

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

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Legislative Document

No. 1459

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H. P. 1137

House of Representatives, April 18, 1969

Reported by Mr. Marsteller from Committee on State Government. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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**AN ACT** Relating to Approval of Appointment of Assistant County  
Attorneys for Hancock and Washington Counties.

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, an increase in reciprocal nonsupport cases and work in connection with the Hancock County airport have substantially burdened the duties and responsibilities of the county attorney of Hancock County; and

Whereas, an expanding caseload and frequency of District and Superior Court sessions in conjunction with such other duties have given rise to the necessity of assistant county attorneys for the Counties of Hancock and Washington; and

Whereas, it is vitally necessary for full-time assistants to be appointed to alleviate these hardships; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., T. 30, § 2, amended.** The 6th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to Hancock County, is further amended to read as follows:

**Hancock County:** County commissioners, \$1,450; clerk of courts, \$4,250; deputy clerk of courts, \$3,100; county attorney, \$5,000; **assistant county attorney, \$4,500;** county treasurer, \$2,850; sheriff, \$5,000; register of deeds, \$4,250; judge of probate, \$4,500; register of probate, \$4,250.

**Sec. 2. R. S., T. 30, § 2, amended.** The 16th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to Washington County, is further amended to read as follows:

**Washington County:** County commissioners, \$1,800; chairman, \$2,100; clerk of courts, \$4,200; county attorney, \$5,000; **assistant county attorney, \$4,500;** county treasurer, \$3,200; sheriff, \$5,000; register of deeds, \$4,200; judge of probate, \$4,000; register of probate, \$4,200.

**Sec. 3. R. S., T. 30, § 561, additional.** Title 30 of the Revised Statutes is amended by adding a new section 561, to read as follows:

**§ 561. —Hancock County**

The county attorney of the County of Hancock may appoint an assistant, who shall be a resident of the county and duly admitted to the practice of law in this State, to be approved by a Justice of the Superior Court resident in said county or by the Chief Justice of the Supreme Judicial Court, and who shall hold his office during the term of the county attorney by whom he was appointed, subject to removal at any time by the Chief Justice of the Supreme Judicial Court. Said assistant shall take the oath prescribed for county attorney and assist the county attorney in the ordinary duties of his office, in the drawing of indictments, in the hearing of complaints before the grand jury and in the preparation and trial of criminal causes. He shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before the District Court.

**Sec. 4. R. S., T. 30, § 562, additional.** Title 30 of the Revised Statutes is amended by adding a new section 562, to read as follows:

**§ 562. —Washington County**

The county attorney of the County of Washington may appoint an assistant, who shall be a resident of the county and duly admitted to the practice of law in this State, to be approved by a Justice of the Superior Court resident in said county or by the Chief Justice of the Supreme Judicial Court, and who shall hold his office during the term of the county attorney by whom he was appointed, subject to removal at any time by the Chief Justice of the Supreme Judicial Court. Said assistant shall take the oath prescribed for county attorney and assist the county attorney in the ordinary duties of his office, in the drawing of indictments, in the hearing of complaints before the grand jury and in the preparation and trial of criminal causes. He shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before the District Court.

**Sec. 5. Appropriation.** There is appropriated from the General Fund to the Department of Attorney General the sum of \$18,000 to carry out the purposes of this Act. The breakdown shall be as follows:

1969-70

1970-71

ATTORNEY GENERAL, DEPARTMENT OF

County Attorneys—Salaries

Personal Services

(2) \$9,000

(2) \$9,000

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect July 1, 1969.