

MAINE STATE LEGISLATURE

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MAJORITY
STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 354, L.D. 444, Bill, "An Act to Allow Washington County to Elect Its Own District Attorney"

Amend the bill by inserting after the title and before the enacting clause the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.'

Further amend the bill by inserting after section 2 the following:

'Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	2001-02	2002-03
ATTORNEY GENERAL, DEPARTMENT OF		
District Attorneys Salaries		
Positions	(1.000)	(1.000)
Personal Services	\$60,232	\$84,184

2 Provides funds for one
4 additional District Attorney
6 position due to the
8 establishment of
10 Prosecutorial District Number
12 9.

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

18 **FISCAL NOTE**

	2001-02	2002-03
APPROPRIATIONS/ALLOCATIONS		
General Fund	\$60,232	\$84,184

20 This bill includes additional General Fund appropriations of
22 \$60,232 in fiscal year 2001-02 and \$84,184 in fiscal year 2002-03
24 for the Department of the Attorney General to support the
26 Personal Services costs of establishing an additional District
28 Attorney position. The All Other costs associated with District
Attorney positions are not supported by the Department of the
Attorney General, but rather are the responsibility of the
counties.

30 The requirement that a new District Attorney position be
32 established may represent a state mandate pursuant to the
34 Constitution of Maine. The additional local costs related to the
36 All Other expenses of an additional prosecutorial district can
38 not be determined at this time. Unless General Fund
40 appropriations are provided to fund at least 90% of the
42 additional costs or a Mandate Preamble is amended to the bill and
2/3 of the members of each House vote to exempt this mandate from
the funding requirement, the counties may not be required to
implement these changes.'

44 **SUMMARY**

46 This amendment adds a mandate preamble, inserts an
appropriation section and adds a fiscal note to the original bill
to establish a new prosecutorial district in Washington County.