

MAINE STATE LEGISLATURE

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Ads

L.D. 2028

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DATE: 5-22-06

(Filing No. S-674)

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Reproduced and distributed under the direction of the Secretary of the Senate.

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STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION

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SENATE AMENDMENT "A" to S.P. 779, L.D. 2028, Bill, "An Act To Establish a Computer Crimes Unit within the Maine State Police Crime Laboratory"

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Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

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Sec. 1. 4 MRSA §1057, sub-§2-A, as amended by PL 2003, c. 673, Pt. TT, §1, is further amended to read:

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2-A. **Surcharge imposed.** Surcharges of 14% and 5% must be added to every fine, forfeiture or penalty imposed by any court in this State, which, for the purposes of collection and collection procedures, are considered a part of the fine, forfeiture or penalty. The 14% surcharge collected as a result of this subsection must be deposited monthly in the Government Operations Surcharge Fund and the 5% surcharge collected as a result of this subsection must be deposited directly into the General Fund. ~~Two-sevenths~~ Three fourteenths of the surcharge collected and deposited in the Government Operations Surcharge Fund must be paid to the Maine Criminal Justice Academy to supplement current funds for training and recertification of part-time and full-time law enforcement officers. One fourteenth of the surcharge collected and deposited in the Government Operations Surcharge Fund must be paid to the State Police to supplement current funds for computer crimes investigations.

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Sec. 2. 25 MRSA c. 192-A, as amended, is repealed.

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SENATE AMENDMENT "A" to S.P. 779, L.D. 2028

2 **Sec. 3. Appropriations and allocations.** The following
appropriations and allocations are made.

4 **PUBLIC SAFETY, DEPARTMENT OF**

6 **State Police 0291**

8 Initiative: Allocates funds for the creation of a computer
10 crimes unit within the State Police program by establishing 2
Computer Crimes Forensic Analyst positions with necessary
operational costs for the unit.

12 OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
14 POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$162,800
16 All Other	\$0	\$112,200
18 OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$275,000'

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SUMMARY

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24 This amendment requires that 3/14 of the surcharge collected
and deposited in the Government Operations Surcharge Fund be paid
26 to the Maine Criminal Justice Academy and 1/14 of the surcharge
collected and deposited in the Government Operations Surcharge
Fund be paid to the State Police to supplement current funds for
28 computer crimes investigations. The bill repeals the statute
that established the Maine Computer Crimes Task Force and
30 appropriates funds for the creation of a new computer crimes unit
to be housed within the Maine State Police Crime Laboratory,
32 which is part of the State Police program. The computer crimes
unit will consist of 6 full-time positions, 4 of which already
34 exist and 2 that are new. The computer crimes unit will continue
the work of the Maine Computer Crimes Task Force by working
36 collaboratively with the Department of the Attorney General and
local law enforcement agencies for the purposes of investigation
38 and assisting all law enforcement agencies in crimes involving
computers.

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FISCAL NOTE REQUIRED
(See attached)

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46 SPONSORED BY: *Peggy Rotundo*
48 (Senator ROTUNDO) *JRB*

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COUNTY: Androscoggin

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SENATE AMENDMENT



122nd MAINE LEGISLATURE

LD 2028

LR 3131(05)

An Act To Establish a Computer Crimes Unit within the Maine State Police Crime Laboratory

Fiscal Note for Senate Amendment "A"

Sponsor: Sen. Rotundo

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$0	(\$111,185)	(\$118,412)	(\$122,917)
Highway Fund	\$0	(\$189,313)	(\$201,619)	(\$209,288)
Appropriations/Allocations				
General Fund	\$0	(\$111,185)	(\$118,412)	(\$122,917)
Highway Fund	\$0	(\$189,313)	(\$201,619)	(\$209,288)
Other Special Revenue Funds	\$0	\$275,000	\$293,819	\$305,259
Revenue				
Other Special Revenue Funds	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

This amendment replaces the General Fund appropriation of \$111,185 and Highway Fund allocation of \$189,313 in fiscal year 2006-07 to create a Computer Crimes Unit within the State Police program at the Department of Public Safety with an Other Special Revenue Funds allocation of \$275,000 in fiscal year 2006-07 for the same purpose. Funding is accomplished by a realignment of the distribution of the Government Operations Surcharge Fund. The two-sevenths share of revenue for that fund that is directed to the Maine Criminal Justice Academy is reduced to three-fourteenths with the remaining one-fourteenth being directed to the Maine State Police for computer crimes investigations. Beginning in fiscal year 2006-07, this shift in annual revenue distribution means an estimated reduction of \$289,153 for the Maine Criminal Justice Academy and an equal increase in revenue for the Maine State Police program. The reduction in annual revenue to the Maine Criminal Justice Academy represents a surplus resource which is not currently needed for operational costs.