

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 231

S. P. 122

In Senate, January 31, 1979

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

Presented by Senator Silverman of Washington.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning Dismissal of Municipal Police Chiefs.

Be it enacted by the People of the State of Maine, as follows:

30 MRSA § 2361, sub-§ 1, last sentence, as enacted by PL 1973, c. 135, § 1, is amended to read:

Police officers, **including chiefs of police**, may be removed for cause after notice and hearing.

STATEMENT OF FACT

Title 30, section 2361, provides that a Maine police officer may be discharged by a municipality, but only after certain due process rights are complied with. These rights include "notice," a "hearing" and removal "for cause."

Recent dismissals of municipal chiefs of police in Maine leave some doubt whether section 2361 is being complied with or whether section 2361 is clear as to its application.

This bill makes clear that section 2361 applies to chiefs of police, who are of course, law enforcement officers. The same reasons and justification that supports the legislative decision to provide due process rights for Maine police officers in dismissal cases also supports due process rights for chiefs of police.