

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1352**

H. P. 1100

House of Representatives, March 20, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Joyce of Portland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Relating to the Management of the Department of Attorney General.**

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

**Sec. 1. 5 MRSA § 196, last sentence**, as amended by PL 1977, c. 380, Pt. B, § 1, is further amended to read:

The compensations of the deputy attorneys general, staff attorneys, assistant attorneys general, **business manager** and secretary to the Attorney General shall be fixed by the Attorney General ~~with the approval of the Governor~~, but such compensations shall not in the aggregate exceed the amount appropriated therefor and shall not result in an increased request to future Legislatures.

**Sec. 2. 5 MRSA § 711, sub-§ 1, ¶ I**, as repealed and replaced by PL 1977, c. 674, § 6, is amended to read:

I. Deputies, assistants, staff attorneys, research assistants, **business manager** and the secretary to the Attorney General of the Attorney General's Department.

## STATEMENT OF FACT

The purpose of this bill is to enable the Attorney General to make management decisions regarding the compensation of employees without the necessity of approval by the Governor. This requirement has occasionally delayed implementation of changes in the salary schedules in the department. The bill also authorizes the Attorney General to hire a business manager and set his salary outside the limitations of the classified service. Given the confidential nature of the relationship between the Attorney General and his staff and the agencies of the State to whom he renders legal advice, and the status of the Attorney General as an independent constitutional officer, it is desirable that the Attorney General be able to select and manage his staff outside the limitations of the classified employment system.