

MAINE STATE LEGISLATURE

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MAJORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 847, L.D. 1152, Bill, "An Act to Provide Legal Counsel for Legislative Committees"

Amend the bill by striking out the title and substituting the following:

'An Act to Provide Legal Counsel for Legislative Investigating Committees'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 3 MRSA §415 is enacted to read:

§415. Additional legal resources

Notwithstanding Title 5, section 191, the Legislative Council may employ legal counsel to assist an investigating committee if the Legislative Council finds that:

1. Attorney General. Representation of the committee by the Department of the Attorney General would create a conflict with its representation of other persons, departments or agencies subject to investigation; and

2. Legislative staff. Appropriate legal resources are not available within the legislative staff.'

COMMITTEE AMENDMENT

2 Further amend the bill by inserting at the end before the
summary the following:

4
6 **FISCAL NOTE**

8 If the Legislative Council employs independent legal counsel
to assist an investigating committee, the Legislature will
10 require additional General Fund appropriations to pay for those
legal services.'

12
14 **SUMMARY**

16 The amendment replaces the bill. It authorizes the
Legislative Council to employ legal counsel for a legislative
18 investigating committee if the council believes that representing
the committee would place the Department of the Attorney General
20 in a conflict with its representation of persons or entities
subject to investigation and existing legislative staff does not
22 provide the needed services. Under these circumstances, the
Legislative Council would not be subject to the requirement to
24 obtain approval of the Attorney General to hire independent legal
counsel.