

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2006

S.P. 747

In Senate, January 7, 1988

Submitted by the Department of Transportation pursuant to
Joint Rule 24.

Reference to the Committee on Transportation suggested and
ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator DOW of Kennebec.

Cosponsored by Representative MCPHERSON of Eliot,
Representative MOHOLLAND of Princeton, Representative CALLAHAN
of Mechanic Falls.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Reorganize the Legal Division of the
2 Department of Transportation.
3

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

6 Sec. 1. 5 MRSA §931, sub-§1, ¶L, as enacted by
7 PL 1985, c. 785, Pt. A, §44, is amended to read:

8 L. The executive director, deputy director,
9 general counsel and staff attorneys of the Maine
10 Health Care Finance Commission; and

1 Sec. 2. 5 MRSA §931, sub-§1, ¶M, as amended by
2 PL 1987, c. 9, §2, is further amended to read:

3 M. Other positions in the Executive Branch
4 Department made unclassified by law; and

5 Sec. 3. 5 MRSA §931, sub-§1, ¶N is enacted to
6 read:

7 N. Chief Counsel, staff attorneys and research
8 assistants of the Department of Transportation.

9 Sec. 4. 5 MRSA §951, sub-§1, ¶B, as enacted by
10 PL 1983, c. 729, §4, is amended to read:

11 B. Chief Counsel, and staff attorneys Bureau of
12 Legal Services;

13 Sec. 5. 23 MRSA §4205-A is enacted to read:

14 §4205-A. Staff attorneys; research assistants

15 The Chief Counsel may appoint one or more staff
16 attorneys who shall serve at the pleasure of the Chief
17 Counsel and may perform all the duties required of the
18 Chief Counsel and such other duties as the Chief
19 Counsel may delegate to them. The Chief Counsel may
20 appoint research assistants who shall perform such
21 duties as may be delegated to them, including such
22 activities as are authorized by Title 4, section 807.
23 The compensation of staff attorneys and research
24 assistants shall be fixed by the Chief Counsel with
25 the approval of the commissioner, but the
26 compensations shall not exceed in the aggregate the
27 total amount appropriated or allocated in the
28 department's budget.

29 Staff attorneys who have been appointed prior to
30 the effective date of this section may continue, at
31 their option, to remain in the classified service, but
32 shall be deemed confidential employees.

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STATEMENT OF FACT

2 This bill will place all new staff attorneys and
3 research assistants in the Department of
4 Transportation as unclassified positions. It does not
5 affect employees who are currently classified, other
6 than to make staff attorney positions confidential.
7 Current staff attorneys would have a choice of
8 remaining in the classified service or becoming
9 unclassified. This bill makes the administration of
10 the department's legal staff similar to the Attorney
11 General's office and other departmental legal staffs.

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