

§191. Duties; salary; fees; full time

1. Attorney General; office; salary. The Attorney General is the executive head of the Department of the Attorney General. The Attorney General shall keep an office at the seat of government and is entitled to receive an annual salary in full for all services. The Attorney General is entitled to receive actual expenses incurred in the performance of official duties.

[PL 2003, c. 510, Pt. B, §2 (NEW); PL 2003, c. 599, §11 (AFF).]

2. Full time; prohibited activities. The Attorney General shall devote full time to the duties of the office and may not engage in the private practice of law during the Attorney General's term of office, nor may the Attorney General during that term be a partner or associate of any person in the practice of law. During the term of service, the Attorney General may not be an officer or director of any corporation engaged in business for profit within the State.

[PL 2003, c. 510, Pt. B, §2 (NEW); PL 2003, c. 599, §11 (AFF).]

3. Representation by Attorney General, deputies, assistants and staff attorneys. The Attorney General or a deputy, assistant or staff attorney shall appear for the State, the head of any state department, the head of any state institution and agencies of the State in all civil actions and proceedings in which the State is a party or interested, or in which the official acts and doings of the officers are called into question, in all the courts of the State and in those actions and proceedings before any other tribunal when requested by the Governor or by the Legislature or either House of the Legislature. All such actions and proceedings must be prosecuted or defended by the Attorney General or under the Attorney General's direction.

A. Writs, summonses or other processes served upon those officers must be transmitted by them to the Attorney General. [PL 2003, c. 510, Pt. B, §2 (NEW); PL 2003, c. 599, §11 (AFF).]

B. All legal services required by those officers, boards and commissions in matters relating to their official duties must be rendered by the Attorney General or under the Attorney General's direction. The officers or agencies of the State may not act at the expense of the State as counsel, nor employ private counsel except upon prior written approval of the Attorney General. In all instances where the Legislature has authorized an office or an agency of the State to employ private counsel, the Attorney General's written approval is required as a condition precedent to the employment. [PL 2003, c. 510, Pt. B, §2 (NEW); PL 2003, c. 599, §11 (AFF).]

[PL 2003, c. 510, Pt. B, §2 (NEW); PL 2003, c. 599, §11 (AFF).]

4. Fees. The Attorney General is entitled to receive the following fees:

A. [PL 2003, c. 599, §1 (RP); PL 2003, c. 599, §2 (AFF).]

B. For certificate that any corporation has ceased to transact business and is excused from filing annual returns, as authorized in Title 13-C, section 1621, subsection 4, §5. [PL 2003, c. 510, Pt. B, §2 (NEW); PL 2003, c. 599, §11 (AFF).]

The Attorney General shall collect the legal and usual fees payable to the Attorney General by virtue of the Attorney General's office and shall pay them over to the Treasurer of State.

[PL 2003, c. 599, §1 (AMD); PL 2003, c. 599, §§2, 11 (AFF).]

SECTION HISTORY

PL 1965, c. 141 (AMD). PL 1965, c. 510, §1 (AMD). PL 1965, c. 513, §§5-B (AMD). PL 1967, c. 476, §9 (AMD). PL 1969, c. 504, §6 (AMD). PL 1971, c. 439, §7 (AMD). PL 1971, c. 550, §2 (AMD). PL 1973, c. 585, §§11,12,14 (AMD). PL 1973, c. 711, §§1-2 (AMD). PL 1975, c. 770, §20 (AMD). PL 1977, c. 696, §34 (AMD). PL 1989, c. 410, §13 (AMD). PL 2003, c. 510, §B2 (RPR). PL 2003, c. 510, §B3 (AFF). PL 2003, c. 599, §1 (AMD). PL 2003, c. 599, §§2,11 (AFF).

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