MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE FIRST SPECIAL SESSION

January 19, 1976 to April 29, 1976

AND THE SECOND SPECIAL SESSION

June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

cept clerks of court, 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 the service of civil process and of sheriffs and their deputies not on a salary or per diem basis to receive fees for service of criminal process, and no county officer shall receive a private benefit from the labor of any person in the employ of the county. The fee payable to clerks of courts shall be payable by them as elsewhere provided by law; or in the absence of express provision, to the State. Fees chargeable by sheriffs and their deputies for service of civil process shall be collected by them exclusively from the litigants. Fees chargeable by sheriffs and deputies not on salary or per diem for service of criminal process shall be approved by the respective district attorneys, and paid by the respective county treasurers.

Effective July 29, 1976

CHAPTER 736

AN ACT To Enable Counties to Hire County Administrators.

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

Sec. 1. 30 MRSA § 61, as enacted by P. L. 1975, c. 494, is repealed.

Sec. 2. 30 MRSA § 201, as repealed and replaced by P. L. 1975, c. 254, § 5, is amended by adding at the end the following new sentence:

In counties having a county administrator, the administrator shall also perform the duties of the clerk of the county, and the commissioners shall not appoint a clerk.

Sec. 3. 30 MRSA § 202 is enacted to read:

§ 202. County Administrator

The county commissioners of all counties are authorized and empowered to appropriate funds for the hiring of a county administrator. The county administrator shall be chosen by the board of county commissioners solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, the duties of office as set forth in the policies established by the board of county commissioners and by law. At the time of his appointment, he need not be a resident of the county, but during his tenure of office he may reside outside the county only with the approval of the board of county commissioners. A county administrator may not hold any other elective or appointed county office, except as provided in this section.

The county administrator shall hold office for an indefinite term unless otherwise specified by contract. The county commissioners shall determine

the compensation of the county administrator. The county administrator may be removed or suspended for cause by the county commissioners in accordance with the procedure for removing or suspending a town manager under section 2313. In the absence or during the disability of the county administrator, the county commissioners may appoint an official of the county to perform the duties of the administrator.

The county administrator 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 shall act as the clerk of the county. He shall act as purchasing agent for all departments and offices of the county, provided that the county commissioners may require that all purchases greater than a designated amount shall be submitted to sealed bid. He shall attend all meetings of the county commissioners, except when his removal or suspension is being considered. He shall keep the county commissioners and the legislative delegation of the county informed as to financial condition of the county and shall collect all data necessary for the preparation of the budget.

If the county commissioners hire a full-time county administrator, they shall not appoint another person as clerk of the county.

Notwithstanding section 2 and any other provision of law, if the county commissioners hire a full-time county administrator, they shall forgo the. annual salary otherwise due them and shall only receive $25 each for each meeting attended and reimbursement for travel at the same rate established for state employees.

Effective July 29, 1976

CHAPTER 737

AN ACT Relating to the Effective Dates for School Lunch Programs and Occupational Safety and Health in Public Employment.

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

20 MRSA § 1053, 2nd sentence, as enacted by PL 1973, c. 607, § 2, is amended to read:

The commissioner, with the authorization of the board, shall establish and maintain nutritional standards and regulations for all school food service and shall require all public schools to establish no later than September, 1974, nonprofit food services which shall participate in the National School Lunch Program and shall as a minimum make available meals that meet nutritional standards no lower than those established by the United States Department of Agriculture for Type A meals served pursuant to said National School Lunch Program; provided that the commissioner, upon proper application, may, with the authorization of the board, permit a public school to postpone