

MAINE STATE LEGISLATURE

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(EMERGENCY)
NEW DRAFT OF: H. P. 1303, L. D. 1616
FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1825

H. P. 1449 House of Representatives, January 28, 1970
Reported by Mr. Dennett from Committee on State Government. Printed
under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

**AN ACT Abolishing Full-Time County Attorneys and Increasing Salaries
of Certain County Attorneys and Assistant County Attorneys.**

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

Whereas, the 104th Legislature in regular session, by chapter 473 of the public laws of 1969, created full-time county attorneys in the Counties of Androscoggin, Aroostook, Cumberland, Kennebec, Penobscot and York; and

Whereas, there is a distinct possibility of the resignations of the county attorneys of these counties because they would be unable to maintain their private legal practices under the present law; 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. That part of the 2nd paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney and assistant county attorneys of Androscoggin County, as amended, is further amended to read as follows:

~~full time~~ county attorney, ~~\$12,000~~ \$8,500; first assistant county attorney, \$5,500; second assistant county attorney, ~~\$4,500~~ \$5,500;

Sec. 2. R. S., T. 30, § 2, amended. That part of the 3rd paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney and assistant county attorney of Aroostook County, as amended, is further amended to read as follows:

~~full time~~ county attorney, ~~\$12,000~~ \$8,500; assistant county attorney, \$5,500;

Sec. 3. R. S., T. 30, § 2, amended. That part of the 4th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney and assistant county attorneys of Cumberland County, as amended, is further amended to read as follows:

~~full time~~ county attorney, ~~\$15,000~~ \$10,000; first assistant county attorney, \$7,000; second assistant county attorney, ~~\$6,000~~ \$7,000; third assistant county attorney, ~~\$5,000~~ \$7,000;

Sec. 4. R. S., T. 30, § 2, amended. That part of the 5th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorney of Franklin County is further amended to read as follows:

county attorney, ~~\$7,000~~ \$6,500;

Sec. 5. R. S., T. 30, § 2, amended. That part of the 6th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney of Hancock County, as amended, is further amended to read as follows:

county attorney, ~~\$7,500~~ \$8,500;

Sec. 6. R. S., T. 30, § 2, amended. That part of the 7th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney and assistant county attorney of Kennebec County, as amended, is further amended to read as follows:

~~full time~~ county attorney, ~~\$12,000~~ \$9,000; assistant county attorney ~~\$5,500~~ \$6,000;

Sec. 7. R. S., T. 30, § 2, amended. That part of the 8th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney of Knox County, as amended, is further amended to read as follows:

county attorney, ~~\$7,000~~ \$7,500;

Sec. 8. R. S., T. 30, § 2, amended. That part of the 9th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney of Lincoln County, as amended, is further amended to read as follows:

county attorney, ~~\$7,000~~ \$7,500;

Sec. 9. R. S., T. 30, § 2, amended. That part of the 10th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney

and assistant county attorney of Oxford County, as amended, is further amended to read as follows :

county attorney, ~~\$7,500~~ \$8,500; assistant county attorney, ~~\$4,500~~ \$5,000;

Sec. 10. R. S., T. 30, § 2, amended. That part of the 11th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney and assistant county attorneys of Penobscot County, as amended, is further amended to read as follows :

~~full time~~ county attorney, ~~\$12,000~~ \$9,000; first assistant county attorney, \$6,000; second assistant county attorney, ~~\$5,000~~ \$6,000;

Sec. 11. R. S., T. 30, § 2, amended. That part of the 13th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney of Sagadahoc County, as amended, is further amended to read as follows :

county attorney, ~~\$7,000~~ \$7,500;

Sec. 12. R. S., T. 30, § 2, amended. That part of the 14th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney and assistant county attorney of Somerset County, as amended, is further amended to read as follows :

county attorney, ~~\$7,500~~ \$8,000; assistant county attorney, ~~\$4,500~~ \$5,000;

Sec. 13. R. S., T. 30, § 2, amended. That part of the 17th paragraph of section 2 of Title 30 of the Revised Statutes which relates to the county attorney and assistant county attorney of York County, as amended, is further amended to read as follows :

~~full time~~ county attorney, ~~\$12,000~~ \$9,000; first assistant county attorney, ~~\$5,500~~ \$6,000; second assistant county attorney, \$6,000;

Sec. 14. R. S., T. 30, § 454, repealed. Section 454 of Title 30 of the Revised Statutes, as enacted by section 17 of chapter 473 of the public laws of 1969, is repealed.

Sec. 15. R. S., T. 30, § 558, repealed and replaced. Section 558 of Title 30 of the Revised Statutes is repealed and the following enacted in place thereof :

§ 558. York County

The county attorney of the County of York may appoint one assistant county attorneys, one to be known as first assistant county attorney and the other to be known as second assistant county attorney. Said assistant shall take the oath prescribed for county attorneys 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. They shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before Judges of the District Court. They shall hold their office during the term of the county at-

torney by whom they are appointed, subject to removal at any time by the Chief Justice of the Supreme Judicial Court.

Sec. 16. Appropriation. There is appropriated from the General Fund the sum of \$4,500 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	\$1,500	\$3,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.