

§131. Departmental collections

1. Departmental collections; immediate payment to State Treasury. A department or agency of the State collecting or receiving public money, or money from any source whatsoever, belonging to or for the use of the State, or for the use of any state department or agency, shall pay the money immediately into the State Treasury, without any deductions on account of salaries, fees, costs, charges, expenses, refunds, claims or demands of any description whatsoever. The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands may refund daily use and camping fees based on the bureau's standard refund policies. A department or agency may deposit such money to the credit of the State upon communicating with the Treasurer of State and receiving from the Treasurer of State instructions as to what state depository may be used for that purpose, and in every such case the depositor shall send to the Treasurer of State a statement of the deposits certified by the bank receiving it. This section does not apply to county or town officers.

[PL 2019, c. 326, §1 (NEW).]

2. Certain payments not immediate. Notwithstanding subsection 1, payments from a department or agency of the State made to the State Treasury through the use of automated procedures, electronic processes and computer-driven technology must be deposited in the State Treasury in accordance with the requirements established in rules adopted by the Treasurer of State and the State Controller. The Treasurer of State and the State Controller shall adopt rules to implement this subsection, including rules outlining procedures for the use of automated procedures, electronic processes and computer-driven technology for the collection of these payments pursuant to this subsection. Rules adopted pursuant to this subsection may not waive prohibitions against deductions on account of salaries, fees, costs, charges, expenses, refunds, claims or demands of any description whatsoever. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

[PL 2021, c. 635, Pt. VV, §1 (AMD).]

3. Private counsel contingent fee agreements. Notwithstanding subsection 1 or any provision of law to the contrary, the Attorney General may employ private counsel on a contingent fee basis and may deduct from funds recovered by private counsel on behalf of the State such amounts as the Attorney General determines are due and owed under the terms of a contingent fee agreement and remit such amounts to private counsel.

[PL 2021, c. 392, §1 (NEW).]

SECTION HISTORY

PL 1989, c. 501, Pt. P, §7 (AMD). PL 1995, c. 502, Pt. E, §30 (AMD). PL 2011, c. 657, Pt. W, §7 (REV). PL 2013, c. 405, Pt. A, §24 (REV). PL 2019, c. 326, §1 (RPR). PL 2021, c. 392, §1 (AMD). PL 2021, c. 635, Pt. VV, §1 (AMD).

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