

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1052**

H. P. 883

House of Representatives, February 26, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Masterton of Cape Elizabeth.

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STATE OF MAINE

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

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**AN ACT Authorizing County Commissioners to Act as an Appeals Board.**

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

**Sec. 1.** 30 MRSA § 1133, sub-§ 3, as enacted by PL 1977, c. 431, § 16, is amended to read:

**3. Dismissals, suspensions or disciplinary actions.** To investigate and make orders in cases of dismissal, suspension or other disciplinary action **taken against any appointed county employee and** as authorized under section 951 and Title 34, section 901;

**Sec. 2.** 30 MRSA § 1135 is enacted to read:

**§ 1135. County commissioners to act as appeals board**

If a county personnel board is not established by the county commissioners, the commissioners may act as an appeals board for any appointed county employee with a grievance against a county officer concerning a dismissal, suspension or disciplinary action. When acting as an appeals board, the county commissioners shall have the powers and duties set forth in section 1133, subsections 3, 4 and 5, paragraphs C, D and E, and subsections 6, 8 and 9. The county commissioners shall provide any affected county officer and the aggrieved county employee with a report on the outcome of an appeal.

## STATEMENT OF FACT

The intent of this bill is to permit the county commissioners to act as an appeals board in the case of the dismissal, suspension or other disciplinary action taken against any appointed county employee. The commissioners may act as an appeals board only if a personnel board has not been established. The bill also broadens a personnel board's authority over dismissals, suspensions and disciplinary actions.

Currently the board only oversees the firing or suspension of certain employees of the sheriff. This bill extends this oversight to the dismissal or suspension of any appointed county employee.