



# **121st MAINE LEGISLATURE**

# FIRST REGULAR SESSION-2003

**Legislative Document** 

No. 1289

S.P. 420

In Senate, March 11, 2003

An Act Concerning County Treasurers

Reference to the Committee on State and Local Government suggested and ordered printed.

10 Brian

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator MAYO of Sagadahoc. Cosponsored by Representative BARSTOW of Gorham and Senators: BLAIS of Kennebec, DAVIS of Piscataquis, GILMAN of Cumberland, WOODCOCK of Franklin, Representative: CLARK of Millinocket.

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

Sec. 1. 30-A MRSA §156, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6, c.9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

\$156. Creation of position of appointed county
treasurer

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10 1. County commissioners' decision. Notwithstanding sections 151 and 152, the county commissioners, at least 100 days prior to the scheduled election, may decide to abolish replace 12 the position of elected county treasurer and -replace -it with an 14 appointed county treasurer. This-decision-is-not effective-until approved - by - the - voters - of - the - county - under - subsection - 3. The 16 county commissioners must provide notice of their decision to the voters of the county at least 90 days prior to the scheduled 18 election.

20 2.--Petition-by-voters.-On-the-written-petition-of-a-number of-voters-equal-to-at-least-low-of-the-number-of-votes-cast-in the-county-at--the-last--gubernatorial-election,--the-county commissioners,-by-order,-shall-provide-for-the-abolition-of-the position-of-elected-county-treasurer-and-its-replacement-with-an appointed-county-treasurer-in-the-form-and-manner-provided-in this-section,

28 A.-- The -petition -procedure -of - section -1321, - subsection -3, shall - be - used - in - this - alternative - method - except - that - the 30 legend - at - the - top - of - each - petition - form - shall - read - as follows;

#### "Gounty-of-\*\*-++++++++\*\*

Each-of-the-undersigned--votors-respectively-requests36the-county-commissioners-to--abolish-the-position-ofelected-county-treasurer-and-replace-it-with-a-county38treasurer-appointed-by-the-county-commissioners-"

- 40 B---The-procedure-after-the-petition-is-filed-is-the-same-as that-under-section-1321,-subsection-4.
- 3.-- Election procedure.-- Within 30-days after a decision 44 under -- subsection - 1 - or - the - receipt - of - a - certificate - or - final determination - of - sufficiency - under - subsection - 2, - paragraph - B, - the 46 eounty - commissioners, - by - order, - shall - submit - the - question - of - the abolition - of - the - position - of - elected - county - treasurer - and - its 48 replacement - with - an - appointed - county - treasurer - to - the - voters - of the - county - at - the - next - regular - or - special - statewide - election.

The-question-to-be-submitted-to-the-voters-shall-be-in-substance 2 as-fellows+

- 4 "Shall-the-position-of-cleated-county-treasurer-be-abolished
   and--replaced--with--a--treasurer--appointed--by--the--county
   6 commissioners?"
- 8 If --a majority of --those --voting on -this --question --vote in --the affirmative, --the -position - of --elected -county -treasurer - shall -be 10 abolished - after - the -term -of -the -current --elected -county -treasurer expires - and -the -county -commissioners --shall - appoint --a -treasurer 12 under-subsection -4,
- 14 Term; compensation; qualifications. 4. Upon abelition-of replacing the position of elected county treasurer under--this 16 seetion pursuant to subsection 1, the county commissioners shall appoint a treasurer to serve at their will and, notwithstanding 18 section 154, with the compensation they set. The treasurer must be qualified in matters of business administration and finance. The appointed treasurer has all authority granted to treasurers 20 under this subchapter and is subject to all the requirements of 22 this subchapter.

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### **SUMMARY**

Under current law, the position of elected county treasurer may be abolished with the approval of the voters and replaced with an appointed county treasurer. This bill instead allows the county commissioners to decide, on their own, to replace the elected county treasurer position with an appointed county treasurer.