

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 943

7 S.P. 348

In Senate, March 7, 1985

8 Referred to the Committee on Local and County Government and
9 ordered printed. Sent down for concurrence.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Twitchell of Oxford.

11 Cosponsored by Representative Walker of Norway and Representative
Jackson of Harrison.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 RESOLUTION, Proposing an Amendment
18 to the Constitution of Maine
19 to Extend the Tenure for Sheriffs from 2
20 Years to 4 Years.
21

22 Constitutional amendment. RESOLVED: Two thirds
23 of each branch of the Legislature concurring, that
24 the following amendment to the Constitution of Maine
25 be proposed:

26 Constitution, Art. IX, §10 is amended to read:

27 Section 10. Tenure of sheriffs. Sheriffs shall
28 be elected by the people of their respective coun-
29 ties, by a plurality of the votes given in on the
30 Tuesday following the first Monday of November, and
31 shall hold their offices for ~~two~~ 4 years from the
32 first day of January next after their election, un-
33 less sooner removed as hereinafter provided.

34 Whenever the Governor upon complaint, due notice
35 and hearing shall find that a sheriff is not faith-

1 fully or efficiently performing any duty imposed upon
2 him by law, the Governor may remove such sheriff from
3 office and appoint another sheriff in his place for
4 the remainder of the term for which such removed
5 sheriff was elected. All vacancies in the office of
6 sheriff, other than those caused by removal in the
7 manner aforesaid, shall be filled in the same manner
8 as is provided in the case of judges and registers of
9 probate.

10 Constitutional referendum procedure; form of
11 question; effective date. Resolved: That the city
12 aldermen, town selectmen and plantation assessors of
13 this State shall notify the inhabitants of their re-
14 spective cities, towns and plantations to meet, in
15 the manner prescribed by law for holding a statewide
16 election, at a statewide election, on the Tuesday
17 following the first Monday of November following the
18 passage of this resolution, to vote upon the ratifi-
19 cation of the amendment proposed in this resolution
20 by voting upon the following question:

21 "Shall the Constitution of Maine be amended to
22 extend the tenure for sheriffs from 2 years to 4
23 years?"

24 The legal voters of each city, town and
25 plantation shall vote by ballot on this question, and
26 shall designate their choice by a cross or check mark
27 placed within the corresponding square below the word
28 "Yes" or "No." The ballots shall be received,
29 sorted, counted and declared in open ward, town and
30 plantation meetings and returns made to the Secretary
31 of State in the same manner as votes for members of
32 the Legislature. The Governor shall review the re-
33 turns and, if it appears that a majority of the legal
34 votes are in favor of the amendment, the Governor
35 shall proclaim that fact without delay and the amend-
36 ment shall become part of the Constitution on the
37 date of the proclamation.

38 Secretary of State shall prepare ballots. Re-
39 solved: That the Secretary of State shall prepare
40 and furnish to each city, town and plantation all
41 ballots, returns and copies of this resolution neces-
42 sary to carry out the purposes of this referendum.

1

STATEMENT OF FACT

2

3

4

5

6

The purpose of this resolution is to amend the Constitution of Maine to extend the term of sheriffs from 2 years to 4 years. This extension of tenure will better enable sheriffs to efficiently perform the duties imposed by law in that office.

7

2526121384