

MAINE

Maine ranks 34th among the states in number of local governments, with 850 as of October 2007.

COUNTY GOVERNMENTS (16)

There are no areas in Maine lacking county government. The county governing body is the board of county commissioners. The counties are responsible for only limited functions in Maine: principally the maintenance of the courthouse and county jail, maintenance of roads in unorganized territory, and a few police functions.

SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (488)

The 488 subcounty general purpose governments in Maine consist of 22 municipal (city) governments and 466 town or plantation governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In Maine, the city, town, and plantation governments perform most local governments services. About 40 percent of the area of the state, however, has no city or town government. Gores, Indian reservations, and unincorporated territories exist outside the areas of cities, towns, and plantations. Most governmental services in these area that are not provided by county governments are provided by the state. Village corporations are counted as special district governments (see "Special District Governments").

Municipal Governments (22)

The term "municipality" as defined for census statistics on governments applies only to the cities in Maine. Cities are created by special legislation. Under home rule, however, cities may draft their own charters. Towns and plantations, to which the term "municipalities" is generally applied by Maine statutes, are counted for census purposes as town rather than municipal governments (see "Town or Township Governments").

Town or Township Governments (466)

Although not differing in legally authorized powers from the types of municipal governments described above, units in Maine designated as towns and plantations are counted in census statistics on governments as town governments. The town executive body is known as a board of selectmen, while the plantation executive body is the board of assessors. Town governments exist in each county in Maine. Under home rule provisions, towns may draft their own charters. Towns and plantations perform many of the duties elsewhere commonly associated with county governments.

Under Maine law, the term "township" refers to tracts of land within unorganized territory and not to towns, plantations, or other local governments.

PUBLIC SCHOOL SYSTEMS (299)

School District Governments (98)

Only the following types of school districts in Maine are counted as separate governments for census purposes:

- School administrative districts
- Community school districts
- Incorporated school districts
- Interstate school districts
- Applied technology (vocational) regions
- Indian schools

School administrative districts, which serve two or more participating cities, towns, or plantations, constitute the majority of school district governments in Maine. School administrative districts are formed only when criteria regarding the number of secondary pupils to be educated are met. An elected board of directors governs each school administrative district. The district directors determine district tax requirements subject to voter approval; participating cities and towns collect the taxes on behalf of the district. The districts also may issue bonds after voter approval.

Community school districts are school administrative units formed, upon voter approval, between two or more participating cities, towns, or plantations for any combination of grades from kindergarten through Grade 12. Each community school district is governed by a district school committee and an elected board of trustees. District school committee members are selected by and from the elected school committees of the participating cities, towns, and plantations, except that districts providing kindergarten and Grades 1 through 12, inclusive, must elect the members. The district school committee determines district tax requirements, subject to voter approval, to be collected by the participating cities, towns, and plantations. The committee may issue bonds with the approval of the district trustees.

Maine law also provides for incorporated school districts serving a single city or town. A meeting of the voters governs the district. Financial provisions for incorporated school districts are similar to those for school administrative districts.

Interstate school districts provide for the construction and operation of schools. The districts are governed by an elected board. They may issue bonds and make special assessments.

The applied technology regions were established by state law to provide vocational education. The regions are governed by cooperative boards; the composition of each board is determined by the participating school boards. The cooperative boards have the power to issue bonds subject to referendum.

Indian schools are also classified as independent school district governments. An elected tribal school committee governs each school under the laws applicable to school administrative units.

Dependent Public School Systems (201)

Maine statutes provide for the following types of dependent public school systems:

Systems dependent on municipal governments:

City school systems

Systems dependent on town governments :

Town school systems

Systems dependent on the state government:

Schools in unorganized territory

Education in Maine is provided principally through the city and town school systems. These systems are classified for census purposes as dependent agencies of city or town governments and are not separate governments. Although these school systems are governed by elected school committees, their fiscal needs are provided by the city and town governments they serve.

Union schools may be formed by adjoining municipalities. The schools are governed by joint school committees. The creating agreement sets the formula for contributions for support. The creating municipalities may issue bonds for school construction with voter approval.

The schools in unorganized territory are operated and maintained by the state department of education.

Other Educational Activities

Maine law provides for school unions, formerly known as supervisory unions. School unions are entities for the employment of a superintendent to serve several towns. These unions are joint educational service agencies of the public school systems they serve and are not counted as separate governments.

Maine law also provides, by special act, for school "districts" to erect and maintain buildings for city and town schools. These "districts" are dependent activities of the cities or towns they serve and are not counted as separate governments.

Applied technology centers, which provide vocational education to secondary students, are dependent activities of the participating school districts and school systems and are not counted as separate governments.

School administrative units that do not operate schools may contract with other schools, both public and private, to educate their students. Contracts with private schools require that a joint school committee be formed to govern the school. This joint committee is composed of an equal number of representatives from the public school and the private school. Joint committees are classified as dependent activities of the administering school units and are not counted as separate governments.

SPECIAL DISTRICT GOVERNMENTS (248) ¹

Maine statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below. The term “municipality,” as used in the following descriptions, refers to cities, towns, and plantations.

Capital Riverfront Improvement District

This district was authorized by special act and created upon act of the governing body of the city of Augusta. The district was charged with development of a river front area. The district is governed by a board consisting of city officials, members appointed by the council of the city of Augusta, state officials, and members appointed by the Governor. The district may set fees, rentals, and other charges and also may issue securities.

Cemetery Districts

Cemetery districts are created by special acts, subject to local referendum, with similar provisions as to their administration and financing. An elected board governs each district. The districts may sell lots.

Coastal and Lake Watershed Districts

These districts may be created upon the

initiative of one or more municipalities or upon voter petition. These districts also may be created upon the initiative of the residents of an unorganized territory. Application is made to the state commissioner, and a referendum is held. The districts are governed by boards of elected trustees plus the participating water districts appoint one trustee each. The district’s trustees determine each participating entity’s share of the budget. As of October 2007, no districts of this type were reported in operation.

Cobbossee Watershed District

A 1971 special act, subject to local referendum, authorized the establishment of this district to control the level and improve the quality and purity of the water in the Cobbossee Stream Watershed. A board of trustees, appointed by the officials of the participating cities, towns, and water districts, governs this district. Bond issues must be approved by the voters. The district budget also is subject to voter approval at an annual district meeting. The cost of financing the district is apportioned to the constituent underlying governments on the basis of their assessed valuation.

Hospital Districts

These districts are authorized by special acts subject to local referendum but with similar powers. An elected board administers each district. Hospital districts may collect charges, determine the amount of taxes to be levied for their use, and issue bonds.

Housing Authorities

Housing authorities may be created under state law by resolution of a city or town governing body. Each housing authority is governed by a board of directors appointed by the creating governing body. These authorities may issue bonds and fix and collect rents from the housing projects.

Kennebec Regional Development Authority

This authority was authorized by special act. It

represents cities, towns, and plantations in the Kennebec Valley and surrounding area. It is governed by a general assembly consisting of at least one member appointed by each of the participating cities, towns, and plantations. The authority may set taxes and, with voter approval, issue general obligation bonds.

Joint Exercise of Powers Boards

Any two public agencies may create an agreement to exercise powers jointly and may create a separate legal entity with a governing board to perform the functions. The agreement is filed with the secretary of state. The powers and financing of such a board are spelled out in the creating agreement.

Lewiston-Auburn Water Pollution Control Authority

This authority was authorized by a special act. It is administered by a board consisting of the director of the Lewiston Department of Public Works, the Lewiston city administrator, a member of the Lewiston Board of Public Works, the president of the Auburn Sewerage District trustees, the superintendent of the Auburn Sewerage District, and the Auburn city manager plus an additional member selected by the mayor of Lewiston. The authority board determines its fiscal needs and apportions them to the city of Lewiston and the Auburn Sewerage District. The authority may issue bonds.

Light and Power Districts

These districts are established by special acts approved by local referendum to acquire and operate power houses and sell electric power. An elected board of trustees governs each district. Light and power districts may issue bonds and fix and collect rates for services. The districts may reorganize as municipal electric districts.

Maine Municipal and Rural Electrification Cooperative Agency

This agency was established by 1981

legislation to provide wholesale electric power. The agency is governed by a board of directors. Each participating municipality and cooperative appoints a member. The Governor appoints one member and the director of the state planning office serves ex officio. The agency may fix rents, rates, and other charges and may issue revenue bonds.

Maine-New Hampshire Interstate Bridge Authority

This interstate authority is discussed in detail under "New Hampshire--Special District Governments."

Municipal Electric Districts

These districts to provide electric power may be established upon voter petition or upon the initiative of the governing bodies of one or more municipalities, after voter approval. An elected board of trustees governs each district; if the district serves more than one municipality, there are two trustees elected from each participating municipality. The districts may fix rates and may issue revenue bonds. The issuance of revenue bonds may require voter approval. Districts may be formed under this law by the Penobscot Nation or the Passamaquoddy Tribe; such districts are known as "tribal power districts."

Municipal Fire Districts

Two or more municipalities may create a municipal fire district. These districts are governed by boards of directors appointed by the participating municipalities. The districts determine the contributions from the municipalities; the municipalities are required to levy property taxes for the contributions. As of October 2007, no districts of this type were reported in operation.

Port Districts

Port districts were created by special acts, subject to local referendum, to provide docking and transportation facilities for islands and coastal ports in the state. An elected board of trustees governs each district. Port districts

may fix and collect fees and charges for facilities and services, set special assessments, and issue bonds.

Refuse Disposal Districts

These districts provide solid waste disposal and resource recovery. The districts are established by application of one or more municipalities, or by a county on behalf of unorganized territories, to the state planning office, after public hearing and referendum. A board of directors, appointed by the participating governments in accordance with agreement, governs each district. The districts may fix fees and charges, issue bonds, and, after voter approval, levy special assessments. Districts of this type that serve only one municipality or unorganized territory are not counted as separate governments. See "Subordinate Agencies and Areas," below.

Sanitary Districts or Sewer Districts

Under the Maine Sanitary District Enabling Act, establishment of sanitary districts may be initiated by petition of the voters of a municipality or unorganized territory and referendum or may be initiated by the municipal officers. Districts are established after approval of the application by the state board of environmental protection and voter approval. An elected board of trustees governs each district. Sanitary districts may collect rates and charges, levy benefit assessments, and issue bonds.

Sewer districts may be created by special act. Existing sewer districts created by special act may reorganize as sanitary districts under the provisions of the Maine Sanitary District Enabling Act. Existing and new sewer districts established under special act are required to conform to uniform provisions similar to those for sanitary districts.

Soil and Water Conservation Districts

These districts may be formed by the state department of agriculture, food, and rural resources upon petition of the occupiers of the land within the proposed district and after a

public hearing and a local referendum. Each district is governed by a board of five supervisors: two are appointed by the commissioner of the state department of agriculture, food, and rural resources and three are elected. The districts may require contributions from landowners for services.

Transportation Authorities and Districts

A general law permits two or more municipalities to establish a municipal transit district. Municipalities not in the same geographic public transportation region must gain approval from the state department of transportation to form a district. The district governing body is a board of directors appointed by the officials of the member municipalities; the number of directors depends on the population size of each municipality. The entities may fix fares, issue bonds, and set property taxes. The Greater Portland Transit District, which serves the cities of Portland and Westbrook, was established under this law with special provisions.

The Lewiston-Auburn Transportation Authority was established by a 1959 special act. A board of five trustees, appointed in a manner determined jointly by the two participating cities, governs the authority. It may fix rates and charges and issue bonds.

The Casco Bay Island Transit District was authorized by a 1981 special act to operate ferry services. A board of 12 elected directors governs the district. The district may fix tolls and issue revenue bonds.

Districts serving only one city or town are not counted as separate governments. See "Subordinate Agencies and Areas," below.

Village Improvement Corporations

Village corporations or "village improvement societies" are established by special legislation for limited special purposes within town areas. An elected board of assessors, trustees, or managers governs each corporation. These corporations may levy ad valorem taxes and fix charges for services.

Washington County Emergency Medical Services Authority

This authority was created by special act. The authority is governed by a board of directors appointed by member cities and towns plus one member appointed by the county to represent the unorganized territories and one member appointed by the council of the Passamaquoddy Tribe. The authority may set fees.

Water and Standard Districts

Water and standard districts, which also may provide electric power, may be established by special acts. The Standard Water District Enabling Act of 1996 recommends conformity in the authorizing legislation for water districts. Each district is governed by a board of trustees that may be elected or appointed. The districts may set rates and issue bonds. Voter approval of the level of debt authorization may be required as the result of voter petition. Some of the districts may levy special assessments. Several districts of this type are named "utilities districts" or "water and electric districts."

SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Maine that have certain characteristics of governmental units but that are classified in census statistics as subordinate agencies of the state or local governments and are not counted as governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems," above, regarding educational agencies of this nature).

Loring Development Authority (state). This authority was established by special act to acquire and manage the properties within the geographical boundaries of Loring Air Force Base. A board of trustees governs the authority; 12 members plus one commissioner of a department of state government are appointed by the Governor subject to confirmation by the senate. The authority may issue revenue bonds subject to the approval of

the Maine Finance Authority and set and collect fees, charges, and rents. The treasurer of state may issue state-guaranteed bonds at the request of the authority with authorization by the legislature and voter approval. The authority may establish a port of entry, international airport, foreign trade zone, and free port area at its discretion. The authority has many municipal powers, such as the power to create special utility districts, provide fire and police protection, and provide public works.

Special utility districts (sanitary districts, refuse disposal districts, and water districts) created by the authority are subsidiaries of the authority.

Maine Municipal Bond Bank Authority (state). The Maine Municipal Bond Bank was created by act of the legislature to provide adequate capital markets for local governments in Maine. The bank is governed by a board of five commissioners, consisting of the treasurer of state and the superintendent of financial institutions plus three commissioners appointed by the Governor. The bank may fix fees and charges for its services and issue bonds.

Maine State Housing Authority (state). This authority was established to provide mortgage credit for low- and moderate-income housing. The authority is governed by a board of ten members, eight of whom are appointed by the Governor, plus the treasurer of state and the director of the authority serve. The authority may fix fees and charges in connection with its loans and issue revenue bonds.

Maine Turnpike Authority (state). This authority was established by special act. The authority board consists of six members appointed by the Governor plus the commissioner of transportation. The authority may collect tolls and charges and may issue revenue bonds.

Urban renewal authorities (city and town). A general law provides that these authorities may be established on resolution of municipal officials and after local referendum. A board of

trustees appointed by officials of the sponsoring municipality governs each agency. These agencies receive revenue from charges and may issue revenue bonds. The sponsoring government may levy taxes and issue bonds on its behalf.

The Portland Renewal Authority and the Bangor Urban Renewal Authority were established by special acts. Each is administered by a board of commissioners appointed by the respective city council. Other provisions for these two agencies are similar to those provided under general law above.

Other examples include:

State

Applied Technology Development Center System Board
Baxter State Park Authority
Jobs for Maine's Graduates
Maine Children's Trust Incorporated
Maine Criminal Justice Academy
Maine Development Foundation
Maine Educational Loan Authority
Maine Finance Authority
Maine Governmental Facilities Authority
Maine Health and Higher Educational Facilities Authority
Maine Health Data Organization
Maine Military Authority
Maine Port Authority
Maine Public Utility Financing Bank
Maine Rural Development Authority
Maine School of Science and Mathematics
Maine Technology Institute
Northern Maine Transmission Corporation
Northern New England Passenger Rail Authority
Washington County Development Authority

County

Lincoln and Sagadahoc Multicounty Jail Authority
Regional county corrections authorities

Municipal

Capital improvement districts
City health boards
City parking districts
Conservation commissions
Energy commissions
Municipal development districts
Primary assessing districts
Refuse disposal districts (single city)
Transportation districts (single city)

Town

Bethel Airport Authority
Conservation commissions
Eastern Slope Regional Airport Authority
Energy commissions
Municipal development districts
Norridgwock Airport Authority
Northern Aroostook Airport Authority
Primary assessing districts
Town health boards
Town of Kittery Port Authority
Town parking districts
Transportation districts (single town)

Other

The following are geographical areas outside the area of any town or organized plantation and are not counted as governments: gores, surpluses, islands, and townships.

Maine laws also provide for various types of local areas for election purposes and administration of justice.

1. The Bangor Recreation Center and District no longer exists as a separate government.