote, may order the submission to the voters of the question authorizing county planning services. On the written petition of a number of county voters equal to at least 20% of the number of votes cast in the county at the last gubernatorial election, the county commissioners shall order the submission to the voters of the question authorizing county planning services. The referendum on the issue shall be held within 90 days of the order, by ballot at any special or general county-wide election. The county commissioners are authorized to expend such funds as are necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which they shall state the subject matter of the authorization in the following question:

“Shall (name) county be authorized to provide planning services as provided under Title 30, section 433?”

The voters shall indicate, by a cross or check mark placed against the words “Yes” or “No,” their opinion of the same.

The county shall be authorized to provide planning services under this section immediately upon the approval of that authorization by a majority of the legal voters voting at the election; provided that the total number of votes cast for and against the approval of the authorization equals or exceeds 30% of the total votes for all candidates for Governor cast in the last gubernatorial election in the county.

This question shall not be submitted to the voters more than once in any calendar year.

§ 434. Combining services of counties

The county commissioners of each county may contract with other counties to provide combined or consolidated county services, when each county is authorized to perform the services. The contract shall meet the requirements of section 63, including the approval of the Attorney General. Pursuant to the contract, the county commissioners may also contract with other persons, organizations or governmental entities as is provided under section 63 for county-municipal contracts.

§ 435. Finance committee

The county commissioners may establish a finance committee of county residents, including county and municipal officers, legislators and interested

citizens, to advise the commissioners on the county budget. The county finance committee may be either elected or appointed as the commissioners may determine, and shall have the authority to hold public hearings, and to make public recommendations concerning the budget.

§ 436. Human services coordinator

1. **Appointment.** The county commissioners may appropriate funds to hire a county human services coordinator and may appoint some suitable person to serve as coordinator or designate a county official to undertake the coordinator's duties. The human services coordinator shall serve at the pleasure of the county commissioners, and they shall determine the compensation to be paid to an appointed coordinator.

2. **Powers and duties.** The county human services coordinator shall have the following powers and duties.

A. He shall coordinate the activities of the county in funding human services agencies.

B. He shall make recommendations to the county commissioners, and with their approval, to private agencies receiving county funds to provide human services within the county. These recommendations shall relate to the coordination of agencies providing human services within the county and shall seek to reduce confusion and duplication of services, to reduce a multiplicity of reporting forms and application documents and to insure that the county's actual needs are being met.

C. He shall review and make recommendations to the county commissioners about any request for county funds from private human service agencies.

D. He may gather information about the need for county human services and the operations of private human service agencies within the county.

E. He shall keep the county commissioners informed about the use of county appropriations to private human services agencies, and shall annually prepare a report for inclusion in the county report about county human service expenditures, direct or indirect human services and actual needs.

Sec. 37. 30 MRSA § 601, as amended by PL 1975, c. 771, § 315, is repealed and the following enacted in its place:

§ 601. Appointment

The county commissioners in each county shall appoint some suitable person to serve as county treasurer, such services to be at the pleasure of the county commissioners. The county treasurer may also serve as the county administrator, if qualified and appointed by the county commissioners, but shall not hold any other county office.

Sec. 38. 30 MRSA § 602, as amended by PL 1975, c. 771, § 316, is repealed.

Sec. 39. 30 MRSA § 603 is amended to read:

§ 603. Bond and tenure of office

The person ~~so elected and accepting the office of~~ appointed county treasurer shall give bond to the county for the faithful discharge of his duties in such sum as the commissioners order and with such sureties as they approve in writing thereon ~~and shall hold his office for 4 years from the first day of the next January and until another is chosen and qualified in his place.~~

Sec. 40. 30 MRSA § 651, last sentence, as enacted by PL 1967, c. 277, is amended to read:

The deputy treasurer shall act as treasurer in the event of a vacancy until a treasurer is ~~chosen~~ appointed in accordance with section 601.

Sec. 41. 30 MRSA c. 11 is enacted to read:

CHAPTER 11 HUMAN SERVICES BOARD

§ 1401. Establishment

Each county that expends county funds under sections 412, 412-A, 419 or 420, or under Title 34, sections 2052, 2097 or 2133, or for health or social services under sections 63 or 255, shall establish a County Human Services Board. Every other county may establish a County Human Services Board.

§ 1402. Membership

The County Human Services Board shall be established by order of the county commissioners, and shall have not less than 5 nor more than 9 members. The county commissioners shall appoint the members for 2-year terms. The board shall elect its own chairman annually.

§ 1403. Duties

1. Evaluations. The board shall establish a system for obtaining information from each human service agency requesting county or municipal funds. The information obtained shall include the services offered by the agency, the organization of the agency, the funding from all sources and such other information the board deems necessary. The board shall annually review and evaluate the information it receives and prepare a report on each agency. That report shall include an evaluation and any recommendations on the efficiency, accountability, services and budget request of each agency. The report shall be communicated to each municipality and to the county prior to October 1st.

2. Assessment. The board may establish a system for regularly assessing the needs of the county for particular human services, and shall regularly study and report on such needs assessment to the municipalities and county.

3. Conferences and recommendations. The board shall regularly confer with appropriate state departments and bureaus and private agencies about human service programs and needs, and shall provide them with all reports of the board. The board may make recommendations to state departments and

bureaus and to agencies seeking funds about the administration, financing or services of an agency seeking funds.

4. Rules and regulations. After a public hearing, the board may adopt or amend rules or regulations relating to its duties or powers under this section.

§ 1404. Clerical assistance

The county commissioners shall provide the clerical assistance, office expenses, suitable rooms and expenses as are necessary, just and proper to the performance of the board's official duties.

§ 1405. Board as county department

The board shall be deemed a department of county government and all costs of operations and expenses shall be paid from the county treasury as authorized by the county budget. The costs and expenses of the board shall be a separate line item of the county budget.

Sec. 42. 33 MRSA § 601, as last amended by PL 1975, c. 771, § 374, is repealed and the following enacted in its place:

§ 601. Appointment

The county commissioners in each county shall appoint some suitable person to serve as register of deeds. The appointment shall be for a term of 4 years.

Sec. 43. 33 MRSA § 602, as amended by PL 1975, c. 771, § 375, is repealed.

Sec. 44. 33 MRSA § 608 is repealed and the following enacted in its place:

§ 608. Removal

The county commissioner in each county may dismiss or remove a register of deeds only for cause. Cause for dismissal or removal shall be a just, substantial, reasonable and appropriate reason that relates to or affects the ability, performance of duty, authority or actions of the register, or to the public's rights or interest. Dismissal or removal shall be only by a majority vote of all members of the board of county commissioners, and after a public hearing has been held.

Sec. 45. 36 MRSA § 507 is enacted to read:

§ 507. Tax distribution on tax bill

If a municipality gives written notice to persons liable to taxation in the municipality or primary assessing area of the amount of tax due or payable, the notice shall contain a statement, in percentage or actual amount, of the amount of the total property tax assessment allocated to the county under section 753 and under Title 30, section 254.

Sec. 46. Application and transition. This Act shall take effect 90 days after adjournment of the Legislature only for the purpose of electing the mem-

bers of the county board of commissioners; and it shall become effective in all its parts on January 1, 1978, unless provided otherwise in this section.

The county budgets for 1978 shall be submitted to and approved by the Legislature as required by statutes in effect on December 31, 1977. The budget for 1979 and thereafter shall be approved in the manner provided in this Act.

County treasurers and registers of deeds elected prior to December 31, 1977, shall remain in office until the expiration of their term. The salary of these elected treasurers and registers of deeds shall not be reduced below the salary authorized by Title 30, section 2, on January 1, 1977, during the remainder of their term, without their consent. At the expiration of that term, the county treasurer or register of deeds shall be appointed as provided in this Act.

Municipal members and the at-large member of the board of commissioners shall be elected in each county on the Tuesday following the first Monday in November of 1977. They shall be elected in accordance with this Act, and shall take office on January 1, 1978.

Each county commissioner elected prior to July 1, 1977, shall remain in office until his term has expired; and he shall be deemed to be a district member of the board of commissioners from January 1, 1978, to the expiration of his term. The salary of a county commissioner, elected prior to July 1, 1977, and acting as a district member after January 1, 1978, shall not, by this Act or the action of the board of county commissioners, be reduced below the salary established by Title 30, section 2, on January 1, 1977, during the remainder of his term, without his consent. At the expiration of the present terms, the transition to 3-year terms for district members and to the new county commissioner board shall be as follows in each of the counties:

1. Aroostook. In Aroostook County, the district member of the board of commissioners for District 1 shall be elected in 1977 for a 3-year term to begin in 1978; the district member for District 2 shall be elected in 1979 for a 3-year term to begin in 1980; and the district member for District 3 shall be elected in 1979 for a 2-year term to begin in 1980.

2. Waldo. In Waldo County, the district member of the board of commissioners for District 1 shall be elected in 1977 for a 3-year term to begin in 1978; the district member for District 2 shall be elected in 1979 for a 3-year term to begin in 1980; and the district member for District 3 shall be elected in 1979 for a 2-year term to begin in 1980.

3. Somerset. In Somerset County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 2-year term to begin in 1980; the district member for District 2 shall be elected in 1977 for a 3-year term to begin in 1978; and the district member for District 3 shall be elected in 1979 for a 3-year term to begin in 1980.

4. Hancock. In Hancock County, the district member of the board of commissioners for District 1 shall be elected in 1977 for a 3-year term to begin in 1978; the district member for District 2 shall be elected in 1979 for

a 2-year term to begin in 1980; and the district member for District 3 shall be elected in 1979 for a 3-year term to begin in 1980.

5. Piscataquis. In Piscataquis County, the district member of the board of commissioners for District 1 shall be elected in 1977 for a 3-year term to begin in 1978; the district member for District 2 shall be elected in 1979 for a 2-year term to begin in 1980; and the district member for District 3 shall be elected in 1979 for a 3-year term to begin in 1980.

6. Sagadahoc. In Sagadahoc County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 3-year term to begin in 1980; the district member for District 2 shall be elected in 1979 for a 2-year term to begin in 1980; and the district member for District 3 shall be elected in 1977 for a 3-year term to begin in 1978.

7. Cumberland. In Cumberland County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 2-year term to begin in 1980; the district member for District 2 shall be elected in 1979 for a 3-year term to begin in 1980; and the district member for District 3 shall be elected in 1977 for a 3-year term to begin in 1978.

8. Washington. In Washington County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 3-year term to begin in 1980; the district member for District 2 shall be elected in 1977 for a 3-year term to begin in 1978; and the district member for District 3 shall be elected in 1979 for a 2-year term to begin in 1980.

9. Androscoggin. In Androscoggin County, the district member of the board of commissioners for District 1 shall be elected in 1977 for a 3-year term to begin in 1978; the district member for District 2 shall be elected in 1979 for a 2-year term to begin in 1980; and the district member for District 3 shall be elected in 1979 for a 3-year term to begin in 1980.

10. Oxford. In Oxford County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 2-year term to begin in 1980; the district member for District 2 shall be elected in 1979 for a 3-year term to begin in 1980; and the district member for District 3 shall be elected in 1977 for a 3-year term to begin in 1978.

11. York. In York County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 3-year term to begin in 1980; the district member for District 2 shall be elected in 1977 for a 3-year term to begin in 1978; and the district member for District 3 shall be elected in 1979 for a 2-year term to begin in 1980.

12. Penobscot. In Penobscot County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 3-year term to begin in 1980; the district member for District 2 shall be elected in 1979 for a 2-year term to begin in 1980; and the district member for District 3 shall be elected in 1977 for a 3-year term to begin in 1978.

13. Kennebec. In Kennebec County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 2-year term to be-

gin in 1980; the district member for District 2 shall be elected in 1977 for a 3-year term to begin in 1978; and the district member for District 3 shall be elected in 1979 for a 3-year term to begin in 1980.

14. Lincoln. In Lincoln County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 2-year term to begin in 1980; the district member for District 2 shall be elected in 1977 for a 3-year term to begin in 1978; and the district member for District 3 shall be elected in 1979 for a 3-year term to begin in 1980.

15. Knox. In Knox County, the district member of the board of commissioners for District 1 shall be elected in 1977 for a 3-year term to begin in 1978; the district member for District 2 shall be elected in 1979 for a 2-year term to begin in 1980; and the district member for District 3 shall be elected in 1979 for a 3-year term to begin in 1980.

16. Franklin. In Franklin County, the district member of the board of commissioners for District 1 shall be elected in 1979 for a 3-year term to begin in 1980; the district member for District 2 shall be elected in 1979 for a 2-year term to begin in 1980; and the district member for District 3 shall be elected in 1977 for a 3-year term to begin in 1978.

After completion of this transition in 1980, elections shall continue as provided under this Act in such a manner so that one district member of the board is elected each year to a 3-year term.

STATEMENT OF FACT

The purpose of this bill is to implement the minority recommendations of the study on county government by the Joint Select Committee on County Government. A detail statement of the intentions, purposes and provisions of this bill is contained in the committee's minority report. Generally, this bill does the following:

1. Changes the board of county commissioners to a 7-member board, with 3 members elected from districts, one at-large member and 3 municipal members who are municipal officers and elected by the districts. The board will be the governing and policy-making body of the county;

2. Authorizes the board of county commissioners to approve the county budget and determine county officers' salaries;

3. Grants counties the authority to establish a planning department and provide advisory planning services, if approved by referendum;

4. Grants counties the authority to coordinate and review human services provided by county and municipal funds; and

5. Provides for appointment of county treasurers and registers of deeds, and for consolidation of the offices of county administrator, treasurer and county clerk.