

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

JOSEPH E. BRENNAN
ATTORNEY GENERAL



RICHARD S. COHEN
JOHN M. R. PATERSON
DONALD G. ALEXANDER
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

March 13, 1978

Senator Thomas M. Mangan
Senate Chambers
State House
Augusta, Maine 04333

Dear Senator Mangan:

We are responding to your oral request for advice of this office concerning L.D. 2122, "An Act to Clarify the Status of Intermittent State Employees." You asked whether the bill, as presently drafted, would include legislative staff.

Our advice on your question is that if L.D. 2122 were enacted in its present form, it appears that its provisions would apply to legislative staff. The bill would enact two new sections to Title 5 M.R.S.A., i.e., § 553-A and § 559. Both of these sections would be within Chapter 51 of Title 5, titled "General Provisions." Since there is no exception stated in the bill, the provisions would be applicable to all state employees whether classified or unclassified. Officers and employees of the Senate and House of Representatives are specifically indicated as members of the unclassified service (5 M.R.S.A. § 711, sub-§ 5), and, therefore, would be within the scope of the bill.

This advice is given without reference to the study report of the State Government Committee made pursuant to H.P. 1760, which is not readily available as this letter is being drafted. It is possible that the contents of the report might alter the foregoing; however, our advice appears correct from the face of the L.D. itself.

Sincerely,

A handwritten signature in cursive script, reading "S. Kirk Studstrup".

S. KIRK STUDSTRUP
Assistant Attorney General

SKS:mfe

cc: Committee on State Government