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STATE OF MAINE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
COMMITTEE ON JUDICIARY

TO: Senator Peggy Rotundo, Senate Chair  
Representative Melanie F. Sachs, House Chair  
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Anne M. Carney, Senate Chair *AC 75*  
Representative Matthew W. Moonen, House Chair *MM 75*  
Joint Standing Committee on Judiciary

DATE: March 8, 2024

RE: Recommendations on the Governor’s Proposed Supplemental Budget, LD 2214

On Monday, March 4th and Wednesday, March 6th, the Joint Standing Committee on Judiciary met to review the items within the Governor’s proposed supplemental budget (LD 2214) pertaining to the agencies and funding programs within the committee’s jurisdiction. Committee members who were unable to attend all or part of the work session on March 4th, during which the committee voted on all of the supplemental budget proposals except those involving the Maine Commission on Indigent Legal Services, were provided an opportunity to cast their votes after the meeting. Please find below a summary of the committee’s recommendations on the relevant provisions of the Governor’s proposed supplemental budget as well as our recommendations for new initiatives we believe should be added to LD 2214.

**I. Governor’s Proposed Biennial Budget for Departments, Agencies and Funding Programs within the Judiciary Committee’s Jurisdiction (other than MCILS)**

**Department of the Attorney General – OFPR Worksheet pages 1-12 & 21-27**

The Judiciary Committee unanimously recommends acceptance of the items within the Governor’s proposed supplemental budget related to the Department of the Attorney General, except as follows:

➤ Ref. ## 140-142, 149, 150 & 163 (OFPR Worksheet pp. 3, 5 & 8) (Varied votes). The committee’s recommendations on these items were divided, with a majority recommending acceptance of these initiatives and a minority recommending that these initiatives not be included in the supplemental budget.

➤ Ref. # 165 & Language Part N (OFPR Worksheet pp. 22-27) (Vote IN as amended 5-3). These items of the Governor’s proposed supplemental budget would establish the Maine Mass Violence Care Fund and the Working Group to Determine Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund.

- The 5 committee members who voted in favor of including these items in the supplemental budget recommend that language Part N be amended to strike the phrase in §3360-V(1) that would categorically exclude family or household members of an individual engaged in criminal activity at the time of a mass violence event from receiving compensation from the fund. See our markup on page 24 of the OFPR Worksheet. While these committee members strongly support establishing this new, specialized victims’ compensation fund, they believe the Legislature should allow the working group established in the second section of Language Part N to determine whether it makes sense to afford family or household members of the perpetrators of mass

violence events an opportunity to receive compensation from the fund when, for example, family or household members are injured or killed during the event.

- The 3 members of the committee who voted against including these items in the supplemental budget agree that the proposed new Maine Mass Violence Care Fund may have merit, but feel strongly that a separate bill establishing the fund should be introduced so that the Legislature may conduct a public hearing and work sessions specifically on this proposal.

### **Replacing reduced federal Victims of Crimes Act grant funds – OFPR Worksheet pages 9 & 28**

➤ Ref. # 415 & Language Part PP (OFPR Worksheet pp. & 28) (Vote IN as amended 6-2). A majority of the voting members of the Judiciary Committee recommend accepting an amended version of this initiative and language part. As proposed by the Governor, this initiative provides one-time funding of \$6 million “to provide support to victims of crimes.” We understand this initiative is designed to replace recent reductions in the amount of grant funding received by the State pursuant to the federal Victims of Crime Act of 1984 (“federal VOCA grant funds”).

Earlier this session, a majority of the Judiciary Committee voted in favor of an amended version of LD 2084, *An Act to Provide Funding for Essential Services for Victims of Crimes*, which similarly proposes to replace reductions in federal VOCA grant funds. These grant funds have traditionally been used by organizations like the Maine Coalition Against Sexual Assault, Maine Coalition to End Domestic Violence, Legal Services for the Elderly and Pine Tree Legal Assistance to provide vital services to victims of crime. In addition, at least half of the Victim Witness Advocates employed by prosecutors’ offices across the State, including the statewide coordinator in the Office of the Attorney General, are fully or partially funded with federal VOCA grant funds. These funds also support the Maine Judicial Branch’s Court Appointed Special Advocate Program, which recruits, trains and supervises volunteers to serve as guardians *ad litem* in child protection cases. For more information on the importance to the State of federal VOCA grant funds, please see the attached testimony on LD 2084 from Attorney General Frey, the Maine Coalition Against Sexual Assault and the Maine Coalition to End Domestic Violence.

After the public hearing on LD 2084, we worked closely with the victim services providers and Office of Fiscal and Program Review to develop a unanimous committee amendment to LD 2084 that differs from the Governor’s supplemental budget proposal in 2 crucial ways:

- First, it provides an on-going rather than a one-time appropriation of \$6 million per year to ensure funding is available to replace not only current reductions in federal VOCA grant funds but also anticipated future reductions in these funds. In the future, if the level of federal VOCA grant funds is restored, then these additional appropriations will not be spent and will remain in the General Fund.
- Second, it adds important language in the initiative description (“blippie”) specifying the subset of federal grant funds under the federal Victims of Crime Act that the initiative seeks to replace.

For these reasons, a majority of the Judiciary Committee recommends amending Ref. # 415 and Language Part PP of the supplemental budget proposal to match the unanimous Judiciary Committee amendment to LD 2084, which is attached for your reference.

### **Maine Human Rights Commission – OFPR Worksheet page 10**

The Judiciary Committee unanimously recommends acceptance of the initiative within the Governor’s proposed supplemental budget related to the Maine Human Rights Commission.

### **Judicial Branch – OFPR Worksheet pages 13-20 & 29**

The Judiciary Committee unanimously recommends acceptance of the items within the Governor’s proposed supplemental budget related to the Maine Judicial Branch, except as follows:

- Ref. ## 603, 604 & 614 (OFPR Worksheet pp.15 & 19) (Varied votes). The committee's recommendations on these items were divided, with a majority recommending acceptance of these initiatives and a minority recommending that these initiatives not be included in the supplemental budget.
- Ref. # 613 (OFPR Worksheet p. 18) (Vote IN 7 - 1 IN as amended). Seven members of the committee voted in favor of this initiative, which proposes to increase mental health evaluator compensation rates from \$100 to \$150 per hour. One member of the committee voted in favor of amending this initiative to increase the compensation rate to \$110 per hour. Importantly, no committee members voted to recommend removing this initiative from the supplemental budget.
- Ref. # 602 (OFPR Worksheet p. 14) (Vote OUT 8-0). The Judiciary Committee unanimously supports the State Court Administrator's request to take this initiative out of the supplemental budget.
- Language Part XX (OFPR Worksheet p. 29) (Vote IN as amended 9-0). The Judiciary Committee unanimously supports amending Language Part XX to authorize the Judicial Branch to transfer up to \$493,603 in fiscal year 2023-24 and up to \$575,000 in fiscal year 2024-25 of available balances in the Personal Services line category in the Supreme Judicial & Superior Courts program to the All Other line category in order to fully fund temporary clerk services and judicial marshal services contracts as requested by the State Court Administrator on pages 6-7 of her testimony.

## II. New Initiatives proposed by the Judiciary Committee (other than for MCILS)

A majority of the voting members of the Judiciary Committee recommends that the following new initiatives related to the Maine Judicial Branch and the Maine Civil Legal Services Fund be added to the supplemental budget.

### A. New language part to increase the per diem rates for active retired judges and justices (Vote: 8-1-0)

The Judiciary Committee unanimously recommends including new language within the supplemental budget increasing the statutory per diem compensation rate for active retired District Court judges and active retired Superior Court and Supreme Judicial Court justices (collectively, "ARJs"), although members of the committee disagree on the amount by which the compensation rates should be increased. The Judicial Branch regularly relies on ARJs to handle most of the Violations Bureau cases in the State (more than 100,000 per year). ARJs have also played an instrumental role in allowing the Judicial Branch to strategically engage in criminal dockets "blitzes" across the State that have reduced the backlog of cases and improved case-completion standards. Increasing the ARJ compensation rate will ensure not only that ARJs continue to be willing to serve but also that ARJs are fairly compensated for the critical work they perform. The attached document from the Maine Judicial Branch provides more information on the value of ARJ services to the State.

For these reasons, 8 members of the committee (Kuhn, Henderson, Moriarty, Poirier, Carney, Moonen, Sheehan and Lee) recommend increasing the ARJ statutory compensation rates from \$350 to \$500 per full day and from \$200 to \$300 per half day. One member of the committee (Brakey) agrees that the ARJ statutory compensation rates should be increased, but recommends setting that the new statutory full-day rate at \$425 and the new statutory half-day rate at \$250.

The majority report of the Judiciary Committee on this new initiative could be accomplished by adding the following new language to the supplemental budget bill:

**Sec. A-1. 4 MRSA §6-B**, as amended by PL 2017, c. 284, Pt. XXXX, §1, is further amended to read:

#### **§6-B. Per diem compensation for Active Retired Justices of the Supreme Judicial Court**

Any Active Retired Justice of the Supreme Judicial Court who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court must be compensated for those services at the rate of ~~\$350~~ \$500 per day or ~~\$200~~ \$300 per ½ day, as long as the total compensation received under this section by an Active Retired Justice of the Supreme Judicial Court in any calendar year does not exceed 75% of the annual salary of an Associate Justice of the Supreme Judicial Court set pursuant to section 4. An Active Retired Justice of the Supreme Judicial Court who receives compensation under

this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

**Sec. A-2. 4 MRSA §104-A**, as amended by PL 2017, c. 284, Pt. XXXX, §2, is further amended to read:

**§104-A. Per diem compensation for Active Retired Superior Court Justices**

Any Active Retired Justice of the Superior Court who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court is compensated for those services at the rate of ~~\$350~~ ~~\$500~~ per day or ~~\$200~~ ~~\$300~~ per ½ day, as long as the total compensation received under this section by an Active Retired Justice of the Superior Court in any calendar year does not exceed 75% of the annual salary of a Justice of the Superior Court set pursuant to section 102. An Active Retired Justice of the Superior Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

**Sec. A-3. 4 MRSA §157-D**, as amended by PL 2017, c. 284, Pt. XXXX, §3, is further amended to read:

**§157-D. Active retired judges; compensation**

Any Active Retired Judge of the District Court who performs judicial service at the direction and assignment of the Chief Judge of the District Court is compensated for those services at the rate of ~~\$350~~ ~~\$500~~ per day or ~~\$200~~ ~~\$300~~ per ½ day, as long as the total compensation received under this section by an Active Retired Judge of the District Court in any calendar year does not exceed 75% of the annual salary of an Associate Judge of the District Court set pursuant to section 157. An Active Retired Judge of the District Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

**B. New language part to sustain recent funding for the Maine Civil Legal Services Fund (Vote: 6-4-1)**

The Maine Civil Legal Services Fund (MCLSF) was established by the 115th Maine Legislature “to maintain and enhance access to justice in this State” by providing funding to be “disbursed to legal services providers to support the provision of free civil legal services to low-income or needy people or the needy elderly in the State.” See [4 M.R.S. §18-A](#). MCLSF funding is currently distributed to the Cumberland Legal Aid Clinic of the University of Maine School of Law, Disability Rights Maine, the Immigrant Legal Advocacy Project, Legal Services for the Elderly, Maine Equal Justice Partners, Maine Volunteer Lawyers Project and Pine Tree Legal Assistance, who collaborate and share resources to provide civil legal services that, for example, validate the rights of Maine veterans under federal and state law; assist Mainers facing evictions and housing accessibility issues; provide in-person representation to victims of domestic violence, sexual assault and stalking; assist new Mainers in entering or re-entering the workforce; address financial exploitation of elderly Mainers; streamline Mainers’ access to affordable health care coverage; and, more recently, assist individuals affected by the mass shooting in Lewiston with the myriad civil legal issues arising from that devastating event.

Under current law, the MCLSF receives a percentage of certain fees and specific surcharges collected by the Judicial Branch. 4 M.R.S. §18-A(3-A), (4). In addition, beginning fiscal year 2022-23, the MCLSF receives an annual appropriation of \$1.3 million from the General Fund. Last year, the biennial budget included a one-time allocation of \$4 million for the MCLSF in recognition of the enormous need for civil legal services in the State. See [Public Law 2023, ch. 412, §A-1](#), at p. 210. These funds have been invaluable in expanding low-income Mainers’ access to justice. Nevertheless, it is difficult for the legal aid providers who receive MCLSF funding to recruit and retain qualified, effective attorneys and the other staff who provide these critical services without a stable source of revenue upon which they can rely.

Accordingly, 10 members of the Judiciary Committee voted in favor of adding a new language part to the supplemental budget that would increase the baseline annual appropriation to the MCLSF beginning fiscal year 2025-26. Of these, 6 members of the committee (Beck, Kuhn, Moriarty, Carney, Sheehan and Lee) propose to increase the annual appropriation to the MCLSF by \$2 million per year while 4 members of the committee (Henderson, Moonen, Poirier and Haggan) propose to increase the annual appropriation

by \$1 million per year. One member of the committee (Brakey) did not support including new MCLSF funding in the supplemental budget.

While we defer to the Appropriations Committee's expertise in drafting language best suited to accomplishing this goal, we believe it may be possible to accomplish the majority Judiciary Committee recommendation by adding the following new language to the supplemental budget:

**Sec. B-1. 4 MRSA §18-A, sub-§3-A** is amended to read:

**3-A. Funding.** Funding for the fund may be provided by the following methods.

A. For all fees collected by the Judicial Department after October 1, 2019, 9% must be deposited in the fund. This paragraph does not apply to fees dedicated under section 17-A or section 18-B, subsection 8 or to surcharges imposed pursuant to paragraph C.

B. A surcharge of \$10 must be imposed by a court on each civil fine, penalty or forfeiture imposed by the court and deposited in the fund.

C. A surcharge of \$127 must be imposed by a court on the fee for commencement of each debt collection action or money judgment disclosure action when the action is brought by a debt buyer, as defined by Title 32, section 11002, subsection 5-A, or a debt collector, as defined by Title 32, section 11002, subsection 6. The surcharge must be deposited in the fund and is not a recoverable cost under Title 14, section 1502-B.

D. Beginning no later than July 1, 2025, an annual appropriation of at least \$3.3 million must be deposited in the fund and distributed as part of the quarterly distributions made in accordance with subsection 6.

C. New initiative to reimburse the City of Lewiston for its extraordinary expenses last October (Vote 8-0)

As you may recall, at the joint public hearing on the supplemental budget, Lewiston City Administrator Heather Hunter requested that the State provide funding to reimburse the City of Lewiston for the unbudgeted and extraordinary overtime, counseling and incidental expenses related to the mass violence event last October. The City's first responders worked around the clock responding to the needs of the victims of the tragedy and to locate and apprehend the perpetrator. They also experienced significant emotional trauma given the serious and horrific nature of the event. The eight members of the Judiciary Committee present and voting at our work session on March 4th unanimously support this request (Kuhn, Henderson, Moriarty, Brakey, Carney, Moonen, Sheehan and Poirier).

Accordingly, the Judiciary Committee unanimously recommends that a new initiative be added to the supplemental budget to fund the following costs itemized in City Administrator Hunter's testimony:

Overtime for investigation and mass-shooting-related event security	\$247,371.84
Post-traumatic wellness time for first responders	\$230,787.80
Peer support counseling	\$11,850.00
Dispatch and EMS-related overtime	\$3,409.52
Other incidental costs, including interpreter services	\$4,983.59
<b>Total</b>	<b>\$498,402.75</b>

### III. Maine Commission on Indigent Legal Services (MCILS) – Proposed Supplemental Budget (OFPR Worksheet pages 11-12 & 28) and New Initiatives Proposed by the Judiciary Committee

As is reflected in the votes recorded on pages 11-12 of attached OFPR Worksheet, the Judiciary Committee makes the following unanimous recommendations regarding the provisions of the supplemental budget related to the Maine Commission on Indigent Legal Services (MCILS).

➤ Language Part WW (OFPR Worksheet p. 28) (Vote 10-0 IN). The Judiciary Committee unanimously recommends including in the supplemental budget Language Part WW, which grants MCILS flexibility to move unused funds in the Personal Services line category to the All Other line category at the end of fiscal year 2024-25, in case additional All Other funds are needed to reimburse assigned legal counsel.

➤ Ref. ## 556-559 (OFPR Worksheet pp. 11-12). The Judiciary Committee unanimously recommends removing from the supplemental budget these 4 initiatives, which would establish a new public defender office in Aroostook County; a new public defender office to serve Penobscot and Piscataquis counties; a new Public Service Coordinator I position to perform investigative services for the public defender office in Kennebec County; and 3 new positions in the MCILS central office designed to assist with the formation and implementation of the new public defender offices and the training of new public defenders. Because of the constitutional crisis facing the State, the Judiciary Committee urges the Legislature to enact these four revenue-neutral initiatives as emergency measures right away, rather than waiting for decisions on new spending and the enactment of the supplemental budget later this session.

Accordingly, the Judiciary Committee reached broad consensus to include these 4 initiatives in a different bill, which should be drafted as emergency legislation. The committee also broadly agreed to provide that any remaining balance in the Personal Services line category in the MCILS program be carried forward at the end of fiscal year 2023-24 to fund costs associated with establishing the new public defender offices in Aroostook County and in Penobscot and Piscataquis counties and to ask MCILS to examine options for renaming the commission in a way that will more accurately describe its functions to the public. We have attached for your review draft language for a proposed emergency bill that would accomplish these goals.

The Judiciary Committee also unanimously voted in favor of including a new initiative in the supplemental budget to further address the crisis the State is currently experiencing in delivering constitutionally and statutorily required legal counsel to its citizens.

**D. New initiative to establish 2 additional public defender offices and a parents' attorney unit (Vote 11-0)**

The 11 members of the Judiciary Committee present at the work session on March 6, 2024 (Beck, Kuhn, Henderson, Moriarty, Brakey, Carney, Moonen, Poirier, Sheehan, Lee and Haggan) unanimously support including an additional \$2 million per year appropriation to MCILS, which may be used for the purposes outlined in the table below.

	Positions authorized:	Estimated Cost
<i>Beginning Sept. 1, 2024:</i>	1 District Defender position	Personal Services:
Establish a new public defender office for Androscoggin, Franklin and Oxford counties	3 Assistant Defender I positions (5+ yrs. exp.)	\$1,240,597
	3 Assistant Defender II positions (0-5 yrs. exp.)	All Other (computers, leased space cost, etc.):
	2 Paralegal positions	\$155,690
	1 Office Manager position	
	2 Investigator positions	<b>Total: \$1,396,287</b>
<i>Beginning Jan. 1, 2025:</i>	1 District Defender position	Personal Services:
Establish a new public defender office for Hancock and Washington counties located in Machias and/or Ellsworth	1 Assistant Defender I position (5+ yrs. exp.)	\$365,150
	1 Assistant Defender II position (0-5 yrs. exp.)	All Other (computers, leased space cost etc.):
	1 Paralegal position	\$40,457
	1 Office Manager position	
	1 Investigator position	<b>Total: \$405,607</b>
<i>Beginning July 1, 2024</i>	1 Paralegal Position	Personal Services:
Increase staffing of the Rural Defender Unit, which will transition to providing counsel to indigent parents in child protection proceedings	1 Investigator or Social Worker position	\$179,169
		All Other: \$18,638
		<b>Total: \$197,807</b>

#### **IV. Conclusion**

Thank you for the opportunity to present our recommendations related to the Governor's proposed supplemental budget. Please find attached a copy of the report-back worksheet prepared by OFPR, upon which we have noted our votes on those proposals. In addition, please find attached:

- A copy of the Judiciary Committee's unanimous amendment to LD 2084 as well as copies of testimony from Attorney General Frey, the Maine Coalition Against Sexual Assault and the Maine Coalition to End Domestic Violence on this legislation (related to Ref. #415 & Language Part PP);
- An information sheet from the Maine Judicial Branch describing ARJ services (related to our proposed new initiative to increase ARJ compensation); and
- A copy of draft consensus language for emergency legislation adopting Ref. ## 556-559 of the Governor's proposed supplemental budget related to MCILS.

Please do not hesitate to let us know if we can provide any additional information or assistance related to these recommendations.

**Sec. A. Appropriations and allocations.**

The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

last initiative p. A-22

\* **District Attorneys Salaries 0409**

Initiative: Provides headcount for 2 Assistant District Attorney positions to correct an error in Public Law 2023, chapter 412.

Ref. #:

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

	2022-23	2023-24	2024-25
<b>GENERAL FUND</b>			
POSITIONS - LEGISLATIVE COUNT	0.000	2.000	2.000
<b>GENERAL FUND TOTAL</b>	\$0	\$0	\$0

*Vote IN: JP, SM, EB, AC, MM  
ES 3/ AK*

**ATTORNEY GENERAL, DEPARTMENT OF THE**

<b>DEPARTMENT TOTALS</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
GENERAL FUND	\$0	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>



Sec. A-3. Appropriations and allocations.

The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

2<sup>nd</sup> initiative p. A-21

\* Administration - Attorney General 0310

(2 lines together)  
Ref. # 136-137

Initiative: Provides funding for the approved reorganization of 4 Research Assistant MSEA-B positions from range 19 to range 22.

Ref. #: 136

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

GENERAL FUND

Personal Services

Vote  
IN: JP, SM, EB, AG, MM, ES, AK

2022-23

2023-24

2024-25

\$0

\$0

\$5,381

GENERAL FUND TOTAL

\$0

\$0

\$5,381

Ref. #: 137

Committee Vote: voted with  
Ref. # 136

AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS

Personal Services

2022-23

2023-24

2024-25

\$0

\$0

\$14,495

All Other

\$0

\$0

\$360

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0

\$0

\$14,855

Justification:

This initiative provides funding for the approved rate change of four Research Assistant/Assistant Complaint Examiner positions.

Administration - Attorney General 0310

(Ref. #139 pairs with  
Ref. # 160 on page 7)

1<sup>st</sup> initiative p. A-21

Initiative: Transfers one Assistant Attorney General position and related All Other costs from the Administration - Attorney General program to the Human Services Division program within the same fund.

Ref. #: 139

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT

Vote  
IN: JP, SM, EB, AG, MM  
ES & AK

2022-23

2023-24

2024-25

0.000

(1.000)

(1.000)

Personal Services

\$0

(\$36,316)

(\$152,762)

All Other

\$0

(\$3,045)

(\$12,367)

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0

(\$39,361)

(\$165,129)

Justification:

This initiative transfers one Assistant Attorney General position and related All Other costs from the Administration - Attorney General program to the Human Services program to more accurately align position allocation with management and supervision.

Administration - Attorney General 0310

(3 lines together)  
Ref. # 140 - 142

4th initiative p. A-21

Initiative: Provides funding to reflect salary stipends currently authorized by contract or Human Resources Memo.

Ref. #: 140

Committee Vote: IN 6-1

AFA Vote: \_\_\_\_\_

	<u>Vote</u> IN: JP, SM, AC, MM, ES, AK OUT: EB	2022-23	2023-24	2024-25
<b>GENERAL FUND</b>				
Personal Services		\$0	\$92,377	\$92,717
<b>GENERAL FUND TOTAL</b>		\$0	\$92,377	\$92,717

Ref. #: 141

Committee Vote: Voted with  
Ref. # 140

AFA Vote: \_\_\_\_\_

		2022-23	2023-24	2024-25
<b>FEDERAL EXPENDITURES FUND</b>				
Personal Services		\$0	\$47,573	\$47,686
All Other		\$0	\$1,182	\$1,185
<b>FEDERAL EXPENDITURES FUND TOTAL</b>		\$0	\$48,755	\$48,871

Ref. #: 142

Committee Vote: Voted with  
Ref. # 140

AFA Vote: \_\_\_\_\_

		2022-23	2023-24	2024-25
<b>OTHER SPECIAL REVENUE FUNDS</b>				
Personal Services		\$0	\$27,108	\$27,309
All Other		\$0	\$673	\$678
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>		\$0	\$27,781	\$27,987

**Justification:**

This initiative provides funding to reflect salary stipends currently authorized by contract or Human Resources Memo that are not reflected in position profiles.

**Administration - Attorney General 0310**

(Ref. # 144 pairs with  
Ref. # 141 on page 7)

3rd initiative p. A-21

Initiative: Transfers one Assistant Attorney General position from 50% Administration - Attorney General program, General Fund and 50% from the Human Services Division program, Other Special Revenue Funds to 50% General Fund and 50% Other Special Revenue Funds within the Human Services Division program. This initiative also transfers related All Other costs.

Ref. #: 144

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

	<u>vote</u> IN: JP, EB, SM, AC, MM ES & AK	2022-23	2023-24	2024-25
<b>GENERAL FUND</b>				
POSITIONS - LEGISLATIVE COUNT		0.000	(1.000)	(1.000)
Personal Services		\$0	(\$22,246)	(\$89,667)
All Other		\$0	(\$4,184)	(\$4,184)
<b>GENERAL FUND TOTAL</b>		\$0	(\$26,430)	(\$93,851)

**Justification:**

This initiative transfers 50% of one Assistant Attorney General position and related All Other costs from the Administration Attorney General program to the Human Services Division program to more accurately align position allocation with management and supervision.

**Administration - Attorney General 0310**

5<sup>th</sup> initiative p. A-21

Initiative: Provides funding for the approved reorganization of one Research Assistant MSEA-B position from range 22 to range 25 and transfers All Other to Personal Services to fund the reorganization.

Ref. #: 145

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

**GENERAL FUND**

vote  
IN: JP, SM, EB, AG, MM  
ES & AK

Personal Services  
All Other

2022-23	2023-24	2024-25
\$0	\$1,118	\$4,738
\$0	(\$1,118)	(\$4,738)
<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

GENERAL FUND TOTAL

**Justification:**

This initiative provides funding for the approved reorganization of one Research Assistant MSEA-B position to an Auditor III position. Financial crimes prosecutors and investigators in the Office of Attorney General (OAG) are in desperate need of a forensic auditing resource who can devote their time to compiling and analyzing financial records. By having an accounting professional analyze the financial records, we will have more effective prosecutions. Effective prosecutions should deter others who might be tempted to take advantage of older relatives or other older victims for financial gain. Accounting support would benefit financial exploitation cases across the State.

\* **Chief Medical Examiner - Office of 0412**

1<sup>st</sup> initiative p. A-22

Initiative: Provides one-time funding for unanticipated costs resulting from the Lewiston mass casualty event in October 2023.

Ref. #: 148

One Time

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

**GENERAL FUND**

vote  
IN: JP, SM, EB, AG, MM, ES & AK

Personal Services  
All Other

2022-23	2023-24	2024-25
\$0	\$11,607	\$0
\$0	\$16,500	\$0
<u>\$0</u>	<u>\$28,107</u>	<u>\$0</u>

GENERAL FUND TOTAL

**Justification:**

This initiative provides funding for extraordinary costs of the catastrophic events in Lewiston on October 25, 2023. The Office of Chief Medical Examiner played an integral part in this tragedy via scene response, taking custody of the victims, and conducting full forensic testing and autopsies. Unbudgeted costs include staff overtime, expert forensic pathology assistance, on-property external refrigeration, additional body transportation, supplies, and waste pickup.

**Chief Medical Examiner - Office of 0412**

2<sup>nd</sup> initiative p. A-22

Initiative: Provides funding for continuation of a pilot for premium overtime, callout and standby pay for the Medical Examiner Assistants in the Office of Chief Medical Examiner.

Ref. #: 149

Committee Vote: IN 5-2

AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
Personal Services	IN: SM, AG, MM, ES, AK	\$0	\$63,772	\$65,105
GENERAL FUND TOTAL	OUT: JP, EB	\$0	\$63,772	\$65,105

**Justification:**

This initiative provides funding for the continuation of a pilot for premium overtime, callout and standby pay for the Medical Examiner Assistants in the Office of Chief Medical Examiner per the 2023-2025 Collective Bargaining Agreement.

**Chief Medical Examiner - Office of 0412**

*3rd initiative p. A-22*

Initiative: Provides funding to reflect salary stipends currently authorized by contract or Human Resources Memo.

Ref. #: 150

Committee Vote: IN 6-1

AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
Personal Services	IN: SM, AG, MM, ES, JP, AK	\$0	\$277,394	\$200,300
GENERAL FUND TOTAL	OUT: EB	\$0	\$277,394	\$200,300

**Justification:**

This initiative provides funding to reflect salary stipends currently authorized by contract or Human Resources Memo that are not reflected in position profiles.

**\* Human Services Division 0696**

*PA-23 initiatives # 3, 4, 5, 7, 8*

Initiative: Provides funding for the approved reorganization of 5 Research Assistant MSEA-B position from range 20 to range 22.

Ref. #: 152

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	<u>Vote</u>	2022-23	2023-24	2024-25
Personal Services	IN: JP, SM, EB, AG, MM ES & AK	\$0	\$0	\$20,415
All Other		\$0	\$0	\$508
OTHER SPECIAL REVENUE FUNDS TOTAL		\$0	\$0	\$20,923

**Justification:**

This initiative provides funding for the approved reorganization of five positions from Paralegal to Senior Paralegal.

**Human Services Division 0696**

2nd initiative p. A-23

Initiative: Provides funding for the approved reorganization of one Research Assistant MSEA-B position from range 19 to range 20.

Ref. #: 153

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

Vote

Personal Services

IN: JP, SM, EB, AC

2022-23

2023-24

2024-25

\$0

\$0

\$4,845

All Other

MM, ES & AK

\$0

\$0

\$120

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0

\$0

\$4,965

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary/Paralegal position to a Paralegal position.

**Human Services Division 0696**

1st initiative p. A-24

Initiative: Provides funding for the approved reorganization of one Secretary Associate Legal position to a Research Assistant MSEA-B position.

Ref. #: 155

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

Vote

Personal Services

IN: JP, SM, EB, AC, MM

2022-23

2023-24

2024-25

\$0

\$0

\$3,668

All Other

ES & AK

\$0

\$0

\$91

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0

\$0

\$3,759

**Justification:**

This initiative provides funding for the approved reorganization of one Secretary Associate Legal position to a Paralegal position.

**Human Services Division 0696**

2nd initiative p. A-24

Initiative: Provides funding for the approved reorganization of one Research Assistant MSEA-B position to a Research Assistant MSEA-D position.

Ref. #: 158

Committee Vote: IN 7-0

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

Vote

Personal Services

IN: JP, SM, EB, AC, MM

2022-23

2023-24

2024-25

\$0

\$0

\$6,292

All Other

ES & AK

\$0

\$0

\$157

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0

\$0

\$6,449

**Justification:**

This initiative provides funding for the approved reorganization of one Paralegal position to a Senior Paralegal Supervisor position.

**Human Services Division 0696**

(Ref. # 160 pairs with Ref. # 139 on page 2)

6<sup>th</sup> initiative p. A-23

Initiative: Transfers one Assistant Attorney General position and related All Other costs from the Administration - Attorney General program to the Human Services Division program within the same fund.

Ref. #: 160

Committee Vote: voted IN 7-0  
with Ref. # 139

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	\$0	\$36,316	\$152,762
All Other	\$0	\$3,045	\$12,367
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$39,361</b>	<b>\$165,129</b>

**Justification:**

This initiative transfers one Assistant Attorney General position and related All Other costs from the Administration - Attorney General program to the Human Services program to more accurately align position allocation with management and supervision.

**Human Services Division 0696**

(Ref. # 161 pairs with Ref. # 144 on page 3)

1<sup>st</sup> initiative p. A-23

Initiative: Transfers one Assistant Attorney General position from 50% Administration - Attorney General program, General Fund and 50% from the Human Services Division program, Other Special Revenue Funds to 50% General Fund and 50% Other Special Revenue Funds within the Human Services Division program. This initiative also transfers related All Other costs.

Ref. #: 161

Committee Vote: voted IN 7-0  
with Ref. # 144

AFA Vote: \_\_\_\_\_

**GENERAL FUND**

	2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
Personal Services	\$0	\$22,246	\$89,667
All Other	\$0	\$4,184	\$4,184
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$26,430</b>	<b>\$93,851</b>

**Justification:**

This initiative transfers 50% of one Assistant Attorney General position and related All Other costs from the Administration Attorney General program to the Human Services Division program to more accurately align position allocation with management and supervision.

**Victims' Compensation Board 0711**

\* Victims' Compensation Board

last initiative p. A-24

Initiative: Establishes one limited-period Research Assistant MSEA-B position through June 7, 2025 and provides one-time funding for related All Other costs. This position is needed pursuant to Public Law 2019, chapter 549, An Act To Create a Victims' Compensation Fund for Victims of Property Crimes.

Ref. #: 163      One Time      Committee Vote: IN 6-2      AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	<u>vote</u>	2022-23	2023-24	2024-25
Personal Services	IN: AK, SM, AG, MM, ES, AL	\$0	\$0	\$88,406
All Other	OUT: EB, JP	\$0	\$0	\$7,389
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>		\$0	\$0	\$95,795

**Justification:**

The Office of the Attorney General's fiscal note relating to Public Law 2019, chapter 549, An Act To Create a Victims' Compensation Fund for Victims of Property Crimes, included the requirement of the establishment of one limited-period Research Assistant MSEA-B position in the office. Over 100 new claims were received within two weeks of the October 2023 Lewiston mass casualty event, which is considerably more than current staff can handle. In addition, the office is concerned that the assessment charges for the Property Crimes Fund will not be sufficient to accumulate adequate funding to fund both required staff and approved reimbursement claims. It is still too soon, however, to project that shortfall. Additional General Fund appropriation cannot be determined at this stage and is not requested in this initiative.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
GENERAL FUND	\$0	\$461,650	\$363,503
FEDERAL EXPENDITURES FUND	\$0	\$48,755	\$48,871
OTHER SPECIAL REVENUE FUNDS	\$0	\$27,781	\$174,733
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$538,186</b>	<b>\$587,107</b>

⊗ See also Sec B-1 on page 21

⊗ See also Language Part "N" on:

- pages 22-27 of this document

- pages 34-38 of Governor's Proposed budget language

Budget Binder  
Tab 2

Sec. A-14. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Purchased Social Services 0228

(Vote with language Part PP on page 28)

1st initiative p.A-85

Initiative: Provides one-time funding to provide support to victims of crimes.

Ref. #: 415

One Time

Committee Vote: IN as amended 6-2

AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS

All Other

Motion on Ref # 415 + Language "pp"

IN amended to match majority amend. to LD 2084

OTHER SPECIAL REVENUE FUNDS TOTAL

	2022-23	2023-24	2024-25
All Other	\$0	\$0	\$6,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,000,000</b>

Notes:

Vote for motion: AK, JP, AC, MM, ES, AL

Vote OUT: EB, SM

See Part PP. LD 2084 as voted to amend by the Judiciary Committee revised initiative language and includes an ongoing GF appropriation. This proposal is for one-time funding through a transfer to OSR.

Justification:

This initiative provides one-time funding to provide support to victims of crimes.

(\*) compare LD 2084 majority committee amendment

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS

DEPARTMENT TOTAL - ALL FUNDS

	2022-23	2023-24	2024-25
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$6,000,000
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,000,000</b>



**Sec. A-16. Appropriations and allocations.**

The following appropriations and allocations are made.

**HUMAN RIGHTS COMMISSION, MAINE**

*Sole initiative p. A-88*

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for the approved reclassification of one Maine Human Rights Lead Investigator position to a Maine Human Rights Investigator Supervisor position and provides one-time funding for retroactive pay and interest effective November 14, 2022.

Ref. #: 310

Committee Vote: IN 8-0

AFA Vote: \_\_\_\_\_

	<u>Vote</u>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
<b>GENERAL FUND</b>				
Personal Services	<i>IN: JP, AK, SM, EB, AC, MM, ES, AL</i>	\$0	\$11,279 (?)	\$11,174
<b>GENERAL FUND TOTAL</b>		\$0	\$11,279	\$11,174

**Justification:**

This initiative provides funding to reclassify a position in the Maine Human Rights Commission to better align the position's pay with work being performed, and also provides one-time funds for retroactive pay and interest in fiscal year 2023-24. The functional job analysis has been reviewed and approved by the Bureau of Human Resources.

**HUMAN RIGHTS COMMISSION, MAINE**

<b>DEPARTMENT TOTALS</b>		<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
<b>GENERAL FUND</b>		\$0	\$11,279	\$11,174
<b>DEPARTMENT TOTAL - ALL FUNDS</b>		\$0	\$11,279	\$11,174

Budget Binder  
Tab 4

Sec. A-17. Appropriations and allocations. The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Central Office

2nd initiative p. A-89

Initiative: Establishes one Public Service Manager II position and 2 Office Specialist II positions and reduces All Other to fund the positions.

Ref. #: 556

Committee Vote: OUT 11-0

AFA Vote: \_\_\_\_\_

GENERAL FUND

Vote

2022-23

2023-24

2024-25

POSITIONS - LEGISLATIVE COUNT

0.000

0.000

3.000

Personal Services

OUT: MB, AK, RH, SM, EB

\$0

\$0

\$308,195

All Other

AC, MM, JP, ES, AL, DH

\$0

\$0

(\$308,195)

GENERAL FUND TOTAL

\$0

\$0

\$0

Justification:

This initiative expands the public defenders Central Office by establishing one Public Service Manager II positions and 2 Office Specialist II positions. Expanding the Central Office will enable the formation, training, and management of district offices across the state that will reduce the need to fund these services with contractors and will save General Fund in subsequent fiscal years.

⊕ compare  
MCFLS request  
F-A-15

Maine Commission on Indigent Legal Services Z112

Aroostook

3rd initiative p. A-89

Initiative: Establishes one District Defender position, one Assistant Defender II position, 2 Assistant Defender I positions, one Paralegal position, one Public Service Coordinator I position and one Office Specialist II Supervisor position and reduces All Other to fund the positions.

Ref. #: 557

Committee Vote: voted with  
Ref. # 556

AFA Vote: \_\_\_\_\_

GENERAL FUND

2022-23

2023-24

2024-25

POSITIONS - LEGISLATIVE COUNT

0.000

0.000

7.000

Personal Services

\$0

\$0

\$896,905

All Other

\$0

\$0

(\$896,905)

GENERAL FUND TOTAL

\$0

\$0

\$0

Justification:

This initiative creates a public defenders office in Aroostook County by establishing one District Defender position, one Assistant Defender II position, 2 Assistant Defender I positions, one Paralegal position, one Public Service Coordinator I position and one Office Specialist II Supervisor position. Once this office is established, this initiative will reduce the need to fund these services through contractors and will save General Fund in subsequent fiscal years.

⊕ compare  
MCFLS request  
F-A-16

Maine Commission on Indigent Legal Services Z112

Penobscot / Piscataquis

1st initiative p. A-89

Initiative: Establishes one District Defender position, 3 Assistant Defender II positions, 2 Assistant Defender I positions, 2 Paralegal positions, 2 Public Service Coordinator I positions and one Office Specialist II Supervisor position and reduces All Other to fund the positions.

Ref. #: 558

Committee Vote: Voted with  
Ref. # 556

AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	11.000
Personal Services	\$0	\$0	\$1,325,548
All Other	\$0	\$0	(\$1,325,548)
GENERAL FUND TOTAL	\$0	\$0	\$0

**Justification:**

This initiative creates a public defenders office in Penobscot and Piscataquis counties by establishing one District Defender position, 3 Assistant Defender II positions, 2 Assistant Defender I positions, 2 Paralegal positions, 2 Public Service Coordinator I positions and one Office Specialist II Supervisor position. Once this office is established, this initiative will reduce the need to fund these services through contractors and will save General Fund in subsequent fiscal years.

\* Compare MCILS Request F-A-17

**Maine Commission on Indigent Legal Services Z112**

*Capital Region*

*4th initiative p. A-89*

Initiative: Establishes one Public Service Coordinator I position and reduces All Other funding to fund the position.  
*(investigator)*

Ref. #: 559

Committee Vote: voted with  
Ref. # 556

AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$95,167
All Other	\$0	\$0	(\$95,167)
GENERAL FUND TOTAL	\$0	\$0	\$0

**Justification:**

This initiative expands the public defenders Kennebec County office by establishing one Public Service Coordinator I position. Expanding this office will directly reduce the need to fund these services with contractors and will save General Fund in subsequent fiscal years.

\* Compare MCILS Request F-A-20

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

*(\*) Also vote on Language Part "WW"  
- this document page 28  
- Governor's language page 71*

Budget Binder  
Tab 5

Sec. A-19. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

1st initiative p A-96

Initiative: Provides one-time funding to maintain three former court facility buildings in York County.

Ref. #: 597      One Time      Committee Vote: IN 8-0      AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote:</u>	2022-23	2023-24	2024-25
All Other	<u>IN: JP, AK, SM, EB, AC, MM, ES, AL</u>	\$0	\$355,000	\$0
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$355,000</u>	<u>\$0</u>

Justification:

This request provides one-time funding for the continued operational costs associated with maintaining 3 former court facilities. The buildings that formerly housed the York District Court, the Springvale District Court and the Biddeford District Court are vacant but have costs associated with maintenance and upkeep before they are disposed of by DAFS. DAFS has charged the Judicial Branch with the responsibility for this maintenance and upkeep.

Courts - Supreme, Superior and District 0063

(2 lines together)  
Ref. # 598-599

2nd initiative p. A-96

Initiative: Provides funding for the approved reclassification of one Revenue Manager position from range 17 to range 20 and reallocates the cost from 100% General Fund to 95% General Fund and 5% Other Special Revenue Funds within the same program. This initiative also provides funding for related All Other costs in the Other Special Revenue Funds.

Ref. #: 598      Committee Vote: IN 8-0      AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
Personal Services	<u>IN: JP, AK, SM, EB, AC, MM, ES, AL</u>	\$0	\$619	\$2,529
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$619</u>	<u>\$2,529</u>

Ref. #: 599      Committee Vote: voted with Ref. # 598      AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS		2022-23	2023-24	2024-25
Personal Services		\$0	\$7,044	\$7,368
All Other		\$0	\$46	\$48
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>		<u>\$0</u>	<u>\$7,090</u>	<u>\$7,416</u>

Justification:

This request provides funding for the approved reclassification of one Revenue Manager position from a Professional/Technical specification, range 17 to a Confidential Management specification, range 20 and reallocates the cost from 100% General Fund to 95% General Fund, Supreme JD & Superior Courts, and 5% Other Special Revenue Funds, Collections Fund.

Courts - Supreme, Superior and District 0063

8th initiative p. A-96

Initiative: Reduces funding for the approved reorganization of one Official Court Reporter position to a Courtroom Technology Assistant position and transfers Personal Services to All Other to fund contracted temporary staffing services.

Ref. #: 600

Committee Vote: IN 8-0

AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
Personal Services	IN: JP, AK, SM, EB, AC, MM, ES, AL	\$0	\$0	(\$35,009)
All Other		\$0	\$0	\$35,009
<b>GENERAL FUND TOTAL</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

This request reorganizes one Official Court Reporter position to a Courtroom Technology Assistant position and transfers the Personal Services savings to All Other to fund contracted temporary staffing services. As technology advances and changes so too does the landscape of the courtroom. The immediate courtroom needs require a flexible position that can address ever changing technological needs with an array of equipment and varying needs of internal and external stakeholders. The Courtroom Technology Assistant sets up recording devices, handles necessary equipment and troubleshoots technical issues in real time. This position will in most cases meet the needs of the court, however the savings from this reorganization are transferred from Personal Services to All Other to allow for the contracting of court reporting services when a trial does require that specific skill.

**Courts - Supreme, Superior and District 0063**

7th initiative p. A-96

Initiative: Provides funding for an increase in file storage costs.

Ref. #: 601

Committee Vote: IN 8-0

AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
All Other	IN: JP, AK, SM, EB, AC, MM, ES, AL	\$0	\$0	\$60,000
<b>GENERAL FUND TOTAL</b>		<b>\$0</b>	<b>\$0</b>	<b>\$60,000</b>

**Justification:**

This initiative provides funding for an increase in storage rates and an increase in storage needs. The rates for file storage costs have risen, and there is an increased need for storage space for the York Judicial Center files, which consolidated the files from 4 court houses to one location. These two factors account for the increased costs.

**Courts - Supreme, Superior and District 0063**

3rd initiative p. A-96

Initiative: Provides funding for additional Payment Card Industry (PCI) Security Standards compliance fees.

Ref. #: 602

Committee Vote: OUT 8-0

AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
All Other	OUT: JP, AK, SM, EB, AC, MM, ES, AL	\$0	\$0	\$21,000
<b>GENERAL FUND TOTAL</b>		<b>\$0</b>	<b>\$0</b>	<b>\$21,000</b>

Note: State Court Administrator requested to remove this initiative.

**Justification:**

This request provides funding for increased Payment Card Industry (PCI) Security Standards compliance fees. These fees are related to increased protection and security of credit card information as well as some incident coverage in the event information is compromised. The cost of security has increased as has the complexity involved in securing this sensitive information.

**Courts - Supreme, Superior and District 0063**

2<sup>nd</sup> initiative p. A-97

Initiative: Provides one-time funding for translation of court forms.

Ref. #: 603                      One Time                      Committee Vote: IN 7-1                      AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
All Other	IN: JP, AK, SM, AC, MM, ES, AL	\$0	\$0	\$70,000
GENERAL FUND TOTAL	OUT: EB	\$0	\$0	\$70,000

**Justification:**

This request provides funding for the translation of court forms. Court forms created and revised due to legislation passed in the last legislative session need to be translated into foreign languages. Court forms and documents are translated according to priorities set by the Limited English Proficiency (LEP) Advisory Committee. Also, the conversion to a new case management system will render most of the currently translated materials obsolete. Updating these forms will require additional funding. In prior years federal grants were available to fund some of the expense of form translation, but there is no federal grant funding available at this time.

**Courts - Supreme, Superior and District 0063**

4<sup>th</sup> initiative p. A-96

Initiative: Provides funding for hourly rate increase for court-rostered interpreters from \$35 to \$50 per hour for Tier I, \$45 to \$60 per hour for Tier II and \$50 to \$70 per hour for Tier III.

Ref. #: 604    Committee Vote: IN 5-2    AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote</u>	2022-23	2023-24	2024-25
All Other	IN: AK, SM, AC, MM, ES	\$0	\$0	\$60,000
GENERAL FUND TOTAL	OUT: JP, EB	\$0	\$0	\$60,000

**Justification:**

This request funds an hourly rate increase for court rostered interpreters from \$35 to \$50 per hour for Tier I, \$45 to \$60 per hour for Tier II and \$50 to \$70 per hour for Tier III. The hourly rates for these interpreters have not been increased since calendar year 2009. The Judicial Branch is experiencing difficulty keeping interpreters and attracting new interpreters at these lower rates.

**Courts - Supreme, Superior and District 0063**

3<sup>rd</sup> initiative p. A-97

Initiative: Provides one-time funding for a volume increase in guardian ad litem, interpreter, and mental health examiner services.

Ref. #: 605                      One Time                      Committee Vote: IN 7-0                      AFA Vote: \_\_\_\_\_

Vote  
IN: JP, AK, SM, EB, AC, MM, ES  
LR3108(1) - App-Alloc (JUD) Part A Sec. 19

<b>GENERAL FUND</b>		<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other		\$0	\$490,000	\$490,000
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$490,000</u>	<u>\$490,000</u>

**Justification:**

This request provides funding for a volume increase in guardian ad litem, interpreter and mental health examiner services. There is an increased demand for court services and as the Judicial Branch works to alleviate the backlog of cases it is anticipated that there will be a correlating increase in service costs.

**Courts - Supreme, Superior and District 0063**      *( 2 lines together - Ref. # 606-607 )*      *5<sup>th</sup> initiative p. A-96*

Initiative: Reallocates funding for the Odyssey case management system from the CMS-Technology Fee account in the Other Special Revenue Fund to the Supreme JD & Superior Courts account in the General Fund within the same program.

Ref. #: 606      Committee Vote: IN 7-0      AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<i>vote</i>		<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	<i>IN: JP, SM, EB, AK, AC, MM, ES</i>		\$0	\$1,631,016	\$1,838,125
<b>GENERAL FUND TOTAL</b>			<u>\$0</u>	<u>\$1,631,016</u>	<u>\$1,838,125</u>

Ref. #: 607      Committee Vote: voted with Ref. # 606      AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>		<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other		\$0	(\$992,517)	(\$992,300)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>		<u>\$0</u>	<u>(\$992,517)</u>	<u>(\$992,300)</u>

**Justification:**

This request reallocates funding for the Odyssey case management system from the CMS-Technology Fee account in the Other Special Revenue Fund to the General Fund within the same program. Revenues dedicated to supporting the Judicial Branch's essential case management system were to be derived from fees and surcharges as outlined in 4 MRS §17-A, however revenues have been insufficient to support the cost of the system. The revenue shortage was greatly impacted by the COVID-19 pandemic which saw a marked decrease in traffic violation revenues. Simultaneously inflation did, and continues, to cause rising prices. The combination has made the continued fiscal support of the system out of that Other Special Revenue Fund impossible. The CMS Technology Fee account will not have enough revenue to pay for the case management system through fiscal year 2023-24.

**Courts - Supreme, Superior and District 0063**      *5<sup>th</sup> initiative p. A-97*

Initiative: Provides one-time funding for the replacement of audio and visual equipment at the Penobscot Judicial Center.

Ref. #: 608      One Time      Committee Vote: IN 7-0      AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<i>vote</i>		<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	<i>IN: JP, AK, SM, EB, AC, MM, ES</i>		\$0	\$0	\$160,000

GENERAL FUND TOTAL	\$0	\$0	\$160,000
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**Justification:**

This request provides one-time funding for the replacement of audio and visual equipment in courtrooms 201 and 203 of the Penobscot Judicial Center. The equipment has become so antiquated and unreliable that the Judicial Branch cannot hold jury trials in these courtrooms, which is adding to the jury trial backlog. The replacement of the antiquated equipment will allow the courtrooms to become functional for jury trials.

**Courts - Supreme, Superior and District 0063**

*8th initiative p. A-97*

Initiative: Provides one-time funding for a quality assurance tester for the Odyssey digital case management system.

Ref. #: 609                      One Time                      Committee Vote: IN 7-0                      AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<u>Vote</u>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	<i>IN: JP, AK, SM, EB, AC, MM, ES</i>	\$0	\$100,000	\$100,000
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$100,000</u>	<u>\$100,000</u>

**Justification:**

This request provides one-time funding for a quality assurance tester for the Odyssey case management system. The Judicial Branch needs to contract out the job of quality assurance testing for the Odyssey case management system. This is a temporary need that cannot be met in-house because all information technology employees are engaged in other aspects of the Odyssey implementation.

**Courts - Supreme, Superior and District 0063**

*last initiative p. A-97*

Initiative: Provides one-time contracted technical account management services.

Ref. #: 610                      One Time                      Committee Vote: IN 8-0                      AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<u>Vote</u>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	<i>IN: JP, AK, RH, SM, EB, AC, MM, ES</i>	\$0	\$0	\$75,000
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$0</u>	<u>\$75,000</u>

**Justification:**

This request provides one-time funding for contracted technical account management services. The technical account manager, provided through Tyler Technologies, will provide the Judicial Branch with expertise and knowledge in the support and administration of Odyssey, including, but not limited to, assistance with updating the Judicial Branch data center and creating a new environment for the Judicial Branch's planned upgrade to Odyssey version 2023. The technical account manager will also serve as a knowledge resource, positioning Judicial Branch staff to be self-sufficient with environment administration.

**Courts - Supreme, Superior and District 0063**

*Sole initiative p. A-98*

Initiative: Provides funding for the approved reorganization of one Information Technology Project Manager position to a Director of Data and Project Management position.



Ref. #: 611

Committee Vote: IN 8-0

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<u>Vote</u>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	IN: AK, RH, SM, EB, AC, MM, ES, JP	\$0	\$0	\$13,341
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$0</u>	<u>\$13,341</u>

**Justification:**

This is a management-initiated employee reorganization.

**Courts - Supreme, Superior and District 0063**

6th initiative p. A-96

Initiative: Continues one limited period Staff Accountant position previously continued by Financial Order JJ2310 F4 through June 14, 2025 and provides one-time funding for related All Other costs.

Ref. #: 612

One Time

Committee Vote: IN 8-0

AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<u>Vote</u>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	IN: AK, RH, JP, SM, EB	\$0	\$0	\$110,152
All Other	AK, MM, ES	\$0	\$0	\$706
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>		<u>\$0</u>	<u>\$0</u>	<u>\$110,858</u>

**Justification:**

This request continues one limited-period Staff Accountant position, previously established by Financial Order JJ2306 F3 and continued by Financial Order JJ2310 F4, through June 14, 2025. If not continued in the supplemental budget, this position will end on April 30, 2025. The Staff Accountant position is responsible for recording and reconciling collected revenues, assisting with revenue collection reconciliations, including developing new reconciliation processes and procedures in line with the new case management system processes and procedures. The position will assist the Revenue Manager in internal control review and process improvement. This position will also be responsible for the fiscal bail reconciliations, including spot auditing of overpayment processes to ensure appropriate application of collected revenue. This position also oversees and assists with the day-to-day work of the Accounting Technician position which includes cash reconciliations, approval of revenue related transactions, processing accounting journals, and creating receivables. The revenue supporting this account is derived from fines and fees.

**Courts - Supreme, Superior and District 0063**

1st initiative p. A-97

Initiative: Provides funding for an increase in mental health evaluator rates from \$100 per hour to \$150 per hour.

Ref. #: 613

Committee Vote: 7 (IN) - 1 (IN as amended)

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<u>Vote</u>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	IN: JP, AK, RH, SM, AC, MM, ES	\$0	\$0	\$250,000
<b>GENERAL FUND TOTAL</b>	IN amended to \$110/hour: EB	<u>\$0</u>	<u>\$0</u>	<u>\$250,000</u>

**Justification:**

This request allows the Judicial Branch to pay \$150 per hour to professionals conducting mental health evaluations, up from \$100 per hour. The Judicial Branch is having difficulty hiring mental health professionals willing to work at the lower rate.

**Courts - Supreme, Superior and District 0063**

4th initiative p. A-97

Initiative: Provides one-time funding for the Judicial Branch to host the annual meeting of the Council of Chief Justices/Council of State Court Administrators in fiscal year 2024-25.

Ref. #: 614      One Time      Committee Vote: IN 6-2      AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>VOTE</u>	2022-23	2023-24	2024-25
Personal Services	IN: JP, AK, RH, AC, MM, ES	\$0	\$0	\$20,000
All Other	OUT: SM, EB	\$0	\$0	\$60,000
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$0</u>	<u>\$80,000</u>

**Justification:**

This request provides funding for the cost to the Judicial Branch of planning and producing the annual meeting of the Council of Chief Justices/Council of State Court Administrators scheduled for 2025 in Maine. This includes, but is not limited to, staff overtime and lodging. The majority of the total meeting cost is borne by the National Center for State Courts.

**Courts - Supreme, Superior and District 0063**

(2 lines together)  
Ref. # 615-616

6th initiative p A-97

Initiative: Reallocates the cost of 3 Court Operations Specialist positions, one Information Technology Business Analyst position, one Senior Database Administrator and Security Officer position, one Programmer Analyst II position, one Quality Assurance Test Lead position and 2 Information Technology Field Technician positions from 100% Other Special Revenue Funds to 80% Other Special Revenue Funds and 20% General Fund within the same program.

Ref. #: 615      Committee Vote: IN 8-0      AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>VOTE</u>	2022-23	2023-24	2024-25
Personal Services	IN: JP, AK, RH, SM, AC, MM, ES, EB	\$0	\$45,486	\$240,262
<b>GENERAL FUND TOTAL</b>		<u>\$0</u>	<u>\$45,486</u>	<u>\$240,262</u>

Ref. #: 616      Committee Vote: voted with      AFA Vote: \_\_\_\_\_

Ref # 615

OTHER SPECIAL REVENUE FUNDS		2022-23	2023-24	2024-25
Personal Services		\$0	(\$45,486)	(\$240,262)
All Other		\$0	(\$292)	(\$1,540)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>		<u>\$0</u>	<u>(\$45,778)</u>	<u>(\$241,802)</u>

**Justification:**

This request reallocates all positions within the CMS Technology Fee account from 100% Other Special Revenue Fund to 80% Other Special Revenue Funds and 20% General Fund within the same program. Revenues dedicated to supporting the Judicial Branch's essential case management system, including staff that support the system, were to be derived from fees and surcharges as outlined in 4 MRS 17-A, however revenues have been insufficient to support the costs. The revenue shortage was greatly impacted by the COVID-19 pandemic which saw a marked decrease in traffic violation revenues. Simultaneously inflation did, and continues, to cause rising prices. The combination has made the continued fiscal support of the case management system out of the Other Special Revenue Funds impossible and also eroded the fiscal support for these positions. This request is the minimum needed to help ensure continued funding of these critical positions. If this funding is not approved, we will be unable to meet payroll obligations through fiscal year 2024-25.

*7th initiative p. A-97*

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the projected general operations costs associated with acquiring 55 Lisbon Street in Lewiston.

Ref. #: 617

Committee Vote: IN 8-0

AFA Vote: \_\_\_\_\_

GENERAL FUND	<i>Vote</i>	2022-23	2023-24	2024-25
All Other	<i>IN: JP, AK, RH, SM, AC, MM, ES, EB</i>	\$0	\$47,500	\$95,000
<b>GENERAL FUND TOTAL</b>		<b>\$0</b>	<b>\$47,500</b>	<b>\$95,000</b>

**Justification:**

This request provides funding for the projected general operations cost associated with acquiring 55 Lisbon Street in Lewiston. This is an existing building and acquisition is anticipated on or about the 1st of January 2024. These costs include elevator service, pest control, HVAC service, landscaping, snow removal, water, sewer, electricity and heating oil.

*\* Related to LD 2090*

**JUDICIAL DEPARTMENT**

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
GENERAL FUND	\$0	\$2,669,621	\$3,555,257
OTHER SPECIAL REVENUE FUNDS	\$0	(\$1,031,205)	(\$1,115,828)
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$1,638,416</b>	<b>\$2,439,429</b>

*⊗ ALSO Vote on Language Part XX  
- page 29 of this document  
- pages 71-72 of Governor's proposal*

*⊗ See also New initiative for ARJ Salaries described in cover Memo*

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**Administration - Attorney General 0310**

Initiative: RECLASSIFICATIONS

Ref. #: 146

Committee Vote: IN 8-0 AFA Vote: \_\_\_\_\_

GENERAL FUND	<u>Vote:</u>	2022-23	2023-24	2024-25
Personal Services	IN: JP, AK, SM, EB, AC	\$0	\$18,244	\$25,299
All Other	MM, ES & AL	\$0	(\$18,244)	(\$25,299)
GENERAL FUND TOTAL		\$0	\$0	\$0

**ATTORNEY GENERAL, DEPARTMENT OF THE**

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

**Sec. N-1. Appropriations and allocations.**

The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

*Vote with Language Part N*

**Maine Mass Violence Care Fund Z400**

Initiative: Provides funding to establish the Maine Mass Violence Care Fund to provide financial support to victims and their families and household members of a mass violence event.

Ref. #: 165

Committee Vote: IN 5-3 <sup>(\*)</sup>

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

All Other

2022-23                      2023-24                      2024-25

\$0                              \$0                              \$500

**OTHER SPECIAL REVENUE FUNDS TOTAL**

\$0                              \$0                              \$500

**Justification:**

This initiative provides funding to establish the Maine Mass Violence Care Fund to provide financial support to victims and their families and household members of a mass violence event.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**DEPARTMENT TOTALS**

**OTHER SPECIAL REVENUE FUNDS**

**DEPARTMENT TOTAL - ALL FUNDS**

2022-23                      2023-24                      2024-25

\$0                              \$0                              \$500

\$0                              \$0                              \$500

(\*) The vote on Ref. #165 was to  
 move that initiative IN to the budget  
 along with an amended version of  
 Language Part N [see amendment page 24  
 striking phrase in § 3360-V(1)]

Vote for this motion: AK, AC, MM, ES, AL

Vote OUT Ref# 165 (\*) Language Part N: SM, EB, JP

## PART N

Sec. N-1. 5 MRSA chapter 316-D is enacted to read:

### §3360-V. Maine Mass Violence Care Fund

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Victims' Compensation Board established in section 3360-A.

B. "Eligible expenses" means expenses and losses resulting from a personal injury sustained by a victim as a direct result of a mass violence event and may include medical and medically related expenses, psychological or mental health counseling expenses, lost wages, funeral, burial and other homicide-related expenses and travel expenses and loss of income of an individual who is killed in a mass violence event or a victim for providing or obtaining care for the personal injury of a minor or incapacitated victim. "Eligible expenses and losses" may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged as a result of the mass violence event. "Eligible expenses" means expenses or losses actually and reasonably incurred.

C. "Family or household member" means:

(1) The parent, stepparent, sibling, grandparent, spouse, child or stepchild of a victim or a person who bears an equally significant relationship to the victim; or

(2) A person who at the time or discovery of the mass violence event was living in the household of the victim or who previously had lived in the household of the victim for a period of not less than 2 years.

D. "Fund" means the Maine Mass Violence Care Fund established in this section.

E. "Mass violence event" means an intentional violent crime that results in physical, emotional or psychological injury to a large number of individuals and that significantly increases the burdens on victim support and compensation systems in the jurisdiction in which the violent crime occurred.

F. "Victim" means:

(1) A family or household member of an individual who is killed in a mass violence event;

(2) An individual who is physically injured in a mass violence event; and

(3) An individual who is physically present at a mass violence event and who witnesses that mass violence event.

"Victim" does not include an individual who was engaged in criminal activity at the time of the mass violence event ~~or a family or household member of that individual.~~

(\*)  
Amendment

**2. Fund established; purpose; source of funds.** The Maine Mass Violence Care Fund is established within the Office of the Attorney General as an Other Special Revenue Funds account. The purpose of the fund is to provide a sustainable source of funds to provide coverage for physical and behavioral health care expenses related to a mass violence event that are not paid for by insurance or any other source. The fund is funded through appropriations or allocations and may receive private donations and federal and state funds designated by law for the payment of claims and administrative costs of the fund. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund.

**3. Administration and investment of fund.** The fund is administered by the Treasurer of State in accordance with this subsection.

A. After consultation with the board, the Treasurer of State may hold, invest, reinvest and manage funds in the fund in a manner that fulfills the purpose of the fund as long as the investment and reinvestment of funds is in compliance with section 138 and the Maine Uniform Trust Code, including the Maine Uniform Prudent Investor Act.

B. All costs of administering the fund, including the necessary and proper expenses incurred by the board in administering the fund, must be paid from the fund.

C. The Treasurer of State, the Attorney General and the board may not encumber, invest, divest or disburse funds for any purpose not specifically included in this section.

**4. Distributions from fund.** The board shall make distributions from the fund in accordance with this subsection and rules establishing eligibility criteria adopted by the board.

A. Only gains, interest, dividends and other revenue earned on funds in the fund and any amounts gifted to the fund may be expended.

B. Payments from the fund may be made only for an eligible victim's eligible expenses.

C. Payments from the fund to a victim for eligible expenses may not be made sooner than 3 years after the applicable mass violence event.

D. Payments may not be made to satisfy a financial commitment for services or expenses that would otherwise have been paid from another public or private source, including, but not limited to, MaineCare, Medicaid or private insurance.

**5. Rulemaking; restriction on distributions.** The board shall adopt routine technical rules pursuant to chapter 375, subchapter 2-A establishing eligibility criteria for victims, mass violence events and those healthcare and other expenses that are eligible expenses. The board may not make any distributions from the fund until the board adopts these rules.

**Sec. ?-2. Working group on Maine Mass Violence Care Fund.** The Working Group to Determine Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund, referred to in this section as "the working group," is established.

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Victims' Compensation Board established in section 3360-A.

B. "Eligible expenses" means expenses and losses resulting from a personal injury sustained by a victim as a direct result of a mass violence event and may include medical and medically related expenses, psychological or mental health counseling expenses, lost wages, funeral, burial and other homicide-related expenses and travel expenses and loss of income of an individual who is killed in a mass violence event or a victim for providing or obtaining care for the personal injury of a minor or incapacitated victim. "Eligible expenses and losses" may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged as a result of the mass violence event. "Eligible expenses" means expenses or losses actually and reasonably incurred.

C. "Family or household member" means:

- (1) The parent, stepparent, sibling, grandparent, spouse, child or stepchild of a victim or a person who bears an equally significant relationship to the victim; or
- (2) A person who at the time or discovery of the mass violence event was living in the household of the victim or who previously had lived in the household of the victim for a period of not less than 2 years.

D. "Fund" means the Maine Mass Violence Care Fund established in the Maine Revised Statutes, Title 5, section 3360-V.

E. "Mass violence event" means an intentional violent crime that results in physical, emotional or psychological injury to a large number of individuals and that significantly increases the burdens on victim support and compensation systems in the jurisdiction in which the violent crime occurred.

F. "Victim" means:

- (1) A family or household member of an individual who is killed in a mass violence event;
- (2) An individual who is physically injured in a mass violence event; and
- (3) An individual who is physically present at a mass violence event and who witnesses that mass violence event.

"Victim" does not include an individual who was engaged in criminal activity at the time of the mass violence event or a family or household member of that individual.



**2. Purpose of working group.** The purpose of the working group is to identify specific options and eligibility criteria to help ensure that those individuals adversely affected by a mass violence event are provided some financial relief from physical and behavioral health care costs not paid for by insurance or some other source. Specifically, the working group shall consider and determine:

- A. Gaps in payments for physical and behavioral health care services for victims of mass violence events;
- B. Methods of investing the funds in the fund to ensure sustainable annual financial returns;
- C. Options for determining eligibility for distributions from the fund, including parameters for:
  - (1) Who is considered a victim of a mass violence event;
  - (2) Which health care costs are considered eligible expenses; and
  - (3) What constitutes a mass violence event; and
- D. Any other items the working group determines are necessary to carry out the goals of the fund.

**3. Membership; chair; appointments.** The working group consists of the following members:

- A. A member of the Senate, appointed by the President of the Senate;
- B. A member of the House of Representatives, appointed by the Speaker of the House;
- C. The Attorney General or the Attorney General's designee;
- D. The Commissioner of Health and Human Services or the commissioner's designee;
- E. The Treasurer of State or the Treasurer of State's designee; and
- F. The chair of the board or the chair's designee.

The member of the Senate and the member of the House of Representatives shall serve as co-chairs.

All appointments must be made within 30 days following the effective date of this Part.

**4. Reports.** The working group shall provide its recommendations for eligibility requirements and rules to the board no later than December 3, 2024.

The working group shall report to the Joint Standing Committee on Judiciary with its findings and recommendations and any suggested legislation no later than December 2, 2024. The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out a bill related to the report to the 132<sup>nd</sup> Legislature in 2025.

**Sec. N-3. Appropriation and allocation.** The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF**

Maine Mass Violence Care Fund

Initiative: Provides funding to establish the Maine Mass Violence Care Fund to provide financial support to victims and their families and household members of a mass violence event.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$500
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$500</b>

**Sec. N-4. Transfer from General Fund unappropriated surplus; Maine Mass Violence Care Fund.** Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$5,000,000 from the unappropriated surplus of the General Fund to the Department of the Attorney General, Maine Mass Violence Care Fund, Other Special Revenue Funds account to provide financial support to victims and their families and household members of a mass violence event.

**PART N  
SUMMARY**

This Part creates the Maine Mass Violence Care Fund to provide financial support to victims of mass violence events and their families and household members. The financial support is for out-of-pocket costs for physical and behavioral health care not otherwise paid for by insurance or some other source. The Treasurer of State is directed to administer the fund in a manner consistent with investment standards established in the Maine Uniform Trust Code.

The fund is funded by an initial transfer of \$5,000,000 from the General Fund unappropriated surplus. Disbursements from the fund are made by the Victims' Compensation Board in the Department of the Attorney General but may only be from the earnings on the fund or from donations to the fund.

This Part creates a working group to develop eligibility standards with regard to distributions from the fund to be implemented by the Victim's Compensation Board.

*Voted: IN as amended 5-3  
with Sec. N-1  
initiative on page 22  
of this document*

(Vote with  
Ref # 415 on p. 9)

**PART PP**

**Sec. PP-1. Transfer from General Fund unappropriated surplus; Purchased Social Services.** Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$6,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Purchased Social Services, Other Special Revenue Funds account to provide one-time funding to support victims of crimes.

**PART PP  
SUMMARY**

This Part requires the transfer of \$6,000,000 in fiscal year 2024-25 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Purchased Social Services, Other Special Revenue Funds account to provide one-time funding to support victims of crimes.

Committee vote: Voted IN as amended 6-2  
with Ref. # 415

**PART WW**

**Sec. WW-1. Transfer of funds. Transfer of Personal Services balances to All Other; Maine Commission on Indigent Legal Services.** Notwithstanding any provision of law to the contrary, for fiscal year 2024-25 only, the Maine Commission on Indigent Legal Services is authorized to transfer up to \$2,500,000 of available balances of appropriations in the Personal Services line category in the Maine Commission on Indigent Legal Services program after all financial commitments for salary, benefit and other obligations have been made to the All Other line category in order to fund costs associated with assigned legal counsel. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

**PART WW  
SUMMARY**

This Part authorizes a one-time transfer in fiscal year 2024-25 of available balances of appropriations in the Personal Services line category to the All Other line category in the Maine Commission on Indigent Legal Services program to fund costs associated with assigned legal counsel.

Committee vote: IN 10-0

Vote  
IN: MB, AK, RH, SM, EB, AC, MM  
ES, AL, DH

See State Court Administrator  
testimony p. 6 (proposed amend.)

## PART XX

**Sec. XX-1. Transfer of funds. Transfer of Personal Services balances to All Other; Judicial Department.** Notwithstanding any provision of law to the contrary, for fiscal year 2023-24 and 2024-25 only, the Judicial Department is authorized to transfer up to \$400,000 of available balances of appropriations in the Personal Services line category in the Supreme Judicial & Superior Courts program after all financial commitments for salary, benefit and other obligations have been made to the All Other line category in order to fund temporary clerk services and marshal services contracts. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

## PART XX SUMMARY

This Part authorizes a one-time transfer in fiscal year 2023-24 and 2024-25 of available balances of appropriations in the Personal Services line category to the All Other line category in the Supreme Judicial & Superior Courts program to fund temporary clerk services and marshal services contracts.

Committee vote: IN as amended 9-0

Motion: IN as amended

- (1) In FY 24, Allow transfer of up to \$493,603
- (2) In FY 25, Allow transfer of up to \$575,000

Vote

for IN as amended: AK, RH, SM, EB, AC, MM, ES, AL, JP

Date:

(Filing No. S- )

JUDICIARY

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

STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 877, L.D. 2084, “An Act to Provide Funding for Essential Services for Victims of Crimes”

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF Purchased Social Services 0228

Initiative: Provides ongoing funding to replace current and anticipated reductions in grants to the department under the federal victim assistance formula grant program administered by the United States Department of Justice, Office of Justice Programs, Office for Victims of Crime, pursuant to the federal Victims of Crime Act of 1984.

Table with 3 columns: GENERAL FUND, 2023-24, 2024-25. Rows include All Other and GENERAL FUND TOTAL.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which replaces the appropriations and allocations section, clarifies that the ongoing funding is intended to replace current and anticipated reductions in federal

COMMITTEE AMENDMENT “ ” to S.P. 877, L.D. 2084

1 grants to the Department of Health and Human Services pursuant to the federal Victims of  
2 Crime Act of 1984.

3  
4

**FISCAL NOTE REQUIRED**  
**(See attached)**

AARON M. FREY  
ATTORNEY GENERAL



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**Testimony in Support of L.D. 2084, *An Act to Provide Funding for Essential Services for Victims of Crimes***

**January 23, 2024**

Senator Carney, Representative Moonen, and honorable members of the Joint Standing Committee on Judiciary, my name is Aaron Frey, I live in Bangor, and I have the privilege to serve as Maine's Attorney General. I am here today to testify in support of L.D. 2084, *An Act to Provide Funding for Essential Services for Victims of Crimes*.

This bill responds to a drastic reduction of federal funds coming into the state from the Victims of Crime Act ("VOCA"). Maine experienced a \$2,000,000 cut for federal fiscal year 2024, and it is expected that Maine will see a cut of \$4,000,000 in federal fiscal year 2025. L.D. 2084 is necessary to ensure our state continues to provide the level of services to victims that they deserve. The Office of the Attorney General ("OAG") is concerned with the potential impact of the cuts to vital services provided to victims by a range of service and resource providers, as well as to victim witness advocacy services provided by my office and other prosecutorial offices across the state.

First, there are a number of service and resource providers who utilize VOCA funds for a range of important services for victims of crime. Organizations like Maine Coalition Against Sexual Assault, Maine Coalition to End Domestic Violence, Legal Services for the Elderly, and Pine Tree Legal provide services that support victims as they move forward. The work of these providers is meaningful to those who have been victimized and is in jeopardy because of these cuts.

Second, the OAG receives VOCA funding to support a Victim Witness Advocate ("VWA") coordinator position, which provides training and technical assistance to VWAs across the state, and funding to support three VWAs in the OAG Criminal Division, who work directly with victims to carry out victims' rights services required by statute. Further, a small amount of VOCA funding supports VWA services in six of the eight prosecutorial districts.

With respect to the work of VWAs, responsibilities include providing emotional support for victims throughout the criminal justice process, helping victims make resource referrals and, when appropriate, applications to the Victims Compensation Fund, notifying victims of court dates, preparing victims for trial, and helping victims prepare to testify and give impact statements.

Effective victim services increase efficiency and effectiveness in the criminal justice system. When victims do not have their basic survival and psychological needs met, they often struggle to testify as witnesses, exercise their rights, and appear in court. VWAs help victims address their housing, transportation, childcare, financial, mental health, and substance use treatment needs so they can meaningfully participate in their own case. When crime victims receive the support they need and experience recovery and stability, they are less likely to experience re-victimization and less likely to commit harm to others.

Please vote ought to pass on L.D. 2084.



# mecasa

MAINE COALITION AGAINST  
SEXUAL ASSAULT

January 23, 2024

Senator Carney, Representative Moonen, and Members of the Judiciary Committee:

My name is Elizabeth Ward Saxl and I am submitting testimony today on behalf of the Maine Coalition Against Sexual Assault (MECASA), the organization which represents and serves Maine's sexual violence prevention and response programs as well as Maine's Children's Advocacy Centers. MECASA initiates and advocates for victim-centered public policy; provides expert training, technical assistance, and resources for providers and partners; and funds the service providers in your communities.

MECASA is here today in support of LD 2084, "An Act to to Provide Funding for Essential Services for Victims of Crime". Thank you to Senators Carney, Bennett, Daughtry and Duson and Representatives Carlow, Cloutier, Gattine, Milliken, and Rielly for sponsoring this critical legislation.

Over the last four decades, Maine has thoughtfully, painstakingly, dollar by dollar, built our victim service infrastructure. With the help of VOCA, today and every day in Maine:

- Legal Services for the Elderly is working with victims of financial exploitation so they can keep their homes,
- Maine's victim witness advocates are supporting the families of homicide victims through lengthy murder trials,
- domestic violence resource centers are engaging in safety planning with survivors whose lives are at risk,
- the Immigrant Resource Center of Maine is supporting victims who have experienced violence and are afraid to talk with people outside of their community,

- Pine Tree Legal Assistance is helping survivors access the PFAs that are increasing their safety,
- sexual assault support center advocates are there, in the middle of the night, for victims who are having forensic evidence collected in Maine's ERs after a sexual assault,
- victim advocates at the Department of Corrections are helping victims access restitution and are helping them plan for the release of the person who harmed them,
- Maine's Children's Advocacy Centers are interviewing children who have experienced sexual abuse, and
- trafficking victims are healing as they live in safety and receive services in the trafficking victims' shelter.

All of these services are funded by VOCA.

Most people are not aware of the supports that exist for victims of crime – not until they need them. But on October 25th, 2023, when our collective sense of safety was shaken by the events in Lewiston, these VOCA services were there and ready. On that day and in the days and weeks following:

- Maine's victim witness advocates provided support and information to survivors and the families of victims,
- Cara Cookson, the AG's Victim Witness Coordinator, coordinated federal and state victim service resources,
- the domestic violence resource centers supported survivors and family members who had histories of domestic violence and who had been retraumatized,
- Maine Children's Advocacy Center forensic interviewers and family advocates stood at the ready should children need to be interviewed as victims and witnesses,
- Pine Tree Legal Assistance's attorneys provided legal advice to survivors and to families of victims, and the
- the sexual assault support centers helped staff the Victims' Compensation table at the resource center.

These service providers offer life changing services for thousands of victims of crime every year. These services will either not exist or will be drastically reduced if this funding gap is not addressed.

Please support LD 2085.

I would be happy to answer any questions you might have.

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## About Maine's Sexual Assault Service Providers

One in five Mainers will experience sexual assault at some point in their lifetime.<sup>1</sup> Each year, 14,000 Mainers will experience sexual violence.<sup>2</sup>

Maine's sexual violence service providers provide free and confidential services across the state to victims/survivors of sexual harassment and sexual assault and those close to them, as well as to individuals who wish to increase their understanding of the issues. Just some of the services include a 24-hour statewide sexual assault helpline, crisis intervention and information, support groups, in-person accompaniment and advocacy through the medical and legal systems, and school- and community-based prevention education. Services are provided for a victim/survivor regardless of when they experienced sexual violence, and regardless of what type of sexual violence they experienced. Types of sexual violence include, but are not limited to, sexual harassment and gender-based bullying, child sexual abuse, elder sexual abuse, stalking, sex trafficking, and sexual violence within an intimate partner relationship.

*24/7 Confidential*

*Maine Sexual Assault Helpline: 1-800-871-7741*

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<sup>1</sup> Dumont, R. & Shaler, G. (2015). *Maine Crime Victimization Report: Informing public policy for safer communities*. Muskie School of Public Service, University of Southern Maine.

<sup>2</sup> *Ibid.*



*VOCA (Victims of Crime Act) Funding Cuts: A Catastrophe for Victim Services in Maine*

In FY2024, \$7,000,000 in VOCA funding is paying for critical services for victims of crime in Maine. This is a reduction of \$2,000,000 from FY23. DHHS (Maine’s Department of Health and Human Services) administers this federal grant and has allocated state dollars to cover the \$2,000,000 reduction for the current contract year, but DHHS has made it clear that this will not be possible moving forward.

The federal Office on Victims of Crime has been clear that all states will experience a substantial reduction in VOCA for FY25. Combining the reduction from FY23 with the additional reduction for FY25, **Maine will see a cut in funds of nearly \$6,000,000. We need Governor Mills to include \$6,000,000 in her supplemental budget request for FY25 to cover this funding gap**, joining governors across the country in ensuring that crime victims in their states will not suffer due to this crisis in federal funding.

This would have catastrophic impact on victim services statewide at a time when these services are more needed than ever. Here is the current distribution of VOCA funds in Maine (rounded off for ease of reading) and what a 60% cut would result in for FY25 if applied across the board:

	FY23	60% cut	FY25
District Attorney's Office Victim Witness Advocates (7 districts)	400,000	240,000	160,000
Office of the Attorney General support for victims of homicide and statewide coordination victim witness advocacy services	450,000	270,000	180,000
Dept. of Corrections Victim Services	90,000	54,000	36,000
Legal Services for the Elderly and support services through Elder Abuse Institute of Maine	350,000	210,000	140,000
Judicial Branch CASA (Court Appointed Special Advocate) services for children in the child welfare system	350,000	210,000	120,000
Domestic Violence Resource Center Services	4,600,000	2,760,000	1,200,000
Sexual Assault Center Services	1,700,000	1,020,000	480,000
Immigrant Resource Center of Maine	200,000	120,000	84,000
Pine Tree Legal Assistance - representation for victims of sexual and domestic violence	1,000,000	600,000	400,000
<b>Total</b>	<b>9,090,000</b>	<b>5,454,000</b>	<b>3,636,000</b>

**The bottom line is this:** Every \$100,000 reduction will result in the loss of a person – an advocate or attorney. This already under-resourced network cannot withstand such a devastating loss of funding, cutting the workforce by at least 42 statewide across service areas that provide lifesaving services in Maine.



## Maine Judicial Branch – Impact of Active Retired Judges

*Distributed at 3/4/24  
Supp. Budget WS*

The Maine Judicial Branch uses a number of Active Retired Judges (ARJs) to assist with hearing cases, covering judicial absences and vacancies, and assisting with other areas of case processing like settlement conferences and additional dockets. Figure 1 shows the number of ARJs active during each fiscal year and the total number of working days billed by ARJs during the fiscal year.

**Figure 1. Utilization of Active Retired Judges, FY 2018 – FY 2024**

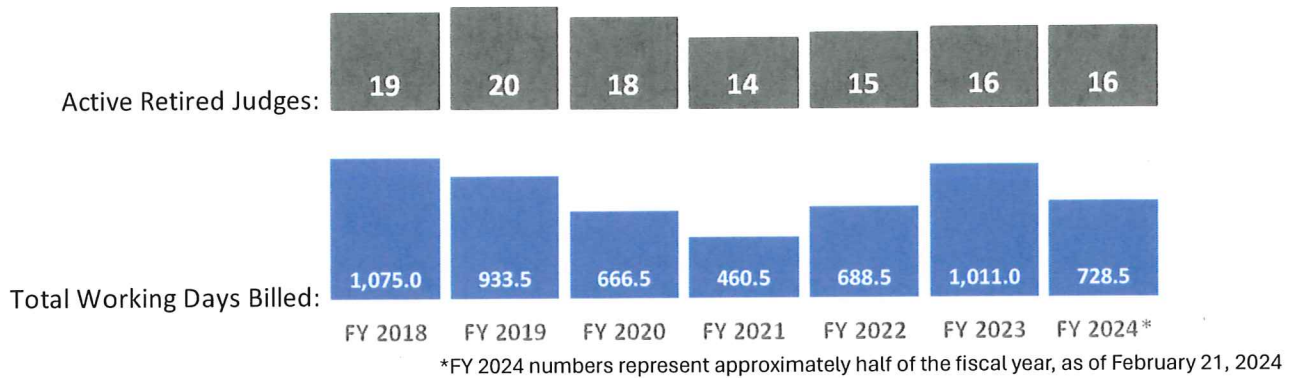


Figure 2 shows the total cost for ARJs during each fiscal year. The solid red line represents the actual amount paid for ARJs. The gray shaded area shows the minimum and maximum cost for the number of days billed (based on the current rates of \$200 for a half-day and \$350 for a full day). The blue dashed line shows the equivalent cost of full-time judge positions working the same number of days.

**Figure 2. Cost of Active Retired Judges Compared to Cost of Full-Time Judges for Same Workload, FY 2018 – FY 2024 Current Rates**

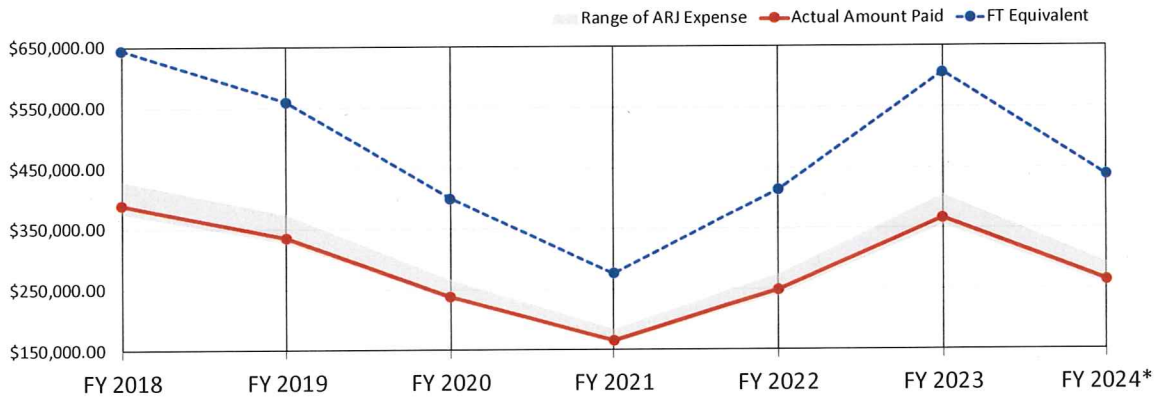
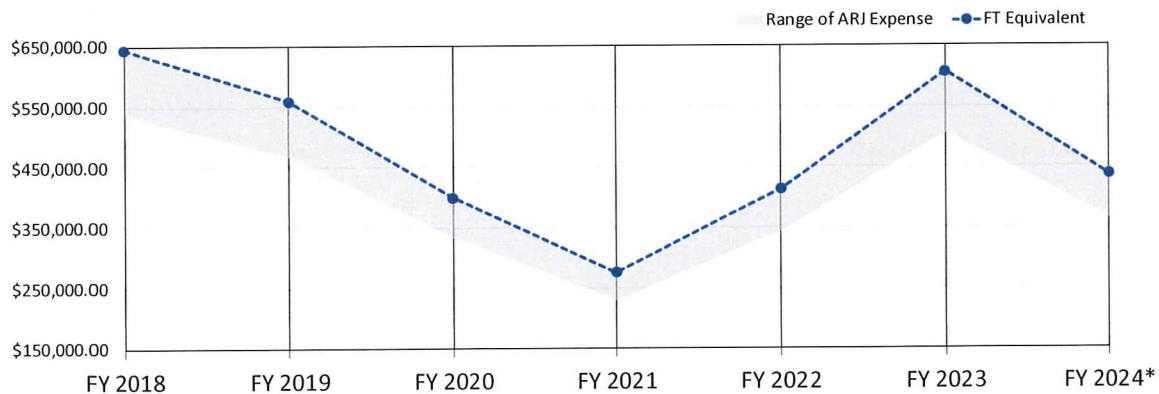


Figure 3 shows the minimum and maximum cost for the days billed in each fiscal year based on the new proposed rates of \$300 for a half-day and \$500 for a full day. Again, the blue dashed line shows the equivalent cost of full-time judge positions working the same number of days.

**Figure 3. Cost of Active Retired Judges Compared to Cost of Full-Time Judges for Same Workload, FY 2018 – FY 2024 Proposed Rates**







**An Act to Establish Public Defender Offices for Aroostook, Penobscot and Piscataquis Counties**

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

**Whereas,** the State's constitutional and statutory obligations include ensuring that each person facing a potential loss of liberty in a criminal or juvenile proceeding is provided with effective representation; and

**Whereas,** due to a lack of attorneys currently eligible for appointment, more than 500 adult criminal defendants eligible for a court-appointed attorney are currently without counsel, of whom at least 150 are currently in custody; and

**Whereas,** in at least 10 District Court locations across the State, there are no attorneys currently eligible for appointment to represent juveniles charged with certain types of offenses; and

**Whereas,** this legislation establishes authority for the Maine Commission on Indigent Legal Services to establish 2 new public defender offices, one serving Aroostook County and one serving Penobscot and Piscataquis counties, the two areas of the State identified by the Maine Commission on Indigent Legal Services as experiencing the greatest need for additional indigent legal services; and

**Whereas,** it is important to authorize establishment of these offices as soon as possible; 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,

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

**Sec. 1. Report.** The Maine Commission on Indigent Legal shall consider options for a more appropriate name for the commission that accurately describes to the public its mission and functions. The commission shall include a recommendation for a new name in the report due to the Legislature on January 15, 2025 pursuant to the Maine Revised Statutes, Title 4, section 1804, subsection 3.

**Sec. 2. Carrying balance fiscal year 2023-24; Maine Commission on Indigent Legal Services.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2023-24, the State Controller shall carry forward any remaining balance in the Personal Services line category in the Maine Commission on Indigent Legal Services program, General Fund account to the next fiscal year.

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

See attached MCILS initiatives from the Governor's proposed supplemental budget
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Judiciary Committee's Consensus Proposal for Emergency Legislation related to MCILS

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**SUMMARY**

This bill authorizes the transfer of funds in the All Other line category to the Personal Services line category in the Maine Commission on Indigent Legal Services Program to fund the costs associated with establishing a new public defender office to serve Aroostook County; establishing a new public defender office to serve Penobscot and Piscataquis counties; establishing a new Public Service Coordinator I position to perform investigative services for the existing public defender office in Kennebec County; and establishing new positions in the commission's central office designed to assist with the formation and implementation of new public defender offices and training of new public defenders. The bill also directs the State Controller to carry forward any remaining balance in the Personal Services line category in the Maine Commission on Indigent Legal Services program to fund costs associated with establishing public defender offices and directs the commission to include in its annual report due by January 15, 2025, a recommendation for changing the commission's name in a way that will more accurately describe to the public the commission's mission and functions.