



128th MAINE LEGISLATURE

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Legislative Document

No. 1281

S.P. 433

In Senate, April 4, 2017

**An Act Regarding the Compensation of Assistant Attorneys General
and District Attorneys and the Approval of Financial Orders by the
Attorney General and Secretary of State**

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator HILL of York.
Cosponsored by Representative MOONEN of Portland and
Senators: CARPENTER of Aroostook, KATZ of Kennebec, SAVIELLO of Franklin,
Representatives: FREY of Bangor, LUCHINI of Ellsworth, McLEAN of Gorham.

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

2 **Sec. 1. 5 MRSA §81**, as amended by PL 1977, c. 674, §1, is further amended by
3 adding at the end a new paragraph to read:

4 The Secretary of State may approve financial orders for transfers and revisions of and
5 increases to allotments within the budget of the Department of the Secretary of State in
6 accordance with procedures for financial orders established in the executive branch. The
7 Secretary of State shall provide a copy of each approved financial order to the
8 Department of Administrative and Financial Services, Bureau of the Budget, the Office of
9 Fiscal and Program Review and the Legislative Council. Compensation established by
10 the Secretary of State for unclassified employees may not in the aggregate exceed the
11 amount appropriated for those positions and may not result in an increased request to
12 future Legislatures.

13 **Sec. 2. 5 MRSA §191, sub-§5** is enacted to read:

14 **5. Financial orders.** The Attorney General may approve financial orders for
15 transfers and revisions of and increases to allotments within the budget of the Department
16 of the Attorney General in accordance with procedures for financial orders established in
17 the executive branch. The Attorney General shall provide a copy of each approved
18 financial order to the Department of Administrative and Financial Services, Bureau of the
19 Budget, the Office of Fiscal and Program Review and the Legislative Council.
20 Compensation established by the Attorney General for unclassified employees may not in
21 the aggregate exceed the amount appropriated for those positions and may not result in an
22 increased request to future Legislatures.

23 **Sec. 3. 5 MRSA §196, first ¶**, as amended by PL 2005, c. 154, §1, is further
24 amended to read:

25 The Attorney General may appoint one or more deputy attorneys general, assistant
26 attorneys general and staff attorneys who serve at the pleasure of the Attorney General or
27 until their successors are duly appointed and qualified. They may perform all the duties
28 required of the Attorney General and other duties the Attorney General delegates to them.
29 The Attorney General may appoint research assistants with any powers and duties the
30 Attorney General delegates. Research assistants may perform duties delegated to them by
31 the Attorney General, including activities authorized by Title 4, section 807.
32 Notwithstanding any other provisions of law, the compensations of assistant attorneys
33 general, staff attorneys, research assistants, the law office manager, the secretary to the
34 Attorney General and deputy attorneys general are fixed by the Attorney General.—~~The~~
35 ~~compensations of the staff attorneys, assistant attorneys general and secretary to the~~
36 ~~Attorney General are fixed by the Attorney General with the approval of the Governor,~~
37 but such compensations may not in the aggregate exceed the amount appropriated for
38 those positions and may not result in an increased request to future Legislatures.

39 **Sec. 4. 30-A MRSA §255, sub-§1**, as amended by PL 1989, c. 6; c. 9, §2; and c.
40 104, Pt. C, §§8 and 10 and repealed and replaced by c. 501, Pt. O, §18, is amended to
41 read:

