

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 925

H.P. 644

House of Representatives, February 22, 2005

An Act To Fairly Apportion the Cost of Sheriff Patrol Services

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BARSTOW of Gorham.

Cosponsored by Representatives: BEAUDETTE of Biddeford, BLANCHARD of Old Town, BLISS of South Portland, CUMMINGS of Portland, DUPLESSIE of Westbrook, MARLEY of Portland, Senator: BRENNAN of Cumberland.

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

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Sec. 1. 30-A MRSA §452, as amended by PL 1991, c. 478, is further amended to read:

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§452. Patrol

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The sheriff in each county, in person or by the sheriff's deputies, to the extent the sheriff undertakes to patrol, shall routinely patrol only those areas municipalities and unorganized territories in the county that have ~~no local law enforcement but may not be required by law to patrol the entire county.~~ The entered into a contract with the county commissioners, with the sheriff's agreement, may enter into a contract with a municipality under section 107 to provide that provides for specific patrol services by the sheriff's department in return for payment for these services.

Sec. 2. 30-A MRSA §706, first ¶, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

When a county tax is authorized, the county commissioners, within 30 days of that authorization, shall apportion it upon the municipalities and other places according to the last state valuation and fix the date for the payment of the tax, except that the commissioners shall separately apportion the budgeted cost of sheriff patrol services that are not contracted under section 452 in reasonable proportion to the extent those services are provided among the municipalities and unorganized territories within the county. This date may not be earlier than the first day of the following September. They may add that sum above the sum so authorized, not exceeding 2% of that sum, as a fractional division necessitates and demonstrate that necessity in the record of that apportionment, and issue their warrant to the assessors requiring them to immediately assess the sum apportioned to their municipality or place, and to commit their assessment to the constable or collector for collection. The county treasurer shall immediately certify the millage rate to the State Tax Assessor. The State Tax Assessor shall separately assess this millage rate upon the real and personal property in the unorganized territory within the appropriate county.

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SUMMARY

This bill requires the county commissioners to calculate the budgeted cost of noncontracted sheriff patrol services in the proportion to which those services are provided to municipalities and unorganized territories in the county. This bill requires

2 that the routine provision of sheriff patrol services be subject to the terms of a contract with the municipality receiving these services.