

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-1997

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Legislative Document

No. 1795

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H.P. 1269

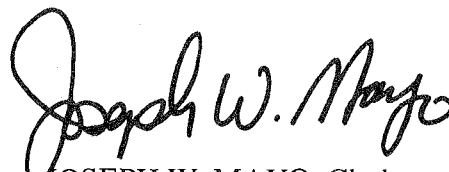
House of Representatives, April 15, 1997

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**An Act to Clarify the Qualifications of State Auditor.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative DONNELLY of Presque Isle.  
Cosponsored by Senator AMERO of Cumberland and  
Representatives: CAMPBELL of Holden, FISK of Falmouth, KASPRZAK of Newport,  
KNEELAND of Easton, MARVIN of Cape Elizabeth, Senator: MILLS of Somerset.

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

2           Sec. 1. 5 MRSA §242, as amended by PL 1987, c. 802, §§1 and  
4           2, is further amended to read:

6           **§242. Organization; deputy**

8           The Department of Audit shall ~~be~~ is organized in the manner  
10          the State Auditor may ~~deem~~ considers best suited to the  
12          accomplishment of its functions. It shall must have such  
14          auditors, assistants and employees as the State Auditor may  
16          ~~require~~ requires, but they shall ~~be~~ are subject to the Civil  
18          Service Law.

20          Any person elected to the position of State Auditor ~~or~~ must  
22          ~~be currently qualified as a certified public accountant and any~~  
24          ~~person permanently employed by the Department of Audit as deputy~~  
26          ~~auditor, director of audits or assistant director of audits must~~  
28          ~~be currently qualified as or have successfully completed or~~  
30          ~~passed the examination for a certified public accountant, public~~  
32          ~~accountant or certified internal auditor. Persons--not--se~~  
34          ~~qualified--may--be--employed--in--these--audit--supervisory--positions--on~~  
36          ~~a--temporary--basis--not--to--exceed--9--months.~~

          In the event of a vacancy in the office of State Auditor  
because of death, resignation, removal or other cause, the deputy  
auditor shall perform the duties of the office until a State  
Auditor has been appointed in conformity with section 241, and  
has been duly qualified. In the event of absence or disability of  
the State Auditor, the deputy auditor shall likewise perform the  
duties of the office during his the State Auditor's absence.

**SUMMARY**

          This bill clarifies that the State Auditor must be a  
certified public accountant at the time of the election.