

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 534

S. P. 182

In Senate, February 3, 1971

Referred to Committee on State Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Katz of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT to Place the State Department of Audit Under the Legislative
Research Committee.**

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

Whereas, the transfer of the Department of Audit to the legislative branch of government is in the best interest of more efficient State Government for the benefit of the people of Maine; and

Whereas, the State Planning Office has recommended such a transfer for a more realistic and efficient reorganization of State Government; and

Whereas, the following legislation in order to operate during the 1971 regular legislative session should be enacted as an emergency to permit the reorganization as soon as possible; 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. 3, § 163, sub-§ 16, additional. Section 163 of Title 3 of the Revised Statutes, as amended, is further amended by adding a new subsection 16, to read as follows:

16. Department of Audit. The State Department of audit shall be placed under the Legislative Research Committee.

Sec. 2. R. S., T. 5, § 243, sub-§§ 5-A and 5-B, additional. Section 243 of Title 5 of the Revised Statutes, as amended, is further amended by adding 2 new subsections 5-A and 5-B, to read as follows:

5-A. Review, plans and report. To review and study departmental budgets and capital programs for better and efficient management of State Government.

5-B. Dedicated funds. To review and study expenditures of the dedicated funds of independent boards and commissions.

Sec. 3. R. S., T. 5, § 243, sub-§ 7, additional. Section 243 of Title 5 of the Revised Statutes, as amended, is further amended by adding a new subsection 7, to read as follows:

7. Reports. To report its findings, with recommendations, on any review or study to the Legislature.

Sec. 4. R. S., T. 5, § 244, amended. The 3rd sentence of section 244 of Title 5 of the Revised Statutes is amended to read as follows:

If he shall find in the course of his audit evidences of improper transactions, or of incompetence in keeping accounts or handling funds or of any other improper practice of financial administration, he shall report the same to the Governor and the Legislature immediately.

Sec. 5. Personnel. All classified personnel employed by the present Department of Audit shall continue as employees.

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

STATEMENT OF FACT

The intent of this legislation is reflected in the emergency preamble.