

**§931. Unclassified service**

The unclassified service comprises positions held by officers and employees as follows. [PL 1983, c. 729, §4 (NEW).]

**1. Officers and employees.** Certain elective, legislative, executive, judicial and other officers and employees as follows:

A. Elective officers, chosen by popular election or appointed to fill an elective office; [PL 1983, c. 729, §4 (NEW).]

B. Officers who, under the Constitution of Maine or statutes, are chosen by the Legislature; [PL 1983, c. 729, §4 (NEW).]

C. Heads of departments and members of boards and commissions required by law to be appointed by the Governor, some bureau directors and the Administrative Director of the Public Utilities Commission; [PL 1983, c. 729, §4 (NEW).]

D. Officers and employees in the judicial service of the State; [PL 1983, c. 729, §4 (NEW).]

E. Officers and employees of the Senate and House of Representatives of the Legislature; [PL 1983, c. 729, §4 (NEW).]

F. Officers and enlisted men in the National Guard and Naval Militia of the State; [PL 1983, c. 729, §4 (NEW).]

G. Employees working in the Governor's office, Governor's Office of Communications, Governor's Energy Office and at the Blaine Mansion; [PL 2011, c. 655, Pt. D, §1 (AMD).]

H. Officers and employees of the unorganized territory school system; the teachers, administrators and professional employees of the state community colleges and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; and the teachers, administrators and professional employees of school systems in other state institutions; [PL 2005, c. 279, §2 (AMD).]

I. Deputies, assistants, staff attorneys, research assistants and the secretary to the Attorney General of the Department of Attorney General; [PL 1985, c. 785, Pt. A, §42 (AMD).]

J. Staff attorney, utility analyst and assistant administrative director positions at the Public Utilities Commission; [PL 2007, c. 482, §2 (AMD).]

K. All major policy-influencing positions listed in sections 932 to 952; [PL 1995, c. 465, Pt. A, §4 (AMD); PL 1995, c. 465, Pt. C, §2 (AFF).]

L. [PL 2007, c. 466, Pt. A, §9 (RP).]

L-1. [PL 1995, c. 625, Pt. A, §4 (RP).]

L-2. [PL 2011, c. 655, Pt. I, §4 (RP); PL 2011, c. 655, Pt. I, §11 (AFF).]

L-3. The Executive Analyst of the Board of Environmental Protection; and [PL 2003, c. 646, §1 (AMD).]

L-4. [PL 2003, c. 646, §2 (RP).]

M. Other positions in the Executive Branch made unclassified by law. [PL 1987, c. 9, §2 (AMD).] [PL 2011, c. 655, Pt. D, §1 (AMD); PL 2011, c. 655, Pt. I, §4 (AMD); PL 2011, c. 655, Pt. I, §11 (AFF).]

**2. Employees appointed to major policy - influencing positions.** Except where a term is otherwise provided by law, the appointing authority of the department or agency in which a major

policy-influencing position is located may appoint and remove persons to and from these positions at his pleasure.

A. [PL 1989, c. 76, §1 (RP).]

B. [PL 1989, c. 76, §1 (RP).]

C. Any person permanently appointed to a classified position who accepts an appointment to a major policy-influencing position shall have the right, for 12 months subsequent to appointment to the major policy-influencing position, to be restored to the classified position from which he was promoted or to a position equivalent thereto in salary grade in any agency without impairment of his personnel status or the loss of seniority, retirement or other rights to which uninterrupted service in the classified position would entitle him. [PL 1985, c. 785, Pt. A, §45 (NEW).]

D. If a person's service in a major policy-influencing position is terminated for cause, his right to be restored to a position pursuant to paragraph C shall be determined by the Civil Service Appeals Board. [PL 1985, c. 785, Pt. A, §45 (NEW).]

E. During the 12-month period defined in paragraph C, the appointing authority may temporarily appoint a person to the position under the Civil Service Law, provided that funds are available for the appointment and that the appointment is consistent with the law. [RR 1993, c. 1, §8 (COR).]  
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#### SECTION HISTORY

PL 1983, c. 729, §4 (NEW). PL 1983, c. 862, §10 (AMD). PL 1985, c. 481, §§A7-A9 (AMD). PL 1985, c. 618, §3 (AMD). PL 1985, c. 628, §1 (AMD). PL 1985, c. 785, §§A42-45 (AMD). PL 1987, c. 9, §§1,2 (AMD). PL 1987, c. 76, §1 (AMD). PL 1987, c. 402, §A27 (AMD). PL 1987, c. 631, §2 (AMD). PL 1989, c. 443, §7 (AMD). PL 1991, c. 376, §§17,18 (AMD). RR 1993, c. 1, §8 (COR). PL 1993, c. 349, §6 (AMD). PL 1995, c. 465, §A4 (AMD). PL 1995, c. 465, §C2 (AFF). PL 1995, c. 625, §§A3,4 (AMD). PL 1997, c. 459, §§2,3 (AMD). PL 1997, c. 586, §1 (AMD). PL 1999, c. 784, §§2,3 (AMD). PL 2001, c. 374, §§2,3 (AMD). PL 2003, c. 20, §OO2 (AMD). PL 2003, c. 20, §OO4 (AFF). PL 2003, c. 646, §§1,2 (AMD). PL 2005, c. 218, §2 (AMD). PL 2005, c. 279, §2 (AMD). PL 2007, c. 466, Pt. A, §9 (AMD). PL 2007, c. 482, §2 (AMD). PL 2011, c. 655, Pt. D, §1 (AMD). PL 2011, c. 655, Pt. I, §4 (AMD). PL 2011, c. 655, Pt. I, §11 (AFF).

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