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STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON JUDICIARY

April 15, 2015

TO: Senator James M. Hamper, Senate Chair
Representative Margaret R. Rotundo, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator David C. Burns, Senate Chair *DCB*
Representative Barry J. Hobbins, House Chair *BH*
Joint Standing Committee on Judiciary

Re: Correction to Judiciary Committee report on Biennial Budget

The Judiciary Committee submitted its recommendations on the Biennial Budget on April 8, 2015, and we included what we thought were corrected pages for Pine Tree Legal Assistance. In fact, the work sheets prepared for the Judiciary Committee contain correct Baseline Budget and Initiative Ref # 2459 information. However, the Justification Statement appears not to have been updated since 2011; we are attaching the corrected Justification Statement. We ask that you replace the following pages from our April 8 report: 42, 42A, 42B and 43. We are also attaching one copy of the entire report with those corrected pages.

We apologize for any confusion, and will be happy to answer any questions.

Thank you.

Attachments: Corrected PTLA Justification Statement
Corrected JUD work sheets

Sec. A-4. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	57.500	57.500	57.500	57.500
Personal Services	\$4,592,949	\$4,755,997	\$5,721,028	\$5,760,713
All Other	\$611,086	\$614,634	\$614,634	\$614,634
GENERAL FUND TOTAL	\$5,204,035	\$5,370,631	\$6,335,662	\$6,375,347
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	8.000	8.000	8.000	8.000
Personal Services	\$803,399	\$845,743	\$936,019	\$940,013
All Other	\$268,827	\$269,207	\$269,207	\$269,207
FEDERAL EXPENDITURES FUND TOTAL	\$1,072,226	\$1,114,950	\$1,205,226	\$1,209,220
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	48.500	48.500	48.500	48.500
Personal Services	\$5,180,426	\$5,496,409	\$6,117,825	\$6,196,016
All Other	\$824,095	\$824,241	\$824,241	\$824,241
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,004,521	\$6,320,650	\$6,942,066	\$7,020,257

Justification:

The mission of the Attorney General's Office is to provide high quality legal services, to enforce the law, to prosecute homicides and other major crimes, to ensure the safety of Maine people, collect funds owed the state, to protect consumers, to protect the environment, and to defend and represent state agencies.

The Attorney General is a constitutional officer, elected by the Legislature and independent from the Executive agencies it serves. The Office of the Attorney General provides legal services for State agencies as required by statute, and engages in proactive legal measures when in the public interest. The Attorney General also consults with the eight District Attorneys and provides legal advice to law enforcement agencies.

The Office of the Attorney General includes the following divisions:

Administrative Services Division is responsible for budgeting, human resources, accounting, and other administrative functions of the Office. The Division manages the Victims' Compensation Program, which provides reimbursement to victims of violent crime for certain financial losses, and it staffs the Sexual Assault Forensic Examiner Advisory Board. The division also includes the Civil Rights Team Project.

The Child Support Enforcement Division represents the Department of Health and Human Services (DHHS) in the area of child support enforcement.

The Child Protection Division represents DHHS in the area of child protection. The work of these two divisions is done out of four offices-Portland, Augusta, Bangor, and Caribou. Attorneys and paralegals in these areas have the most persistent and heavy caseloads of any Divisions in the Office of the Attorney General.

The Health and Human Services Division provides legal representation for all other programs in DHHS, including the MaineCare program, involuntary mental health commitments, defense of lawsuits against the Department and its employees, public guardianship/conservatorship issues, licensure of homes for both adults and children, enforcement of the State's public health laws, enforcement of adult protective laws, represents DHHS's interest in federal benefits programs such as MaineCare and TANF and the AMHI and Community Consent Decree cases.

The Criminal Division is exclusively responsible for the prosecution of homicides occurring in the State and concurrently responsible with the District Attorneys for all other criminal matters. This division handles certain criminal appeals to the Supreme Judicial Court, petitions for post-conviction relief, and federal habeas corpus matters. The Maine Drug Task Force attorneys and the Drug Prosecution Coordinator prosecute drug-related cases investigated by the Maine Drug Enforcement Agency (MDEA) and other police agencies. The Division represents the Department of Public Safety and acts as extradition officer for the Governor. Members of the Criminal Division prosecute white collar and financial crimes and frauds against State government, including welfare fraud, health care crimes, tax crimes and securities violations. The division also directs enforcement actions under the Maine Civil Rights Act.

The Investigation Division investigates fraud against the State and provides direct investigative services for other divisions in the Department. The Division is responsible for investigating police-involved fatalities, certain crimes against public officials, hate crimes, and financial exploitation of elders. The Division serves as a resource for other law enforcement agencies, participates in law enforcement training and conducts investigations for the Medical Board, the Osteopathic Board and the Tobacco and Substance Abuse programs.

The Litigation Division defends the state under the Maine Tort Claims Act, in civil rights actions brought pursuant to 42 U.S.C. § 1983 and in employment and discrimination matters. The division handles court actions not involving a particular agency and assists with comp

Administration - Attorney General 0310

Initiative: Provides funding for contracted electronic litigation support services.

Ref. #: 539

Committee Vote: 12-0 IN
+ Rep. Mitchell

AFA Vote: _____

GENERAL FUND

All Other

GENERAL FUND TOTAL

	2015-16	2016-17
	\$10,000	\$10,000
	<u>\$10,000</u>	<u>\$10,000</u>

Justification:

Increasingly, the Office is handling cases that involve thousands, and sometimes millions, of pages of documents. For example, in a recent arbitration proceeding against large tobacco companies, in which more than \$50 million earmarked for the Fund for a Healthy Maine was at stake, the Office collected and produced over 45,000 pages of documents. Documents must be reviewed to determine which are relevant, which might be helpful, and which are privileged. Manually reviewing large collections of documents (which include not only paper documents, but also emails and other documents that exist only in electronic form) would take hundreds of hours of attorney and support staff time. Accordingly, in document-intensive cases, the Office uses the services of litigation support companies that specialize in processing massive quantities of documents. These companies scan the documents, make them fully text-searchable, and then return electronic versions of the documents in a form such that the Office can load them into litigation support software. Using this software, attorneys can more easily and more accurately perform the necessary review. This

software, which cannot be used unless the documents have first been processed by a litigation support company, has proven invaluable. For example, in minutes, an attorney can search through thousands of documents and identify all those that reference a particular individual or company. Without the services of litigation support companies, the Office's ability to litigate complex cases would be severely impaired.

Administration - Attorney General 0310

Initiative: Transfers one Assistant Attorney General position and one Secretary Associate Legal position from the Administration - Attorney General program to the Human Services Division program within the same fund.

Ref. #: 540

Committee Vote: 12-0 IN

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

+ Rep. Mitchell

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$258,047)	(\$259,595)
All Other	(\$9,116)	(\$9,171)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$267,163)	(\$268,766)

Justification:

This initiative transfers two positions, one Assistant Attorney General and one Secretary Associate Legal position, from the Administration- Attorney General program to the Human Services Division program within the Other Special Revenues Fund. Both positions had been used for work related to Maine Revenue Services. The positions were vacated recently and are no longer needed for the client agency for which they were originally established. However, another client - the Department of Health and Human Services - had an increasing work load. Therefore, the funding source for the two positions changed from Maine Revenue Services to the Department of Health and Human Services.

Administration - Attorney General 0310

Initiative: Transfers one Research Assistant position funded 50% from the Attorney General - Administration program, General Fund and 50% from the Victims Compensation program, Other Special Revenue Funds and associated operating costs, to the Department of Health and Human Services, Purchased Social Services program, General Fund and Other Special Revenue Funds.

Ref. #: 542

Committee Vote: 12-0 IN

AFA Vote: _____

+ Rep. Mitchell

GENERAL FUND

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$45,402)	(\$44,310)
All Other	(\$1,921)	(\$1,921)
GENERAL FUND TOTAL	(\$47,323)	(\$46,231)

Part HH IN 12-0
+ Rep. Mitchell

Justification:

The current enabling statute (5 MRSA §§ 3360-N to 3360-O) authorizes the Office of the Attorney General to provide technical assistance and training to sexual assault forensic examiners (SAFEs). The Sexual Assault Forensic Examiner Advisory Board and the Director of the SAFE Program believe that the training of sexual assault forensic examiners primarily should be viewed as a nursing/ health care specialty. As such, they believe that examiners should be held to established standards of clinical competency and professionally certified. The Office of the Attorney General lacks the statutory authority to implement and oversee a certification program. Furthermore, a nursing/ health care certification

GENERAL FUND TOTAL

\$94,000

\$0

Justification:

The Office uses NetApp Stor for data retention and a tape library, backup server and physical tape storage for backup data retention. The NetApp Stor was purchased in February 2011 and is nearing maximum capacity and the end-of-life. The cost estimate to replace NetApp Stor with the next generation and more capacity \$46,000. In addition, this Order requests funding to change from a backup data retention appliance reliant on physical tapes to a digital backup appliance. The cost estimate for this is \$38,000. Estimates include installation, 1 year of Instant Replacement and 1 year of End User Support. The Office will incur annual costs for Instant Replacement and End User Support of approximately \$10,000; however, this will provide no-cost appliance replacement at the end of the useful life of the appliance as well as free upgrade to the next generation.

Administration - Attorney General 0310

Initiative: Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

Ref. #: 546

Committee Vote: 13-0 IN

AFA Vote: _____

+ Rep. Mitchell

GENERAL FUND

All Other

2015-16

2016-17

\$6,604

\$27,904

GENERAL FUND TOTAL

\$6,604

\$27,904

Ref. #: 547

Committee Vote: 13-0 IN

AFA Vote: _____

+ Rep. Mitchell

FEDERAL EXPENDITURES FUND

All Other

2015-16

2016-17

\$2,571

(\$12,526)

FEDERAL EXPENDITURES FUND TOTAL

\$2,571

(\$12,526)

Ref. #: 549

Committee Vote: 13-0 IN

AFA Vote: _____

+ Rep. Mitchell

OTHER SPECIAL REVENUE FUNDS

All Other

2015-16

2016-17

(\$3,662)

\$11,039

OTHER SPECIAL REVENUE FUNDS TOTAL

(\$3,662)

\$11,039

Justification:

Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

Administration - Attorney General 0310

Initiative: Establishes 4 Assistant Attorney General positions dedicated to prosecuting drug crimes.

Ref. #: 555

Committee Vote: 13-0 AMEND

AFA Vote: _____

+ Rep. Mitchell

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$373,556	\$381,204
All Other	\$19,764	\$11,764
GENERAL FUND TOTAL	\$393,320	\$392,968

see
changes

Justification:

This initiative provides funding for ~~4~~ Assistant Attorney General positions in the Department of the Attorney General that will be dedicated to the prosecution of drug crimes.

Replace #555, plus A1, A2, B, C, D1, D2

**ADMINISTRATION - ATTORNEY GENERAL 0310
PROGRAM SUMMARY**

GENERAL FUND	History 2013-14	History 2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	57.500	57.500	60.500	60.500
Personal Services	\$4,592,949	\$4,755,997	\$6,049,182	\$6,097,607
All Other	\$611,086	\$614,634	\$685,081	\$662,381
Capital Expenditures	\$0	\$0	\$58,000	\$0
GENERAL FUND TOTAL	\$5,204,035	\$5,370,631	\$6,792,263	\$6,759,988

FEDERAL EXPENDITURES FUND	History 2013-14	History 2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000	9.000	9.000
Personal Services	\$803,399	\$845,743	\$1,005,255	\$1,010,365
All Other	\$268,827	\$269,207	\$276,464	\$261,406
FEDERAL EXPENDITURES FUND TOTAL	\$1,072,226	\$1,114,950	\$1,281,719	\$1,271,771

OTHER SPECIAL REVENUE FUNDS	History 2013-14	History 2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	48.500	48.500	46.500	46.500
Personal Services	\$5,180,426	\$5,496,409	\$5,859,778	\$5,936,421
All Other	\$824,095	\$824,241	\$771,173	\$785,819
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,004,521	\$6,320,650	\$6,630,951	\$6,722,240

Administration - Attorney General 0310

Replaces Ref # 555

Initiative: Establishes 2 Assistant Attorney General positions dedicated to prosecuting drug crimes

GENERAL FUND	2015-16	2016-17
Headcount	2.0	2.0
Personal Services	\$186,778	\$190,602
All Other	\$9,882	\$5,882
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$196,660	\$196,484

6A

Administration - Attorney General 0310

Initiative: Reallocates the cost of 6 Assistant Attorney General positions and one Secretary Associate Legal position from 75% General Fund and 25% Federal Funds to 100% General Fund beginning October 1, 2015, to compensate for the loss of federal funding.

A1

B-5 IN

GENERAL FUND	2015-16	2016-17
Personal Services	\$132,000	\$188,317
All Other	\$11,000	\$15,719
GENERAL FUND TOTAL	\$143,000	\$204,036

Initiative: Reallocates the cost of 6 Assistant Attorney General positions and one Secretary Associate Legal position from 75% General Fund and 25% Federal Funds to 100% General Fund beginning October 1, 2015, to compensate for the loss of federal funding.

A2

B-5 IN

FEDERAL FUND	2015-16	2016-17
Personal Services	-\$132,000	-\$188,317
All Other	-\$11,000	-\$22,963
FEDERAL FUND TOTAL	-\$143,000	-\$211,280

LB

Administration - Attorney General 0310

Initiative: Establishes one part-time Research Assistant position to serve as the Homicide Review Panel Coordinator in the Criminal Division.

B

GENERAL FUND	2015-16	2016-17
Headcount	0.5	0.5
Personal Services	\$34,025	\$34,445
All Other	\$6,662	\$6,662
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$40,687	\$41,107

10-3
IN

Initiative: Establishes one full-time Research Assistant position to serve as a trial preparation assistant in the Criminal Division.

C

GENERAL FUND	2015-16	2016-17
Headcount	1.0	1.0
Personal Services	\$66,831	\$68,406
All Other	\$4,886	\$2,886
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$71,717	\$71,292

10-2
IN

62

Administration - Attorney General 0310

Initiative: Adjusts the baseline budget in the account used for the state match required for the Medicaid Fraud Control Unit grant to reflect grant requirements.

D1

	<u>2015-16</u>	<u>2016-17</u>
OTHER SPECIAL REVENUE		
All Other	\$123,133	\$131,320
OTHER SPECIAL REVENUE TOTAL	\$123,133	\$131,320

12-0
IN

Initiative: Provides funding for one Assistant Attorney General position and related costs to support increased participation in multistate and in-state civil fraud cases.

D2

	<u>2015-16</u>	<u>2016-17</u>
FEDERAL FUNDS		
Headcount	1.0	1.0
Personal Services	\$82,530	\$117,279
All Other	\$10,000	\$8,000
FEDERAL FUNDS TOTAL	\$92,531	\$125,280

12-0
IN

In this grant, 100% of the costs are budgeted in the federal fund account. Quarterly journals transfer 25% of the expenditures to the state match account. The "excess" allotment in the federal account lapses at the end of each state fiscal year. See attached report for verification.

60

Chief Medical Examiner - Office of 0412

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	11.000	11.000	11.000	11.000
Personal Services	\$1,008,372	\$1,029,531	\$1,188,815	\$1,199,111
All Other	\$575,277	\$596,610	\$596,610	\$596,610
GENERAL FUND TOTAL	\$1,583,649	\$1,626,141	\$1,785,425	\$1,795,721
	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
All Other	\$75,000	\$75,000	\$75,000	\$75,000
FEDERAL EXPENDITURES FUND TOTAL	\$75,000	\$75,000	\$75,000	\$75,000
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
All Other	\$14,993	\$14,993	\$14,993	\$14,993
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993	\$14,993	\$14,993

Justification:

The Chief Medical Examiner's office investigates all deaths due to other than natural disease or that cannot be certified by a private attending physician. The goal of the Office is to provide thorough investigations, to help solve crime and to support public health and public safety by providing accurate information about the cause of deaths in the state. The Office strives to provide timely reports to government agencies, families and other interested parties regarding the circumstantial and medical factors which cause death for the purposes of prosecution, departmental action, estate settlement, and statistical information for governmental recordkeeping and policy decisions.

Chief Medical Examiner - Office of 0412

Initiative: Establishes one Research Assistant position to serve as a medical records analyst.

Ref. #: 567

Committee Vote:

11-2 IN

AFA Vote:

		2015-16	2016-17
GENERAL FUND			
POSITIONS - LEGISLATIVE COUNT		1.000	1.000
Personal Services		\$61,561	\$62,695
All Other		\$3,618	\$1,618
GENERAL FUND TOTAL		\$65,179	\$64,313

Justification:

The Research Assistant position serves as a medical records analyst with skills and competency to handle documentation, correspondence and record keeping; analytical skills to review examination and autopsy cases for accuracy and completion; and office practices skills to provide general assistance for the Chief and Deputy Chief Medical Examiners. This position fills the current void in our system and not only directly reverses our backlog and delays in case completion,

MLDIs have been able to perform examinations on urgent (high profile) and questionable cases. When our MLDIs are dispatched to these cases they can communicate directly with the OCME doctor in charge, send photos instantly if needed, have the case disposition determined instantly, and actually transport the body back to OCME when they return.

Chief Medical Examiner - Office of 0412

Initiative: Continues one part-time Research Assistant position previously established on Financial Order 002617 F5.

Ref. #: 572

Committee Vote:

13-0 IN

AFA Vote: _____

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$28,189	\$27,624
All Other	\$114,841	\$114,803
FEDERAL EXPENDITURES FUND TOTAL	\$143,030	\$142,427

Justification:

The Research Assistant position for the National Violent Death Reporting System is funded by a grant from the National Centers for Disease Control.

**CHIEF MEDICAL EXAMINER - OFFICE OF 0412
PROGRAM SUMMARY**

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	11.000	11.000	13.000	13.000
Personal Services	\$1,008,372	\$1,029,531	\$1,412,202	\$1,428,678
All Other	\$575,277	\$596,610	\$618,281	\$623,777
Capital Expenditures	\$0	\$0	\$101,000	\$0
GENERAL FUND TOTAL	\$1,583,649	\$1,626,141	\$2,131,483	\$2,052,455

	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	0.500	0.500
Personal Services	\$0	\$0	\$28,189	\$27,624
All Other	\$75,000	\$75,000	\$189,841	\$189,803
FEDERAL EXPENDITURES FUND TOTAL	\$75,000	\$75,000	\$218,030	\$217,427

	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
All Other	\$14,993	\$14,993	\$14,993	\$14,993
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993	\$14,993	\$14,993

Civil Rights 0039

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$140,721	\$147,092	\$170,645	\$170,486
All Other	\$98,617	\$98,617	\$98,617	\$98,617
GENERAL FUND TOTAL	\$239,338	\$245,709	\$269,262	\$269,103

Justification:

The mission of the Civil Rights Team Project (CRTP) is to increase the safety of elementary, middle, and high school students by reducing bias-motivated behaviors and harassment in schools. There are Civil Rights Teams in nearly 160 Maine schools and training is provided to thousands of students and faculty.

The Civil Rights Team Project trains, encourages and empowers high school, middle school and elementary school students to be leaders within their school communities in confronting bias, prejudice and harassment. Faculty in-service trainings increase the responsiveness of faculty and administrators to bias, prejudice and harassment. The program works with local police and schools to foster collaboration in addressing incidents of bias and harassment and increase awareness of parents and community members. The goal of the program is to improve the school experience for members of targeted groups (racial, religious, national origin, sexual orientation, etc.)

Civil Rights 0039

Initiative: Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

Ref. #: 522

Committee Vote: 13-0 IN AFA Vote: _____
 + Rep. Mitchell

GENERAL FUND		2015-16	2016-17
All Other		\$77	(\$3,919)
GENERAL FUND TOTAL		\$77	(\$3,919)

Justification:

Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

**CIVIL RIGHTS 0039
PROGRAM SUMMARY**

GENERAL FUND	History 2013-14	History 2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$140,721	\$147,092	\$170,645	\$170,486
All Other	\$98,617	\$98,617	\$98,694	\$94,698
GENERAL FUND TOTAL	\$239,338	\$245,709	\$269,339	\$265,184

District Attorneys Salaries 0409

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	83.000	83.500	83.500	83.500
Personal Services	\$7,805,569	\$8,147,714	\$9,269,907	\$9,697,978
GENERAL FUND TOTAL	\$7,805,569	\$8,147,714	\$9,269,907	\$9,697,978
	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$65,131	\$69,332	\$84,027	\$88,213
All Other	\$8,244	\$8,244	\$8,244	\$8,244
FEDERAL EXPENDITURES FUND TOTAL	\$73,375	\$77,576	\$92,271	\$96,457
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	0.000	0.500	0.500	0.500
Personal Services	\$0	\$42,045	\$45,544	\$47,893
All Other	\$6,145	\$7,630	\$7,630	\$7,630
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,145	\$49,675	\$53,174	\$55,523

Justification:

Historically, the eight District Attorneys' offices handle approximately 90,000 criminal and juvenile cases per year, as well as thousands of traffic and civil violations. This caseload is carried statewide with a staff of 78 Assistant District Attorneys and 8 elected District Attorneys. When traffic infractions and civil violations are factored in, as well as probation revocations, appeals to the Law Court, and other cases, each Assistant District Attorney handles very high caseloads.

The eight District Attorney offices prosecute the majority of all criminal offenses occurring in their district, with the exception of murder, including thousands of traffic infractions and civil violations.

The District Attorneys draft warrants, review police reports, screen criminal cases, prepare criminal complaints, motions, memoranda of law, legal briefs and other pleadings. They present felony cases to grand juries, argue motions, meet with police officers, witnesses and victims and try cases in District and Superior Courts. The District Attorney Offices also provide training and continuing legal education to law enforcement agencies in their districts.

District Attorneys Salaries 0409

Initiative: Continues one Assistant District Attorney position previously continued on Financial Order 002365 F5.

Ref. #: 561

Committee Vote: 13-0 W

AFA Vote: _____

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$95,017	\$99,842
All Other	\$3,357	\$3,527
OTHER SPECIAL REVENUE FUNDS TOTAL	\$98,374	\$103,369

Justification:

The Assistant District Attorney position is funded through a grant from the Department of Justice, Office of Justice Programs.

District Attorneys Salaries 0409

Initiative: Establishes 22 Assistant District Attorney positions.

Ref. #: 562

Committee Vote: 9-4 IN

AFA Vote: _____

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22,000	22,000
Personal Services	\$1,993,222	\$2,096,622
GENERAL FUND TOTAL	\$1,993,222	\$2,096,622

Handwritten notes: "9-4 IN" with an arrow pointing to the 2016-17 column, and "reduce to 16 ADAs" written below.

Justification:

The National District Attorneys Association's National Prosecution Standards (2009) state:

"1-4.5 Workload

Except in extraordinary circumstances, a prosecutor should not maintain, and should not be asked to maintain, a workload that is inconsistent with the prosecutor's duty to ensure that justice is done in each case."

Current caseloads for our District Attorneys exceed standards set in 1968 for the maximum number of criminal cases an attorney can competently handle in a year: 150 felony, or 200 juvenile cases, or 400 misdemeanor cases, or 25 appeals.

The District Attorneys Offices feel they have reached a critical tipping point in their workload and that the quality of trial preparation and prosecutions may be negatively affected to an unacceptable degree. The additional positions will enable the DAs Offices to maintain case screening policies and enhance the quality of their trials and appellate work to the benefit of the public safety.

**DISTRICT ATTORNEYS SALARIES 0409
PROGRAM SUMMARY**

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	83.000	83.500	105.500	105.500
Personal Services	\$7,805,569	\$8,147,714	\$11,263,129	\$11,794,600
GENERAL FUND TOTAL	\$7,805,569	\$8,147,714	\$11,263,129	\$11,794,600
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$65,131	\$69,332	\$84,027	\$88,213
All Other	\$8,244	\$8,244	\$8,244	\$8,244
FEDERAL EXPENDITURES FUND TOTAL	\$73,375	\$77,576	\$92,271	\$96,457
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	0.000	0.500	1.500	1.500
Personal Services	\$0	\$42,045	\$140,561	\$147,735
All Other	\$6,145	\$7,630	\$10,987	\$11,157
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,145	\$49,675	\$151,548	\$158,892

Human Services Division 0696

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	63.500	63.500	63.500	63.500
Personal Services	\$6,332,837	\$6,718,460	\$6,556,624	\$6,637,761
All Other	\$912,044	\$900,368	\$861,314	\$861,314
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,244,881	\$7,618,828	\$7,417,938	\$7,499,075

Justification:

The primary mission of this program is to provide legal services for the programs administered by the Department of Health and Human Services (DHHS). The program is divided among three divisions:

The Child Support Enforcement Division represents DHHS in the area of child support enforcement. The Child Protection Division represents DHHS in the area of child protection. The work of these two divisions is done out of four offices-Portland, Augusta, Bangor, and Caribou. Attorneys and paralegals in these areas have the most persistent and heavy caseloads of any Divisions in the Office of the Attorney General.

The Health and Human Services Division provides legal representation for all other programs in DHHS, including the MaineCare program, involuntary mental health commitments, defense of lawsuits against the Department and its employees, public guardianship/conservatorship issues, licensure of homes for both adults and children, enforcement of the State's public health laws, enforcement of adult protective laws, represents DHHS's interest in federal benefits programs such as MaineCare, TANF and the AMHI and Community Consent Decree cases.

Human Services Division 0696

Initiative: Reorganizes 2 part-time Assistant Attorney General positions into one 40 hour per week Assistant Attorney General position within the same program.

Ref. #: 575

Committee Vote:

13-0 IN
+ Rep. Mitchell

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
Personal Services	\$6,616	\$6,149
All Other	\$233	\$217
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,849	\$6,366

Justification:

The Department of the Attorney General, Human Services Division has two 20 hour per week Assistant Attorney General positions. One person holds both of these positions and has done so for several years. This initiative combines the two part-time positions into one 40 hour per week position.

Human Services Division 0696

Initiative: Transfers one Assistant Attorney General position and one Secretary Associate Legal position from the Administration - Attorney General program to the Human Services Division program within the same fund.

Ref. #: 576

Committee Vote:

12-0 IN
+ Rep. Mitchell

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$258,047	\$259,595
All Other	\$9,116	\$9,171
OTHER SPECIAL REVENUE FUNDS TOTAL	\$267,163	\$268,766

Justification:

This initiative transfers two positions, one Assistant Attorney General and one Secretary Associate Legal position, from the Administration- Attorney General program to the Human Services Division program within the Other Special Revenues Fund. Both positions had been used for work related to Maine Revenue Services. The positions were vacated recently and are no longer needed for the client agency for which they were originally established. However, another client - the Department of Health and Human Services - had an increasing work load. Therefore, the funding source for the two positions changed from Maine Revenue Services to the Department of Health and Human Services.

Human Services Division 0696

Initiative: Continues 2 Assistant Attorney General positions, one part-time Assistant Attorney General position and 3 Research Assistant positions previously authorized in Public Law 2013, chapter 368.

Ref. #: 577

Committee Vote: 13-0 IN AFA Vote: _____

+ Rep. Mitchell

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.500	5.500
Personal Services	\$453,411	\$460,268
All Other	\$16,019	\$16,261
OTHER SPECIAL REVENUE FUNDS TOTAL	\$469,430	\$476,529

Justification:

The Attorney General's Child Protection Division now handles 2,102 child protection cases in Maine's 29 District Courts with 18.5 Assistant Attorneys General (AAGs). One and one-half (1.5) AAGs represent the Department of Health and Human Services (DHHS) defending appeals before the Maine Supreme Judicial Court. The Assistant Attorneys General make approximately 7,042 court appearances and handle 50 Law Court appeals per year, or 135 court appearances per week, throughout the State of Maine. AAGs have an average of 109 cases, nearly double the American Bar Association's maximum standard caseload of 60. AAGs also train caseworkers, handle licensing complaints, and advise DHHS in a multitude of matters. AAG's manage their caseloads by dedication, hard work, organization, and efficiently utilizing support staff, including Paralegals. The AAG and Paralegal positions were requested and authorized for the 2014-2015 biennium, with end dates of June 30, 2015. Continuing the 2.5 Assistant Attorney General positions is critical as the cases statewide have increased by 468 since the time of the 2013 request; we have reduced our paralegal request to 3 positions for cost efficiency. Absent reauthorization, layoffs and shortages will undermine our ability to do the critical work of protecting Maine's children from abuse and neglect.

Human Services Division 0696

Initiative: Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

Ref. #: 578

Committee Vote: 13-0 AFA Vote: _____

+ Rep. Mitchell

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,206	(\$1,857)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,206	(\$1,857)

Justification:

Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

Human Services Division 0696

Initiative: Provides funding for Food and Drug Administration (FDA) Retail Tobacco Compliance Check Inspections at youth accessible tobacco retailers statewide.

Ref. #: 579

Committee Vote:

*13-0 IN
+ Rep. Mitchell*

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$156,335	\$156,335
OTHER SPECIAL REVENUE FUNDS TOTAL	\$156,335	\$156,335

Justification:

The Maine Office of the Attorney General (OAG) Tobacco Enforcement Program was awarded a Food and Drug Administration (FDA) contract to assist FDA in implementing the provisions of the Food Drug and Cosmetic Act (FD&C Act) as amended by the Tobacco Control Act. The contract value is \$545,486 in Year 1 and has two optional years. The contract funds one and one-half positions and inspections of retailers that sell and advertise regulated tobacco products to determine compliance with the provisions cited in FD&C Act Section C and submit observations and inspection results to FDA. The OAG Tobacco Enforcement Program must subcontract with Howe, Cahill & Company for FDA Inspectors, Chaperones and Minors to conduct FDA Retail Tobacco Compliance Check Inspections at 100% youth accessible tobacco retailers statewide. This request increases the All Other allotment to enable encumbrance of this subcontract which was formerly administered by the Department of Health and Human Services.

**HUMAN SERVICES DIVISION 0696
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	History 2013-14	History 2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	63.500	63.500	71.000	71.000
Personal Services	\$6,332,837	\$6,718,460	\$7,274,698	\$7,363,773
All Other	\$912,044	\$900,368	\$1,045,223	\$1,041,441
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,244,881	\$7,618,828	\$8,319,921	\$8,405,214

Victims' Compensation Board 0711

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
All Other	\$225,549	\$225,549	\$225,549	\$225,549
FEDERAL EXPENDITURES FUND TOTAL	<u>\$225,549</u>	<u>\$225,549</u>	<u>\$225,549</u>	<u>\$225,549</u>
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$254,270	\$270,752	\$286,319	\$288,687
All Other	\$622,091	\$613,796	\$613,796	\$613,796
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$876,361</u>	<u>\$884,548</u>	<u>\$900,115</u>	<u>\$902,483</u>

Justification:

The Victims' Compensation Fund assists victims of violent crime by reimbursing them up to \$15,000 for certain out-of-pocket costs or losses they incur as a result of a crime. The Victims' Compensation Board, comprised of three members from Maine's legal, medical and victim services communities, determines the claims to be paid from the Fund. The Administrative Services Division of the Office of the Attorney General provides staff to administer the Program. The Victims' Compensation Program works closely with District Attorneys, Victim Witness Advocates, the Department of Corrections, and advocates from domestic violence and sexual assault response agencies in order to reach out and assist victims of violent crime.

Victims' Compensation Board 0711

Initiative: Transfers one Research Assistant position funded 50% from the Attorney General - Administration program, General Fund and 50% from the Victims Compensation program, Other Special Revenue Funds and associated operating costs, to the Department of Health and Human Services, Purchased Social Services program, General Fund and Other Special Revenue Funds.

Ref. #: 583

Committee Vote:

12-0 IN
+ Rep. Mitchell

AFA Vote: _____

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
Personal Services	(\$45,396)	(\$44,306)
All Other	(\$21,275)	(\$21,236)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$66,671)</u>	<u>(\$65,542)</u>

Justification:

The current enabling statute (5 MRSA §§ 3360-N to 3360-O) authorizes the Office of the Attorney General to provide technical assistance and training to sexual assault forensic examiners (SAFEs). The Sexual Assault Forensic Examiner Advisory Board and the Director of the SAFE Program believe that the training of sexual assault forensic examiners primarily should be viewed as a nursing/ health care specialty. As such, they believe that examiners should be held to established standards of clinical competency and professionally certified. The Office of the Attorney General lacks the statutory authority to implement and oversee a certification program. Furthermore, a nursing/ health care certification program, even if authorized, would conflict with the mission of the Office of the Attorney General. For these reasons, the Advisory Board and Director believe that the SAFE training program should be moved to an entity which can regulate the

training and professional certification of SAFEs.

Victims' Compensation Board 0711

Initiative: Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

Ref. #: 584

Committee Vote:

13-0 IN
+ Rep. Mitchell

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

2015-16

2016-17

\$1,591

\$6,858

OTHER SPECIAL REVENUE FUNDS TOTAL

\$1,591

\$6,858

Justification:

Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

**VICTIMS' COMPENSATION BOARD 0711
PROGRAM SUMMARY**

	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
All Other	\$225,549	\$225,549	\$225,549	\$225,549
FEDERAL EXPENDITURES FUND TOTAL	<u>\$225,549</u>	<u>\$225,549</u>	<u>\$225,549</u>	<u>\$225,549</u>
OTHER SPECIAL REVENUE FUNDS	History 2013-14	History 2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$254,270	\$270,752	\$240,923	\$244,381
All Other	\$622,091	\$613,796	\$594,112	\$599,418
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$876,361</u>	<u>\$884,548</u>	<u>\$835,035</u>	<u>\$843,799</u>

ATTORNEY GENERAL, DEPARTMENT OF THE

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$20,456,214	\$20,872,227
FEDERAL EXPENDITURES FUND	\$1,817,569	\$1,811,204
OTHER SPECIAL REVENUE FUNDS	\$15,952,448	\$16,145,138
DEPARTMENT TOTAL - ALL FUNDS	\$38,226,231	\$38,828,569

Sec. A-4. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

FHM - Attorney General 0947

Initiative: BASELINE BUDGET

	2015-16	2016-17
FUND FOR A HEALTHY MAINE		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$116,600	\$118,540
All Other	\$21,224	\$21,224
FUND FOR A HEALTHY MAINE TOTAL	\$137,824	\$139,764

Justification:

This program provides funding for one Assistant Attorney General position and related All Other to enforce the Tobacco Manufacturer's Act and the Tobacco Distributor's Act. The position is critical to the diligent enforcement requirement to secure Maine's roughly \$52 million annual MSA Settlement Payment.

FHM - Attorney General 0947

Initiative: Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

→ Committee vote 13-0 IN ASA vote
+ Rep. Mitchell

	2015-16	2016-17
FUND FOR A HEALTHY MAINE		
All Other	\$318	(\$1,596)
FUND FOR A HEALTHY MAINE TOTAL	\$318	(\$1,596)

Justification:

Adjusts funding for Office of Information Technology rate changes and computer replacements based on a 5 year replacement schedule.

FHM - ATTORNEY GENERAL 0947

PROGRAM SUMMARY

	2015-16	2016-17
FUND FOR A HEALTHY MAINE		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$116,600	\$118,540
All Other	\$21,542	\$19,628
FUND FOR A HEALTHY MAINE TOTAL	\$138,142	\$138,168

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ATTORNEY GENERAL, DEPARTMENT OF THE
DEPARTMENT TOTALS

FUND FOR A HEALTHY MAINE
DEPARTMENT TOTAL - ALL FUNDS

2015-16	2016-17
\$138,142	\$138,168
<u>\$138,142</u>	<u>\$138,168</u>

Sec. A-38. Appropriations and allocations. The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	7.000	7.000	7.000	7.000
Personal Services	\$469,004	\$482,194	\$526,892	\$528,079
All Other	\$23,986	\$23,936	\$23,936	\$23,936
GENERAL FUND TOTAL	\$492,990	\$506,130	\$550,828	\$552,015
	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	5.000	5.000	5.000	5.000
Personal Services	\$353,064	\$371,754	\$378,538	\$379,476
All Other	\$73,403	\$73,125	\$73,125	\$73,125
FEDERAL EXPENDITURES FUND TOTAL	\$426,467	\$444,879	\$451,663	\$452,601
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
All Other	\$7,338	\$7,338	\$7,338	\$7,338
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,338	\$7,338	\$7,338	\$7,338

Justification:

The Maine Human Rights Commission is the State agency charged with the responsibility of enforcing Maine's anti-discrimination laws. Pursuant to 5 MRSA, sections 4551 et seq., the Maine Human Rights Commission investigates complaints of unlawful discrimination in employment, housing, education, access to public accommodations, extension of credit, and offensive names. Also by statutory mandate, the Commission endeavors to resolve complaints by informal methods of persuasion, conciliation and negotiations prior to a determination of whether there are reasonable grounds to believe that unlawful discrimination occurred. The Commission pursues court remedy only when alternative solutions have failed.

Human Rights Commission - Regulation 0150

Initiative: Reduces funding to bring allocations in line with available resources projected by the Commission.

Ref. #: 1471

Committee Vote: 13-0 IN

AFA Vote: _____

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
All Other	(\$21,366)	(\$19,366)
FEDERAL EXPENDITURES FUND TOTAL	(\$21,366)	(\$19,366)

Justification:

Anticipated revenues from federal worksharing agreements with the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development are expected to decrease.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the collection of fees for Commission mediation services, as authorized by the 2014 amendment to 94-348 Code of Maine Rules ch. 2, § 2.02(H).

Ref. #: 1473

Committee Vote: 13-0 IN

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
All Other	\$16,050	\$16,050
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,050	\$16,050

Justification:

The Commission expects to receive new revenues for mediation from fee-for-service regulatory authorization.

Human Rights Commission - Regulation 0150

Initiative: Establishes one Human Rights Investigator position. Sufficient All Other funding exists to absorb additional costs.

Ref. #: 1474

Committee Vote: 7-6 IN

AFA Vote: _____

GENERAL FUND

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,457	\$78,050
GENERAL FUND TOTAL	\$76,457	\$78,050

Justification:

The complexity of cases filed with the Commission has increased tremendously (cases alleging multiple, varied bases/grounds), requiring the five Human Rights Investigators to conduct more complex investigations and multiple analyses. Additionally, investigators assist in managing numerous intakes (drafting complaints) when the intakes exceed what the Intake Officer can manage. In order to avoid long waits for intakes to be processed, and in order to allow investigators to complete investigations within the jurisdictional period of two years (5 MRSA 4612 (1)), an additional investigator position is needed.

**HUMAN RIGHTS COMMISSION - REGULATION 0150
PROGRAM SUMMARY**

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	7.000	7.000	8.000	8.000
Personal Services	\$469,004	\$482,194	\$603,349	\$606,129
All Other	\$23,986	\$23,936	\$23,936	\$23,936
GENERAL FUND TOTAL	\$492,990	\$506,130	\$627,285	\$630,065
	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	5.000	5.000	5.000	5.000
Personal Services	\$353,064	\$371,754	\$378,538	\$379,476
All Other	\$73,403	\$73,125	\$51,759	\$53,759
FEDERAL EXPENDITURES FUND TOTAL	\$426,467	\$444,879	\$430,297	\$433,235
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
All Other	\$7,338	\$7,338	\$23,388	\$23,388
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,338	\$7,338	\$23,388	\$23,388

NEW INITIATIVE A 13-D IN
 NEW INITIATIVE B 13-O IN
 NEW INITIATIVE C 13-D IN

Human Rights Commission - Regulation 0150

Proposed Initiative A: Reallocates the cost of one Paralegal Assistant position from 100% Federal Expenditures Fund to 60% General Fund and 40% Federal Expenditures Fund within the same program.

Ref#

	2015-16	2016-17
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNT		
Personal Services	\$38,785	\$37,987
GENERAL FUND TOTAL	\$38,785	\$37,987
FEDERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT		
Personal Services	(\$38,785)	(\$37,987)
FEDERAL FUND TOTAL	(\$38,785)	(\$37,987)

Human Rights Commission - Regulation 0150

Proposed Initiative B: Reallocates the cost of one Public Service Coordinator I position from 100% Federal Expenditures Fund to 66% General Fund and 34% Federal Expenditures Fund within the same program.

Ref#

	2015-16	2016-17
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNT		
Personal Services	\$27,710	\$28,248
GENERAL FUND TOTAL	\$27,710	\$28,248
FEDERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT		
Personal Services	(\$27,710)	(\$28,248)
FEDERAL FUND TOTAL	(\$27,710)	(\$28,248)

Human Rights Commission - Regulation 0150

Proposed Initiative C: Establishes one half-time Office Assistant II position.

Ref#

	2015-16	2016-17
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNT	0.5	0.5
Personal Services	\$27,586	\$27,392
GENERAL FUND TOTAL	\$27,586	\$27,392

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HUMAN RIGHTS COMMISSION, MAINE

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$627,285	\$630,065
FEDERAL EXPENDITURES FUND	\$430,297	\$433,235
OTHER SPECIAL REVENUE FUNDS	\$23,388	\$23,388
DEPARTMENT TOTAL - ALL FUNDS	\$1,080,970	\$1,086,688

Sec. A-40. Appropriations and allocations. The following appropriations and allocations are made.

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-state Commission 0554

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
All Other	\$89,114	\$89,114	\$89,114	\$89,114
GENERAL FUND TOTAL	\$89,114	\$89,114	\$89,114	\$89,114

Justification:

The Maine Indian Tribal-State Commission was created as part of the Maine Implementing Act of 1980 to "continually review the effectiveness of this act and the social, economic, and legal relationship between the Houlton Band of Maliseet Indians, Passamaquoddy Tribe and the Penobscot Indian Nation and the State." The commission also has a number of specific mandates, including the promulgation of fishing regulations on certain bodies of water and making recommendations concerning the acquisition of lands to be placed in trust for the tribes.

Maine Indian Tribal-state Commission 0554

Initiative: Provides funding for increased requests for major initiatives.

Ref. #: 1997

Committee Vote:

13-0 IN

AFA Vote: _____

	2015-16	2016-17
GENERAL FUND		
All Other	\$22,500	\$22,500
GENERAL FUND TOTAL	\$22,500	\$22,500

Justification:

The Commission finds that it is receiving an increasing number of requests from the sovereigns to undertake major initiatives that are unable to be completed with existing funding.

MAINE INDIAN TRIBAL-STATE COMMISSION 0554

PROGRAM SUMMARY

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
All Other	\$89,114	\$89,114	\$111,614	\$111,614
GENERAL FUND TOTAL	\$89,114	\$89,114	\$111,614	\$111,614

INDIAN TRIBAL-STATE COMMISSION, MAINE

DEPARTMENT TOTALS

2015-16

2016-17

GENERAL FUND

\$111,614

\$111,614

DEPARTMENT TOTAL - ALL FUNDS

\$111,614

\$111,614

NEW INITIATIVE

7-6 IN

Maine Indian Tribal-State Commission 0554

Initiative: Funds the cost of MITSC conducting an inquiry into the differences in the MIA (30 MRS §§6201-6214) and the Maine Indian Claims Settlement Act (25 USC §§1721-1735), Micmac Settlement Act (30 MRS §§7201-7207 *not in effect*) and Aroostook Band of Micmacs Settlement Act (Pub.L. 102-171)

GENERAL FUND	2015-16	2016-17
All Other	<u>\$56,000</u>	<u>\$31,000</u>
GENERAL FUND TOTAL	\$56,000	\$31,000

Sec. A-41. Appropriations and allocations. The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	11.500	11.500	11.500	11.500
Personal Services	\$632,911	\$676,637	\$760,268	\$766,688
All Other	\$12,717,799	\$13,949,052	\$13,949,052	\$13,949,052
GENERAL FUND TOTAL	\$13,350,710	\$14,625,689	\$14,709,320	\$14,715,740
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
All Other	\$628,497	\$628,497	\$628,497	\$628,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$628,497	\$628,497	\$628,497	\$628,497

Justification:

This program uses assigned private attorneys and contract counsel to provide representation to criminal defendants, juvenile defendants, parents in child protective cases, and people facing involuntary commitment to a psychiatric hospital who are indigent. The Commission is responsible for establishing minimum experience, training and other qualifications for assigned counsel and contract counsel; establishing standards for the delivery of indigent legal services; providing training and support to assigned and contract counsel; and processing and authorizing payment of assigned counsel vouchers and other indigent case related expenses.

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES Z112
PROGRAM SUMMARY**

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	11.500	11.500	11.500	11.500
Personal Services	\$632,911	\$676,637	\$760,268	\$766,688
All Other	\$12,717,799	\$13,949,052	\$13,949,052	\$13,949,052
GENERAL FUND TOTAL	\$13,350,710	\$14,625,689	\$14,709,320	\$14,715,740
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
All Other	\$628,497	\$628,497	\$628,497	\$628,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$628,497	\$628,497	\$628,497	\$628,497

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$14,709,320	\$14,715,740
OTHER SPECIAL REVENUE FUNDS	\$628,497	\$628,497
DEPARTMENT TOTAL - ALL FUNDS	<u>\$15,337,817</u>	<u>\$15,344,237</u>

NEW INITIATIVE A

13-0 IN

NEW INITIATIVE B

13-0 IN

NEW INITIATIVE C

13-0 IN

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative A: Increases appropriation to cover estimated costs

GENERAL FUND	2015-16	2016-17
All Other	<u>\$2,928,164</u>	<u>\$4,278,341</u>
GENERAL FUND TOTAL	\$2,928,164	\$4,278,341

Initiative B: Increase appropriation to fund increase in hourly rate (to \$60/hr in FY16 and \$65/hr in FY17)

GENERAL FUND	2015-16	2016-17
All Other	<u>\$1,474,790</u>	<u>\$3,185,547</u>
GENERAL FUND TOTAL	\$1,474,790	\$3,185,547

Initiative C: Increase allocation to include higher collection of counsel fee reimbursement [\$124,000 in FY16 and \$140,000 in FY17] and fees paid to the Commission for training [\$25,000 in FY16 and \$25,000 in FY17]

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	<u>\$777,497</u>	<u>\$793,497</u>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$777,497	\$793,497

Sec. A-43. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: BASELINE BUDGET

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	491.500	493.000	493.000	493.000
Personal Services	\$36,192,932	\$37,369,861	\$38,360,437	\$39,589,085
All Other	\$16,191,043	\$16,023,077	\$16,060,599	\$16,060,599
GENERAL FUND TOTAL	\$52,383,975	\$53,392,938	\$54,421,036	\$55,649,684
	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	1.500	1.500
Personal Services	\$1,874,158	\$1,966,327	\$1,842,633	\$1,919,142
All Other	\$1,088,777	\$1,088,789	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	\$2,962,935	\$3,055,116	\$2,931,422	\$3,007,931
	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	6.000	7.000	7.000	7.000
Personal Services	\$918,617	\$997,619	\$477,627	\$496,717
All Other	\$3,189,171	\$3,241,601	\$3,241,601	\$3,241,601
Capital Expenditures	\$300,000	\$300,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,407,788	\$4,539,220	\$3,719,228	\$3,738,318

Justification:

This program funds the Supreme Judicial Court, the Superior Court, the District Court and the Administrative Office of the Courts. This program encompasses all activities undertaken by the Judicial Branch in carrying out its powers under the Constitution. The budget includes funding for salaries and benefits for judges and non-judicial employees, operational expenses for 39 court locations throughout the state and other expenses for such activities as: the State Library system, the Court Appointed Special Advocate program, Guardians Ad Litem, juror costs, administration costs, and travel.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased guardian ad litem costs due to an increase in case filings.

Ref. #: 2140

Committee Vote:

13-0 IN

AFA Vote: _____

	2015-16	2016-17
GENERAL FUND		
All Other	\$330,000	\$330,000
GENERAL FUND TOTAL	\$330,000	\$330,000

Justification:

The number of Child Protection case filings increased 80% in fiscal year 2013-14 compared to fiscal year 2010-11 and it is anticipated that the increases will continue into the 2016-2017 biennium. The cost per case filing declined over the last few years resulting in a lower overall percentage increase in total costs.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in psychological exam costs.

Ref. #: 2141

Committee Vote: 13-0 IN

AFA Vote: _____

GENERAL FUND

All Other

	2015-16	2016-17
All Other	\$250,000	\$250,000
GENERAL FUND TOTAL	\$250,000	\$250,000

Justification:

The costs for mental health evaluations for defendants increased by 20% from fiscal year 2010-11 to fiscal year 2012-13 and an additional 18% from fiscal year 2012-13 to fiscal year 2013-14 due to an increase in the number of evaluations. It is anticipated that these increased costs will continue into the 2016-2017 biennium.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the increase in the Kennebec County security coverage contract.

Ref. #: 2142

Committee Vote: 13-0 IN

AFA Vote: _____

GENERAL FUND

All Other

	2015-16	2016-17
All Other	\$77,000	\$77,000
GENERAL FUND TOTAL	\$77,000	\$77,000

Justification:

The Kennebec County Sheriff's Office provides security coverage for the courthouses in Kennebec County. The sheriff is requesting these additional funds to increase the professionalism of the office.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for a rate increase for the Medical Malpractice Pre-Litigation Panel Chairpersons.

Ref. #: 2143

Committee Vote: 13-0 OUT

AFA Vote: _____

GENERAL FUND

All Other

*at request of
Judicial Branch*

	2015-16	2016-17
All Other	\$83,536	\$83,536
GENERAL FUND TOTAL	\$83,536	\$83,536

Justification:

The panel chairpersons currently receive \$50/hour to conduct pre-litigation hearings for medical malpractice cases. A large majority of these cases are settled at this initial hearing and therefore reduces the need for a substantial amount of court resources. This rate has not changed in 20 years. In order to retain competent contractors for this purpose the fee will be raised to \$75/hour.

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding by recognizing savings achieved by the elimination of lease and other facility payments through the closure of the Madawaska District Court courthouse.

Ref. #: 2144

Committee Vote: 13-0 IN AFA Vote: _____

GENERAL FUND		2015-16	2016-17
All Other		(\$25,300)	(\$35,300)
GENERAL FUND TOTAL		<u>(\$25,300)</u>	<u>(\$35,300)</u>

Part RRR 13-0 IN

Justification:

The courthouse is used very infrequently so that the continued expenditure of funds cannot be justified.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in the per diem paid to jurors.

Ref. #: 2147

Committee Vote: 13-0 IN AFA Vote: _____

GENERAL FUND		2015-16	2016-17
All Other		\$160,312	\$160,312
GENERAL FUND TOTAL		<u>\$160,312</u>	<u>\$160,312</u>

Part QQQ 13-0 IN

Justification:

Pursuant to Maine Revised Statutes, Title 14, section 1215, the daily per diem paid to jurors is \$10/day. This additional funding will bring the per diem up to \$15/day.

Plus LD 57

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in the mileage rate for jurors.

Ref. #: 2148

Committee Vote: 13-0 IN AFA Vote: _____

GENERAL FUND		2015-16	2016-17
All Other		\$0	\$293,867

GENERAL FUND TOTAL

\$0 \$293,867

Justification:

Pursuant to Maine Revised Statutes, Title 14, section 1215, the current mileage rate paid to jurors is \$.15/mile. This initiative will bring the mileage rate to the statutory rate of reimbursement for state employees.

Courts - Supreme, Superior and District 0063

Initiative: Continues 6 Judicial Marshal positions and one Sergeant position, previously continued by Financial Order JJ1501 F5, to provide entry security screening coverage to courthouses throughout the state and transfers All Other to Personal Services to fund the positions.

Ref. #: 2149

Committee Vote:

13-0 IN

AFA Vote: _____

GENERAL FUND

2015-16

2016-17

POSITIONS - LEGISLATIVE COUNT

7.000

7.000

Personal Services

\$357,771

\$374,256

All Other

(\$357,771)

(\$374,256)

GENERAL FUND TOTAL

\$0

\$0

Justification:

The Judicial Branch received an additional \$500,000 All Other funding in fiscal year 2013-14 and in fiscal 2014-15 to provide entry security screening in the courthouses throughout the state. To provide this service, the Judicial Branch needs to attract qualified law enforcement officers to perform the entry screening. This has been difficult to achieve with contract employees, therefore six limited-period Deputy Marshal and one limited-period Sergeant positions were established by Financial Order JJ1401 F4 in fiscal year 2013-14 and continued in Financial Order JJ1501 F15 in fiscal year 2014-15. These positions are being converted to permanent state positions to continue appropriate security coverage and will be funded with a transfer from All Other.

Courts - Supreme, Superior and District 0063

Initiative: Continues 6 Judicial Marshal positions and one Sergeant position, previously continued by Financial Order JJ1502 F5, to provide security coverage in the Penobscot County courthouses and transfers All Other to Personal Services to fund the positions.

Ref. #: 2150

Committee Vote:

13-0 IN

AFA Vote: _____

GENERAL FUND

2015-16

2016-17

POSITIONS - LEGISLATIVE COUNT

7.000

7.000

Personal Services

\$357,771

\$374,256

All Other

(\$357,771)

(\$374,256)

GENERAL FUND TOTAL

\$0

\$0

Justification:

The Judicial Branch no longer contracts with the Penobscot County Sheriff's Office to provide security coverage in the Penobscot County courthouses effective December 1, 2013. To continue this security coverage, the Judicial Branch is utilizing six limited-period positions established by Financial Order JJ1403 F4 in fiscal year 2013-14 and continued in Financial Order JJ1502 F5 in fiscal year 2014-15. These positions are being converted to permanent state positions to continue appropriate security coverage and will be funded from a transfer from All Other.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the increase in active retired judges per diem rate from \$300 per day to \$500 per day and from \$175 per half day to \$250 per half day.

Ref. #: 2151

Committee Vote: 11-2 AMEND

AFA Vote: _____

GENERAL FUND

Personal Services

GENERAL FUND TOTAL

	2015-16	2016-17
Personal Services	\$151,800	\$151,800
GENERAL FUND TOTAL	\$151,800	\$151,800

\$400
\$200
↓
OUT

Justification:

At the current rate of \$300 per day, the active retired judges are paid \$37.50 per hour, which is lower than any other professional in the state including court appointed attorneys. This initiative increases the per diem to a more appropriate compensation for the work performed.

Amend Part PPP 11-2 IN

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for facility costs related to the Capital Judicial Center.

Ref. #: 2152

Committee Vote: 13-0 IN

AFA Vote: _____

GENERAL FUND

All Other

GENERAL FUND TOTAL

	2015-16	2016-17
All Other	\$485,697	\$527,384
GENERAL FUND TOTAL	\$485,697	\$527,384

Justification:

These dollars reflect funding for basic operational facility needs for the Capital Judicial Center. This funding will be offset by savings to the Executive Branch Bureau of General Services after the Augusta District Court moves into the new facility.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased facility costs for the Bangor courthouse.

Ref. #: 2153

Committee Vote: 13-0 IN

AFA Vote: _____

GENERAL FUND

All Other

GENERAL FUND TOTAL

	2015-16	2016-17
All Other	\$138,383	\$138,383
GENERAL FUND TOTAL	\$138,383	\$138,383

GENERAL FUND TOTAL

\$138,383 \$138,383

Justification:

The facility costs for the Bangor courthouse have increased. This increase is anticipated to continue into the 2016-2017 biennium as the building is now fully operational.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for positions in the Professional and Supervisory bargaining units to increase hours from a 37.5 hour work week to a 40 hour work week.

Ref. #: 2154

Committee Vote: 11-2 IN

AFA Vote: _____

GENERAL FUND

Personal Services

2015-16 2016-17
\$300,895 \$309,680

GENERAL FUND TOTAL

\$300,895 \$309,680

Ref. #: 2155

Committee Vote: 11-2 IN

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

2015-16 2016-17
\$9,422 \$9,744

FEDERAL EXPENDITURES FUND TOTAL

\$9,422 \$9,744

Justification:

This increase was agreed upon during the collective bargaining process.

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Legal Publications Specialist position through June 10, 2017 and increases the hours from 75 hours biweekly to 80 hours biweekly. This position was previously continued in Public Law 2013, chapter 368.

Ref. #: 2156

Committee Vote: 8-5 IN

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

Personal Services

2015-16 2016-17
\$87,841 \$91,668

OTHER SPECIAL REVENUE FUNDS TOTAL

\$87,841 \$91,668

Justification:

This position reviews, researches and updates Judicial Branch forms and publications to ensure they are consistent with the law, are able to be read and understood by the public and are necessary for the public to conduct business with the courts. In addition, this position is responsible for obtaining necessary translations of documents. The position is funded

by fees collected to cover the cost of publications and forms.

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Court Appointed Special Advocate (CASA) Volunteer Supervisor position and one limited-period CASA Coordinator position through June 10, 2017 and increases the hours from 75 hours biweekly to 80 hours biweekly. This initiative also changes the funding of the CASA Volunteer Supervisor from 49% General Fund and 51% Other Special Revenue Funds to 100% Federal Expenditure Funds. These positions were previously continued in Public Law 2013, chapter 368.

Ref. #: 2157

Committee Vote: 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

	2015-16	2016-17
Personal Services	\$190,207	\$196,100
FEDERAL EXPENDITURES FUND TOTAL	<u>\$190,207</u>	<u>\$196,100</u>

Justification:

These positions are funded by the federal Victims of Crime Assistance and National Court Appointed Special Advocate (CASA) grants. The positions provide assistance to the CASA Director and supervise the efforts of CASA volunteers assisting children subject to abuse and neglect.

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Project Coordinator position and one limited-period Administrative Assistant position through June 10, 2017. These positions were previously continued in Public Law 2013, chapter 368.

Ref. #: 2158

Committee Vote: 13-0 IN

AFA Vote: _____

FEDERAL EXPENDITURES FUND

	2015-16	2016-17
Personal Services	\$160,415	\$168,829
FEDERAL EXPENDITURES FUND TOTAL	<u>\$160,415</u>	<u>\$168,829</u>

Justification:

These positions are funded by the federal Court Improvement Grant through the US Department of Health and Human Services Administration on Children and Families. The grant is targeted to improve Maine's system of justice with regard to safety, well-being, and permanency of Maine's most vulnerable children, those within the child welfare system. The positions are responsible for assisting in the implementation of grant requirements.

Courts - Supreme, Superior and District 0063

Initiative: Continues 3 limited-period Collections Clerk positions through June 10, 2017 and increases the hours from 75 hours biweekly to 80 hours biweekly. These positions were previously continued in Public Law 2013, chapter 368.

Ref. #: 2159

Committee Vote: 10-3 IN

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
Personal Services	\$189,682	\$198,821

OTHER SPECIAL REVENUE FUNDS TOTAL \$189,682 \$198,821

Justification:

These three positions assist in the collection of overdue fines and fees due to the courts as authorized by 4 MRS section 20 and are funded from the monies collected.

Courts - Supreme, Superior and District 0063

Initiative: Continues 3 limited-period Law Clerk positions for the foreclosure program through June 10, 2017. These positions were previously continued in Public Law 2013, chapter 368.

Ref. #: 2160 Committee Vote: B-5 IN AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$245,142	\$256,248
OTHER SPECIAL REVENUE FUNDS TOTAL	\$245,142	\$256,248

Justification:

The foreclosure mediation program was established to provide mediation involving mortgage foreclosures on owner occupied residential properties. These positions provide law clerk assistance to the Superior and District and Court judges on the mortgage foreclosure casework and are funded by the fees collected to support the program.

Courts - Supreme, Superior and District 0063

Initiative: Establishes one limited-period Collections Clerk position through June 10, 2017.

Ref. #: 2161 Committee Vote: 10-3 AMEND AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$60,493	\$63,609
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,493	\$63,609

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OUT

Justification:

This position assists in the collection of overdue fines and fees due to the courts as authorized by Maine Revised Statutes, Title 4, section 20 and is funded from the monies collected.

Courts - Supreme, Superior and District 0063

Initiative: Establishes 4 District Court Judge positions to hear and decide drug-related criminal cases.

Ref. #: 2162 Committee Vote: TABLE AFA Vote: _____

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000

	2015-16	2016-17
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNT	7.000	14.000
Personal Services	\$415,644	\$857,765
All Other	\$24,500	\$49,000
GENERAL FUND TOTAL	<u>\$440,144</u>	<u>\$906,765</u>

Justification:

Entry screening for weapons is an essential first step in providing for the safety of all persons who enter the state courthouses. The Judicial Branch does not have a sufficient number of security personnel to provide entry screening at all the times when courthouses are open.

**COURTS - SUPREME, SUPERIOR AND DISTRICT 0063
PROGRAM SUMMARY**

	History 2013-14	History 2014-15	2015-16	2016-17
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	491.500	493.000	518.000	525.000
Personal Services	\$36,192,932	\$37,369,861	\$40,666,109	\$42,406,464
All Other	\$16,191,043	\$16,023,077	\$16,881,185	\$17,198,269
GENERAL FUND TOTAL	<u>\$52,383,975</u>	<u>\$53,392,938</u>	<u>\$57,547,294</u>	<u>\$59,604,733</u>

	History 2013-14	History 2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	1.500	1.500
Personal Services	\$1,874,158	\$1,966,327	\$2,202,677	\$2,293,815
All Other	\$1,088,777	\$1,088,789	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,962,935</u>	<u>\$3,055,116</u>	<u>\$3,291,466</u>	<u>\$3,382,604</u>

	History 2013-14	History 2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	6.000	7.000	7.000	7.000
Personal Services	\$918,617	\$997,619	\$1,060,785	\$1,107,063
All Other	\$3,189,171	\$3,241,601	\$3,241,601	\$3,241,601
Capital Expenditures	\$300,000	\$300,000	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,407,788</u>	<u>\$4,539,220</u>	<u>\$4,602,386</u>	<u>\$4,648,664</u>

Judicial - Debt Service Z097

Initiative: BASELINE BUDGET

GENERAL FUND	History 2013-14	History 2014-15	2015-16	2016-17
All Other	\$8,773,554	\$10,639,349	\$10,639,349	\$10,639,349
GENERAL FUND TOTAL	\$8,773,554	\$10,639,349	\$10,639,349	\$10,639,349

Justification:

This program funds the debt service costs for securities issued by the Maine Governmental Facilities Authority on behalf of the Judicial Branch.

Judicial - Debt Service Z097

Initiative: Provides funding for the increase in debt service costs for the previously authorized bond issuance for the Judicial Branch court management system pursuant to Public Law 2013, chapter 571.

Ref. #: 2168

Committee Vote:

13-0 AMEND

AFA Vote: _____

GENERAL FUND	2015-16	2016-17
All Other	\$790,778	\$1,355,547
GENERAL FUND TOTAL	\$790,778	\$1,355,547

\$ 1,296,560

Justification:

This project is authorized in Public Law 2013, chapter 571.

**JUDICIAL - DEBT SERVICE Z097
PROGRAM SUMMARY**

GENERAL FUND	History 2013-14	History 2014-15	2015-16	2016-17
All Other	\$8,773,554	\$10,639,349	\$11,430,127	\$11,994,896
GENERAL FUND TOTAL	\$8,773,554	\$10,639,349	\$11,430,127	\$11,994,896

JUDICIAL DEPARTMENT

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$68,977,421	\$71,599,629
FEDERAL EXPENDITURES FUND	\$3,291,466	\$3,382,604
OTHER SPECIAL REVENUE FUNDS	\$4,602,386	\$4,648,664
DEPARTMENT TOTAL - ALL FUNDS	<u>\$76,871,273</u>	<u>\$79,630,897</u>

Sec. A-55. Appropriations and allocations. The following appropriations and allocations are made.

PINE TREE LEGAL ASSISTANCE

Legal Assistance 0553

Initiative: BASELINE BUDGET

GENERAL FUND	History 2013-14	History 2014-15	2015-16	2016-17
All Other	\$354,802	\$354,802	\$354,802	\$354,802
GENERAL FUND TOTAL	\$354,802	\$354,802	\$354,802	\$354,802

Justification:

Since 1967, Pine Tree Legal Assistance has provided free individual legal services to low-income Maine residents with serious civil legal problems. It handles cases that are not eligible for court-appointed counsel through the Maine Indigent Legal Defense Commission. Legal help is provided through a network of local field offices (Portland, Lewiston, Augusta, Bangor, Machias and Presque Isle) and through several statewide projects (serving Native Americans, low-income children, low-wage workers and homeowners at risk of foreclosure). Pine Tree also operates the Maine Volunteer Lawyers Project, which leverages over \$1.6 million in donated legal services each year. We currently have a staff of 57 employees, augmented by the equivalent of 9 full-time attorneys and 5 paralegals in donated volunteer services from Maine lawyers, college and law students, and community volunteers. We lost four staff positions in the past two years as a result of funding cutbacks from various sources.

Pine Tree projects revenue of \$4.5 million for calendar year 2011, which is also our fiscal year. This total also includes an assumption of flat LSC funding for 2011 although HR 1 under consideration in Washington would eliminate \$283,000 in LSC funding for Pine Tree between now and December 31 if approved. The budget includes funding from over 24 different sources, most focused on specific projects that are time-limited in nature.

The proposed increase in our State appropriation level to \$264,345/year will stabilize our statewide delivery system, representing 10% of our general legal services funding for the year. State funding also helps us draw down other federal and foundation grants that can expand services around the State. In fact, we have used some State funding to draw down over \$800,000 in the past ten years for a statewide taxpayer clinic funded by the federal government and which has returned more than \$2 million to Maine taxpayers.

Less than eleven percent of total funding is used for administration and fundraising in order to maximize the use of funding for direct client services. Pine Tree has voluntarily chosen to subject its operations to the highest possible standards in order to provide assurance that funding will be used carefully and effectively. Pine Tree is only one of six Maine nonprofits to have been certified by the Better Business Bureau as meeting their charitable accountability standards. Its comprehensive audits are completed each year without any material deficiencies or significant findings. Its major federal funder, the Legal Services Corporation, has recognized that Pine Tree is one of the most effective legal aid providers in the country.

Many of Pine Tree's clients are the working poor: people who work 40 hours a week in minimum wage jobs and support a spouse and children. Others are single parents trying to provide a stable family life for their children. Some are adults with significant disabilities who are struggling to live independently. Every dollar of State funding is used carefully by Pine Tree's dedicated staff in providing some form of legal assistance to as many individuals as possible, given limited resources. As a result, Pine Tree's small staff expects to complete work on more than 10,000 requests for legal help in 2011, affecting more than 20,000 low-income Mainers.

Pine Tree remains the only legal aid provider in Maine with local attorneys in Washington and York Counties, areas of

corrected

PINE TREE LEGAL ASSISTANCE

The BASELINE BUDGET and Initiative Ref # 2459 in the work sheets are correct and the Judiciary Committee unanimously supports the Initiative. The Justification Statement has apparently not been updated since 2011, so we ask that you please use the following Justification Statement instead:

Justification:

Pine Tree has received an appropriation from the General Fund since 1983 to support the provision of legal assistance to low-income Maine residents around the State.

Pine Tree Legal Assistance is Maine’s primary provider of free legal services to low-income Maine residents with serious civil legal problems. It handles cases that are not eligible for court-appointed counsel through the Maine Indigent Legal Defense Commission. Legal help is provided through a network of local field offices (Portland, Lewiston, Augusta, Bangor, Machias and Presque Isle) and through several statewide projects (serving Native Americans, low-income children, low-wage workers and homeowners at risk of foreclosure). Pine Tree also operates the Maine Volunteer Lawyers Project, which leverages over \$1.6 million in donated legal services each year.

Pine Tree’s other general unrestricted funding has declined in recent years, placing pressure on the program’s ability to sustain special projects and to provide legal assistance throughout the State. In CY 2015, Pine Tree projects significant operating deficits for its specialized projects serving victims of domestic violence and low-income children, as well as reductions in the grants supporting legal assistance to veterans.

The increased State Appropriation level of \$500,000/year will stabilize Pine Tree’s statewide delivery system and strengthen program capacity to represent victims of domestic violence, veterans and low-income children anywhere in Maine. If fully funded, it would represent 18% of our general legal services funding for calendar year 2015. (In 2010, the State Appropriation only represented 10% of the program’s general funding.) State funding also remains essential in providing necessary matching funds for other grants that can expand services around the State. (For instance, State funding helps match a \$90,000 - \$100,000/year federal grant to support a statewide taxpayer clinic which returned more than \$680,000 in federal tax dollars to Maine taxpayers in 2014.)

Every dollar of State funding is used carefully by Pine Tree's dedicated staff in providing legal assistance to as many individuals as possible, given limited resources. Last year, Pine Tree completed work on roughly 11,000 cases affecting almost 27,000 low-income Mainers. Its popular program websites recorded more than 3.7 million page views in 2014 and drew more than 1.7 million “unique visitors” in a State with a total population of only 1.3 million people.

Many of Pine Tree's clients are the working poor: people who work 40 hours a week in minimum wage jobs and support a spouse and children. Others are single parents trying to provide a stable family life for their children. Some are adults with significant disabilities who are struggling to

live independently. As a result of increased outreach and shifting resources around the State, three particularly vulnerable client populations are in need of legal services from Pine Tree:

42A
Corrected

Judiciary Committee report – corrected

- Victims of domestic violence, sexual assault or trafficking: in 2014, they represented 9% of all clients served;
- Veteran households and low-income military families: in 2014, they represented more than 10% of all clients served;
- Low-income children and youth: in 2014, direct legal services benefitted more than 10,500 children and youth.

Pine Tree staff resolve most problems through simple advice, a quick explanation of the law, or negotiation to avoid a protracted and expensive lawsuit. However, when Pine Tree does go to court, it wins nine cases out of ten. Over the past two years, Pine Tree advocacy in roughly 30% of all cases secured or protected over \$14 million for program clients, including over \$1 million in ongoing alimony and child support (primarily for victims of domestic violence or sexual assault). Legal services also stabilized family situations for 402 families, secured court-ordered protection for 539 victims of domestic violence or assault, got 53 students back in school and avoided homelessness for more than a thousand families, saving the State more than \$1.6 million in emergency shelter costs. With additional staff capacity to provide full representation around the State, these outcomes would be even more significant.

Some State funding is used to respond to requests from state legislators or administration officials regarding matters within Pine Tree staff expertise, and to serve on various advisory commissions at the request of state officials. Because of federal funding restrictions, these requests could not be handled without funding from the State.

Finally, State funding helps Pine Tree ensure that all Maine residents have a better understanding of the laws and programs designed to assist them, through an online library of more than 300 detailed legal education pamphlets on Maine laws, including interactive forms and other self-help tools at <http://www.ptla.org> to which many State agencies link. Additional self-help information and referral resources are available on other Pine Tree websites including the clearinghouse site for legal aid information in Maine (www.helpmelaw.org), and specialized websites for volunteer attorneys (www.vlp.org) and low-income children (www.kidslegal.org). Pine Tree also created and maintains the only national website devoted to the legal needs of veterans and military families, available at www.statesidelegal.org, which is now averaging 12,500 visitors/week.

In calendar year 2015, the projected Pine Tree operating budget of \$6.3 million already includes revenue from 37 different sources and projects an operating deficit of almost \$700,000, making the increased State appropriation level very important. Despite operating in a highly regulated environment, the program tightly manages its administration and fundraising costs in order to maximize funding of direct client services. Program operations are also voluntarily subjected to the highest possible standards to reassure funders that any investments will be used carefully and effectively. For instance, fewer than four percent of legal aid programs in the United States have qualified for GuideStar's Gold Star for transparency and accountability – and Pine Tree is one of them. Annual comprehensive audits are completed without any material deficiencies or significant findings and are available on the program website. Its major federal funder, the Legal Services Corporation, has recognized that Pine Tree is one of the most effective legal aid providers in the country.

Maine where the need for legal assistance is especially high. Pine Tree staff resolve most problems through simple advice, a quick explanation of the law, or negotiation to avoid a protracted and expensive lawsuit. However, when Pine Tree does go to court, it wins nine cases out of ten.

Some State funding is used to respond to requests from state legislators or administration officials regarding matters within Pine Tree staff expertise, and to serve on various advisory commissions at the request of state

Legal Assistance 0553

Initiative: Provides funding to support increased legal services for victims of domestic violence, veterans and low-income children.

Ref. #: 2459

Committee Vote:

13-0

AFA Vote: _____

GENERAL FUND	2015-16	2016-17
All Other	\$145,198	\$145,198
GENERAL FUND TOTAL	<u>\$145,198</u>	<u>\$145,198</u>

Justification:

Provides funding to sustain a full-time attorney based in Bangor and other staff time to provide these services.

**LEGAL ASSISTANCE 0553
PROGRAM SUMMARY**

GENERAL FUND	History 2013-14	History 2014-15	2015-16	2016-17
All Other	\$354,802	\$354,802	\$500,000	\$500,000
GENERAL FUND TOTAL	<u>\$354,802</u>	<u>\$354,802</u>	<u>\$500,000</u>	<u>\$500,000</u>

PINE TREE LEGAL ASSISTANCE

DEPARTMENT TOTALS

2015-16

2016-17

GENERAL FUND

\$500,000

\$500,000

DEPARTMENT TOTAL - ALL FUNDS

\$500,000

\$500,000

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

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: RECLASSIFICATIONS

Ref. #: 1475

Committee Vote: 13-0 IN AFA Vote: _____

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
Personal Services	\$14,807	\$14,964
FEDERAL EXPENDITURES FUND TOTAL	<u>\$14,807</u>	<u>\$14,964</u>

HUMAN RIGHTS COMMISSION, MAINE

	2015-16	2016-17
DEPARTMENT TOTALS		
FEDERAL EXPENDITURES FUND	<u>\$14,807</u>	<u>\$14,964</u>
DEPARTMENT TOTAL - ALL FUNDS	<u>\$14,807</u>	<u>\$14,964</u>