

MAINE STATE LEGISLATURE

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*Annual Report
5/11/73
GK*

July 13, 1977

Richard Dieffenbach
State Controller
State House
Augusta, Maine

Re: Annual Reports, effect of P.L. 1977, c. 370.

Dear Dick:

This responds to your opinion request dated June 27, 1977, as to the effect of P.L. 1977, c. 370 on the ability of the State Controller and the Maine State Retirement System to issue separate annual reports. P.L. 1977, c. 370 amends the annual report statute to provide as follows:

"Notwithstanding any other provisions of law, every annual or biennial report required by statute to be made by any agency other than constitutional officers elected by the Legislature, the legislative and judicial branches of government, the University of Maine and the Maine Maritime Academy, to the Governor and the Legislature shall be made by inclusion of that report in the Maine State Government Annual Report. The Governor may authorize the publication of special expanded department reports in a limited quantity when justified."

It would appear that this provision does require that annual reports of the Controller and the Maine State Retirement System be included within the Maine State Government Annual Report. However, you should also note that the last sentence of the amendment authorizes the Governor to permit publication of separate and expanded departmental reports where such reports are justified. It would appear that this section would allow the State Controller and the Maine State Retirement System, with approval of the Governor, to prepare and publish their more expanded annual reports which are important to the dealings of the State and the Maine State Retirement System with the financial community.

It should also be noted that the publication of separate reports permitted with gubernatorial approval may include more detailed material than published in the Maine State Government Annual Report volume.

Sincerely,

DONALD G. ALEXANDER
Deputy Attorney General

DGA/ec

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