

# MAINE STATE LEGISLATURE

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January 7, 1974

Chief Deputy Robert L. Stillings  
Office of Sheriff  
Lincoln County Courthouse  
Wiscasset, Maine

Dear Mr. Stillings:

You have asked by telephone whether a deputy sheriff can at the same time serve as a town manager. The answer is yes.

Under 30 M.R.S.A. § 2312, the only expressed limitation on a town manager is that he may not serve as "moderator, selectman, assessor or member of the school committee". He is chosen by the board of selectmen, and under § 2317, he is the chief executive and administrative official, and is responsible to the board of selectmen. In these capacities it is not incompatible for him to serve as deputy sheriff.

You also asked whether the same person can hold the office of deputy sheriff and selectman. This was answered in the affirmative in an opinion of this office dated February 9, 1955, provided that the selectman does not act as assessor. A copy of that opinion is enclosed.

Sincerely yours,

LWVJr/mf  
Enclosure

Leon V. Walker, Jr.  
Assistant Attorney General