

MAINE STATE LEGISLATURE

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Legislative Document

No. 1396

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In House of Representatives, June 12, 1959

HARVEY R. PEASE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

CONFERENCE COMMITTEE AMENDMENT "A" to S. P. 491, L. D. 1369,
Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

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

"Sec. 1. R. S., c. 89, § 6, repealed and replaced. Section 6 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 6. Salaries. The county commissioners in the several counties shall receive annual salaries as set forth in section 254.

Said salaries shall be in full for all services, expenses and travel to and from the county seat, including the management of the jails and workshops and the sale of their products, except that 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, they shall be allowed all necessary traveling and hotel expenses connected therewith. All bills for such expenses shall be approved by the clerk of courts and the county attorney of their county and paid by the treasurer of said county; and with the further exception of such expenses as are provided for in section 33.'

Sec. 2. R. S., c. 89, § 98, repealed and replaced. Section 98 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 98. Salaries. The clerks of the judicial courts in the several counties shall receive annual salaries as set forth in section 254.

The salaries of the clerks of the judicial courts shall be in full compensation for the performance of all duties required of clerks including those performed by them as clerks of the Supreme Judicial Court, the Superior Court and the county commissioners, or by clerks pro tempore employed by them. The sum provided for the clerk in Lincoln County shall be in full for all such services and also in full for services as clerk of Lincoln municipal court, except as provided in chapter 103, section 13. They shall account quarterly under oath to the county treasurer for all fees received by them or payable to them by virtue of the office, except fees collected by them in naturalization proceedings, specifying the items, and shall pay the whole amount of the same to the treasurers of their respective counties quarterly on the 15th days of January, April, July and October of each year.'

Sec. 3. R. S., c. 89, § 114, repealed and replaced. Section 114 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 114. Salaries. County attorneys of the several counties shall receive annual salaries as set forth in section 254.'

Sec. 4. R. S., c. 89, § 130, repealed and replaced. Section 130 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 130. Salaries. County treasurers and their deputies shall receive annual salaries as set forth in section 254.'

Sec. 5. R. S., c. 89, § 149, repealed and replaced. Section 149 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 149. Salaries. The sheriffs of the several counties shall receive annual salaries as set forth in section 254, together with free rental of the house or living apartment connected with the county jail in each county, including the necessary light and fuel. Said salaries shall be in full compensation for services in attendance upon the Supreme Judicial Court and upon the Superior Court, as jailer, master or keeper of the jail in each county, for receiving and committing prisoners therein and for the service of all criminal processes and the performance of all duties relating to the enforcement of all criminal laws. All actual and necessary expenses for travel and hotel bills within their respective counties and such necessary incidental expenses as are just and proper, incurred in the performance of their public duties, including all necessary expense for aid in keeping the jails, shall be allowed by the respective boards of county commissioners of said counties and paid from the county treasuries.'

Sec. 6. R. S., c. 89, § 215, repealed and replaced. Section 215 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 215. Salaries. Registers of deeds in the several counties shall receive annual salaries as set forth in section 254.'

The salaries of the registers of deeds shall be in full compensation for the performance of all official duties and no other fees or compensation shall be

allowed them. All registers, except in the western district of Oxford County, shall devote their entire time to the duties of the office. They shall account quarterly under oath to the county treasurers for all fees received by them or payable to them by virtue of the office, specifying the items, and shall pay the whole amount of the same to the treasurers of their respective counties quarterly on the 15th days of January, April, July and October of each year. They may make abstracts and copies from the records and furnish the same to persons calling for them and may charge a reasonable fee for such service, but shall not give an opinion upon the title to real estate. Fees charged by them for abstracts and copies shall be retained by them and not paid to the county.'

Sec. 7. R. S., c. 89, § 254, repealed and replaced. Section 254 of chapter 89 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof :

'Sec. 254. Salaries of county officers. The county commissioners, clerks of the judicial courts and their deputies, county treasurers and their deputies, sheriffs, registers of deeds, judges of probate, registers of probate, and judges and recorders of the municipal courts in the several counties 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, as follows, and no other fees, costs or emoluments shall be allowed them :

Androscoggin County: county commissioners, \$1,800; chairman, \$2,400; clerk of courts, \$4,000; county attorney, \$4,000; assistant county attorney, \$3,200; county treasurer, \$4,000; sheriff, \$4,750; register of deeds, \$4,000; judge of probate, \$4,400; register of probate, \$3,600; Auburn municipal court judge, \$3,300; recorder, \$2,700; Lewiston municipal court judge, \$3,700; recorder, \$3,250; Lisbon municipal court judge, \$1,800; Livermore Falls municipal court judge, \$1,800.

Aroostook County: county commissioners, \$1,250; chairman, \$5,000; clerk of courts, \$5,000; county attorney, \$3,500; assistant county attorney, \$2,500; treasurer, \$3,000; sheriff, \$4,500; register of deeds, northern district, \$3,000; southern district, \$3,500; judge of probate, \$4,000; register of probate, \$3,000; Caribou municipal court judge, \$3,600; recorder, \$1,800; Fort Fairfield municipal court judge, \$3,200; recorder, \$1,000; Houlton municipal court judge, \$2,600; recorder, \$1,800; Madawaska municipal court judge, \$2,400; recorder, \$900; Presque Isle municipal court judge, \$3,600; recorder, \$1,800; Van Buren municipal court judge, \$3,000; recorder, \$1,100; Northern Aroostook municipal court judge, \$3,000; recorder, \$1,100.

Cumberland County: county commissioners, \$4,000; clerk of courts, \$5,000; deputy clerk of courts, \$4,200; county attorney, \$5,000; assistant county attorney, \$3,750; second assistant county attorney, \$3,300; treasurer, \$5,000; deputy treasurer, \$3,800; sheriff, \$6,500; register of deeds, \$5,000; deputy register of deeds, \$4,000; judge of probate, \$7,000; register of probate, \$4,700; Northern Cumberland municipal court judge, \$1,700; recorder, \$600; Brunswick municipal court judge, \$4,500; recorder, \$2,500; Portland municipal court judge, \$5,500; recorder, \$5,000; South Portland municipal court judge, \$3,500; recorder, \$2,000; Westbrook municipal court judge, \$3,500; recorder, \$1,500.

Franklin County: county commissioners, \$700; clerk of courts, \$2,400; county attorney, \$2,000; county treasurer, \$1,100; sheriff, \$2,700; register of deeds, \$2,300; judge of probate, \$1,600; register of probate, \$2,200; Franklin municipal court judge, \$3,000.

Hancock County: county commissioners, \$1,200; clerk of courts, \$3,000; deputy clerk of courts, \$2,350; county attorney, \$3,300; treasurer, \$2,100; sheriff, \$3,500; register of deeds, \$3,000; judge of probate, \$3,500; register of probate, \$2,900; Bar Harbor municipal court judge, \$1,700; recorder, \$800; Western Hancock municipal court judge, \$1,700; recorder, \$800; Ellsworth municipal court judge, \$3,000; recorder, \$1,000.

Kennebec County: county commissioners, \$1,750; chairman, \$2,000; clerk of courts, \$4,200; county attorney, \$3,000; assistant county attorney, \$2,000; treasurer, \$3,750; sheriff, \$4,800; register of deeds, \$5,000; judge of probate, \$6,000; register of probate, \$4,000; Augusta municipal court judge, \$3,300; recorder, \$1,900; Gardiner municipal court judge, \$2,100; recorder, \$1,200; Hallowell municipal court judge, \$500; Waterville municipal court judge, \$3,700; recorder, \$1,600; Winthrop municipal court judge, \$1,600.

Knox County: county commissioners, \$1,000; clerk of courts, \$3,340; county attorney, \$2,800; treasurer, \$1,000; sheriff, \$3,600; register of deeds, \$3,020; judge of probate, \$2,400; register of probate, \$2,100; Rockland municipal court judge, \$2,400; recorder, \$2,000.

Lincoln County: county commissioners, \$800; clerk of courts, \$3,500; county attorney, \$2,500; treasurer, \$1,000; sheriff, \$3,000; register of deeds, \$3,200; judge of probate, \$2,800; register of probate, \$2,600; Lincoln municipal court judge, \$2,800; recorder, \$1,800.

Oxford County: county commissioners, \$1,800; chairman, \$2,000; clerk of courts, \$3,300; county attorney, \$2,800; treasurer, \$2,300; sheriff, \$3,500; register of deeds, eastern district, \$3,300; western district, \$2,200; judge of probate, \$3,800; register of probate, \$3,300; Western Oxford municipal court judge, \$1,300; Norway municipal court recorder, \$800; judge, \$2,700; Rumford municipal court judge, \$3,500.

Penobscot County: county commissioners, \$2,250; clerk of courts, \$4,350 for the year 1959 and \$4,450 annually thereafter; deputy clerk of courts, \$3,600; county attorney, \$4,200; assistant county attorney, \$3,300; treasurer, \$3,250; sheriff, \$5,500; register of deeds, \$4,100; judge of probate, \$5,000; register of probate, \$4,100; Bangor municipal court judge, \$4,000; recorder, \$3,500; Brewer municipal court judge, \$2,000; recorder, \$1,200; Dexter municipal court judge, \$1,700; Lincoln municipal court judge, \$2,500; recorder, \$1,600; Millinocket municipal court judge, \$2,500; recorder, \$1,600; Newport municipal court judge, \$1,700; Old Town municipal court judge, \$2,500; recorder, \$1,600.

Piscataquis County: county commissioners, \$800; clerk of courts, \$3,150; county attorney, \$2,200; treasurer, \$1,000; sheriff, \$3,150; register of deeds, \$3,150; judge of probate, \$2,600; register of probate, \$2,650; Piscataquis municipal court judge, \$2,500; recorder, \$900.

Sagadahoc County: county commissioners, \$1,000; clerk of courts, \$3,340; county attorney, \$2,500; treasurer, \$1,600; sheriff, \$4,100; register of deeds, \$3,150; judge of probate, \$2,650; register of probate, \$2,250; Bath municipal court judge, \$3,300; recorder, \$2,500.

Somerset County: county commissioner, \$1,000; chairman, \$1,200; clerk of courts, \$3,700; county attorney, \$3,300; treasurer, \$1,800; sheriff, \$4,000; register of deeds, \$3,800; judge of probate, \$3,500; register of probate, \$2,900; Western Somerset municipal court judge, \$3,500; Pittsfield municipal court judge, \$2,500.

Waldo County: county commissioners, \$1,000; clerk of courts, \$3,000; county attorney, \$2,500; treasurer, \$1,000; sheriff, \$3,600; register of deeds, \$2,900; judge of probate, \$2,650; register of probate, \$2,900; Waldo County municipal court judge, \$2,800; recorder, \$1,500.

Washington County: county commissioners, \$1,800; clerk of courts, \$2,500; county attorney, \$3,300; treasurer, \$2,400; sheriff, \$4,000; register of deeds, \$2,900; judge of probate, \$2,500; register of probate, \$2,800; Calais municipal court judge, \$2,400; recorder, \$600; Eastport municipal court judge, \$1,800; recorder, \$400; Western Washington municipal court judge, \$2,400; recorder, \$1,200.

York County: county commissioners, \$1,750; clerk of courts, \$4,300; county attorney, \$3,700; treasurer, \$1,750; sheriff, \$4,750; register of deeds, \$2,500; judge of probate, \$6,000; register of probate, \$3,100; Biddeford municipal court judge, \$2,200; recorder, \$1,500; Kennebunk municipal court judge, \$2,500; recorder, \$1,200; Saco municipal court judge, \$1,800; recorder, \$1,000; Sanford municipal court judge, \$2,000; recorder, \$1,350; Yorkshire municipal court judge, \$5,000; recorder, \$3,000.

The salaries above mentioned 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.

After January 1, 1962 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 no county officer shall receive a private benefit from the labor of any person in the employ of the county.

Sec. 8. R. S., c. 89, § 255, amended. Section 255 of chapter 89 of the Revised Statutes is amended to read as follows:

'Sec. 255. Clerk hire in county offices. In all county offices there shall be allowed for clerk hire the amount authorized by statute, ~~together with such additional amounts as may from year to year be authorized~~ by the county commissioners of the various counties. The salary of all clerks shall be determined by the county commissioners after receiving a recommendation from the county officer under whom such clerk is employed. The several county treasurers

shall pay weekly to the clerks employed by the county the wages to which they shall be entitled and take their individual receipts thereof. The county commissioners shall certify to the county treasurer the names of the clerks. The county commissioners may establish reasonable office hours for offices in the county building, and provide for a county pay scale for clerical help, with paid vacations of 2 weeks per year after at least a year's service and with sick pay up to 5 days a year after one year's service, and one extra day per year thereafter, said sick pay not to exceed 10 days a year.'

Sec. 9. R. S., c. 153, § 3, repealed and replaced. Section 3 of chapter 153 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 3. Judges; terms; salary. Judges of probate are elected or appointed as provided in the Constitution. Only attorneys at law admitted to the general practice of law in this State and resident therein may be elected or appointed as judges of probate. Their election is effected and determined as is provided respecting county commissioners; and they enter upon the discharge of their duties on the first day of January following; but, when appointed to fill vacancies, their terms commence on their appointment.'

Judges of probate in the several counties shall receive annual salaries as set forth in chapter 89, section 254.

The fees to which judges of probate are entitled by law shall be taxed and collected and paid over by the registers of probate to the county treasurers for the use of their counties with the exception of the fees provided in section 6 of this chapter and chapter 27, section 145, which shall be retained by the judge who collects the same in addition to his salary.'

Sec. 10. R. S., c. 153, § 22, repealed and replaced. Section 22 of chapter 153 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'Sec. 22. Registers elected; bond; salary; copies. Registers of probate are elected or appointed as provided in the Constitution. Their election is effected and determined as is provided respecting county commissioners by chapter 89, and they enter upon the discharge of their duties on the first day of January following; but the term of those appointed to fill vacancies commences immediately. All registers, before acting, shall give bond to the treasurer of their county with sufficient sureties, in the sum of \$2,500. Every register, having executed such bond, shall file it in the office of the clerk of the county commissioners of his county, to be presented to them at their next meeting for approval. After the bond has been so approved, the clerk shall record it and certify the fact thereon, and retaining a copy thereof, deliver the original to the register, who shall deliver it to the treasurer of the county within 10 days after its approval, to be filed in his office.'

Registers of probate in the several counties shall receive annual salaries as set forth in chapter 89, section 254.

The salaries of the registers of probate shall be in full compensation for the performance of all duties required of registers of probate. They may make copies of wills, accounts, inventories, petitions and decrees and furnish the same to persons calling for them and may charge a reasonable fee for such service. Fees charged by them for such copies shall be retained by them and not paid to the county. Exemplified copies of the record of the probate of wills and the granting of administrations, guardianships and conservatorships, copies of petitions and orders of notice thereon for personal service, appeal copies and the statutory fees for abstracts and copies of the waiver of wills and other copies required to be recorded in the registry of deeds shall be deemed to be official fees for the use of the county.

Nothing in this section shall be construed to change or repeal any provisions of law requiring the furnishing of certain copies without charge.'

Sec. 11. P. L., 1959, c. 41, § 1, repealed; limitation. Section 1 of chapter 41 of the public laws of 1959, heretofore passed by this Legislature, amending that part of section 114 of chapter 89 of the Revised Statutes which relates to Cumberland County, is repealed and shall not be printed as part of the session laws of 1959.

Sec. 12. Private and special laws amended. All private and special laws, providing salaries and clerk hire for judges and recorders of municipal courts to be paid from the county treasury, shall be amended to read, in place of the salaries set forth therein, 'shall receive such salaries as established by the Revised Statutes of 1954, chapter 89, section 254, as amended,' and further amended by striking out all provisions for clerk hire.

Sec. 13. Effective date in certain counties. The salaries set forth in section 7 as they relate to the Counties of Androscoggin, Aroostook, Hancock, Kennebec, Knox, Lincoln, Piscataquis, Somerset, Waldo and York shall be retroactive to January 1, 1959.

Sec. 14. Effective date. The salaries as set forth in section 7 shall be effective October 1, 1959, except as otherwise provided in this act."