

MAINE STATE LEGISLATURE

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DATE: 4/12/05

L.D. 361
(Filing No. H-126)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 274, L.D. 361, Bill, "An Act To Reestablish the Penobscot County Budget Committee"

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, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, this bill concerns the Penobscot County Budget Committee, which will deal with significant issues prior to July 1, 2005; 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,'

Further amend the bill by inserting before the summary the following:

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 274, L.D. 361

2 'Emergency clause. In view of the emergency cited in the
preamble, this Act takes effect when approved.'

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SUMMARY

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This amendment amends the bill by adding a mandate preamble,
8 an emergency preamble and an emergency clause.

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FISCAL NOTE REQUIRED
(See attached)

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122nd MAINE LEGISLATURE

LD 361

LR 1035(02)

An Act To Reestablish the Penobscot County Budget Committee

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Exempted State Mandate

State Mandate

New or Expanded Activity

Requiring Penobscot County to organize and conduct municipal caucuses represents a mandate pursuant to the Maine Constitution. The costs of conducting the caucuses, including providing notice, holding the caucuses, communicating the results, etc. are expected to be minor. Pursuant to the Mandate Preamble, the two-thirds vote of all the members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

Unit Affected

County

Costs

Minor