

# MAINE STATE LEGISLATURE

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Report by

THE MAINE  
INTERGOVERNMENTAL RELATIONS COMMISSION

ON

C O U N T Y G O V E R N M E N T

TO

Governor John H. Reed  
Members of the 103rd Legislature  
General Public

November 1966

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MAINE INTERGOVERNMENTAL RELATIONS COMMISSION

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I N D E X

	<u>Page</u>
PART I	
A Look At The Development Of County Government In Maine .....	1
PART II	
Reports From The Counties .....	7
PART III	
Section 1	
Comparison Of County Sheriffs' Departments With The State Police .....	12
Section 2	
Comparison Of County Jails With State Penal Institutions .....	17
Section 3	
County Attorneys .....	21
PART IV	
Recommendations For Changes In County Government .....	26

## P A R T I

### A LOOK AT THE DEVELOPMENT OF COUNTY GOVERNMENT IN MAINE

A brief history of the development of county government in a New England state, such as these few paragraphs purport to do, will not be the exciting and stirring drama of political conflict, factional clashes, and eventual compromise so identified with the development of the more significant institutions of state and national governments, for the very character of county government denies to itself the more controversial aspects of the governing process. A New England county enjoys, more accurately, rather than a government, only part of a government for it lacks that power essential to all bodies governing in full to decide its policies and cast its future for itself and is relegated to the less viable task of merely carrying out policies once they have been made by another. Thus, the controversies and hammered compromises so often related to any institution identified as government take place not within but rather outside the county structure, and the policies, now decided and tame, are passed on to a part of government responsible only for their administration. The development of such a governing level, then, is a history not of controversy but only of necessity.

The essential character of county government, and one which is responsible for its incompleteness as a directive body and its role as almost that of an administrative district, is its lack of any basis as a unit of local self-government. The counties derive no powers directly from the people of the State, but are rather entirely creatures of the legislature. They were created by the legislature and their powers are controlled by the legislature. They may even be abolished as the institutions known today by the legislature, if that body so wished. Far from being responsive to the wishes of the people and directly responsible for their direction, they are rather responsible for administering those wishes only after they have been determined by another body. Their creation by a higher governing body rather than by the people themselves, has left something less than fully governing units.

Thus, even though its predecessor and precedent, the old Anglo-Saxon shire in England, enjoyed a firm local autonomy, the county in New England has been granted the exercise only of those powers delegated to it by the State. It is a "quasi-corporate" body, and may exercise its powers only in furtherance of its stipulated functions. It is entirely dependent upon the legislature not only for its existence but for its effectiveness as well, for even though the county recommendations are usually accepted the legislature alone can finally designate the county tax and thereby determine the county income.

As limited as this power of county government in New England is, however, it is even further minimized by the high status of the individual town in the governmental structure. Whereas in many states the county does enjoy a somewhat greater expanse of authority, New Englanders pride themselves on their towns, controlled by their historic and democratic town meetings, as the basic unit of government. It is a town function, for

example, in cooperation with the state government to provide for the education of its younger citizens. The county contributes somewhat to educational programs, principally for unorganized territories, but it is primarily a town responsibility. It is a town function, too, again in cooperation with the state government, to provide for the administration of various health programs. Again, while the county may contribute somewhat to programs for the mentally retarded, the town and state are primarily responsible for public welfare measures. And it is a town function in cooperation with state government to provide for construction and maintenance of highways, although in Maine it is also a county responsibility to maintain roads in the unorganized territories.

The major functions which do involve county responsibilities include keeping the peace, maintaining records, and the administration of justice. A sheriff's department is established in each county to assist state and local police units and to maintain a police force of its own. Most of them maintain a jail as well. Counties, for the most part, are considered highly effective divisions for keeping track of property transactions and a complete record of deeds and probate proceedings are kept by each. In two, Aroostook and Oxford, there are two registry districts each.

Finally, the judicial organization of Maine revolves almost entirely around county boundaries. A county courthouse is maintained and a county attorney is charged with prosecuting most of the cases arising within his territory. Although the recent district court districts transcend boundaries of the counties in many instances, the Superior Court and probate courts still follow along county lines. A Board of County Commissioners in each county is responsible in general for the county property and the exercising of its corporate powers but lacks any over-all authority over other county offices.

The development of even such relatively mechanical functions, however, has been gradual and has evolved as the needs of the people have demanded. As noted earlier, the concept of county government was transplanted along with the settlers from England, and in Maine the offspring of that concept was established and expanded as the needs of a growing population dictated.

In its early history, most of the District of Maine was comprised of one county, called Yorkshire. By 1670, a rudimentary system of administration had been perfected, adequate to meet the needs of the area at that time. There were several commissioners in the various towns of the District with the authority of magistrates to perform the small legal functions necessary to keep the law of a well-ordered community. They were responsible for such common-place duties as trying small cases, solemnizing marriages, and acknowledging deeds, and thus contributed to the idea that these functions should be as close to the area affected as possible.

During the next few years, the territory continued to expand, and local commissioners continued to perform the necessary duties in the newly opened areas. In 1674, the Massachusetts legislature directed that a county court (a term designating in this sense more of a legislative body than a judicial court) be convened and that taxes be levied. A county treasurer was appointed for this purpose.

To this point, even though governed and directed generally by the legislature of Massachusetts, the sole county in Maine seemed to be in control of its own affairs to a far greater extent than the various counties are now, even to the extent of levying its own taxes. But in 1675, a particularly severe Indian conflict served to tighten the strings of distant control around the gradually expanding sphere of self-government in the District. Indian wars had been fought periodically ever since the first settlements in the colonies, but the mounting burden of expense in 1675 caused the Massachusetts General Court to levy a tax on all of the colony's towns. It marked the first time the inhabitants of Maine had ever paid a general tax into the colonial treasury.

About this same time, another conflict which could have impeded the progress of the territory greatly was also settled. For many years, the question of just who owned the vast territory of Maine was in dispute. Apparently, grants had been made by the King of England and deeds had been transferred with the result that several succeeding Englishmen believed that they were vested of a rather sizeable estate, and the Colony of Massachusetts was just as convinced that the territory of Maine lay within her boundaries. In 1677, the matter was finally settled with a large sum of money going to the Englishman Gorges and undisputed recognition of the entire District as part of the Massachusetts colony granted in return.

By 1680, a large step indeed had been taken in providing the area with a greater amount of self-government. The Massachusetts legislature had decided that a Provincial President should be established and that he govern the province on a yearly term. A legislature was to be comprised of two bodies. One, the Standing Council, was to be appointed by a Board of Colony Assistants, and the members were to be judges of the Supreme Court and magistrates throughout the Province as well. The second was to be comprised of popular delegations from the various towns. Responsibility for the administration of Provincial affairs was to be vested in this legislative body.

Under these conditions, the Province continued to grow, until by 1716 the County of Yorkshire extended all the way to the St. Croix River. At times petitions for new counties were filed, but were not yet passed into law. By 1760, however, inhabitants at the northernmost points of the territory found it extremely inconvenient to have the sole shire town at York, and even those in heavily populated areas not quite so far north felt that they deserved separate recognition as a county. For the first time since the settling of the area well over a hundred years earlier, two new counties were to be formed, and Cumberland and Lincoln were thus established. The county offices at that time consisted of a sheriff, a judge of common pleas, a judge of probate, a register of probate, a county treasurer, and a register of deeds.

With the forming of these two counties, movements already underway for establishing even further new counties were given a great impetus. The population had greatly increased to the north, and the inconvenience of traveling very far to the shire town was great. In 1789, after only a comparatively few years, Washington and Hancock, named after two prominent heroes of the recent revolution, were established.

In the 1790's, even further improvements for the administration of the Province were made. A District Court for the entire Province was established. In 1796, the records of the various Superior Judicial Courts, previously kept in Boston, were removed to the several counties, and Clerks were appointed where they were previously non-existent to take care of them.

Meanwhile, the population of the territory continued to expand inland. The inhabitants of Kennebec Valley had petitioned almost fifty years earlier to have their own county but had failed at the time. In 1799, however, their continued efforts were successful and the County of Kennebec was formed.

In the same year, a significant development occurred in what was left of the County of York. The volume of real estate transactions had increased so greatly that it became necessary to establish two districts within the county for the purpose of registering deeds. Fryeburg, more to the inland of the county, became the second shire town.

It was not long, however, before growing inland population surrounding Fryeburg began to catch the fever of establishing a separate county for themselves, and in 1805, only six years after the division of York into two districts, Oxford County was formed, with Fryeburg included in it. Only a year later, Oxford was itself divided into two districts for the purpose of registering deeds, with one seat at Fryeburg and the other at Paris.

Meanwhile, the political rivalries of the period as well were to have their effect on the mushrooming county governments. In 1807, James Sullivan, a member of the era's Democratic Party, was elected governor, and a barrage of legislative acts followed. The County Attorney by that time had become one of the county offices, and in the wake of the legislative change in that year, appointment of the office was vested in the Governor and his Council. The Democrats were unable to retain control, however, and two years later, in 1809, the act authorizing appointment of county attorneys by the Governor was repealed. Yet the unpredictability of politics was dramatically evidenced again when two years later it was reestablished that the Governor should appoint the county attorneys.

The political jockeying of the day could not affect the continued proliferation of the counties themselves, however, for two more inland counties were added to the growing list. In 1809, Somerset joined her sisters as a separate county. And in 1816, Penobscot became the last county to be established before Maine's long awaited separation from Massachusetts.

Immediately after 1820, in the original Constitution of the State, selection of county officers was largely by gubernatorial appointment. Future years would gradually bring changes but for the first few years of statehood the offices of sheriff, county attorney, clerk of courts, register of probate, coroner, and all judges were appointed by the Governor. Only the county treasurer and the register of deeds were elected by their various counties.



The first four decades of statehood also brought the rapid expansion of the State to its present number of sixteen counties. In 1827, the coastal region gained the new county of Waldo. In 1838, both Franklin and Piscataquis were established. In 1839, Aroostook became the nation's largest county. In 1854, while the nation as a whole was grasping at its last desperate compromise to avert warfare, both Androscoggin and Sagadahoc were formed. And in 1860, as the nation finally succumbed to the terrible rend that had been building for years, Knox was joined to the State as the last of her now sixteen counties.

Those same four decades, however, also brought many political as well as geographical developments within the State's counties. In the earlier colonial eras of the territory, the lowest courts had been comprised of the justices of peace of each county. Besides having the judicial functions over criminal matters and powers to summon juries and lay out rules of practice, these courts had also such duties as laying out highways, superintending houses of correction, granting licenses to inn keepers and retailers, and taking charge of the financial affairs of the counties. But in 1804, the strictly judicial duties had been transferred to a court of common pleas, and the administrative duties were left in the hands of the local administrators.

In the years immediately following statehood, the organization of the lower courts in the State was erratic. The Court of Sessions, as the judicial and administrative body was called, consisted of a Chief Justice and anywhere from two to four associate justices in each county. By 1825, however, the standard composition of a Chief Justice and two associate justices had been made uniform throughout the State and the beginnings of the present system of county commissioners were clearly discernable. A few years later in 1831, the development was formalized when the administrative duties of these courts were transferred to three county commissioners who were to be appointed by the Governor and his Council for each county. And in 1842, the development was completed when the office of county commissioner was made elective by the people of the various counties.

This political trend toward the popular election of county officials continued to grow to such proportions that in 1855 an amendment to the State Constitution, which had stood since 1820, was passed. The sheriffs, judges and registers of probate, and the judges of the municipal courts, heretofore all appointed by the Governor, were now made elective by the people of their county. The choice of the State's attorney general was at the same time taken from the Governor and vested in the legislature.

The development of the various counties over the years has also provided the State with logical divisions for its judicial system. A Supreme Judicial Court for the State is appointed by the Governor. A Superior Court, also appointed by the Governor, holds its terms in each of the counties. Inferior courts have been established within county boundaries; until recently, trial justices and judges of municipal courts, serving anywhere from one or several towns to an entire county, have been appointed for each county by the Governor. Probate proceedings in Maine have been kept separate from the overcrowded judicial dockets, and a separate probate court and judge have been maintained in every county.

The 100th session of the legislature, however, has changed the inferior court system considerably. In many cases these lower court divisions now no longer follow along county boundaries alone. The trial courts and municipal courts have been abolished and their jurisdictions have been assumed by a newly formed District Court. The thirteen judicial districts in most cases now transcend county lines but the judges of these courts continue to be appointed by the Governor.

Thus has the administration of county government developed over the past. Although many of the county offices were originally appointive, they have been changed, in some cases many times, until they are now nearly all elected by the people of the various counties. The three county commissioners are elected for six year terms. The county attorney and sheriff are both now elected for two years, although either or both may be removed from office by the Governor for failure to perform his duties as prescribed by law. The county treasurer, register of deeds, clerk of courts, judge of probate, and register of probate are all elected for four year terms. Only the very minor county offices, such as the probation officer or medical examiner, remain appointive by the Governor.

County government in Maine, then, has developed not as a result of controversy and compromise but rather as a result of a transplanted tradition and expanding needs of the people. With the New England town governments enjoying most of the local policy making functions, the counties have been responsible for carrying out only those functions delegated to them by the legislature. Lacking the ability to determine their own future, they have missed as a result, the political wars and compromises on their own level which ultimately could have contributed to a far stronger county function. The few actual political differences having any affect on them at all were slight and at that were decided on an entirely different governmental level. Yet the concept of the county had survived in the colonies and was adapted to perform certain administrative functions best handled over an area larger than one town. And as the population grew and moved further and further away from the shire town, mere necessity and convenience caused additional counties to be formed. Thus it is that the New England county of today has little to say about its own destiny but quietly contributes its efforts primarily towards keeping the peace, maintaining needed records, and lending itself to the judicial system of the State.

## P A R T   I I

### REPORTS FROM THE COUNTIES

In keeping with the desire of the Commission to learn as much about the counties and their functions as possible, each of the sixteen counties was requested to complete and return an extensive and detailed questionnaire submitted to them by the Commission. All sixteen of the forms have been returned, but in most the detail requested is at best simply incomplete and in some cases nearly totally lacking. The answers which have been included, however, provide at least an indication of the services provided by counties in the State of Maine and the cost of those services to the citizen of the State, for the purpose of the questionnaire was to provide the answers to precisely those two questions. The information given in the returned reports is purportedly based upon 1963 statistics. Just what the numbers for services provided represent will be explained in each case, but the total operating cost for each service will include, where applicable, cost for personal services, supplies, contractual services, communications, fuel and utilities, equipment, debt service, and miscellaneous expenses.

One of the most important functions of the county is to provide a certain amount of law enforcement for the State. Each county maintains a sheriff's department with a number of deputies and most of the counties also maintain a county jail. The statistics on the services and costs of both the sheriff's departments and the jails are given in two later sections of this report, comparing them with those of the state police and the state prisons respectively.

A second very important function of the county in Maine is the maintenance of legal records. Each county maintains an office of the Clerk of Courts to keep a record of the proceedings of the judiciary in the county and a Register of Deeds to maintain the records of real estate transactions and legal titles within the county. The number of recordings made by these two offices throughout the State may serve as an indication of extent of the services they provide.

The Clerk of Courts in each county was asked for the number of criminal cases handled, the number of civil cases handled, the number of naturalization cases, the number of cases appealed from lower courts, the number of indictments and hearings handled by the grand jury, the number of probation cases handled, the number of divorce proceedings, and the number of informations handled. The figure given is the combined total of all the above from each county. It does not provide a complete picture for not all the counties were thorough in providing the information requested and one county gave none of the information whatsoever. The figures which were obtained, however, totaled 18,561. The total operating cost expended in providing these services was obtained by combining the totals of the counties reporting, but again one county gave no figure. Those which did report totaled \$196,834.41.

The Register of Deeds of each county was asked to report the number of deeds recorded, the number of mortgages recorded, the number of foreclosures

recorded, the number of certificates of corporation recorded, the number of attachments recorded, the number of Indian records recorded, the number of plans recorded, the number of log marks recorded, and the number of corporation file papers. Again, not all the reports returned were complete, for not every county answered all of the above questions. The figures which were given, however, totaled 82,839. In addition, the registers were asked for the number of pages of record photographed and typed. All sixteen counties answered this question and the total was 185,814. The total operating cost expended by all the counties in providing these services was next to be determined. The figure given is incomplete, for not all the expenses of some of the counties are included and one county failed to report any expenses at all. The figures which were given, however, totaled \$300,712.91.

Besides contributing to law enforcement and the maintenance of records, counties perform a third important function for the State in contributing to its judicial system. Although court jurisdictions could easily be defined without the aid of the counties, they have traditionally followed along county lines, and the counties do provide space for the courts' proceedings. The new district court system does transcend county lines, and information about these courts was not asked for in the questionnaire. Since the municipal court system has now been abolished, information regarding these courts will not be included. The information obtained regarding the Supreme Court, the Superior Court, and the probate courts, however, is here reported.

The figures given for the Supreme Court are very much incomplete. To the questions requesting the number of days held in full court sessions and the number of courts held by a single justice, most of the counties, even those where the Court regularly sits, answered either not at all or merely replied "occasional". The figures which were given in answer to these two questions totaled 160. The number of offices and courtrooms furnished the Court was also requested but only five counties gave any figures at all. These totaled 36. Only four counties reported any operating expense in connection with the Court and even those were incomplete. Nevertheless, the total given was \$5,190.71.

The information requested about the Superior Court from each county included the number of days of court held both with a jury and by a single justice. All but two counties answered this question and the total reported was 1,138. The number of offices and courtrooms furnished this court was also requested, and twelve replied. Of those reporting, the total was 83. A total operating expense in connection with the court was reported by fifteen of the counties, but not all were complete. The figures given totaled \$381,009.86.

Besides providing space as needed for the Supreme and Superior Courts, each county maintains a probate court of its own. To gain an indication of the extent of the services provided, each was asked for the number of wills filed, the number of wills processed, the number of dockets prepared, the number of estates of deceased persons handled, the number of adoptions handled, the number of custody cases handled, the number of name-changing cases, the number of committals handled, the number of guardians appointed, and the number of miscellaneous cases handled. Although a few of the questions were not answered, the report was generally fairly complete and the figures came to a total of 19,867. The number of days in session was also requested.

Seven counties reported a continuous session, and the other nine totaled 1,587 days. The reports of the total operating costs of these courts were not quite so thorough. One county gave no report of expenses at all and most of the other county totals were incomplete. Nevertheless, the figures which were given totaled \$202,412.57.

An aid to the judicial system is maintained in each county in the form of a law library. Although only ten of the counties have given very much information about this function, the total number of volumes reported of state reports, reporter systems, encyclopedias, treatises, etc., is 106,824. Only one county failed to give any figures whatever for its total operating expense but the other fifteen reported a total of \$42,184.45.

Each county also maintains a county attorney's office to direct the administration of justice within the county. An extended discussion of the services and costs of the county attorneys as well as their personal opinions of some suggested changes in the system is given in a later section of this report.

A county treasurer is also maintained in each county to administer the county funds. To give an indication of the extent of the service provided, each treasurer was asked, among other questions, for the number of receipts issued, the number of checks drawn and the number of payrolls prepared. Two counties gave no answers whatsoever, but the other fourteen totaled 53,722. The total operating cost for the treasurers was reported by fourteen counties but in many cases were not complete. The figures given, however, totaled \$52,484.17.

A board of three county commissioners in each county is maintained to exercise the corporate powers of the county and dispose of the county property. Each was asked for the number of meetings held and the total of fifteen counties was 573. Each was asked also for the number of hearings held and the total of thirteen counties was 149. Finally, each was asked for the number of county bills processed and the total again of thirteen counties was 17,181. A total operating cost of the county commissioners was given by all but one of the counties but many of those given were incomplete. The total of those figures which were reported, however, was \$165,066.21.

Medical examiners and fire marshalls are also maintained in each county. The medical examiners were asked for the number of cases investigated and handled. Twelve returned a total of 1,261. A total operating expense was given by fifteen of the counties but in many cases was incomplete. The total of the figures given is \$55,736.61. The fire marshalls were asked for the number of fires investigated and the number of fires suppression work carried out. Not one county returned a single figure given this information or indicating the services thus provided their citizens. The expense of maintaining a fire marshall, however, was given by two counties and these came to a total of \$6,180.80.

The counties also aid the State greatly in maintaining the civil defense network. For once, the questions asked were fully and completely answered by all sixteen counties. The number of man hours for civil defense training given totaled 26,831. The number of man hours of alert totaled 2,375. The number of county civil defense meetings and drills was given as 1,072. The

total value inventory of equipment in possession of the department was given as \$782,058.00. A total operating cost was reported by all but one county and the combined figures totaled \$147,894.50.

The number of county buildings was requested and twelve reported a combined total of 29. The total operating expenses for the buildings, reported by fourteen of the counties, was a combined total figure of \$340,928.62.

Besides performing their principal functions, the counties provide a certain amount of aid in maintaining highways. Information returned regarding these activities, however, was very light. Only four counties reported the number of miles of municipal road lines established and owned. These totaled 158.65. Only two reported the number of bridges maintained and owned and these totaled 46. The expense of continuing this function, however, was reported by ten of the counties and totaled \$285,627.45.

The share of the county expense in maintaining and operating the county extension service was reported from all sixteen of the counties. The combined total was \$190,840.00.

Finally, the expenses of the general account spent for such things as advertising costs, cost of the audit and any miscellaneous services under this account, was reported from twelve counties. The total was \$304,278.09.

The counties were next asked for the amount of money they received and the sources of these receipts. One county reported none of the financial information requested and many of the others are incomplete. The figures given are the totals of the information which has been received. The general fund receipts requested included those received from taxes and those received from other resources. The taxes were those on municipalities, unorganized townships, personal property, and other undedicated taxes, and they totaled \$3,402,409.95. The other revenues mentioned included fines and costs, fees of office, services rendered, rent of courtrooms, interest, escheated probate court deposits, sales of land and buildings, accounts receivable, and miscellaneous items. The total received was \$1,548,031.39. The total of general fund receipts was \$4,950,441.34.

The dedicated receipts requested included those for road repair, fire protection tax, excise taxes, those received from the state treasurer for such things as snow removal, state aid, town road improvement, and civil defense, those received from the federal government for civil defense and any other, agricultural fair receipts, and miscellaneous other dedicated receipts. The total was \$485,064.14.

Added to these two primary sources were the amounts received from borrowing in anticipation of taxes, other borrowings, those amounts in capital reserve funds, and the cash on hand at the beginning of the year. These came to a total of \$2,182,940.37.

The total of receipts reported, then, was \$7,618,445.85.

### SUMMARY OF CASH DISBURSEMENTS

Supreme Court .....	\$ 5,190.71
Superior Court .....	381,009.86
Clerk of Courts .....	196,834.41
County Attorneys .....	135,453.79
Medical Examiners .....	55,736.61
Fire Marshalls .....	6,180.80
Sheriff's Department .....	606,952.10
Jails .....	271,984.22
County Buildings .....	340,928.62
Probate Court .....	202,412.57
Register of Deeds .....	300,712.91
County Treasurer .....	52,484.17
County Commissioners Court .....	165,066.21
Civil Defense .....	147,894.50
County Extension Service .....	190,840.00
Highways .....	285,627.45
Law Library .....	42,184.45
General Account .....	304,278.09
Employee Retirement, Life Insurance, Social Security Taxes .....	165,374.29
Payment Tax Anticipation Loans .....	<u>815,267.76</u>

TOTAL CASH DISBURSEMENTS.....\$4,672,413.52

### SUMMARY OF CASH RECEIPTS

#### General Fund Receipts:

Taxes .....	\$3,402,409.95
Other Revenue .....	<u>1,548,031.39</u>
Total .....	\$4,950,441.34
Dedicated Receipts .....	485,064.14
Borrowings, Capital Reserve Fund, Cash on Hand.	<u>2,182,940.37</u>

TOTAL CASH RECEIPTS..... \$7,618,445.85

As has been stated previously, this report has been a compilation of the figures returned to the Commission by the counties themselves. In many cases as noted throughout the report, the figures returned were incomplete and often no response to a question was given at all. It is unfortunate that more complete reports were not always available, but the figures which were obtained were included in the final tabulation. It is hoped that the results of these at least will give some indication of the services provided by the counties in Maine and the costs of those services to the people of the State.

P A R T    III  
Section 1

COMPARISON OF  
COUNTY SHERIFFS' DEPARTMENTS WITH THE STATE POLICE

The purpose of this section of the report is to provide a comparison of the services and the costs for those services provided by the various county sheriffs' departments with the services and the costs for those services provided by the state police force. To accomplish this aim, several questions were asked each of the sixteen sheriffs' departments. The answers were to cover the services and costs of the department for a period of one year. When received, the answers from each of the sixteen departments were combined to give one total figure covering the sheriffs' activities in the entire State for each question asked. Some of the answers received were given as estimates and are noted as such throughout the report.

The state police force was then asked the same group of questions, and the answers given were naturally the totals covering the entire State. A few of the questions asked were more pertinent to sheriff departments than to state police, but it has been noted where the state police have had little to do with the service provided.

The two groups of totals obtained, then, provide an adequate basis for comparing the services and costs of the sheriffs' departments with the state police for the entire State.

The first information requested from the sheriffs was the number of the investigations for felonies conducted in one year. The total of the sixteen counties is 1,658. The total number of investigations for misdemeanors was also requested and the sixteen reported a total of 4,238.

The state police did not have their information broken down into the categories of felonies and misdemeanors, but the total number of investigations for the two was given as 4,621.

Sheriffs

Investigations for Felonies .....	1,658
Investigations for Misdemeanors.....	<u>4,238</u>
Total.....	5,896

State Police

Investigations (Felonies & Misdemeanors) ....	<u>4,621</u>
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The number of arrests for both felonies and misdemeanors was then requested, and again all sixteen of the counties had the information available. The total number of arrests for felonies amounted to 566. The arrests for misdemeanors totaled 1,356.

Again, the state police were unable to divide the arrests into felonies and misdemeanors, but the total of arrests for the two was reported as 2,809.



Sheriffs

Arrests for Felonies ..... 566  
Arrests for Misdemeanors ..... 1,356  
Total.....1,922

State Police

Arrests (Felonies & Misdemeanors).....2,809

The number of investigations for motor vehicle violations was next requested and again all sixteen counties were able to provide the figure. The total was 954.

For the state police, the number of motor vehicle warning cards issued and motor vehicle defective equipment warnings were placed in this category. The total was 110,000.

Sheriffs

Investigations for Motor Vehicle Violations .... 954

State Police

Motor Vehicle Warning Cards Issued ....25,000  
Motor Vehicle Defective Equipment  
Warnings.....85,000  
Total.....110,000

The number of arrests for motor vehicle violations was next requested. The sixteen counties reported a total of 888.

The state police reported a total of 19,564 arrests for motor vehicle violations.

Motor Vehicle Violations

Sheriffs ..... 888  
State Police .....19,564

The number of motor vehicle accidents investigated was requested and again reported from all sixteen counties. The total was 446.

Motor Vehicle Accidents

Sheriffs ..... 446  
State Police .....19,203

The amount of mileage patrolled was next requested, but a few of the sheriff's departments mentioned that this was primarily a state police function. Three of the counties reported that they did no patrolling at all. One said that the information was not available, another said that it was not immediately available but would be sent, and one gave an estimated figure only. For the eleven counties which did report, the total was 375,616 miles.

The state police reported they had patrolled 7,000,000 miles.

Mileage Patrolled

Sheriffs .....	375,616
State Police .....	7,000,000

The next information requested was cited as miscellaneous investigations and duties. Included in it were to be the number of investigations of drownings, investigations for lost persons, investigations of shootings and hunting accidents, number of times assisted at forest fires, assistance at road count and construction projects, policing at county fairs and organizations, number of warrants served, and miscellaneous incidents such as those at dance halls, etc. One of the counties did not have the information immediately available but said it would be sent, and one of the figures included in the total is noted as an estimate. The fifteen counties reporting totaled 3,930.

The state police, however, point out that few of these would be designated as their responsibility. Their records have not been kept in quite as close detail and they report only as miscellaneous, 514.

Miscellaneous Investigations and Duties

Sheriffs .....	3,930
State Police .....	514

The number of assists given to other departments was next requested. The other departments included were the state police in the case of the sheriffs' departments and the sheriffs' departments in the case of the state police, municipal departments, federal departments, out-of-state police departments, other sheriffs' departments, and state departments. One of the counties said it would make the information available and one mentioned that it did not have the information requested. Of the fourteen reporting, the total was 12,076.

For the same request, the state police reported a total of 1,030.

Assists to Other Departments

Sheriffs .....	12,076
State Police .....	1,030

The next request called for the number of assists given to the general public. Included in this category were the number of times information was given by telephone, radio or letter, as well as emergency calls, commitments to institutions, and any miscellaneous assists. One county did not have the information, two others are yet to provide their data, and two of those included are estimates. The thirteen reporting totaled 21,800.

The state police did not have a record of the number of assists they have given. It would require at least a detailed examination of the radio log and even then all the assists given to stranded motorists may not be reported.

Assists to General Public

Sheriffs .....	21,800
State Police .....	No Record

The number of law enforcement officers was next to be ascertained. In the sheriffs' departments, they were divided into the categories of full-time deputies, part-time deputies, and jail guards. It was found, however, that in many instances, the jail guards and full-time deputies are the same and it is noted where this is the case.

Two counties have yet to report the number of full-time deputies, but the fourteen reporting total 54. Of those, 40 also serve as the county jail guards. Two also have yet to report the number of part-time deputies available to them, but the fourteen reporting total 553. The number of jail guards will be reported in the section discussing the county jails.

The state police report the number of state troopers is 254.

Law Enforcement Officers

Sheriffs .....	16	
Full-Time Deputies .....	54	(40 serve as jail guards)
Part-Time Deputies .....	553	
Total.....	623	

State Police .....254

The total amount paid by the various departments for personal services was also requested. These included the amounts paid for office employees, etc., as well as the salaries of the law enforcement officers.

Two counties have yet to reply to the request made for the salaries paid to the full-time deputies. Of the total, and included in it, \$159,519.00 is the amount paid to those full-time deputies who are also the jail guards in their county. The total reported by the fourteen counties is \$221,039.00.

In replying to the request for the salaries of the part-time deputies, three of the counties stated that the information is not available but will be sent as soon as it is obtained. Two of the figures given were noted as estimates. The thirteen counties replying totaled \$141,318.40. In relating these salaries for part-time deputies, it should be of some significance to know the number of hours worked by these men. The figure is very difficult to obtain, however, for many of the departments have not kept exact records on when the part-time men are working. Four counties have said the information is unavailable, two others have said they will try to obtain it, and the figures which have been received are to a great degree estimates. Nevertheless, the ten counties reporting give the total number of hours as 45,009.

The figures for the salaries of the sheriffs themselves were taken directly from the statutes of the State. The 102nd Legislature gave several of the sheriffs raises to go into effect within the year, and the stipulated salaries now total \$80,550.00.

Besides salaries paid to the sheriff and deputies, many of the counties had other expenses paid for personal services. These totaled \$12,323.96.

The total cost paid for personal services, then, is available but for three counties. The total amount paid for personal services in these three

counties is not yet available, but will be included as soon as it is obtained. Some expenses for personal services has been reported from these counties, however, and even though not complete, the amounts are included in the total. The total reported from the sixteen counties for personal services in the sheriffs' departments is \$455,231.36.

Payments for personal service in the state police are for the troopers themselves and for fifty civilian employees. The total is \$1,548,239.42.

Cost For Personal Services

Sheriffs -

Salaries full-time deputies	
(\$159,519. of which goes to those	
who are jail guards as well)	.....\$221,039.00
Salaries Part-Time Deputies	..... 141,318.40
Salaries Sheriffs	..... 80,550.00
Other Personal Services	..... 12,323.96
Total	.....\$ 455,231.36

State Police -

All Personal Services .....\$1,548,239.42

Finally, the total operating cost of the departments was requested. Included are the costs for personal services, equipment, supplies, contractual services, communications, fuel and utilities, debt service, and miscellaneous expenses.

Since three of the sheriffs' departments had been unable to give a complete figure expended for personal services, they naturally were unable to give a complete figure for the operating cost of their department, but the information is to be included when obtained. The information which was reported from these counties, however, both the incomplete expenditures for personal services and the other operating costs reported, are included in the total. The total amount given is \$606,952.10.

The state police report a total for the same request of \$2,329,926.42.

Total Operating Cost

Sheriff	.....\$ 606,952.10
State Police	..... 2,329,926.42

Thus are the figures as provided by the sheriffs' departments and the state police themselves presented. It is noted where the information given is incomplete. The figures given were obtained from reports sent to the Commission by the various sheriffs and from direct conversation with the sheriffs' departments and the state police. It is hoped that the comparison of the services and costs of the sheriffs for the entire State with those of the state police, as is here provided, will contribute to a further understanding of the needs of the State and help in making any future determinations.

## Section 2

### COMPARISON OF COUNTY JAILS WITH STATE PENAL INSTITUTIONS

The purpose of this section is to provide a comparison of the services and costs of the county jails throughout the State with the services and the costs of the various State penal institutions. Each county was requested to answer a series of questions about its jail on the questionnaire prepared by the Commission. The figures given were to cover one year's time. Most of the counties have replied, but it is noted where information is lacking. When received, the figures given for each question were combined to give one total as an answer to each question from all the counties and thus an indication of what services these jails provide for the entire State.

The State Department of Mental Health and Corrections was asked for much the same information regarding the State institutions, and it is hoped that a comparison of the services and costs between the State and county institutions may thus be made.

The total number of prisoners committed in one year was first requested. Since one of the counties has no jail whatever and a second has only an overnight lockup, only fourteen of the counties reported. The total number of male prisoners booked was 7,314. The total number of female prisoners booked was 228. The total number of juveniles booked was 193. One other county did not have the figures available for the number of federal prisoners booked but the total of the thirteen reporting was 112.

The State figures are categorized by institution rather than by sex and age, but the total number committed in one year is still available. Those committed to the Maine State Prison total 295. The Reformatory for Men received 417. The Reformatory for Women received 69. Those sent to the Boys Training Center totaled 326, and to Stevens Training Center, 143.

#### Prisoners Committed

##### Counties -

Male Prisoners .....	7,314
Female Prisoners .....	228
Juvenile Prisoners .....	193
Federal Prisoners .....	<u>112</u>
Total .....	7,847

##### State -

Maine State Prison .....	295
Reformatory for Men .....	417
Reformatory for Women .....	69
Boys Training Center .....	326
Stevens Training Center .....	<u>143</u>
Total .....	1,250

The total number of weeks served by prisoners was also requested. Again, the two counties with no permanent jail gave no report and one of the figures given was noted as an estimate. The fourteen reporting totaled 37,072.

The State had no record of the total number of weeks served but did mention that the average length of stay in the State prison is from six to eleven years and in the Boys Training Center it is sixty-four months.

#### Weeks Served By Prisoners

Counties .....	37,072
State .....	No Report

The total number of meals served was next requested. Again, fourteen of the counties reported and one was noted as an estimate. The total was 324,117.

The State figures were given again by the various institutions. The average total at the Maine State Prison for one year was 514,285, at the Reformatory for Men, 229,220, and at the Reformatory for Women, 47,450. The meals served at the Boys Training Center totaled 317,175 for a year, and at the Stevens Training Center they totaled 93,440.

#### Meals Served

Counties .....	324,117
State -	
Maine State Prison .....	514,285
Reformatory for Men .....	229,220
Reformatory for Women .....	47,450
Boys Training Center .....	317,175
Stevens Training Center ....	<u>93,440</u>
Total .....	1,201,570

The next information requested was the daily average inmate population of the jails. The two counties without jails did not report, and since the figures returned from each county are averages, the total figures here reported is an average of the fourteen returned. The averages returned range from 4 to 66. The average of this is 26.17.

The State reported an average inmate population for each of the institutions. The average for the Maine State Prison is 492, for the Reformatory for Men, 209.8, for the Reformatory for Women, 42.5, for the Boys Training Center, 198.2, and for Stevens Training Center, 85.6.

#### Daily Average Inmate Population

Counties (average of 14 averages) .....	26.17
State (average of 5 averages) .....	205.62

The total prisoner capacity of the jails was next sought and of the fourteen reporting the total was 653.

The information from the State was again categorized by institution and is given below. It is noted that in nearly every institution the capacity given is below the average inmate population. This has been explained by the fact that except for the Reformatory for Women all of these institutions are very much overcrowded.

Prisoner Capacity

Counties .....	653
State -	
Maine State Prison .....	448
Reformatory for Men .....	203
Reformatory for Women .....	130
Boys Training Center .....	140
Stevens Training Center .....	100
Total.....	1,021

The average daily per capita cost per prisoner was also requested. The counties with no jail and the lockup only did not reply and two others said they would make the information available as soon as they obtained it. Of the twelve counties reporting, however, the averages ranged from \$.81 to \$5.83. The average of the twelve averages was \$2.87.

The State reports were presented by institutions. The high cost per inmate at the Reformatory for Women was explained by the fact that there is a relatively low number of inmates but a necessity nevertheless of maintaining the institution. The average for the Maine State Prison was \$4.26. The Reformatory for Men reported an average of \$6.44. The Reformatory for Women reported \$15.93. The average for the Boys Training Center was \$8.79, and for the Stevens Training Center, \$9.71.

Average Daily Per Capita Cost Per Prisoner

Counties (average of 12 averages) .....	\$2.87
State (average of 5 averages) .....	\$9.03

The total number of guards was next requested. The county with no jail gave no report and two others were to send the information in the future. The figures reported from the thirteen counties replying totaled 68, 40 of whom were also listed as full-time deputies for the various counties.

The State was unable to provide the exact number of guards.

Number of Guards

Counties .....	68 (40 serve as full-time deputies)
State .....	No Report

The total salaries paid to the guards was also requested. The county with no jail gave no report and two others are yet to be received. Thirteen reporting totaled \$282,386.60, of which \$159,519.00 was paid to those who serve as full-time deputies and is, therefore, included in the costs for the sheriffs' department as well.

The figures given by the State were the salaries paid for all personal services and were given by institution. They are noted below.

Salaries Paid

Counties (To guards alone) .....\$ 282,386.60

Note: \$159,519 is paid to those also  
serving as full-time deputies.

State (For all personal services)

Maine State Prison .....\$444,414.00

Reformatory for Men ..... 324,337.89

Reformatory for Women ..... 186,077.00

Boys Training Center ..... 521,248.53

Stevens Training Center .... 213,198.00

Total ..... \$1,689,275.42

Finally, the total operating expense of the jails was to be determined. The counties without jails and lockup only gave no figures and two others have yet to report. The twelve which have reported, however, come to a total of \$431,503.22. Since \$159,519.00 of this (salaries paid to guards serving as full-time deputies as well) is already included in the total expense for the sheriff departments, only \$271,984.22 will be recorded in the summary of county expenditures in Part II of this report as expenses paid for the jails. Included in the figure, besides the salaries paid the guards, are expenses for other personal services, supplies, contractual services, communications, fuel and utilities, equipment, debt service and miscellaneous.

The operating cost for the State was again given by institution and is noted below.

Operating Cost

Counties (\$159,519 of this is also  
recorded as part of sheriffs costs:  
therefore, \$271,984.22 is recorded  
as exclusively the cost of jails).....\$ 431,503.22

State -

Maine State Prison .....\$764,413.00

Reformatory for Men ..... 493,318.38

Reformatory for Women ..... 247,039.48

Boys Training Center ..... 636,086.76

Stevens Training Center .... 303,516.50

Total..... \$2,444,374.12

It is hoped that these figures, as made available to the Commission by the various counties and presented, will provide a further understanding of the county role in the law enforcement field. A comparison of the services and the costs provided by the counties for the entire State with the services and costs provided by the State institutions is here made available to assist in arriving at any determinations.



### Section 3

#### COUNTY ATTORNEYS

The services and costs for the county attorneys' departments are reported in this section, but perhaps more useful are the questions pertaining to the organization of the county attorney system itself. The figures as to the amount of work done and the expenses of the departments were obtained from the reports on county government sent in by the county attorneys and represent a period of one year.

Each of the attorneys was also contacted personally and asked his opinion on the organization of the existing system. It was felt that if the opinions of those most closely connected with the system could be obtained, it would be most helpful in determining what changes, if any, should be made to make it better. They were asked for their opinions on whether the job should be full-time or continue as part-time, whether it should be appointive or continue as elective, and whether the boundaries of their jurisdictions should follow those of the new district court districts or continue strictly along county lines. It is interesting to note, as will be detailed in the separate discussions of the answers to these questions, that the philosophy of the political party to which the attorney questioned happened to belong seemed to have little effect on the opinions given. There is almost no consistency along party lines to the answers given.

The reports as sent back to the Commission by the various counties were combined so that an over-all picture of the activities throughout the State could be obtained. The answers given to each question are these combined figures from the counties and therefore the totals for the State.

The number of criminal cases handled by the county attorney on the superior court level was requested and fourteen counties were able to reply. Two counties reported the figures were unavailable and one other reported that the figure given was an estimate. The total was 1,777.

The number of motor vehicle cases handled by the county attorney on the superior court level was also requested. Again, two counties said the figure was unavailable and one noted that the figure it reported was an estimate. The fourteen reporting totaled 811.

The attorneys were also asked for the number of civil cases handled at the request of the county commissioners. One reported the figure was unavailable and another stated that the figure given was an estimate. The fifteen totaled 31.

The number of criminal cases handled by the county attorney on the municipal court level was next asked for. Three of the counties said the figures were unavailable and three others said their figures were estimates. The thirteen reporting gave a total number of 11,654.

The number of motor vehicle cases handled by the county attorney on the municipal court level was also requested. Again, three counties indicated the information was unavailable, and three others noted their figures were estimates. The thirteen totaled 8,589.

The attorneys were then asked for the number of cases handled by them before the district court. Many of the existing district courts had not been established before February 1965, however, and whereas the other figures of this report are based upon a period of one year, the figures for the district courts are therefore based on the six months between February and the end of July 1965. The courts established before February were also asked for the figures for this period alone. Two of the counties reported that the figures were unavailable, six reported the figures given were estimates, and four reported that a district court had not yet been established. The ten reporting totaled 2,067

The number of investigations handled was next requested. Four counties stated the information was unavailable, and three noted that their figures were estimates. The total of the twelve reporting was 893.

The number of proceedings in extradition handled was also requested and two of the counties noted their figures were estimates. All sixteen replied and the total was 31.

The number of informations handled was next asked. Three counties reported the figures as estimates, but again all sixteen replied and the total was 394.

The salaries of the county attorneys were taken directly from the statutes of the State. The 102nd Legislature gave nearly every county attorney a raise and the stipulated salaries now total \$90,200.00.

The total operating expense for the county attorney departments was next requested. The figures include, where there were expenses in the various categories, costs for personal services, supplies, contractual services, communications, fuel and utilities, equipment, debt service and miscellaneous expenses. The report includes all sixteen counties and totals \$135,453.79.

Each attorney was also asked to report the amount of time which he now spends as county attorney. Two reported that it was a full-time job for them now. One reported that it took only 25% of his time. Two others said it took 75% of their time but one of these said that this was a forty hour week. Seven reported that it was a full-time job during the court terms. Of these, one said that between terms the job required three days a week, three said between terms it required two days a week, one said it required one day a week, one reported it required 70% of his time and another said 50% of his time. One attorney reported that during a term the job required 80% of his time and between terms about twenty hours a week. One reported the job required his attention about eight months out of a year, another said 50% of his time for six months and 25% of his time for the remaining six months, and the last reported that the job required only one day a week.

This last question led directly into the first question requesting a personal opinion from each of the attorneys. They were each asked whether

they thought the position of county attorney should be a full-time job or continue as part-time. The overwhelming majority believed the job should be made a full-time job and, as mentioned earlier, the opinions on this and the next two questions seemed to transcend party lines. Only three mentioned that there might be some justification for continuing the position on a part-time basis. Two were Democrats and one was a Republican. Of these, only one stated that there was very little crime in his county and that a part-time attorney was completely adequate. A second mentioned that a part-time attorney would be adequate only if he had an assistant with him, and a third said he really thought the larger counties needed full-time attorneys but the smaller counties could be adequately served by part-time men.

Among the remaining seven Democrats and six Republicans, all of whom stated emphatically that the position must be a full-time job, two principal reasons recurred constantly. It was mentioned that the work load and the time needed to meet it had increased tremendously because of both the heavy dockets of the district courts and the heavy emphasis now placed upon the recently determined rights of the accused. The two reasons are closely interwoven and if probed only slightly, those who mentioned only one would most likely endorse the other as well, but only the immediate reactions to the questions, free from extended discussion or suggestions, are recorded.

The heavy demands of the new district court system were mentioned specifically as a reason in seven of the thirteen answers. It was emphasized that the district court was always calling for the county attorney and that there is so much business now in the court that to have an efficient and competent attorney, he must be at the job full-time.

The demands placed upon public attorneys by the recent Supreme Court decisions were mentioned primarily in the remaining six answers. In the first place, it was pointed out that it is necessary now to have an attorney available to the police nearly twenty-four hours a day. It was noted, too, that the technicalities of the law are changing so fast that a part-time county attorney has little time to study the current trends. The rights of the accused are heavily emphasized today and the current criminal law demands a county attorney's full attention if he is to compete with defense attorneys who are able to study the new developments at length. To do the research necessary to prepare a case adequately and to keep track of the rapidly changing laws, it is felt by these attorneys that the position of county attorney should be a full-time job.

The problem of adequate compensation was also mentioned, and it was stated that a much higher salary would, of course, be needed if the office were to be made full-time. Although few mentioned any specific figures, one attorney did say that he thought \$12,000 to \$15,000 yearly would be needed to get qualified men.

The second question asked, for which the answers sought were the individual opinions of the attorneys, was whether the office should be appointive or elective. Here again, there seemed to be little consistency along party lines. Six answered with no doubt whatsoever that the office should be appointive. Three were Democrats and three were Republicans. It was felt generally that the public has little idea of who the best men are in select-

ing its judges and attorneys and that since the job is a professional one with a wide amount of discretion in deciding whether or not to prosecute, a hotly contested election could influence the prosecutions and thus hinder the administration of justice.

Seven others, however, disagreed. Five felt very definitely that the office should be elective and two others did not think it made very much difference but would prefer it as elective. Four of these were Democrats and three were Republicans. Within this group, it was generally felt that the man who is in the public eye and is responsible to the public is likely to do a little better job than the man whose position is secure no matter what he does. Whether or not he is doing a good job is reflected in the attitudes of the people and they may remove him if they are dissatisfied. It was felt, also, that since the job does require a considerable amount of discretion, it would be nothing but a political football if it were appointive. The exercise of discretion is necessary but it would be lessened if the position were under the thumb of a district attorney general. It was felt that if a person runs for a job, he must want it and is likely to do well, and if the pay is adequate, the candidate will be qualified.

Three of the sixteen attorneys had no opinion whatever on the matter. They reported that they had no preference. Two were Democrats and the third was a Republican.

The third and last question asked in seeking the opinions of each of the attorneys was whether their jurisdiction should follow the new district court districts or continue as county divisions. Five replied they would favor the establishment of a district attorney system rather than the present county attorney system, and of these two were Republicans and three were Democrats. By far, the predominant argument in favor of making the change was that the smaller counties could not afford, and in some cases could not justify, hiring a full-time county attorney. It was felt that some of the smaller counties would not need a full-time attorney and if the job were to be a full-time position it would have to encompass more than just one county before the area involved could afford the necessary salary. One attorney mentioned that his office had so little to do, in fact, that his work could probably be entirely absorbed by another district. Another even went so far as to advocate abolishing county government entirely, stating that the counties cannot take care of the problems meeting us today. It was mentioned also that one judge in a district ought not to have two attorneys under him. If there is to be a district system, there should be one attorney as well as one judge for each district.

Nine of the other attorneys, however, disagreed. Four of these were Republicans and five Democrats. They stated that the attorneys would have to remain as county officers and noted primarily two arguments; both were really practical problems but one political and the other organizational. It was stated repeatedly that the people feel attached to county officials and want to keep the county offices. They feel that the county should be represented by a county officer and would resent having a district attorney from another county crossing county lines to handle their cases. The organizational problem noted was simply that while the lower courts were now organized into districts, the appeals court was still based along county

boundaries. Should the attorneys be organized along district lines, serious problems could arise as to who would be in charge of the cases coming before the Superior Court. The Superior Court was not taken into consideration when the district courts were established and the problem could perhaps be solved with another change in the system aimed at better integration between the counties and the districts. Should the Superior Court jurisdiction be changed to match the district court lines, then the establishing of district attorneys could perhaps be practical. One other problem mentioned is that it would not be possible for one man to handle the tremendous work load or cover the large area of one district. It was stated that the necessary traveling would take much time and an assistant would be needed to help with the number of cases before both the district and Superior Courts.

Finally, the last two of the sixteen attorneys questioned, one a Republican and the other a Democrat, stated that since their counties comprise one full district of the new court system, establishing a district attorney system would change nothing for them but the name. One did mention, however, that while it would make no difference in his county, if some of the smaller counties wanted to consolidate he could see no reason why they should not.

It is hoped that the facts and opinions stated in this report will permit a clear understanding of the office of county attorney. The figures given at the beginning of the report were taken both from the reports on county government returned to the Commission by the counties and from the county attorneys themselves. Each of the attorneys was contacted personally for his opinions on the questions in the latter part of this section. It is hoped that the information here presented may be of great help in evaluating any future suggestions.

## PART IV

### RECOMMENDATIONS FOR CHANGES IN COUNTY GOVERNMENT

As a result of study, research, public hearings, conferences with State, County and Municipal officials and evaluation of information received, the Maine Intergovernmental Relations Commission has completed a report on County Government.

The Commission has spent nearly two years in its study and evaluation of County Government and has reached certain conclusions as to what they believe are required and badly needed reforms in the structure of County Government as it presently exists in Maine today.

The Intergovernmental Relations Commission therefore recommends a 10 point program for changes in County Government which if enacted and adopted by the 103rd Legislature will, we believe, result in a more efficient County Government structure.

### 10 POINT PROGRAM

The recommendations are as follows:

- I      That legislative action be taken to establish a uniform accounting and reporting system in all 16 Counties. That the requirements for this uniform accounting and reporting system be established and installed by the State Dept. of Audit.
- II     That legislative action be taken which will require that the 16 Counties be audited on a yearly basis and that this audit be completed by the State Dept. of Audit without cost to the County involved. It is further suggested that the result of the audit be reported to the legislature.
- III    That legislative action be taken which transfers the responsibility of County road and bridge functions to the State Highway Department and that the legislature amend the Bridge Act and the State assume the 30% County contribution for bridge construction.
- IV     That legislative action be taken to transfer the responsibility of operational costs of the Maine Supreme Court now borne by the Counties of Kennebec and Cumberland to the State of Maine.
- V      That the legislature authorize an appropriate sum for a complete, comprehensive, technical and detailed study of law enforcement on the County and State level for the purpose of determining and recommending the proper responsibility of law enforcement in Maine today.

- VI The Commission recommends that probate courts be placed in districts and that the judges and registrars be appointed but that it be studied for the purpose of determining proper methods for districts and appointments, therefore the Commission recommends that the legislature authorize an appropriate sum for a complete, comprehensive and detailed study in regard to placing probate courts in districts and for appointing judges and registrars.
- VII The Commission recommends that presently existing County Attorneys be replaced by District Attorneys therefore the Commission recommends that the legislature authorize an appropriate sum for the purpose of a study that would properly outline the establishment of districts for the purpose of District Attorneys, their appointment, salaries, duties and responsibilities.
- VIII That legislative action be taken which enables the Chief Justice of the Maine Supreme Court to appoint the Clerks of Court in the respective Counties where they are now elected.
- IX That the legislature enact permissive legislation to allow the 16 Counties to enter into a County association for coordination and administration purposes and to employ an executive secretary.
- And further
- That the legislature enact permissive legislation to allow a County to employ a County Manager if desired.



X     That the legislature enact legislation enabling career County employees to join the State Retirement System on the same basis as a State employee and that the County participate in the retirement as the State participates now and further that the legislature determine a uniform work week and uniform salary schedule similar to State employees for those County employees whose salary and duties are not now established by statute.