

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act Regarding the Disposition of Certain Funds Received by the Attorney General Pursuant to a Court Order or Settlement**

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

**Whereas,** the people of this State acting through their elected representatives in the Legislature should have the authority to decide how to spend money that accrues to the State due to certain court orders and settlements; and

**Whereas,** the provisions in this legislation for the Attorney General to apply for reimbursement of costs incurred by the Attorney General in connection with these court orders and settlements must take effect 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. 5 MRSA §203-A,** as enacted by PL 1991, c. 532, §1 and affected by §2, is amended to read:

### **§ 203-A.Accounts established due to court orders or other settlements**

Unless specifically ordered by the court to do otherwise, the Attorney General shall work with the Treasurer of State to deposit any revenue or money received as a result of any court order, court settlement or other agreement into an other special revenue account of the State and all interest must be credited to the General Fund. When, pursuant to a court order or settlement, the Attorney General receives money on behalf of the State that is specifically designated for antitrust enforcement or for enforcement of the Maine Unfair Trade Practices Act, the Attorney General is authorized to expend such funds for expert witness fees, copying of documents, transcripts and any other purpose in accordance with the court order may make a request to the State Budget Officer for reimbursement for costs incurred by the Attorney General in connection with that court order or settlement. These costs are strictly limited to expenditures for expert witness fees, copying of documents and transcripts. Any interest on such funds, unless otherwise ordered by the court, must be credited to the General Fund. The Attorney General shall provide an accounting of such funds to the Legislature in a form and as determined by the Office of Fiscal and Program Review.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## **SUMMARY**

HP0961, LD 1414, item 1, 127th Maine State Legislature  
An Act Regarding the Disposition of Certain Funds Received by  
the Attorney General Pursuant to a Court Order or Settlement

This bill provides that when, pursuant to a court order or settlement, the Attorney General receives money on behalf of the State that is specifically designated for antitrust enforcement or for enforcement of the Maine Unfair Trade Practices Act, the Attorney General may make a request to the State Budget Officer for reimbursement for costs incurred by the Attorney General in connection with that court order or settlement. These costs are strictly limited to expenditures for expert witness fees, copying of documents and transcripts. Current law provides that when, pursuant to a court order or settlement, the Attorney General receives money that is specifically designated for antitrust enforcement or for enforcement of the Maine Unfair Trade Practices Act, the Attorney General is authorized to expend these funds for expert witness fees, copying of documents and transcripts and any other purpose in accordance with the court order.