

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 263

6  
7 S.P. 111

In Senate, January 25, 1983

8 Received by the Secretary of the Senate on January 25, 1983. Referred to  
9 the Committee on State Government, and ordered printed pursuant to Joint  
10 Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Hichens of York.

11 Cosponsors: Representative Masterton of Cape Elizabeth, Senator  
12 Carpenter of Aroostook and Representative Diamond of Bangor.

13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-THREE  
17

18 RESOLUTION, Proposing an Amendment to  
19 the Constitution of Maine to Extend the Tenure  
20 for Sheriffs from Two years to Four years.  
21

22 Constitutional amendment. RESOLVED: Two-thirds  
23 of each branch of the Legislature concurring, that  
24 the following amendment to the Constitution of Maine  
25 be proposed:

26 Constitution, Art. IX, §10, as amended by CR  
27 1975, c. 4, is further amended to read:

28 Section 10. Tenure of sheriffs. Sheriffs shall  
29 be elected by the people of their respective coun-  
30 ties, by a plurality of the votes given in on the  
31 Tuesday following the first Monday of November, and  
32 shall hold their offices for ~~two~~ four years from the  
33 first day of January next after their election,  
34 unless sooner removed as hereinafter provided.

1 Whenever the Governor upon complaint, due notice  
2 and hearing shall find that a sheriff is not faith-  
3 fully or efficiently performing any duty imposed upon  
4 him by law, the Governor may remove such sheriff from  
5 office and appoint another sheriff in his place for  
6 the remainder of the term for which such removed  
7 sheriff was elected. All vacancies in the office of  
8 sheriff, other than those caused by removal in the  
9 manner aforesaid shall be filled in the same manner  
10 as is provided in the case of judges and registers of  
11 probate.

12 Constitutional referendum procedure; form of  
13 question; effective date. Resolved: That the city  
14 aldermen, town selectmen and plantation assessors of  
15 this State shall notify the inhabitants of their  
16 respective cities, towns and plantations to meet, in  
17 the manner prescribed by law for holding a statewide  
18 election, at a statewide election, on the Tuesday  
19 following the first Monday of November following the  
20 passage of this resolution, to vote upon the ratifi-  
21 cation of the amendment proposed in this resolution  
22 by voting upon the following question:

23 "Shall the Constitution of Maine be amended to  
24 extend the tenure for sheriffs from two years to four  
25 years?"

26 The legal voters of each city, town and  
27 plantation shall vote by ballot on this question, and  
28 shall designate their choice by a cross or check mark  
29 placed within the corresponding square below the word  
30 "Yes" or "No." The ballots shall be received,  
31 sorted, counted and declared in open ward, town and  
32 plantation meetings and returns made to the Secretary  
33 of State in the same manner as votes for members of  
34 the Legislature. The Governor shall review the  
35 returns and, if it appears that a majority of the  
36 legal votes are in favor of the amendment, the Gover-  
37 nor shall proclaim that fact without delay and the  
38 amendment shall become part of the Constitution on  
39 the date of the proclamation.

40 Secretary of State shall prepare ballots.  
41 Resolved: That the Secretary of State shall prepare  
42 and furnish to each city, town and plantation all  
43 ballots, returns and copies of this resolution neces-

1 sary to carry out the purposes of this referendum.

2 STATEMENT OF FACT

3 The purpose of this resolution is to amend the  
4 Constitution to extend the term of sheriffs from two  
5 years to four years. This extention of tenure will  
6 better enable sheriffs to efficiently perform the  
7 duties imposed by law in that office.

8 0447122282