

MAINE STATE LEGISLATURE

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Minority

L.D. 1133

Date: 5/28/2013

(Filing No. S- 14)

STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 394, L.D. 1133, Bill, "An Act Concerning the Removal of Municipal Employees"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 30-A MRSA §2601, sub-§1, 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:

1. Appointment of officials and employees. Except ~~where~~ as specifically provided by law, charter or ordinance, the municipal officers shall appoint all municipal officials and employees required by general law, charter or ordinance and municipal officials and employees whose appointment is not otherwise provided for by general law, charter or ordinance and may remove those officials and employees for cause, after notice and hearing.'

SUMMARY

This amendment is the minority report and replaces the bill and clarifies that municipal officials and employees required by general law, charter or ordinance and those whose appointment is not otherwise provided for by general law, charter or ordinance may only be removed for cause.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



126th MAINE LEGISLATURE

LD 1133

LR 1610(02)

An Act Concerning the Removal of Municipal Employees

Fiscal Note for Bill as Amended by Committee Amendment *A*(S-141)
Committee: State and Local Government
Fiscal Note Required: Yes

Fiscal Note

State Mandate - Unfunded

State Mandates

| Required Activity | Unit Affected | Local Cost |
|---|---------------|---------------------------|
| Processing "for cause" terminations for municipal employees including providing notice and the opportunity for a hearing. | Municipality | Moderate limited scope |

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.