

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

1. Certain discussions concerning employees or appointees. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining or resignation of public officers, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against such persons; provided that any person charged, investigated or otherwise under discussion shall be permitted to be present at such executive session if he or she so desires;

2. Dismissal of public official or employee. Discussion or consideration of the dismissal of any public official or employee;

3. Condition, acquisition, use or disposition of property. Discussion or consideration of the condition, acquisition or the use of real or personal property or interests therein or disposition of publicly held property if premature disclosure of such information would prejudice the competitive or bargaining position of the body or agency;

4. Certain labor negotiations. Negotiations with employee representatives under collective bargaining laws;

5. Certain legal consultations. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's counsel to his or her client pursuant to the code of professional responsibility clearly conflicts with this subchapter or where premature general public knowledge would clearly place the state, municipality or other public agency or person at a substantial disadvantage;

6. Adjudicative deliberations. Deliberations by a body or agency acting in an adjudicative or quasi-judicial capacity. The hearing of evidence is not to be construed as deliberations.

7. Discussion of information in certain records. Discussion of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute.

Effective October 1, 1975

CHAPTER 423

AN ACT to Authorize County Commissioners to Provide or Contract for Certain County and Municipal Services.

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

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;
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 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.