

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1876

H.P. 1308

House of Representatives, March 22, 2018

**An Act Regarding Financial Orders Requested by the Attorney
General**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FREY of Bangor.
Cosponsored by Senator HILL of York and
Representatives: GATTINE of Westbrook, LUCHINI of Ellsworth, McLEAN of Gorham,
MOONEN of Portland, Senator: SAVIELLO of Franklin.

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

2 **Sec. 1. 5 MRSA §196, first ¶**, as amended by PL 2017, c. 284, Pt. DDD, §1, is
3 further amended to read:

4 The Attorney General may appoint one or more deputy attorneys general, assistant
5 attorneys general and staff attorneys who serve at the pleasure of the Attorney General or
6 until their successors are duly appointed and qualified. They may perform all the duties
7 required of the Attorney General and other duties the Attorney General delegates to them.
8 The Attorney General may appoint research assistants with any powers and duties the
9 Attorney General delegates. Research assistants may perform duties delegated to them by
10 the Attorney General, including activities authorized by Title 4, section 807.
11 Notwithstanding any other provisions of law, the compensations of research assistants,
12 law office manager and deputy attorneys general are fixed by the Attorney General. The
13 compensation of the Deputy Chief Medical Examiner is fixed by the Attorney General in
14 consultation with the Chief Medical Examiner and with the approval of the Governor.
15 The compensations of the staff attorneys, assistant attorneys general and secretary to the
16 Attorney General are fixed by the Attorney General with the approval of the Governor;
17 but such by financial order. If the Governor disapproves or takes no action on a financial
18 order within 30 days of submission of the financial order request to the State Budget
19 Officer, that financial order is deemed approved as long as the position is established and
20 the compensations may do not in the aggregate exceed the amount appropriated for those
21 positions and may do not result in an increased request to future Legislatures. The
22 Governor may not impose upon the Attorney General any precondition on the submission
23 of a financial order request or the filling of any position that does not require a financial
24 order.

25 **SUMMARY**

26 This bill provides that, if the Governor disapproves or takes no action within 30 days
27 of submission of a financial order request by the Attorney General regarding the
28 compensation of staff attorneys, assistant attorneys general and the secretary to the
29 Attorney General, the financial order is deemed approved as long as the positions are
30 established and the compensations do not in the aggregate exceed the amount
31 appropriated for the positions and do not result in an increased request to future
32 Legislatures. It also provides that the Governor may not impose upon the Attorney
33 General any precondition on the submission of a financial order request or the filling of
34 any position that does not require a financial order.