

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

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**Legislative Document**

**No. 378**

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H. P. 302

House of Representatives, January 23, 1969

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Nadeau of Biddeford, by request.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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**AN ACT Creating a Second Assistant County Attorney for the County of  
York.**

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

Whereas, the District Courts in York County have been without the services of a state attorney because of the workload required of the county attorney and his assistant in performing their duties before the Superior Court; and

Whereas, the following legislation is vitally necessary for orderly prosecution of the great volume of criminal cases in York County; and

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,

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

**Sec. 1. R. S., T. 30, § 2, amended.** The 17th paragraph of section 2 of Title 30 of the Revised Statutes which relates to York County, as last amended by section 1 of chapter 414 of the public laws of 1967, is further amended to read as follows:

**York County:** County commissioners, \$2,250; clerk of courts, \$7,000; deputy clerk of courts, \$4,700; county attorney, \$6,500; **first** assistant county attorney, \$4,500; **second assistant county attorney, \$3,500;** county treasurer,

\$2,250; sheriff, \$7,000; register of deeds, \$6,000; judge of probate, \$6,500; register of probate, \$4,750.

**Sec. 2. R. S., T. 30, § 558, amended.** Section 558 of Title 30 of the Revised Statutes is amended to read as follows:

**§ 558. —York County**

The county attorney of the County of York may appoint ~~an~~ **2** assistant county attorneys, one to be known as first assistant county attorney and the other to be known as 2nd assistant county attorney, who shall be ~~a~~ **resident residents** of the county and duly admitted to the practice of law in this State, to be approved by a Justice of the Superior Court resident in said county or by the Chief Justice of the Supreme Judicial Court, and who shall hold ~~office~~ **their offices** during the term of the county attorney by whom ~~he was~~ **they were** appointed, subject to removal at any time by the Chief Justice of the Supreme Judicial Court. Said ~~assistant~~ **assistants** shall take the oath prescribed for county attorney and assist the county attorney in the ordinary duties of his office, in the drawing of indictments, in the hearing of complaints before the grand jury and in the preparation and trial of criminal causes. ~~He~~ **They** shall, when directed by the county attorney, act as counsel for the State in the trial of complaints before the District Court.

**Sec. 3. Appropriation.** There is appropriated from the General Fund to the Department of Attorney General the sum of \$7,000 to carry out the purposes of this Act. The breakdown shall be as follows:

ATTORNEY GENERAL, DEPARTMENT OF	1969-70	1970-71
County Attorneys' Salaries		
Personal Services	(1) \$3,500	(1) \$3,500

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.