



Maine County Commissioners Association

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May 5, 2025

Sen. Joseph Baldacci, Chair
Rep. Suzanne Salisbury, Chair
Joint Standing Committee on State &
Local Government
100 State House Station
Augusta, ME 04333

Re: *LD 1741, An Act Regarding County Law Enforcement Administration and Rural Law Enforcement*

Dear Members of the State and Local Government Committee:

On behalf of the Maine County Commissioners Association, we appreciate the opportunity to provide testimony to the Committee in opposition to LD 1741. MCCA opposes LD 1741 because it disrupts the careful balance of power between sheriffs and county commissioners, removing essential fiscal checks that protect taxpayers and ensure responsible governance. MCCA appreciates working with the sheriffs and although we may have disagreements regarding this bill, we look forward to working with the sheriffs and other parties on this issue in the future.

About MCCA. Briefly, the Maine County Commissioners Association was established in 1890 to assist Maine's county government in providing vital services to Maine citizens in a responsive, efficient, and credible manner. The Association is based in Augusta, represents all 16 of Maine's counties, and is governed by a board with representation from each participating county.

What does LD 1741 do? LD 1741 makes significant changes to the structure and authority of county law enforcement by expanding the autonomy of elected sheriffs and limiting the fiscal oversight of county commissioners, particularly in areas like legal consultation and operational expenses. The bill also establishes a process for filling sheriff vacancies by requiring county commissioners to nominate an acting sheriff for appointment by the Governor, and it mandates various reporting and planning requirements related to rural law enforcement services.

Discussion. MCCA has great respect for Maine's sheriffs and the dedicated individuals who serve in these critical public safety roles across our state. Our counties work closely and cooperatively with sheriffs every day to ensure effective and responsive law enforcement services for our communities. The concerns we raise today are not directed at any individual or group of individuals, but rather reflect structural and policy issues within the proposed legislation that we believe would have long-term implications for the governance and fiscal oversight of county government.

MCCA opposes LD 1741 because it significantly undermines the authority of elected county commissioners by stripping away essential budgetary oversight and shifting control over county law enforcement operations entirely to sheriffs.

Under current law, county commissioners serve as the fiscal authority for county government, ensuring accountability and oversight over taxpayer resources. They are responsible for reviewing and approving expenditures, including those made by the sheriff's office. This includes costs associated with legal consultation, contracts, and operational expenses—checks and balances that are fundamental to responsible governance.

LD 1741 repeals 30-A M.R.S. §459¹, a longstanding provision that ensures county commissioners retain control over administrative services and the preparation of county budgets. This section is foundational to the fiscal management of county government, affirming that administrative functions—including those supporting the sheriff's office—remain under the authority of the commissioners. Eliminating this language would essentially give a county department authority to pass its own budget and divest the county's governing body of its essential and fundamental role in overseeing county expenditures, staffing, and financial planning. Without this statutory framework, counties risk operating without a coherent system of financial accountability, which is essential to good governance and taxpayer trust.

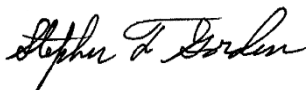
LD 1741 would upend the current system by requiring commissioners to approve virtually any expense the sheriff deems necessary, including hiring legal advisors or initiating contracts, without question or limitation. Without the ability of the county's governing body to review and approve the sheriff's budget, which represents a majority of county spending in every county in the state, this bill would effectively give sheriffs a blank check to fund their operations without any responsibility for sending out tax bills. Counties are not in a position to fund open-ended mandates, especially without the discretion to evaluate or deny costs they feel are inappropriate or excessive.

In addition to Section 5, the bill proposes a wide range of structural changes to county law enforcement governance that deserve scrutiny. For example, LD 1741 requires county commissioners to nominate an acting sheriff to the Governor in the event of a vacancy—a function that appears arbitrary and misaligned with the role of county commissioners. It is unclear why this is required as the county party committee is best suited to nominate whomever they believe is the best to serve the role of sheriff until a successor can be elected.

While we understand the desire to clarify the roles of county sheriffs and commissioners, this bill goes too far by giving sheriffs control over their own budget and weakening local fiscal control by the county governing bodies.

Conclusion. For these reasons, MCCA respectfully urges the Committee to vote **Ought Not to Pass** on LD 1741. Thank you, and please let us know if you have questions or need additional information.

Respectfully submitted,



Stephen Gorden
Co-Chair, Legislative Policy Committee, MCCA



Jean-Marie Caterina
Co-Chair, Legislative Policy Committee, MCCA

¹ “Each county may undertake administrative, management and supporting functions required to implement the law enforcement functions authorized by this chapter, including the recruitment and training of county personnel, maintenance of records and preservation of evidence, purchasing of necessary supplies and planning and budget preparation.”

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cc: Commissioner Andre Cushing, President, MCCA
James I. Cohen, Verrill Dana, LLP, MCCA Legislative Counsel

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