

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-327)

SENATE AMENDMENT "A " to H.P. 509, L.D. 637, Bill,
"AN ACT to Establish Self-Governing Provisions for Cumberland
County."

Amend the Bill by inserting after the enacting clause
the following:

'Sec. 1. 21 MRSA §1442, first paragraph, as amended by
PL 1967, c. 517, §1, is further amended to read:

The meeting of a political committee as required by
sections 1471, 1473, 1474, 1502 and 1533 and Title 30, section
103 is governed by the following provisions.

Sec. 2. 21 MRSA §1443, first paragraph is amended to
read:

The political committee which has jurisdiction over the
choice of a candidate for nomination or a nominee to fill a
vacancy under sections 1471, 1473, 1474, 1501 and, 1502 and
Title 30, section 103 is as follows.'

Further amend the Bill in section 1 in paragraph C in
subparagraph (1) by striking out all of divisions (a) and (b)
and inserting in their place the following:

<u>'(a) District members</u>	<u>\$1,500</u>
<u>(b) At-large members</u>	<u>1,500'</u>

Further amend the Bill by striking out all of sections 2
and 3 and inserting in their place the following:

'Sec. 2. 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§308, is repealed and the following enacted in its place: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

1. Cumberland County. There shall be a board of commissioner

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for Cumberland County consisting of a chairman and 6 other members. Of the 7 members, 6 members shall be resident in and elected by the voters of a commissioner district; and one member shall be an at-large member resident in the county and elected by all the voters of the county. Each member shall be elected for a term of 4 years. The chairman shall be designated by the board of commissioners at their first meeting on or after January 1st annually, to act for one year.

A. Apportionment of commissioner districts. Cumberland County shall be divided into 6 commissioner districts. Each commissioner district shall be formed of contiguous and compact territory and shall cross political subdivision lines the least number of times necessary to establish as nearly as practicable equally populated districts. The population of the county shall be the number of inhabitants of the county exclusive of foreigners not naturalized, according to the latest Federal Decennial Census, or a state census previously ordered by the Legislature to coincide with the Federal Decennial Census. In 1991 and every 10 years thereafter the commissioner districts shall be reapportioned.

B. County Reapportionment Commission. In 1991 and every 10 years thereafter, the county commissioners shall appoint a County Reapportionment Commission composed of one member from each commissioner district and one at-large member. The commission shall elect its chairman and vice-chairman.

2. All other counties. There shall be a board of commissioners for each county, except Cumberland County, consisting of a chairman and 2 other citizens, all resident in the county, who shall be elected every 4 years, or in case of a vacancy, appointed by the Governor. In the case of a vacancy in the term of a commissioner who was nominated by primary election before the general election, the commissioner appointed by the Governor shall be enrolled in the same political party as the commissioner whose term was vacant. The chairman shall be designated by the board of commissioners at their first meeting on or after January 1st annually, to act for one year.

Sec. 3. 30 MRSA §103, as amended by PL 1975, c. 771, §309, is further amended by adding at the end a new paragraph to read:

When the vacancy occurs in the Cumberland County office of county commissioners, the appointment shall be made by the remaining county commissioners, by majority vote if the term of office has 6 months or less to run. If the vacancy occurs more than 6 months before the term of office expires, the Governor shall declare the vacancy and order a special election for that district, or for the entire county if the vacancy is the at-large commissioner, as provided in Title 21, section 1444. The Governor shall order the appropriate political committee to chose nominees and shall set a time and place for them to meet. The committee shall follow the procedure outlined in Title 21, section 1442.

Sec. 3-A. 30 MRSA §105-R, as enacted by PL 1977, c. 70, §1, is repealed and the following enacted in its place:
§105-R. Creation of Cumberland County Commissioner Districts

Cumberland County shall be divided into the following 7 districts:

Commissioner District 1, consisting of legislative representative district numbers 21 (one), 21 (2), 21 (3), 21 (4) and 21 (5);

Commissioner District¹2, consisting of legislative representative districts/^{numbers}21 (6), 21 (7), 21 (8), 21 (9) and 21 (10);

Commissioner Districts 3 and 4, consisting of Cape Elizabeth, South Portland, Scarborough, Westbrook, Cumberland and Falmouth;

Commissioner District 5, consisting of Brunswick, Freeport, Harpswell, Yarmouth, North Yarmouth and Pownal;

Commissioner District 6, consisting of Baldwin, Bridgton, Casco, Gray, Harrison, Naples, New Gloucester, Raymond, Sebago, Standish, Gorham and Windham; and

Commissioner District 7 which shall be an at-large district.

The commissioners of Districts 1 through 6 shall be a resident of the commissioner district for which they are elected and shall be elected by the qualified electors of that district. The Commissioner of District 7 shall be a resident of Cumberland County and shall be elected by the qualified electors of the county.'

Further amend the Bill in section 6 by striking out after the amending clause all
of the first 2 underlined sentences and inserting in their place the following:

'Notwithstanding this section, the County Commissioners of Cumberland County shall appoint a county administrator who shall be the chief administrative official of the county and shall be responsible for the administration of all departments and offices over which the county commissioners have control. He may act as the clerk of the county if appointed as clerk by the county commissioners, and shall act as county treasurer.'

Further amend the Bill in section 8, in that part designated "§256.", subsection 2, by striking out in the first sentence the underlined word "commissioners" and inserting in its place the underlined word 'administrator'

Further amend the Bill in section 8, in that part designated "§256.", subsection 3, by striking out all of the 2nd underlined sentence and inserting in its place the following:

'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. Such notice shall state the total funds proposed in the budget, and the total increase or decrease over the previous year's budget. The commissioners shall also distribute to each municipality in the county a copy of the estimated county budget.'

Further amend the Bill in section 8, in that part designated "§256." by striking out all of subsection 9 and inserting in its place the following:

'9. Finance board. The county commissioners shall appoint a finance board of municipal officers to make recommendations to the commissioners on the county budget. The elected officers of each municipality shall nominate one of their members to be appointed by the commissioners to the county finance board. Each member shall serve a one-year term. The county commissioners shall provide necessary clerical assistance, office expenses and suitable space for meetings.'

Further amend the Bill in section 10, in that part designated "§428." by striking out all of subsection 4 and inserting in its place the following:

'4. Expenses. The county commissioners shall provide the clerical assistance, office expenses and suitable space for meetings. The clerical costs of the board shall be a separate line item of the county budget.'

Further amend the Bill in section 12, by striking out everything after the amending clause and inserting in its place the following:

'In Cumberland County, the county commissioners shall appoint the administrator to serve as county treasurer, the services to be at the pleasure of the county commissioner.'

Further amend the Bill in section 13, by striking out everything after the amending clause and inserting in its place the following:

'Notwithstanding this section, in Cumberland County the county treasurer shall give bond to the county for the faithful discharge of his duties in such sum as the commissioner orders and with such sureties as they approve in writing thereon.'

Further amend the Bill in section 14, by striking out all of the last underlined sentence and inserting in its place the following:

'In Cumberland County, the county commissioner shall appoint, and may remove for cause, some suitable person as the registrar of deeds, who shall serve at the pleasure of the commissioners.'

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Further amend the Bill by renumbering the sections to read consecutively.

Statement of Fact

This amendment:

1. Makes appropriate cross references to other statutes;
2. Reduces the salary of the county commissioner to \$1,500;
3. Clarifies the apportionment of county commissioners and establishes procedures for vacancies in office;
4. Designates the county administrator to serve as county treasurer;
5. Amends the composition of the finance board; and
6. Makes necessary amendments to insure that any of Title 30, chapter 1 is not affected for other counties.

(Clark)
 NAME: Harry Russell Clark
 COUNTY: Chamberland

Reproduced and distributed pursuant to Senate Rule 11-A.

June 7, 1979

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