ANDROSCOGGIN COUNTY CHARTER

We, the people of Androscoggin County, Maine, in recognition of the dual role of the County as an agency of the State of Maine and as a unit of local government, and in order to provide for self-determination in county affairs to the full extent permissible under the Constitution and laws of the State, by this Charter, confer upon the County the following power subject to the following restrictions, and prescribe for it the following procedures and governmental structures:

ARTICLE 1
AUTHORITY

1.1 NAME
The name of the county as it operates under this Charter shall be Androscoggin County.

1.2 NATURE AND LEGAL CAPACITY
From the time this Charter takes effect, the County shall continue to be an agency of the State and a body politic and corporate and shall be vested with all rights and powers of self-government which are now, or hereafter may be, provided by the Constitution and laws of Maine and this Charter. In addition, it shall be vested with all the rights and programs from the Federal Government that are available either directly or through the State.

1.3 BOUNDARIES
The boundaries of the County shall be the boundaries now or hereafter prescribed for the County by the laws of the State of Maine.

1.4 COUNTY SEAT
The seat of government of the County shall continue to be the City of Auburn.

1.5 ELECTED OFFICIALS
Pursuant to the Constitution and laws of the State of Maine, the county shall have an elected Board of County Commissioners, hereafter referred to as "the Board." If authorized by State law, any and/or all of following elected official positions may be permanently transferred to appointed professional positions by a majority vote of the County electorate.

- Sheriff (listed in state constitution)
- Judge of Probate (listed in state constitution)
- Register of Probate (listed in state constitution)

ARTICLE 2
POWERS AND DUTIES

2.1 TRANSFER OF POWERS

Whenever a municipality, special district or agency shall request the performance or transfer of any power, privilege, authority, or function to the County, the Board has the authority, at its discretion, to exercise that power, privilege, authority, or function, if permitted by law, except that nothing herein shall be construed to allow the County to levy taxes other than as allowed by law.

2.2 INTERGOVERNMENTAL COOPERATION

The Board may, on such terms as it deems to be in the best interest of the County, arrange by contract for one or more functions of the County to be performed in cooperation with one or more other counties, or for one or more functions of the County to be transferred to and performed by one or more municipalities, the State of Maine, federal agencies, special districts, or public and private entities if permitted by state law.

2.3 DIVISION OF POWERS

This Charter establishes the separation between the legislative and administrative functions of county government. The establishment and adoption of policy shall be the responsibility of the Board and the execution of that policy shall be the responsibility of the County Administrator.

2.4 CONSTRUCTION OF POWERS

The powers granted by this Charter shall be construed broadly in favor of the charter form of government and toward the end of enabling the County to implement municipal programs and services on behalf of its municipalities, while avoiding the creation of special districts or other legal or administrative entities to accomplish these purposes.

ARTICLE 3
BOARD OF COUNTY COMMISSIONERS

3.1 CREATION OF DISTRICTS

3.1.1 Seven Districts Established: There shall be seven (7) districts, with a single Commissioner elected from each district.

3.1.2 Apportionment Into Districts: In 2013, after receipt of the decennial census data from the U.S. Census, the County Commissioners shall request the State Apportionment Commission to prepare a description of each of the seven (7) geographical districts to ensure the division of the County into contiguous and nearly equally populated areas.

Each apportionment shall start as a new construct within the County's boundaries with each district following existing municipal boundaries insofar as possible. The creation of new districts shall not disqualify a Commissioner who is presently serving from finishing his or her term.

3.1.3 Special Election For One Year Transitional Terms: Commissioners shall be elected in a special election to be held in 2014 to serve for one year transitional terms beginning January 1, 2015.

3.1.4 Initial Full Terms: Beginning in 2014, Commissioners shall be elected in primary and general elections for terms of four years except that the Commissioners in districts 2, 4, and 6 shall initially be elected for transitional terms of two (2) years and thereafter for 4-year terms. Commissioners shall serve until their successors are elected and assume their offices.

3.1.5 Term Limits: No Commissioner shall serve for more than three (3) consecutive 4-year terms.

3.2 QUALIFICATIONS

3.2.1 Residence: An individual is eligible to be nominated and elected as a County Commissioner only if he or she is a resident of the district from which nominated and is also a registered voter in that district.

3.2.2 Non-residence: The office of any member of the Board shall immediately become vacant if the Commissioner ceases to be a resident of his or her district, is no longer a registered voter of the County, or is subject to any other disqualification imposed by this Charter or the Constitution and laws of the State.

3.3.2 Time Restriction: For a trailing period 18 months, no former Commissioner shall hold any compensated or appointed County position and must obtain authorization in writing from the County Administrator approved by the Board in order to be employed by an organization having any business relationship with the County.

3.4 VACANCIES

When a vacancy occurs in a County Commissioner position, members of the same political party who reside in the same district as the vacating member shall caucus and choose an interim replacement within thirty (30) days of the occurrence of the vacancy. The interim appointment shall be for the period until the next general election, at which time the position shall be filled for the remainder of the unexpired term. The name of the person selected shall be submitted to the Board which may require confirmation that appropriate procedures were followed in the nomination process. In order for the nomination of an interim replacement to be valid, the caucus at which the nomination was made shall have been conducted in accordance with the internal rules of the political party involved, or, if no such rules exist, in accordance with accepted parliamentary procedure. In the event that the caucus of enrolled voters fails to produce

a valid nomination within thirty (30) days after public notice of the vacancy was given by the County Administrator, the vacancy shall be filled by a majority vote of the remaining County Commissioners.

If the Commissioner whose position has become vacant was not enrolled in a political party at the time of the primary election prior to the election at which he or she was elected, the County Administrator shall give notice of the vacancy by publication in a newspaper having a general circulation within the county. The published notice shall encourage unenrolled voters from the district in which the vacancy occurred who were also unenrolled at the time that the vacancy occurred, to submit their names as candidates to fill the vacant position. At least thirty (30) days after the publication of the vacancy was given, the Board shall appoint an unenrolled voter from the district in which the vacancy occurred to fill the position until the next general election.

3.5 EXCLUSION

After due process of formal charges and a hearing in which the challenged member shall not participate, and upon finding that a commissioner-elect is not entitled to a seat because of a failure to meet the requirements in section 3.3.1 or 3.3.2, or if a commissioner-elect was not "duly elected," the Board, by a majority vote of the remaining members of the Board, may deny the commissioner-elect a seat on the Board.

3.6 CENSURE AND EXPULSION

After due process including formal charges and a hearing, a Commissioner may be involuntarily removed from office before the normal expiration of his or her term. The Board may determine the rules of its proceedings and punish Commissioners by immediate expulsion for cause including non-attendance, disorderly behavior, and moral turpitude with the concurrence of a majority plus one of the full Board.

3.7 COMPENSATION

Salaries and benefits of all County elected officials shall be recommended by the Board and approved by a majority plus one vote of the full Budget Committee. Said salary shall constitute full compensation for all services. Reimbursement for reasonable expenses incurred in performance of the officials' duties may be allowed upon formal review and approval by the Board.

3.8 POWERS OF THE BOARD

The Board shall be the policy-determining body of the County. The Board may exercise all the powers granted to the County from any source.

3.8.1 Specific Powers: The Board shall appoint by a majority of a full Board and remove by majority plus one vote of a full Board:

3.8.1.1 The County Administrator, County Treasurer, Register of Deeds, and any of the other positions listed in Section 1.5 that may later become appointive.

3.8.1.2 Other Appointments: The County Administrator shall follow the process prescribed in the Board's Bylaws and may present any appointments to the Board for its confirmation.

3.8.2 Departmental Structure: The Board and/or the County Administrator, - with the approval of the Board, may from time to time establish additional administrative departments, combine any two or more administrative departments into a single department, separate departments thus combined, abolish any administrative department and prescribe the duties and functions of any administrative department. A function of the County prescribed by State law, but not allocated to any County office or agency, shall be allocated to such department or committee of the County as the Board shall determine.

3.8.3 Finance: In order to insure transparency, the Board shall require the highest professional standards for its accounting and for the comprehensive annual financial report as prescribed in the Bylaws.

3.8.4 Revenues: The Board shall apply for available public and private grants to assist the needs of citizens, to provide required services, and to fund capital improvements. It shall establish and charge reasonable fees and assessments to offset all expenditures. In addition, and pursuant to State law, it shall appropriate funds as necessary to support its budget and pay debt services.

3.8.5 Audit: The Board shall cause independent audits by a certified public accountant of all government operations and functions of the County annually and more often if the Board deems necessary.

3.8.6 Committees: The Board may create and abolish such committees as it deems necessary to assist in the performance of its duties, may appoint the membership necessary, and may serve as ex officio committee members. A committee shall be a Standing Committee or an Ad Hoc Committee. All committees shall have a clearly written charge and have their budgets approved by the Board. At the annual meeting, the Board shall review and vote to authorize each Ad Hoc committee or by default it shall be abolished.

3.8.6.1 Standing Committees: Standing committees are named County committees that may have an ongoing, operating, and capital budget. Their governance shall be described and referenced in the Bylaws.

3.8.6.2 Ad Hoc Committees: Ad Hoc Committees are temporary committees developed for the County by its Board or County Administrator that perform limited singular assignments of limited duration, generally less than 18 months. They have neither an ongoing, operating, nor a capital budget and are not covered by the Bylaws.

3.9 BOARD ORGANIZATION

At its initial organizational meeting, and annually thereafter, as determined by the Bylaws, the Board shall elect from among its members a chair and a vice-chair to serve for such terms as the bylaws or, if none, the Board, shall determine, The chair shall preside over the meetings of the Board, have a vote on all questions before it, and have authority to preserve order at all Board meetings. The Procedural Rules of the Board shall be determined in the Bylaws.

3.9.1 Bylaws: Within six (6) months of its election the Board shall adopt Bylaws that set forth the County's rules of governance, its procedures, and rules for change. At least decennially, the bylaws shall be formally reviewed by an independent group of the electorate selected by the Commissioners, one per district.

3.9.1.1 Bylaw Changes: The adoption, amendment, or repeal of a bylaw shall require a reading at two (2) formal Board meetings and the concurrence of the majority plus one vote of the full Board.

3.10 MEETINGS

3.10.1 Regular Meetings: The Board shall meet regularly and publicly in the County at least once each month. The Board shall provide for the manner, time, and place for holding all regular Board meetings.

3.10.1.1 Quorum: Four (4) members of the Board shall constitute a quorum. A lesser number or the County Administrator may only adjourn the meeting to another place or time.

3.10.1.2 Special Meetings: Special meetings may be held at the call of the chair or three (3) or more members of the Board. Upon call for a special meeting, adequate public notice shall be given of the time, place, and purpose of the meeting in accordance with the procedures established by the Board's Bylaws. The only actions that can be taken at a special meeting are items specified in the notice for that meeting.

3.10.1.3 Emergency Meetings: An emergency meeting of the Board may be called at the Chair's, or in the absence of the Chair, the Vice-Chair's discretion. A complete record of the meeting, the Chair's justification for such action, and a roll call vote regarding the same shall be expressed, vetted, and recorded in the minutes of the meeting to be presented and approved at the next formal Board meeting.

3.10.1.4 Non-meetings: Chance meetings or planned social gatherings of the Board members, at which no substantive discussion, action, vote, or poll regarding the County's business is taken, do not constitute public meetings.

3.11 BONDING

The Board shall designate which officers and employees shall be bonded and fix the amount and approve the form of the bond.

3.12 RECORDS

The Board shall cause a public record of its proceedings to be kept in accordance with the Bylaws. A written copy of such records shall be maintained by, or under the direction of, the County Administrator and shall be available to the public prior to the next regular meeting of the Board. The individual votes on questions before the Board shall be recorded.

ARTICLE 4
ADMINISTRATION

4.1 GENERAL PROVISIONS

All functions and duties required of the County or County officials by this Charter or by the Constitution and laws of the State of Maine shall be the responsibility of the Board. Duties and functions shall be distributed among such committees, departments, offices, and agencies as the law, the Board, or this charter may establish. All entities, services, and functions are under the direction and the supervision of the County Administrator, subject to the approval and control of the Board. The Board shall use its powers to operate the County in an optimal businesslike manner and to provide services that are in the best interest of the County's citizens.

4.2 COUNTY ADMINISTRATOR

The County Administrator shall be appointed solely on the basis of executive and administrative qualifications.

4.2.1 Administration: The County Administrator shall carry out the Board's policies and be delegated with and responsible for the County's entire management functions, including planning, organizing, staffing, direction, and control. In addition, the County Administrator is responsible for the preparation of and enforcement of personnel policies, budgetary documents, control of the budget after its acceptance, administrative codes, purchasing, provision of central services, maintenance of buildings and grounds, and any other functions the Board may prescribe. The County Administrator shall assume responsibility for all County elected or appointed professional positions and their entities, services, and function and may delegate such by agreement of the Board, except as provided by law. In the event that the County Administrator position should become vacant, the Board shall promptly name a replacement although it may appoint an interim successor while it is seeking to fill the position on a permanent basis.

4.2.2 Appointments: All administrative officers and employees of the County other than elected administrative officers and those designated in Section 3.8.1.1 shall be appointed by the County Administrator except that the Sheriff shall appoint and supervise the Chief Deputy as provided by law. The qualifications for appointments as administrative

officers or employees shall be on a non-partisan and professional basis and may be prescribed by the Board.

4.2.3 Administrative Code: The County Administrator shall prepare an administrative code that shall establish the committee and departmental organization of County government, including the nature and scope of each department together with all required rules and procedures for their operation , except as otherwise provided by statute. The administrative code shall be submitted to the Board for adoption, review, amendment, or repeal. It may be formally amended or repealed by a vote of a majority plus one of a full Board. At least decennially the administrative code shall be formally reviewed by an independent group of the electorate selected by the Board, one per District.

4.2.4 Elected Officials: The respective offices of Sheriff, District Attorney, Judge of Probate, and Register of Probate shall continue to be under the elected official's supervision and control as provided by law for as long as these positions remain elective, except that all actions relating to personnel, fiscal matters, and general administration of the County shall be accomplished in cooperation with and subject to the review and approval of the County Administrator.

ARTICLE 5
FINANCE

5.1 BUDGET

The Board is responsible for the review of the County Administrator's preliminary budget, its submission to the Budget Committee, and for the preparation and presentation of the final annual operating budget and capital improvement plan to the citizens prior to its adoption. The annual County budget process shall be transparent and as detailed as necessary to ensure a knowledgeable understanding by the electorate of the entire County's expenditures and revenues.

5.2 FISCAL YEAR

The fiscal year of the County shall be the calendar year, initially, but the Board shall have the authority to change said year by an appropriate order following consultation with the Budget Committee.

5.3 APPROPRIATION AUTHORITY

The Board shall have the authority to appropriate money, according to the budget. In the event the budget is not approved before the start of a fiscal year, the county shall, until a budget is finally adopted, operate on an interim budget which shall be no more than 80% of the previous year's budget.

5.4 OPERATING BUDGET AND CAPITAL BUDGET PROCESS

5.4.1 Departmental Budget Request: Each county department shall submit to the County Administrator a budget in such detail as may be required for the ensuing year's operation, plus such additional information as may be required by the County Administrator.

5.4.2 The County Administrator shall review and compile all operational and capital budget requests, including a budget for his or her own office, prepare a preliminary budget, including revenue estimates, and submit the same to the Board for its review and approval. The capital program shall include a five (5) year Capital Improvement Plan.

5.4.3 Adoption of Preliminary Budget: Prior to the Board adopting the preliminary budget, it shall hold one or more public hearings in the County on the County Administrator's preliminary budget.

5.4.4 Preliminary Budget Review: After said hearing, the Board shall review the preliminary budget as submitted by the County Administrator, together with the County Administrator's recommendations, and shall make such additions, deletions or changes as it deems necessary to insure the proper funding of all operations of county government and shall submit the preliminary budget to the Budget Committee.

5.5 BUDGET COMMITTEE

5.5.1 General Procedures: The Board shall submit its proposed budget to the Budget Committee in a timely fashion and, in no event, later than 90 days prior to the beginning of the fiscal year. The Board shall provide the Committee with necessary clerical assistance, office expenses, and with meeting space, as well as access to County files and information needed to carry out its functions. Requests for such assistance shall be channeled through the County Administrator.

5.5.2 First Meeting of the Budget Committee: On the call of the Board, the Budget Committee shall, after public notice, hold a meeting at the County Building or at such other location as is designated in the call, at least 90 days prior to the commencement of the fiscal year. All meetings of the Budget Committee shall be open to the public except that the Budget Committee may hold executive sessions where permitted by 1 M.R.S.A. § 405 (the Freedom of Access Law). The Committee shall elect a chairperson from its membership and may also appoint such other officers as it may deem necessary. The Budget Committee may create such sub-committees as may be necessary to effectively perform its duties. A majority of the entire membership of the Budget Committee shall constitute a quorum.

The Budget Committee shall have the authority to reject or modify any line item in the budget by the affirmative vote of 11 of its members. The Budget Committee's proposed budget shall include proposed salaries and benefits for elected officials.

5.5.3 Submission of Proposed Budget to Board: When the Budget Committee has completed its deliberations, it shall hold a public hearing to present its proposed budget

not less than 30 days before the beginning of the fiscal year. Notice of the hearing must be given in all newspapers of general circulation within the County at least 10 days before the hearing. Written notice of the hearing and a copy of the proposed budget shall also be sent by regular or electronic mail or delivered in person to each of the municipal clerks in the county who shall be responsible for notifying the municipal officials in their municipalities of the proposed budget as well as the date and time of the budget hearing. After the public hearing, the Budget Committee shall adopt a final budget and transmit the same to the Board.

5.5.4 Adoption of Budget; Tax Levy: The Board shall act on the proposed budget in a timely fashion and, in any event, not later than 15 days prior to the end of the fiscal year. The budget as adopted shall be the final authorization for the assessment of county taxes which shall be apportioned and collected in accordance with 30-A M.R.S.A. § 706. A copy of the final approved budget shall be filed with the State Auditor as provided by law.

5.5.5 Membership: There shall be two Budget Committee members from each district whose terms will begin 120 days prior to the beginning of the fiscal year. A Budget Committee vacancy will occur when a representative no longer qualifies for membership.

5.5.5.1 Nominating Caucus: The Board shall notify all municipal officers in the County to caucus by County Commissioner District at a specified date, time, and place for the purpose of nominating two (2) residents of the district of voting age as candidates for the County Budget Committee. At least one (1) of the persons nominated must be a municipal official as defined in 30-A M.R.S.A. § 722(2). A County Commissioner shall serve as the nonvoting moderator for his or her district caucus. Nominations shall be received from the floor and require a majority vote of those present to be approved. The names of those duly nominated shall be recorded and forwarded to the Board to be placed on a written ballot.

5.5.5.2 The Board shall have written ballots printed with the names of those candidates selected in each County Commissioner District. Each Commissioner District shall require a separate ballot and each ballot shall specify each candidate's full name and municipality. The Board shall distribute the appropriate ballots to each municipality within a Commissioner District. The municipal officers shall vote, as a board, for two (2) Budget Committee members from the candidates on the ballot. The municipal officers must vote for at least one (1) candidate who is a municipal official. After voting, the municipal officers shall return the ballot to the Board by a certain date.

5.5.5.3 The ballots shall be counted at a regular meeting of the Board. Each municipality's vote shall be weighted according to the formula set out in appendix B to this Charter to ensure that each municipality's vote reflects its proportion of the Commissioner District's total population. The candidate with the highest vote total and who is a municipal official and the candidate with the otherwise highest

vote total are elected to membership on the County Budget Committee for each district. The Board shall:

- Notify each municipality, in writing, of the election results;
- Certify the results to the Secretary of State.

5.5.5.4 Appendices: The appendices are not part of the Charter itself and shall be amended after each decennial census to reflect any changes in the Commissioner District boundary descriptions or apportionment figures made necessary by changes in population. The multipliers shall be adjusted after each decennial census.

5.5.5.5 Term of Office: The term of office for Budget Committee members is three (3) years.

5.5.5.6 Term Limits: No member of the Budget Committee shall serve more than three consecutive terms.

5.5.5.7 Vacancies: A vacancy occurring on the Budget Committee must be filled by the Committee for the balance of the unexpired term. The person appointed to fill the vacant office must be from the same municipality and district as the person vacating the office.

5.5.5.8 Expenses: Members shall serve without compensation, but shall be reimbursed from the county treasury for expenses lawfully incurred by them in the performance of their duties.

5.6 EMERGENCY APPROPRIATIONS

Emergency appropriations shall be made by the Board from the contingency account in accordance with state law.

5.7 CAPITAL PROGRAM

The County Administrator shall be responsible for the preparation and presentation of a five (5) year plan of the capital program to accompany the proposed annual budget when it is presented to the Board. The projections shall be considered as informational and not binding upon the future actions of the County Administrator or the Board.

5.8 BORROWING

5.8.1 Authorization: The Board shall have the authority to issue bonds, notes, or other general obligation securities of the County in accordance with state law. The Board may issue any form of tax, grant, or bond anticipation certificate or note as authorized by the Constitution or general laws of the State.

5.8.2 Contracting: The Board may contract with one or more member municipalities for the receipt of funds to accomplish any of the purposes authorized by this Charter and may, except as otherwise provided by law, incur indebtedness in anticipation of the receipt of such funds by issuing negotiable notes of the County payable in not more than one year, which notes may be renewed from time to time by the issuance of other notes, provided that no notes may be issued or renewed in an amount which at the time of issuance or renewal exceeds the amount of funds remaining to be paid under contracts with one or more member municipalities.

5.9 TRANSFER OF APPROPRIATIONS

To the extent permitted by its appropriation and within each fiscal year, on request of the County Administrator, the Board may transfer any unencumbered balance of an appropriation or portion thereof to another account, department, office, or agency of the County in accordance with state law unless such funds were derived from income restricted to the specific purpose for which they were originally appropriated.

ARTICLE 6
ELECTIONS

6.1 PARTISAN ELECTIONS

No provision of this charter or orders adopted under its authority shall alter the partisan nature of the nomination and elections of the Judge of Probate, Sheriff, or Register of Probate, except as those elections are amended by the law of the State. If authorized by State law, any and/or all of the positions listed in the preceding sentence may be permanently transferred to appointed professional positions by a majority vote of the County electorate.

6.2 NOMINATION AND ELECTION OF COMMISSIONERS

No provision of this charter or orders adopted under its authority shall alter the partisan nature of the nomination and election of the County Commissioners, except as it may be amended by the laws of the State.

6.3 ELECTIONS ON COUNTY REFERENDA

Except as this Charter or legislation enacted pursuant to it provide, the manner of conducting an election on referendum questions shall be the manner prescribed by the laws of the State for an election in the County on any proposition.

ARTICLE 7
RECALL

The registered voters of the County shall have the power to recall a County Commissioner, but no recall petition shall be filed within ninety (90) days after the Commissioner takes office or

during the last 90 days of a Commissioner's term, nor, in the case of a Commissioner subjected to a recall election and not removed, until at least six months after that recall election.

7.1 LETTER OF INTENT REQUIRED

A letter of "Intent to Initiate Recall" shall be filed by the initiator of the recall with the County Administrator, and the County Commissioner who is the subject of the recall, and it shall contain the following:

- The name, municipality of residence, and the number of the County Commissioner District in which the County Commissioner who is the subject of the recall proceeding is residing;
- The alleged reason for the recall;
- The signature of the initiator, printed name and address, municipality of residence, and telephone number of the initiator who is the signer of the letter;
- A signed and notarized statement by the registrar of voters in the initiator's place of residence that the initiator is a duly registered voter of the municipality within that County Commissioner District.

7.2 NOTIFICATION TO THE INITIATOR

Within 10 days of receipt of the letter of "Intent to Initiate Recall," the County Administrator shall provide notification in writing to the initiator of the letter to confirm that it is in proper form and that the completed petitions must be filed with the County Administrator within 90 days of the date of notification. The last day that signatures can be collected shall also be the date by which completed petitions must be submitted to the County Administrator. The County Administrator shall also provide a copy of the letter to the County Commissioner who is the subject of the recall proceedings.

7.3 FORM FOR RECALL PETITION

Recall petitions shall be on forms provided by the County Administrator in sufficient numbers so that each circulator can have a copy. The petition shall contain the following information:

7.3.1 Content: A recall petition must contain the name of only one person to be recalled, place of residence, the office held, and the number of the County Commissioner District in which the person to be recalled is residing at the top of each page.

7.3.2 Reason for Recall: Immediately below the foregoing information, the alleged reason or reasons for the recall shall be clearly and concisely stated.

7.3.3 By Whom Signed: Each recall petition may be signed only by registered voters of the County Commissioner District in which the recall is to take place. Other signatures are void.

7.3.4 How Signed: The voter must personally sign his or her name in such a manner as to reasonably satisfy the registrar of the municipality of residence that the name is

recorded as a registered voter. The voter's printed name and address must also be recorded on the same line on the petition by either the voter or the circulator.

7.3.5 Date: The voter must indicate the date of signing which shall be noted on the petition after the municipality of residence.

7.3.6 Number of Signatures Required: Petitions to recall an elected County Commissioner must be signed by the voters of the County Commissioner District in which the person to be recalled is residing totaling at least 10% of the total number of votes cast for the office in the last election, with signatures from each municipality in the district. In the case of an incumbent County Commissioner who is holding over beyond the date on which this Charter was adopted, a petition for recall shall contain the signatures of at least 5% of the total number of persons residing in the district in which the Commissioner to be recalled resides. The County Administrator shall specify the number of valid signatures needed.

7.3.7 When signed: Petitions for recall may be signed only during the period commencing with notification by the County Administrator as provided in section 7.2 and not later than 5:00 p.m. of the day designated in the notification by the County Administrator for filing of the petitions.

7.4 REVIEW AND CERTIFICATION OF PETITIONS

7.4.1 Certification of Petitions: The circulator of each copy of the petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths that all of the signatures on that petition were made in the presence of the particular circulator and, to the best of the circulator's knowledge and belief, each signature is the signature of the person whose name it purports to be and each person is a resident of the County Commissioner District named in the petition.

7.4.2 Certification of Registrar: The registrar of each municipality concerned shall certify which names on the petition appear on the voting list of the municipality as registered voters and shall strike out and thereby cause to be invalid, the names of any unregistered voters.

7.4.3 Filed with County Administrator: After certification by the registrar of each municipality, the initiator shall cause the completed recall petitions to be filed with the County Administrator on or before the date designated in the notification letter sent by the County Administrator to the initiator of the recall petition.

7.4.4 Invalid Petitions: A recall petition which does not conform to this article is void. If a circulator fails to comply with this article with respect to signing or printing a voter's name, address, or date of signing, that voter's name may not be counted, but the entire petition will not be invalid on that account.

7.4.5 Review of Petitions:
When presented with completed recall petitions, the County Administrator shall review them and, if the petitions contain the required number of certified names and are properly completed as required by this article, shall accept and file them, and notify the initiator and the County Commissioner who is the subject of the recall.

7.4.6 Challenge to Petitions: The Commissioner whose recall is being sought shall have 10 days from the date that he or she received the notice required by § 7.4.4 to challenge the validity of the petitions. The County Administrator shall rule on the challenge within 30 days of receiving it.

7.5 CALLING THE RECALL ELECTION

7.5.1 The Board, upon receipt of the certified petitions, shall within ten days order the municipality or municipalities in the District in which the challenged County Commissioner resides to hold a recall election by secret ballot in the manner in which municipal special elections are conducted. The election shall be held on a Tuesday not later than 90 days after the Board's order was issued. If such an election cannot be held on the same date as a statewide election, the County shall reimburse the municipalities involved in the election process for the costs they have incurred in conducting the election.

7.5.2 The official against whom a recall petition has been filed shall continue to perform the duties of the office until the result of the recall vote is officially declared.

7.6 RECALL ELECTION BALLOT

The form of the question on the recall election ballot shall be: "Shall Androscoggin County Commissioner _____ of District _____ be recalled from office?"

7.7 RESULT OF THE ELECTION

The Board shall meet the day following the recall election to certify the vote. In the event of an affirmative vote for recall, the office of the Commissioner being recalled shall be immediately declared vacant. Any vacancy shall be filled in accordance with procedures outlined in section 3.4.

ARTICLE 8
GENERAL PROVISIONS

8.1 BALLOT WORDING

The form of the question on the referendum ballot to approve or disapprove the adoption of the proposed Charter shall be:

"Shall the county approve the new Charter for Androscoggin County drafted and recommended by the Androscoggin County Charter Commission?"

8.2 EFFECTIVE DATE

This charter shall become law thirty (30) days after the Governor has proclaimed that it was approved by a majority of the legally registered voters in the County.

8.3 AMENDMENTS

This Charter may be amended by a majority of the county voters pursuant to the laws of the State of Maine.

8.4 CHARTER REVIEW

The Charter shall be formally reviewed by a Charter Commission at least every twenty (20) years.

8.5 CONTINUATION OF OFFICE

8.5.1 The Register of Deeds upon expiration of his or her term, or vacancy in office, shall become an appointed position as set forth herein.

8.5.2 The County Treasurer in office at the time this Charter becomes effective shall remain in office for the remainder of the terms for which they were elected.

8.6 EFFECT ON COUNTY REGULATIONS

All existing orders, regulations, rules, and resolutions of the County shall remain operative except where inconsistent or in direct conflict with this Charter or repealed until amended by the Board.

8.7 EXISTING CONTRACTS AND BONDS

All rights, actions, proceedings, prosecutions, and contracts of the County or any of its departments, pending or unexecuted when this charter goes into effect and not inconsistent herewith, shall be enforced, continued or completed in all respects as though begun or executed hereunder. All outstanding bonds issued by former governments including the Board of County Commissioners of Androscoggin County and all special districts or authorities abolished or altered under this charter are to remain obligations of County government; however, payment of such obligations and the interest thereon shall be made solely from and charged solely against funds derived from the same sources from which such payment would have been made had this charter not become effective.

8.8 SEVERABILITY

If any part of this charter is determined by a court of competent jurisdiction to be unconstitutional or invalid, the remainder thereof shall remain in full force and effect.