

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 842

S. P. 297

In Senate, February 13, 1981

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

MAY M. ROSS, Secretary of the Senate

Presented by Senator Dutremble of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Concerning the Reappointment of Sheriffs' Deputies.

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

30 MRSA § 951, 2nd ¶, as amended by PL 1977, c. 650, § 4, is further amended by adding after the first sentence 4 new sentences to read:

If a sheriff does not intend to reappoint a deputy who has been appointed for a 3-year term, the sheriff shall notify the deputy at least 6 months prior to the expiration of the deputy's term. The sheriff shall furnish to the deputy, if the deputy requests it, a written statement containing the reasons for the decision not to reappoint the deputy. The deputy may request a hearing before the county commissioners, at which he may be represented by counsel, to determine if the decision not to reappoint the deputy was a reasonable decision. If the commissioners determine the the decision was not reasonable, they shall order the deputy to be reappointed.

STATEMENT OF FACT

The purpose of this bill is to require sheriffs who decide not to reappoint a deputy to give the deputy 6-months notice of the decision prior to the expiration of his term. The bill also allows the deputy to request a written statement of the reasons for the decision and to request that the county commissioners review the decision to ensure that it was a reasonable decision.