

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2232

S.P. 832

In Senate, May 19, 1999

An Act to Allow the Cumberland County Domestic Violence Unit to Hire 2 New Assistant District Attorneys Immediately.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.
Cosponsored by Representative SAXL of Portland and
Senators: ABROMSON of Cumberland, AMERO of Cumberland, RAND of Cumberland,
Representatives: BRENNAN of Portland, BRUNO of Raymond, Speaker ROWE of Portland.

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

4
 6 **Whereas,** the 119th Legislature recently passed Private and
 Special Law, chapter 10, An Act to Strengthen the Criminal
 Justice Response to Domestic Violence to allow the Cumberland
 County District Attorney to employ 2 assistant district attorneys
 in a federally funded domestic violence unit; and

10
 12 **Whereas,** the federal grant becomes available June 1, 1999
 but the Act does not take effect until 90 days after adjournment
 of the First Regular Session of the 119th Legislature; and

14
 16 **Whereas,** domestic violence is a serious problem that needs
 to be addressed as quickly as possible; and

18 **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,

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

26 **Sec. 1. Allocation.** The following funds are allocated from
 Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
30 ATTORNEY GENERAL,		
32 DEPARTMENT OF THE		
34 District Attorney Salaries		
36 Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(\$96,124)	(\$104,264)
38 All Other	(2,086)	(2,262)
40 Deallocation of funds allocated		
in Private and Special Law		
42 1999, chapter 10.		
44 DEPARTMENT OF THE ATTORNEY		
GENERAL		
46 TOTAL	<u>(\$98,210)</u>	<u>(\$106,526)</u>

2 **Sec. 2. Allocation.** The following funds are allocated from
 Other Special Revenue funds to carry out the purposes of this Act.

		1998-99	1999-00	2000-01
6	ATTORNEY GENERAL,			
8	DEPARTMENT OF THE			
10	District Attorney Salaries			
12	Positions - Legislative Count	(2,000)	(2,000)	(2,000)
	Personal Services	\$9,508	\$98,890	\$104,264
14	All Other	206	2,145	2,262

16
 18 Allocates funds for 2
 Assistant District Attorney
 20 positions in Cumberland
 County as a result of a
 22 federal grant to establish a
 domestic violence unit in the
 Cumberland County District
 24 Attorney's office. These 2
 positions terminate once the
 26 federal grant terminates.
 Any request to continue those
 28 positions beyond that date
 must be presented to the
 30 Legislature for approval.

32	DEPARTMENT OF THE ATTORNEY			
34	GENERAL			
	TOTAL	\$9,714	\$101,035	\$106,526

36 **Emergency clause.** In view of the emergency cited in the
 38 preamble, section 2 of this Act takes effect June 1, 1999.

40 **FISCAL NOTE**

		1998-99	1999-00
42			
44	APPROPRIATIONS/ALLOCATIONS		
46	Other Funds	\$9,714	\$2,825
48	REVENUES		
50	Other Funds	\$9,714	\$2,825

2 This bill replaces Other Special Revenue funds allocations
3 included in Private and Special Law 1999, chapter 10, a
4 non-emergency act, with new Other Special Revenue funds
5 allocations that become effective June 1, 1999. Deallocations
6 totaling \$98,210 in fiscal year 1999-00 and \$106,526 in fiscal
7 year 2000-01, equal to the amounts allocated in Private and
8 Special Law 1999, chapter 10, are included to offset the original
9 allocations. New allocations provide authorization for two
10 Assistant District Attorney positions and related expenses
11 effective June 1, 1999. The total allocations are \$9,714,
12 \$101,035 and \$106,526 in fiscal years 1998-99, 1999-00 and
13 2000-01, respectively.

14
15 The net effect of this bill will be a net increase of Other
16 Special Revenue funds allocations of \$9,714 in fiscal year
17 1998-99 and \$2,825 in fiscal year 1999-00. The allocations also
18 represent an equal net increase of dedicated revenue to the
19 Department of the Attorney General.

20
21 The Judicial Department will experience an increase in
22 workload and administrative costs associated with the additional
23 cases filed in the court system as a result of the addition of
24 these 2 Assistant District Attorney positions. These costs can
25 be absorbed within the existing budgeted resources of the
26 Judicial Department.

28

SUMMARY

30

31 In Private and Special Law 1999, chapter 10, An Act to
32 Strengthen the Criminal Justice Response to Domestic Violence,
33 the First Regular Session of the 119th Legislature approved the
34 allocation of funds to the Cumberland County District Attorney's
35 office to hire 2 assistant district attorneys to staff a domestic
36 violence unit. The funding is a result of a federal grant that
37 becomes available June 1, 1999. However, since Private and
38 Special Law 1999, chapter 10 is not emergency legislation, it
39 will not take effect until 90 days after adjournment of the First
40 Regular Session of the 119th Legislature.

41 This bill deallocates the funds allocated in Private and
42 Special Law 1999, chapter 10, instead providing for an
43 allocation, including an allocation for funds beginning June 1,
44 1999, that takes effect June 1, 1999, the day the federal grant
45 funds become available.