# 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)



## 120th MAINE LEGISLATURE

### FIRST REGULAR SESSION-2001

Legislative Document

No. 1719

S.P. 557

In Senate, March 20, 2001

An Act Regarding Dismissal of Municipal Employees for Cause.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Labor suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator DOUGLASS of Androscoggin. Cosponsored by Representatives: BRYANT of Dixfield, GERZOFSKY of Brunswick.

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

2	
4	

Sec. 1. 30-A MRSA §2601, sub-§1, as enacted by PL 1987, c. 737, Pt. A,  $\S 2$  and Pt. C,  $\S 106$  and amended by PL 1989, c. 6, c. 9,  $\S 2$  and c. 104, Pt. C,  $\S \S 8$  and 10, is further amended to read:

1. Appointment of officials and employees. Except where specifically provided by law, charter or ordinance, the municipal officers shall appoint all municipal officials and employees required-by-general-law,-eharter-or-erdinance and, except for those officials and employees subject to section 2636, subsection 14, the municipal officers may remove these all municipal officials and employees for cause, after notice and hearing. The municipal officers may delegate the authority to hire and remove for cause employees whose appointments are not required by law, charter or ordinance to appropriate municipal officials.

#### **SUMMARY**

This bill clarifies the law concerning removal or dismissal of municipal employees, in response to <u>Farley v. Washburn</u>, 704 A.2d 347 (1997). Under this bill, it is clear that, except for employees appointed directly by the town manager, municipal employees are subject to removal by the municipal officers for cause after notice and hearing.