

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 801

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S.P. 303

In Senate, March 15, 1989

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

Cosponsored by Representative DUFFY of Bangor, Representative RUHLIN of Brewer and Representative TARDY of Palmyra.

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STATE OF MAINE

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

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An Act to Create a Statewide Uniform Salary and Uniform Qualifications for Sheriffs.

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

3 **Sec. 1. 30-A MRSA §2, sub-§1**, as enacted by PL 1987, c. 737,  
Pt. A, §2 and Pt. C, §106, is amended to read:

5 **§2. Salaries**

7  
9 **1. County officers' salaries.** Notwithstanding other  
sections of this chapter, counties that are not required to  
11 obtain legislative approval of their budgets under section 253,  
are not required to obtain legislative approval of the salaries  
13 of county officers under this section. The county commissioners,  
treasurers, ~~sheriffs~~, judges of probate, registers of probate and  
15 registers of deeds in those counties whose budgets require  
legislative approval under section 253, shall receive annual  
17 salaries from the county treasury in weekly, biweekly, monthly,  
semiannual or annual payments, as follows:

19 **A. Androscoggin County:**

21	(1) Commissioners	
23	(a) Chairman	\$ 5,550
25	(b) Members	4,750
27	(2) Treasurer	16,050
29	<del>(3) Sheriff</del>	<del>23,557</del>
31	<del>(4)</del> <u>(3)</u> Judge of Probate	10,774
33	<del>(5)</del> <u>(4)</u> Register of probate	12,000
35	<del>(6)</del> <u>(5)</u> Register of deeds	20,800

37 **B. Aroostook County:**

39	(1) Commissioners	\$ 0
41	(2) Treasurer	6,930
43	<del>(3) Sheriff</del>	<del>18,850</del>
45	<del>(4)</del> <u>(3)</u> Judge of Probate	9,818
47	<del>(5)</del> <u>(4)</u> Register of probate	14,000
49	<del>(6)</del> <u>(5)</u> Register of deeds	
51	(a) Northern District	13,730

1	(b) Southern District	13,730
3	C. Franklin County:	
5	(1) Commissioners	
7	(a) Chairman	\$ 4,401
9	(b) Members	4,174
11	(2) Treasurer	4,555
13	<del>(3)</del> --Sheriff	22,873
15	<del>(4)</del> <u>(3)</u> Judge of Probate	10,500
17	<del>(5)</del> <u>(4)</u> Register of probate	15,000
19	<del>(6)</del> <u>(5)</u> Register of deeds	16,000
21	D. Hancock County:	
23	(1) Commissioners	
25	(a) Chairman	\$ 6,170
27	(b) Members	5,711
29	(2) Treasurer	14,277
31	<del>(3)</del> --Sheriff	24,000
33	<del>(4)</del> <u>(3)</u> Judge of Probate	12,633
35	<del>(5)</del> <u>(4)</u> Register of probate	13,167
37	<del>(6)</del> <u>(5)</u> Register of deeds	14,277
39	E. Kennebec County:	
41	(1) Commissioners	
43	(a) Chairman	\$ 6,150
45	(b) Members	5,773
47	(2) Treasurer	8,159
49	<del>(3)</del> --Sheriff	23,626
51	<del>(4)</del> <u>(3)</u> Judge of Probate	14,055

1	<del>(5)</del> <u>(4)</u> Register of probate			18,020
3	<del>(6)</del> <u>(5)</u> Register of deeds			18,020
5	F. Knox County:			
7	(1) Commissioners			
9		1987	1988	1989
11	(a) District 1	\$3,611	\$3,611	\$3,611
13	(b) District 2	3,439	3,439	3,611
15	(c) District 3	3,439	3,439	3,611
17	(d) Chairman			
19	differential	250	250	250
21	(2) Treasurer	6,000	6,000	6,000
23	<del>(3)</del> --Sheriff	22,500	22,500	22,500
25	<del>(4)</del> <u>(3)</u> Judge of Probate	11,000	11,000	11,000
27	<del>(5)</del> <u>(4)</u> Register of probate	13,425	13,425	15,000
29	<del>(6)</del> <u>(5)</u> Register of deeds	15,000	15,000	15,000
31	G. Lincoln County:			
33	(1) Commissioners			
35	(a) <del>Chairman</del>			\$ 5,292
37	(b) Members			4,515
39	(2) Treasurer			4,935
41	<del>(3)</del> --Sheriff			24,532
43	<del>(4)</del> <u>(3)</u> Judge of Probate			11,907
45	<del>(5)</del> <u>(4)</u> Register of probate			14,430
47	<del>(6)</del> <u>(5)</u> Register of deeds			18,428
49	H. Oxford County:			

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(1) Commissioners	
(a) Chairman	\$ 5,152
(b) Members	4,694
(2) Treasurer	6,205
<del>(3) -- Sheriff</del>	23,148
<del>(4) (3) Judge of Probate</del>	12,934
<del>(5) (4) Register of probate</del>	14,820
<del>(6) (5) Register of deeds</del>	
(a) Eastern District	15,236
(b) Western District	11,700

I. Penobscot County:

(1) Commissioners	
(a) Chairman	\$ 7,176
(b) Members	6,864
(2) Treasurer	2,808
<del>(3) -- Sheriff</del>	22,932
<del>(4) (3) Judge of Probate</del>	18,720
<del>(5) (4) Register of probate</del>	18,044
<del>(6) (5) Register of deeds</del>	18,044

J. Piscataquis County:

(1) Commissioners	
(a) Chairman	\$ 5,000
(b) Members	4,200
(2) Treasurer	5,200
<del>(3) -- Sheriff</del>	20,099
<del>(4) (3) Judge of Probate</del>	11,700

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3		<del>(5)</del> <u>(4)</u> Register of probate	13,450
5		<del>(6)</del> <u>(5)</u> Register of deeds	13,900
7	K.	Sagadahoc County:	
9		(1) Commissioners	
11		(a) Chairman	\$ 4,120
13		(b) Members	3,605
15		(2) Treasurer	7,017
17		<del>(3)</del> --Sheriff	19,055
19		<del>(4)</del> <u>(3)</u> Judge of Probate	12,929
21		<del>(5)</del> <u>(4)</u> Register of probate	14,125
23		<del>(6)</del> <u>(5)</u> Register of deeds	15,073
25	L.	Somerset County:	
27		(1) Commissioners	
29		(a) Chairman	\$ 4,296
31		(b) Members	3,681
33		(2) Treasurer	8,850
35		<del>(3)</del> --Sheriff	25,400
37		<del>(4)</del> <u>(3)</u> Judge of Probate	14,307
39		<del>(5)</del> <u>(4)</u> Register of probate	15,089
41		<del>(6)</del> <u>(5)</u> Register of deeds	15,500
43	M.	Washington County:	
45		(1) Commissioners	
47		(a) Chairman	\$ 4,872
49		(b) Members	4,061
51		(2) Treasurer	15,600
		<del>(3)</del> --Sheriff	22,381

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3	(4) (3)	Judge of Probate	13,834
5	(5) (4)	Register of probate	13,696
7	(6) (5)	Register of deeds	13,696
9	N. York County:		
11	(1)	Commissioners	\$ 0
13	(2)	Treasurer	3,900
15	(3)	--Sheriff	27,000
17	(4) (3)	Judge of Probate	11,463
19	(5) (4)	Register of probate	15,935
21	(6) (5)	Register of deeds	17,563

23 **Sec. 2. 30-A MRSA §2, sub-§5 is enacted to read:**

25 5. Salaries for sheriffs. Beginning January 1, 1991, the  
 27 sheriff for each county shall receive an annual salary of \$30,000  
which shall be paid from the treasury of the county which that  
sheriff serves.

29 **Sec. 3. 30-A MRSA §371, as enacted by PL 1987, c. 737, Pt. A,**  
 31 **§2 and Pt. C, §106, is amended to read:**

33 **§371. Election or appointment**

35 Sheriffs shall be elected or appointed and shall hold their  
 37 offices according to the Constitution of Maine. Their election  
 39 shall be conducted and determined as is provided for county  
 41 commissioners. They shall take office on the first day of  
January following their election. To be elected or appointed a  
sheriff, a person must be a graduate of the Maine Criminal  
Justice Academy and a resident in the county from which that  
person is elected or appointed.

43 **Sec. 4. 30-A MRSA §373, as enacted by PL 1987, c. 737, Pt. A,**  
 45 **§2 and Pt. C, §106, is repealed.**

47 **Sec. 5. 30-A MRSA §375 is enacted to read:**

49 **§375. Sheriffs' salaries**

51 1. Annual salary. The sheriff for each county shall  
receive an annual salary in accordance with section 2, subsection  
5, in weekly, biweekly or monthly payments.



1  
2. Additional payments. In addition to the annual salary,  
3 each sheriff shall receive additional sums for which that sheriff  
4 qualifies under the following provisions:

5  
6 A. One thousand dollars for each full calendar year of  
7 prior, uninterrupted service as sheriff within the county  
8 that sheriff is elected or appointed to serve;

9  
10 B. Two hundred fifty dollars for each 50,000 persons  
11 constituting the population of that county according to the  
12 latest Federal Decennial Census;

13  
14 C. One hundred dollars for each sheriff who holds an  
15 associate degree, \$250 for each sheriff who holds a bachelor  
16 degree and \$500 for each sheriff who holds a master degree  
17 in the fields of public administration, criminal justice or  
18 law enforcement from an accredited college or university; and

19  
20 D. Two hundred fifty dollars for each full calendar year of  
21 service prior to being elected or appointed sheriff in the  
22 related criminal justice fields of full-time corrections or  
23 law enforcement.

24  
25 3. Qualifying for payments. If any sheriff qualifies for  
26 any payments under subsection 2, the Secretary of State shall  
27 make the determination as to the length and type of prior service  
28 and applicability of education.

29  
30 4. Salaries and expenses. The salaries shall be in full  
31 compensation for service in attendance upon the Supreme Judicial  
32 Court and the Superior Court, as jailer, master or keeper of the  
33 jail in each county, for receiving and committing prisoners and  
34 for the performance of all duties relating to the enforcement of  
35 all criminal laws. All actual and necessary expenses for travel,  
36 lodging and necessary incidental expenses as are just and proper,  
37 incurred in the performance of their public duties, including all  
38 necessary expense for aid in keeping the jails, shall be allowed  
39 by the respective boards of county commissioners of the counties  
40 and paid from the county treasuries.

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42 **Sec. 5. Effective date.** This Act shall take effect on January  
43 1, 1991.

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46  
47 **STATEMENT OF FACT**

48  
49 The purpose of this bill is to provide a uniform, statewide  
50 base salary for sheriffs. Under this bill, the base salary would  
51 be \$30,000 annually, with additional allowances for years of  
52 service, experience and education. The bill also requires that  
53 sheriffs be graduates of the Maine Criminal Justice Academy and  
residents of the counties they represent.