

MAINE STATE LEGISLATURE

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 109, L.D. 133, Bill, "An Act Regarding Qualifications for the Office of Sheriff"

Amend the bill in section 1 in that part designated "§371-B." by inserting after subsection 1 the following:

'2. Filling vacancies. Vacancies in the office of sheriff caused by death, resignation, removal from the county, permanent incapacity or any other reason must be filled as provided in the Constitution of Maine.'

Further amend the bill in section 1 in that part designated "§371-B." in subsection 2 in the first line (page 1, line 13 in L.D.) by striking out the following: "2." and inserting in its place the following: '3.'

Further amend the bill in section 1 in that part designated "§371-B." in subsection 2 in paragraph A in the first line (page 1, line 19 in L.D.) by striking out the following: "attests to" and inserting in its place the following: 'swears to or affirms'

Further amend the bill in section 1 in that part designated "§371-B." in subsection 2 by inserting after paragraph A the following:

'B. The candidate has never been convicted of a Class C or higher crime;'

Further amend the bill in section 1 in that part designated "§371-B." in subsection 2 in paragraph B in the first line (page 1, line 22 in L.D.) by striking out the following: "B." and inserting in its place the following: 'C.'

COMMITTEE AMENDMENT

2 Further amend the bill in section 1 in that part designated
3 "§371-B." in subsection 2 in paragraph B in the 2nd and 3rd lines
4 (page 1, lines 23 and 24 in L.D.) by striking out the following:
5 "to confirm that the candidate has no felony convictions"

6
7 Further amend the bill in section 1 in that part designated
8 "§371-B." in subsection 2 in paragraph C in the first line (page
9 1, line 26 in L.D.) by striking out the following: "C." and
10 inserting in its place the following: 'D.'

11
12 Further amend the bill in section 1 in that part designated
13 "§371-B." in subsection 3 in the first line (page 1, line 33 in
14 L.D.) by striking out the following: "3." and inserting in its
15 place the following: '4.'

16
17 Further amend the bill in section 1 in that part designated
18 "§371-B." in subsection 3 in the first line (page 1, line 33 in
19 L.D.) by inserting after the following: "servin" the
20 following: 'or who has previously served'

21
22 Further amend the bill in section 1 in that part designated
23 "§371-B." in subsection 3 in the last line (page 1, line 35 in
24 L.D.) by striking out the following: "2" and inserting in its
25 place the following: '3'

26
27 Further amend the bill by inserting at the end before the
28 summary the following:

29
30
31 **FISCAL NOTE**

32
33 The additional costs associated with handling the additional
34 responsibility of a criminal background application process can
35 be absorbed by the Department of the Secretary of State utilizing
36 existing budgeted resources.'

37
38 **SUMMARY**

39
40 This amendment clarifies the bill, which established minimum
41 qualifications for candidates for election or appointment to the
42 office of county sheriff. The amendment clarifies that a
43 candidate for sheriff may not have been convicted of a Class C or
44 higher crime, clarifies the applicability of the Law Enforcement
45 Code of Ethics to candidates for sheriff and "grandfathers"
46 anyone who is not currently serving as sheriff but who previously
47 served in that capacity from the minimum qualifications imposed
48 by the bill.