

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "S" to S.P. 590, L.D. 1896, Bill,  
"AN ACT to Make Additional Corrections of Errors and  
Inconsistencies in the Laws of Maine."

Amend the Bill by inserting after section 113 the  
following:

'Sec. 113-A. 30 MRSA §1001, sub-§1, as repealed and  
replaced by PL 1977, c. 431, §13, is repealed and the following  
enacted in its place:

1. Sheriff's duties. The sheriff shall act as the chief  
county law enforcement officer and shall be responsible for  
administering and directing the sheriff's department as  
authorized by the county budget. The sheriff shall inform  
the county commissioners of sheriff's department activities  
on a regular basis and shall meet with the commissioners as  
required under subsection 3.

Sec. 113-B. 30 MRSA §1001, sub-§5, is enacted to read:

5. Construction. Nothing in this chapter shall be  
construed to relieve any state or municipal law enforcement  
agency of its authority and responsibility.'

Statement of Fact

This amendment corrects a problem with PL 1977, c. 431.

There is concern that PL 1977, chapter 431, as it now reads, could be interpreted to mean that the sheriff would have ultimate authority over all law enforcement activities in his county, including state and municipal police departments, fisheries and wildlife and district attorney functions. Of course, the statute probably does not intend this result, but unless the language is clarified it is entirely conceivable that serious conflicts and misunderstandings might otherwise arise. This amendment will clarify that language.

Filed by Mr. Henderson of Bangor.

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