

MAINE STATE LEGISLATURE

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SMG
R. of S.

L.D. 453

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Date: 5/14/19

MINORITY

(Filing No. S-119)

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE

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SENATE

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129TH LEGISLATURE

8

FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 131, L.D. 453, Bill, "An Act To Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office"

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Amend the bill by striking out the title and substituting the following:

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'An Act To Ensure the Integrity and Accountability of County Sheriffs'

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Amend the bill by striking out everything after the enacting clause and inserting the following:

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'Sec. 1. 30-A MRSA §441, 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:

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§441. Removal or suspension of sheriff

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Whenever the county commissioners find that the sheriff is not faithfully or efficiently performing any duty imposed by this chapter or that the sheriff is improperly exercising or acting outside the sheriff's authority, the commissioners may file a complaint with the Governor describing in detail the facts of those actions or omissions and requesting that the Governor to remove the sheriff from office and appoint another sheriff in that office for the remainder of the term, pursuant to the Constitution of Maine, Article IX, Section 10:

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1. Remove the sheriff. Remove the sheriff from office and appoint another sheriff to that office for the remainder of the term; or

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2. Suspend the sheriff. Suspend the sheriff until the Governor determines whether to remove the sheriff from office or dismiss the complaint filed against the sheriff.'

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SUMMARY

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This amendment, which is the minority report of the committee, strikes the bill, which is a concept draft. This amendment sets out a process for county commissioners to

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COMMITTEE AMENDMENT "A" to S.P. 131, L.D. 453 (S-119)

1 request that the Governor suspend a county sheriff while considering a complaint to
2 remove the sheriff pursuant to the Constitution of Maine, Article IX, Section 10.