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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*
Representative Matthew W. Moonen, House Chair *MM*
Joint Standing Committee on Judiciary

DATE: March 9, 2023

RE: Recommendations on the Governor’s Proposed Biennial Budget, LD 258

On Wednesday, March 1st and Tuesday, March 7th the Joint Standing Committee on Judiciary met to review the items within the Governor’s Proposed Biennial Budget (LD 258) pertaining to the agencies under the Judiciary Committee’s jurisdiction. Members who were unable to attend all or part of the work sessions were provided an opportunity to cast their votes after each meeting.

As is reflected in the vote totals reported on the attached report-back worksheet and as is described further in this memorandum, a majority of the voting members of the Judiciary Committee recommends:

- Acceptance of all except one of the initiatives and all except one of the language parts within the Governor’s proposed biennial budget related to the Department of the Attorney General, the Maine Human Rights Commission, the Maine Indian Tribal-State Commission and the Maine Judicial Branch;
- Adoption of 4 new initiatives for the Judicial Branch to establish 4 additional trial court judge positions and necessary support staff to prevent further exacerbation of the current backlog of cases, to establish new staff to provide entry screening across the State and to alleviate the burden on the State’s overworked court clerks’ offices and to fund the increased hourly compensation rate for guardians ad litem established in the supplemental budget; and
- Adoption of all except 2 of the Governor’s proposed biennial budget initiatives for the Maine Commission on Indigent Services (MCILS) and proposes three new initiatives that will provide funding for the increased hourly reimbursement rate for assigned counsel that took effect March 1st, establish an appropriately staffed new brick-and-mortar public defender’s office and establish a new Deputy Director for Public Defense Development.

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

Department of the Attorney General — OFPR Worksheet pages 1-34 & 74-75

A majority of the Judiciary Committee recommends acceptance of each of the initiatives within the Governor’s proposed biennial budget related to the Department of the Attorney General, including language parts FF and GG (but not language part EE, see below). The members of the committee who

voted against each of these initiative or language parts recommend that the initiative or language part be taken out of the biennial budget, with one exception:

Civil Rights Team Project: Ref. # 565 & #566 (p. 21). Vote (for each reference number): 11-3. Of the members voting against this initiative: Representative Haggan and Senator Lyford voted against including these initiatives in the budget while Representative Andrews instead recommends elimination of the Civil Rights Team Project from the Department of the Attorney General.

At the request of the Attorney General, the committee members who voted unanimously agreed that language part EE (p. 74) should be taken out of the biennial budget, as the Attorney General's Office is not certain that the proposed language change will allow a designated on-call staff member of the Office of the Chief Medical Examiner to use a state vehicle to travel from the staff member's home to a crime scene during that staff member's on-call duty.

Maine Human Rights Commission — OFPR Worksheet pages 35-41

A majority of the Judiciary Committee recommends acceptance of each of the initiatives within the Governor's proposed biennial budget related to the Maine Human Rights Commission. The members of the committee who voted against the Maine Human Rights Commission initiatives recommend that those initiatives be taken out of the biennial budget.

Maine Indian Tribal-State Commission — OFPR Worksheet pages 42-43

A majority of the Judiciary Committee recommends acceptance of the one initiative within the Governor's proposed biennial budget related to the Maine Indian Tribal-State Commission. The members of the committee who voted against this initiative recommend that it be taken out of the biennial budget.

Judicial Branch — OFPR Worksheet pages 49-71 & 76-78

With one exception, a majority of the Judiciary Committee recommends acceptance of each of the initiatives within the Governor's proposed biennial budget related to the Judicial Branch, including language parts JJJ, KKK, LLL and MMM. The one initiative that did not receive a majority vote is described below:

New position: Legal Process Specialist. Ref. #2457 (p. 60) Vote: IN 7-7. Seven members (Lee, Sheehan, Moonen, Carney, Bailey, Kuhn and Galgay Reckitt) voted in favor establishing this new position and seven members, including our tribal representative, (Haggan, Andrews, Dana, Poirier, Lyford, Moriarty and Henderson) voted to take this new position out of the biennial budget.

The members of the committee who voted against those initiatives or language parts related to the Judicial Branch generally recommend they not be included in the biennial budget, with the following two exceptions:

New position: Form Development Specialist Ref. #2458 (p. 60) Vote: 7(In) - 3(Amend.) - 3(Out) - 1(Abstain). Of the members voting against this initiative: three members (Poirier, Henderson and Moriarty) voted in favor of establishing this position on a limited-term basis through the end of the biennium to provide time to evaluate whether the position will be needed long-term, after the Odyssey case management system is in place while three members (Haggan, Andrews and Lyford) voted to take this position out of the biennial budget. Our tribal representative (Dana) abstained from casting a vote on this initiative.

Judge and Justice Salary Increases: Language Part JJJ (p. 76) Vote 11-3. This initiative would increase the salaries of each judge or justice in the Judicial Branch by 4.5% effective July 1, 2023. The salary increase in this initiative would be in addition to the up to 3% annual cost of living increase authorized by state law. See 4 M.R.S. §4(2-A), §102(2-A), §157(4-A). Of the members voting against Part JJJ: Two members (Haggan and Lyford) voted against including this language part within the biennial budget and one member (Andrews) of the committee instead recommends providing each judge or justice in the Judicial Branch with a 3% cost of living increase.

II. New Initiatives proposed by the Judiciary Committee for the Judicial Branch

A majority of the committee recommends that the following new initiatives be added to the portion of the biennial budget related to the Maine Judicial Branch.

A. New initiative to increase the number of trial judges and justices	Vote 11-3
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During the pandemic, certain court dockets, including jury trials, were postponed by the courts, leading to a backlog of cases within the state judicial system. According to State Court Administrator Amy Quinlan, based on a weighted caseload study, the National Center for State Courts (NCSC) concluded in the fall of 2022 that 10 additional judicial officers and 54 assistant clerk positions would be required for the Judicial Branch to keep up with current filings—NCSC did not address the number of positions that would also be required for the courts to address the backlog of cases. A majority of our committee therefore strongly recommends adopting the Judicial Branch’s request for a new initiative to establish one new Superior Court Justice and 3 new District Court Judge positions effective July 1, 2023, along with a Deputy Marshal and Assistant Clerk to support each of these new judicial officers. Eleven members (Lee, Dana, Sheehan, Poirier, Moonen, Carney, Bailey, Moriarty, Henderson, Kuhn and Galgay Reckitt) of the committee voted in favor and 3 members (Haggan, Andrews and Lyford) voted against this new initiative.

Initiative (“A”): Establishes 4 Assistant Clerk positions, 4 Deputy Marshal positions, 1 Superior Court Justice position and 3 District Court Justice positions effective July 1, 2023.

GENERAL FUND	FY 2023-24	FY2024-25
POSITIONS LEGISLATIVE COUNT	12.0	12.0
Personal Services	\$ 1,475,548	\$ 1,526,552
All Other	\$ 151,120	\$ 63,720
GENERAL FUND TOTAL	\$ 1,626,668	\$ 1,590,272

[Accompanying new language provisions:]

Sec. A-1. 4 MRSA §101 is amended to read:

§101. Constitution of court

The Superior Court, as established, consists of ~~17~~ 18 justices and such Active Retired Justices as may be appointed and serving on the court, learned in the law and of sobriety of manners. The Chief Justice of the Superior Court shall assign the Justices of the Superior Court to preside at various locations of the court. Whenever it becomes necessary, the Chief Justice of the Supreme Judicial Court may designate a Justice of the Supreme Judicial Court or any Active Retired Justice of the Supreme Judicial Court to hold a term of Superior Court. The Chief Justice of the Superior Court may, when necessary, assign an Active Retired Justice of the Superior Court to hold a term of Superior Court. The Chief Justice of the Superior Court may designate any Justice of the Superior Court and the Chief Justice of the Supreme Judicial Court may designate any Justice of the Supreme Judicial Court to hold one or more sessions of the Superior Court, separate from the session presided over by the justice holding the regular trial term.

Sec. A-2. 4 MRSA §157, sub-§1, ¶A, first paragraph is amended to read:

A. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary matters and to confirmation by the Legislature, shall appoint to the District Court ~~39~~ 42 judges. At least one judge must be appointed from each district who is a resident of a county in which the district lies, except that in District 3 there must be 2 judges appointed who are residents of a county in which the district lies; in District 6 there must be 2 judges appointed who are residents of a county in which the district lies; and in District 9 there must be 2 judges appointed who are residents of a county in which the district lies. Each District Court Judge has a term of office of 7 years.

B. New initiative to increase the number of Deputy Marshal positions Vote 11-3

Ref. # 2447 (p. 55) of the Governor’s proposed biennial budget establishes 4 Court Attendant and a total of 8 Deputy Marshal positions during the biennium. The State Court Administrator has explained that, barring exceptional circumstances, having a full cadre of 10 new Deputy Marshal and 4 new Court Attendant positions will allow the Judicial Branch to provide entry screening at all courthouses across the State. For this reason, eleven members (Lee, Dana, Sheehan, Poirier, Moonen, Carney, Bailey, Moriarty, Henderson, Kuhn and Galgay Reckitt) voted to propose a new initiative establishing 2 additional Deputy Marshal positions effective July 1, 2024 while three members (Haggan, Andrews and Lyford) voted against this new initiative. The members voting for this new initiative urge the Legislature to provide the Judicial Branch with the resources necessary to provide this critical public safety measure not only for all of the people working in the State’s courthouses but also for all of the members of the public seeking access to justice in those courthouses or fulfilling their civic duty by serving on juries.

Initiative (“B”): Establishes 2 Deputy Marshal positions effective July 1, 2024.

GENERAL FUND	FY 2023-24	FY2024-25
POSITIONS LEGISLATIVE COUNT	0.0	2.0
Personal Services	\$ -	\$ 177,078
All Other	\$ -	\$ 15,900
GENERAL FUND TOTAL	\$ -	\$ 192,978

C. New initiative to increase the number of Courtroom Technology Assistants Vote 11-3

Ref. #2449 (p. 56) of the Governor’s proposed biennial budget establishes a total of 5 new Courtroom Technology Assistant positions during the biennium. There are currently 6 Courtroom Technology Assistants across the State, who provide technological assistance by setting up recording devices and handling the recording of court proceedings to preserve the record in case of appeals. In addition, as ever-changing technology is incorporated into courtroom processes, these positions work with internal staff, litigants and the public to access and use new technologies and also to troubleshoot technical issues in real time. These positions also alleviate the burden on overworked assistant clerks, allowing them to focus on the scheduling, docketing, and customer service aspects of their positions. For these reasons, the Judicial Branch originally requested that 8 additional Courtroom Technology Assistant positions be established in the biennial budget. Eleven members (Lee, Dana, Sheehan, Poirier, Moonen, Carney, Bailey, Moriarty, Henderson, Kuhn and Galgay Reckitt) therefore voted in favor of a new initiative establishing the final 3 additional Courtroom Technology Assistant Positions effective July 1, 2023 while three members (Haggan, Andrews and Lyford) of the committee voted against this new initiative.

Initiative (“C”): Establishes 3 Courtroom Technology Assistant positions effective July 1, 2023.

GENERAL FUND	FY 2023-24	FY2024-25
POSITIONS LEGISLATIVE COUNT	3.0	3.0
Personal Services	\$ 264,087	\$ 279,501
All Other	\$ 26,260	\$ 15,060
GENERAL FUND TOTAL	\$ 290,347	\$ 294,561

D. New initiative to sustain the recent increase in the hourly fee for guardians ad litem Vote: 8-3-1

By law, the District Court is required to appoint a guardian ad litem (GAL) to represent the best interest of the child(ren) in all child protection proceedings. Although the parties pay the expenses of GALs in many other family matters proceedings, when an attorney is appointed as a GAL in a child protection proceeding, the GAL’s “reasonable costs and expenses must be paid by the District Court.” 22 M.R.S. §4005(1)(A). In addition, in recognition of the fundamental liberty interests at state in child protection proceedings, Maine law also grants each parent the right to legal counsel in child protection proceedings.

If the District Court finds that the parent is indigent, the parent is entitled to the assignment of an attorney on the roster established by the Maine Commission on Indigent Legal Services (MCILS) who will be paid at an hourly compensation rate established by MCILS by rule. 22 M.R.S. §4005(2); 4 M.R.S. §1801 et seq. Current Maine law further requires that “the hourly rate of compensation [paid by the Judicial Branch] for the guardian ad litem may not be less than the rate of compensation established by [MCILS].” 4 M.R.S. §1556(2)(I).

Section Q-1 of the recently enacted supplemental budget (Public Law 2023, chapter 3) authorized MCILS to adopt emergency rules increasing the rate of MCILS attorneys from \$80 per hour to up to \$150 per hour effective March 1, 2023. MCILS subsequently adopted an emergency rule raising the rate of compensation for assigned legal counsel to \$150 per hour. Through Section A-18 of the supplemental budget, the Judicial Branch was authorized to use personal services savings to offset the cost of providing a matching increase in the fee paid to GALs from \$80 per hour to \$150 per hour.

A majority of the committee strongly recommends that the biennial budget include additional funding to sustain the recently increased hourly compensation rate for guardians ad litem. (Majority Report & Minority Report #1 below.) By contrast, one member recommends including funding to increase the pay rate to \$100 per hour rather than \$150 per hour. (Minority Report #2 below.) In addition, a majority of the committee believes it is important to retain parity between the hourly compensation rate for GALs and parents’ attorneys in child protection proceedings to avoid creating a disincentive for attorneys to take on the critical task of representing the best interest of the State’s most vulnerable children in these critically important matters. (Majority Report below.) A minority of the committee instead recommends repealing 4 M.R.S. §1556(2)(I) through the biennial budget so that changes in the hourly rate established by MCILS do not automatically change the hourly rate that the Judicial Branch must pay to guardians ad litem in child protection proceedings. (Minority Report #1 and Minority Report #2 below.)

Majority: 8 members (Lee, Sheehan, Moonen, Carney, Bailey, Moriarty, Kuhn and Galgay Reckitt)

Initiative (“D” - Majority Report): Provides funding to increase guardian ad litem reimbursement rate from \$80 per hour to \$150 per hour.

GENERAL FUND	FY 2023-24	FY2024-25
All Other	\$ 3,402,819	\$ 3,402,819
GENERAL FUND TOTAL	\$ 3,402,819	\$ 3,402,819

Minority #1: 3 members (Andrews, Lyford and Henderson)

Initiative (“D” - Minority Report #1): Provides funding to increase guardian ad litem reimbursement rate from \$80 per hour to \$150 per hour **and** would repeal 4 M.R.S. §1556(2)(I) so the GAL rate is not tied to the MCILS rate in the future.

1 Member: Poirier

GENERAL FUND	FY 2023-24	FY2024-25
All Other	\$ 3,402,819	\$ 3,402,819
GENERAL FUND TOTAL	\$ 3,402,819	\$ 3,402,819

Minority #2: 1 member (Poirier)

Initiative (“D” - Minority Report #2): Provides funding to increase guardian ad litem reimbursement rate from \$80 per hour to \$100 per hour **and** would repeal 4 M.R.S. §1556(2)(I) so the GAL rate is not tied to the MCILS rate now or in the future.

GENERAL FUND	FY 2023-24	FY2024-25
All Other	\$ 972,234	\$ 972,234
GENERAL FUND TOTAL	\$ 972,234	\$ 972,234

III. Maine Commission on Indigent Legal Services (MCILS) — Governor’s Proposed Biennial Budget and New Initiatives Proposed by the Judiciary Committee

As is reflected in the vote totals recorded on pages 44-47 of the attached report-back worksheet prepared by OFPR, a majority of the voting members of the Judiciary Committee recommend acceptance of three of the five initiatives within the Governor’s proposed biennial budget for MCILS. (These three initiatives appear in four reference numbers: 2201, 2202, 2204 and 2205.) The members of the committee who voted against these three initiatives recommend that these initiatives be taken out of the biennial budget.

A majority of the committee also voted in favor of replacing the remaining two initiatives proposed by the Governor with the following a series of four new initiatives to enhance the delivery of constitutionally and statutorily required legal counsel to Maine’s citizens.

E. New initiative to sustain the recent increase in the hourly fee appointed counsel	Vote: 10-2
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The committee members who voted unanimously recommend taking the Governor’s proposed initiative to establish a tiered hourly compensation rate of between \$80 per hour and \$150 per hour for assigned legal counsel depending on the type of case or criminal charges faced (Ref. #2200) of the biennial budget. Ten members (Lee, Sheehan, Poirier, Moonen, Carney, Bailey, Moriarty, Henderson, Kuhn and Galgay Reckitt) of the committee recommend replacing Ref. #2200 with a new initiative providing sufficient funding to sustain the \$150 per hour hourly compensation rate for assigned counsel that the Legislature authorized MCILS to establish effective March 1, 2023, in Section Q-1 of the supplemental budget (Public Law 2023, chapter 3). Two members (Andrews and Lyford) voted against this new initiative, however, and two members (Haggan and Dana) were absent and did not vote on this new initiative.

Initiative (“E”): Provides funding to maintain the increase in the billing rate for assigned legal counsel from \$80 per hour to \$150 per hour adopted March 1, 2023.

GENERAL FUND	FY 2023-24	FY2024-25
All Other	\$ 18,606,910	\$ 18,606,910
GENERAL FUND TOTAL	\$ 18,606,910	\$ 18,606,910

F. New initiative to establish a Public Defender Unit in one prosecutorial district	Vote: 8-2-2
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In Ref. #2203 (p. 46), the Governor proposes to establish 2 Public Service Manager III positions (Assistant District Defender I with at least 5 years of experience), 8 Public Service Manager II positions (Assistant District Defender II who may be a recent law school graduate), 2 Paralegal positions and one Office Specialist Supervisor II position to be dispatched in the State where needed. The committee members who voted unanimously recommend not including this initiative in the biennial budget. While eleven members of the committee firmly believe that a new public defender unit should be created within one prosecutorial area of the state, in a location to be determined by MCILS, these committee members disagreed on the precise number and type of positions to include within that public defender unit. Their alternative proposals, as compared to the Governor’s proposal, are summarized in the chart below. Two members of the committee (Andrews and Lyford) voted against any new initiative creating a public defender unit and two members (Haggan and Dana) were absent and did not vote on this issue.

For more information on the potential cost of this new initiative, the majority of the committee suggest that the Appropriations and Financial Affairs Committee review the estimated cost of the different types of public defender unit positions listed in the proposal from MCILS identified as “Initiative 2” that was recently sent to both committees by MCILS Executive Director Justin Andrus and that we have included as an attachment to this memorandum. Please also find attached a copy of a memorandum that Executive Director Andrus submitted to the Judiciary Committee on March 6, 2023, which explains MCILS’s rationale for including different numbers and types of positions in its proposal for a new public defender unit than were included in the Governor’s proposal in Ref. #2203 of the biennial budget voting document.

Position	Majority * (8 members)	Minority #1 ** (2 members)	Governor's Ref. # 2203
District Defender (supervisor)	1	1	0
Assistant District Defender I (≥5 years' experience)	5	3	2
Assistant District Defender II (new grads)	5	7	8
Office Manager	1	1	1
Paralegals	3	2	2
Social Workers	4	0	0
Investigators	4	0	0
+ Office costs and miscellaneous expenses	Yes	Yes	Yes

- * Majority report (Lee, Sheehan, Moonen, Carney, Bailey, Moriarty, Kuhn and Galgay Reckitt)
- ** Minority report #1 (Poirier and Henderson)
- Minority report #2 = OUT (Andrews, Lyford)
- Absent (Haggan, Dana)

G. New initiative to establish a Deputy Director for Public Defense Development	Vote: 9-3
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At the Judiciary Committee's work session on March 7, 2023, Executive Director Justin Andrus provided information on a new initiative proposed by MCILS for inclusion in the biennial budget. MCILS requests that the Legislature create a new Deputy Director for Public Defense Development position within MCILS. This new executive-level staff member would assume responsibility for overseeing development and implementation of new services and capabilities at MCILS, including establishing the new brick-and-mortar public defender office described in either new initiative F proposed above or Ref. #2203 of the Governor's proposed biennial budget. In addition, MCILS hopes that this position will not only regularly review existing statutes and rules and recommend and implement updates as appropriate but also promote efficiency in addressing the State's public defense needs by focusing on development while permitting the existing deputy director at MCILS to focus on the commission's operational needs.

Nine members (Lee, Sheehan, Poirier, Moonen, Carney, Bailey, Moriarty, Kuhn and Galgay Reckitt) of the committee voted in favor of including this new initiative in the biennial budget while three members (Andrews, Lyford and Henderson) voted against including this new initiative in the biennial budget. Two members (Haggan and Dana) were absent and did not vote on this new initiative.

While the committee does not have precise financial figures for this new position, it is our understanding from MCILS that the existing Deputy Director's salary is Grade 37, Spec 47 (with a range of \$89,107 to \$121,430) and the expected benefit costs for the position are \$60,371 with ancillary costs of \$9,319.

IV. Conclusion

Thank you for the opportunity to present our recommendations related to the Governor's proposed biennial budget. Please find attached the two documents from MCILS that were referenced in our description of new initiative F as well as a copy of the report-back worksheet prepared by OFPR, upon which we have noted the committee's vote on each initiative included within the Governor's biennial budget proposal. We wish to thank Lucia Nixon, our OFPR legislative analyst, who has provided invaluable assistance in calculating and formatting the numerical portions of the new initiatives included within this memorandum.

Please let us know if we can provide any additional information or assistance in connection with these recommendations.

Helpful information for New Judiciary Committee
Initiative F

INITIATIVE 2 – PUBLIC DEFENDER OFFICE (NORTH)

TO: COMMISSION

FROM: JWA

SUBJECT: INITIATIVE 2 – PUBLIC DEFENDER OFFICE (NORTH)

DATE: 7/8/2022

This initiative represents one of the two public defender offices the Commission authorized staff to propose for the Commission budget. The staff costs include payroll, benefits, and ancillary costs, as set out in the Projected Staff Costs memorandum. NB: The anticipated cost for the physical office is an estimate, as we were not able to identify an appropriate proposed location in ~~Areostock County~~. *Location to be determined by HCILS.*

		2023-2024	2024-2025
<u>Unit Costs</u>			
District Defender		\$ 182,919.00	\$ 186,999.00
Asst DD II		\$ 168,925.00	\$ 172,279.00
Asst DD I		\$ 137,183.00	\$ 139,137.00
Office Manager		\$ 102,641.00	\$ 102,493.00
Paralegal		\$ 93,210.00	\$ 92,019.00
Social Worker		\$ 108,874.00	\$ 108,937.00
Investigator		\$ 101,393.00	\$ 101,397.00
<u>Extended Costs</u>			
District Defender	1	\$ 182,919.00	\$ 186,999.00
Asst DD II	5	\$ 844,625.00	\$ 861,395.00
Asst DD I	5	\$ 685,915.00	\$ 695,685.00
Office Manager	1	\$ 102,641.00	\$ 102,493.00
Paralegal	3	\$ 279,630.00	\$ 276,057.00
Social Worker	4	\$ 435,496.00	\$ 435,748.00
Investigator	4	\$ 405,572.00	\$ 405,588.00
<u>Total Staff Cost</u>		\$ 2,936,798.00	\$ 2,963,965.00
Office Space (Est)		\$ 75,000.00	\$ 75,000.00
Miscellaneous		\$ 20,000.00	\$ 20,000.00
<u>Total</u>		\$ 3,031,798.00	\$ 3,058,965.00

Helpful information for new Judiciary Committee Initiative F

MCILS DEFENDER UNIT COMPARISON TO GOVERNOR'S PROPOSAL

TO: JUDICIARY COMMITTEE MEMEBERS

FROM: JWA

SUBJECT: MCILS DEFENDER UNIT COMPARISON TO GOVERNOR'S PROPOSAL

DATE: 3/6/2023

CC:

MCILS has asked the Judiciary and Appropriations and Financial Affairs Committees to consider its proposed Defender Office structure as an alternative to the initiative at the top of page A-443 in the Governor's budget. The following table shows the differences between the MCILS proposed Defender Office staff and the Governor's proposal. Note that MCILS recommends funding two offices. This table relates to one office:

	MCILS Proposal	Governor's Proposal
District Defender	1	0
Assistant Defender (5 year exp.)	5	2
Assistant Defender (New grads)	5	8
Office Manager	1	1
Paralegals	3	2
Social Workers	4	
Investigators	4	
Attorneys	11	10
Staff	12	3
Total	23	13

MCILS asks that the Committees adopt its proposal for the following reasons:

1. Both proposals would add 10 trial level defenders, but under the MCILS proposal those defenders would be divided equally between new attorneys and those at the five-year experience mark. Under the Governor's proposal there would be 8 new attorneys and 2 at the five-year mark. While the increase in cost is modest to move three positions to carry more experience, the abilities of the unit would be substantially increased with that experience.

2. The MCILS proposal adds a supervisory District Defender. MCILS crafted its proposed Defender Office structure to adhere to the recommended 10:1 staff attorney-to-supervisor ratio. Adding 10 defenders to the existing MCILS structure would result in a 14:1 ratio, making adequate supervision problematic (especially if 8 of the additional defenders are new attorneys)?
3. The MCILS proposal is to create defender offices in fixed locations to avoid the loss of efficiency caused by the itinerant nature of the existing defender staff.
4. The MCILS proposal calls for 12 staff, based on our research into best practices for defense offices. MCILS would consider its request for three paralegals per unit to be vital to efficient operation of the offices. It may be possible to retain social workers and investigators externally, though doing so would not promote efficient and effective representation to the same degree as hiring internal support staff.

Judiciary Committee's Report-Back Worksheet

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 2021-22	History 2022-23	2023-24	2024-25
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	62.500	63.500	63.500	63.500
Personal Services	\$7,620,584	\$7,982,239	\$8,044,830	\$8,237,650
All Other	\$828,078	\$831,997	\$837,997	\$837,997
GENERAL FUND TOTAL	\$8,448,662	\$8,814,236	\$8,882,827	\$9,075,647
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	10.000	10.000	10.000	10.000
Personal Services	\$1,306,672	\$1,356,947	\$1,642,249	\$1,688,597
All Other	\$268,629	\$268,629	\$268,629	\$268,629
FEDERAL EXPENDITURES FUND TOTAL	\$1,575,301	\$1,625,576	\$1,910,878	\$1,957,226
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	53.500	55.500	55.500	55.500
Personal Services	\$7,642,715	\$8,355,842	\$8,015,004	\$8,261,592
All Other	\$971,064	\$989,718	\$789,718	\$789,718
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,613,779	\$9,345,560	\$8,804,722	\$9,051,310

Justification:

The Attorney General is the chief legal officer for the state. All litigation involving the State must be prosecuted or defended under the direction of the Attorney General unless the Attorney General otherwise approves in writing. The Office (a) appears in all civil actions and proceedings in which the State is a party; (b) directs the investigation and prosecution of homicides and other major crimes, including major drug cases and frauds against the State; (c) renders legal services to State officers, boards and commissions in matters relating to their official duties; (d) issues written opinions upon questions of law submitted pursuant to statute; (e) administers and enforces the State's unfair trade practices and antitrust laws; (f) enforces proper application of endowments to public trusts and charities; and (g) consults with and advises the District Attorneys. The Attorney General also serves as an ex-officio member on many State authorities and Commissions. The Office of the Attorney General is organized by 5 M.R.S.A. Section 191 with the Attorney General as its chief executive. The Office includes the following divisions: The Consumer Protection Division enforces state antitrust and consumer protection laws, the state merger statute and the Unfair Trade Practices Act. The Division also discharges the Attorney General's mandate to oversee charities and is responsible for the investigation and prosecution of the unauthorized practice of law. The Consumer Mediation Program uses trained volunteers to mediate consumer complaints, and the Lemon Law Arbitration Program administers the State's lemon law. The Criminal Division has exclusive responsibility for the prosecution of homicide cases, handles numerous criminal appeals to the Supreme Judicial Court, advises the District Attorneys, and prosecutes major drug cases across the State; prosecutes white collar and financial crimes, welfare fraud, Medicaid fraud, computer crimes, tax crimes, and securities violations; and brings 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

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$89,186	\$94,242
All Other	\$5,451	\$5,451
GENERAL FUND TOTAL	\$94,637	\$99,693

Justification:

This initiative establishes one Research Assistant MSEA-B position dedicated to the Criminal Division and provides funding for related All Other costs. Victim Witness Advocates assist victims and witnesses as a criminal case proceeds through the criminal justice system. Currently, there are extremely limited advocacy services for victims of white-collar crime in the Office of Attorney General (OAG). On very rare occasions, the advocates who are dedicated to homicide cases are able to assist but it is entirely insufficient. Many of our white-collar cases involve elder victims who have complex needs and concerns. White collar cases may include multiple victims, many of whom are older, who need to be notified and prepared for trial. In the event of a conviction, these people also need assistance for impact statements. Without an advocate devoted to white-collar cases, these responsibilities fall to the prosecutor and investigator, who have too many other responsibilities to properly assist the victims. White-collar victims have frequently lost thousands of dollars and in some circumstances, their life savings. It is anticipated that this position will assist prosecutors and investigators in the Attorney General's office and provide training and assistance to advocates in the District Attorney's offices who are dealing with similar issues. As the Maine Elder Justice Roadmap points out developing a position dedicated solely to elder abuse cases would help ensure advocates have the training, expertise and time to best serve older victims of crime. In addition to older victims of crime, this particular position will also assist other victims of white-collar crimes prosecuted by the Attorney General's office and serve as a resource to advocates in the District Attorney's offices.

Administration - Attorney General 0310

Initiative: Establishes one Auditor III position dedicated to the Criminal Division and provides funding for related All Other costs.

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$104,037	\$109,741
All Other	\$5,452	\$5,452
GENERAL FUND TOTAL	\$109,489	\$115,193

Justification:

This initiative establishes one Auditor III position dedicated to the Criminal Division and provides funding for related All Other cost. This establishes a forensic auditor to support law enforcement in investigating financial exploitation cases. Financial crimes prosecutors and investigators in the Office of Attorney General (OAG) are in desperate need of a paralegal or forensic auditing resource who can devote their time to compiling and analyzing financial records, and that need goes beyond elder financial exploitation to include other financial crimes within the OAG. On occasion, Prosecutors in the OAG have been unable to successfully prosecute cases because of the lack of a person who can analyze and explain the financial trail of theft and exploitation. Following the money trail is a specialized skill that also requires training and the ability to testify to a jury or judge about the money trail. As the Maine Elder Justice Roadmap accurately points out:

Justification:

This initiative requests to continue and make permanent one Research Assistant MSEA-B position dedicated to the Criminal Division originally established by financial order 001999 F2 and subsequently continued by financial order 002276 F3. This position provides administrative support for attorneys in the Criminal Division, including word processing, document preparation, court filings, correspondence, mail, managing office-wide databases (case tracking, appeals etc.), answering telephones, photocopying, file management, archive and records management, scheduling, travel arrangements, tickler system management, coordination with agencies, and basic Information Technology assistance.

Administration - Attorney General 0310

Initiative: Provides funding for annual case management software maintenance.

Ref. #: 591	Committee Vote: <u>IN 12-2</u>	AFA Vote: _____
	Minority (Haggan & Lyford) = OUT	
GENERAL FUND		2023-24 2024-25
All Other		\$35,000 \$35,000
GENERAL FUND TOTAL		<u>\$35,000</u> <u>\$35,000</u>

Justification:

Maine prosecutors statewide have adopted the use of Odyssey Attorney Manager by Tyler Technologies. Administered and managed by the Maine Prosecutors Association's Information Technology group, the platform is allocated across all prosecutorial districts and the Attorney General's Criminal Division.

Administration - Attorney General 0310

Initiative: Provides funding to replace data storage servers at end of life.

Ref. #: 592	Committee Vote: <u>IN 12-2</u>	AFA Vote: _____
	Minority (Haggan & Lyford) = OUT	
GENERAL FUND		2023-24 2024-25
All Other		\$4,147 \$4,147
GENERAL FUND TOTAL		<u>\$4,147</u> <u>\$4,147</u>

Justification:

Information technology industry best practice recommends that storage hardware have a useful life of five to seven years, after which models are no longer sold or maintained by the manufacturer. This up to date replacement includes maintenance and support as needed.

Administration - Attorney General 0310

Initiative: Provides funding for increased paper costs.

Ref. #: 593	Committee Vote: <u>IN 12-2</u>	AFA Vote: _____
	Minority (Haggan & Lyford) = OUT	
GENERAL FUND		2023-24 2024-25
All Other		\$1,260 \$1,260

GENERAL FUND TOTAL	\$1,260	\$1,260
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Ref. #: 594	Committee Vote: <u>Voted with Ref. #593 on previous page</u>	AFA Vote: _____
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OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$724	\$724
OTHER SPECIAL REVENUE FUNDS TOTAL	\$724	\$724

Justification:

While State of Maine offices strive to transfer as much functionality to electronic formats as possible, unfortunately much of what our office does remains paper-intensive. Over the course of and post-pandemic, the cost per case of paper has gone from \$24.00 to \$36.48.

Administration - Attorney General 0310

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

Ref. #: 596	Committee Vote: <u>IN 12-2</u>	AFA Vote: _____
	Minority (Haggan & Lyford) = OUT	

GENERAL FUND	2023-24	2024-25
All Other	\$133,969	\$216,565
GENERAL FUND TOTAL	\$133,969	\$216,565

Ref. #: 597	Committee Vote: <u>Voted with Ref. #596 above</u>	AFA Vote: _____
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FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$6,578	\$11,663
FEDERAL EXPENDITURES FUND TOTAL	\$6,578	\$11,663

Ref. #: 598	Committee Vote: <u>Voted with Ref. #596 above</u>	AFA Vote: _____
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OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$14,124	\$54,957
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,124	\$54,957

Justification:

This initiative provides funding for Department of Administrative and Financial Services, Office of Information Technology (OIT) rate increases, computer replacements and other information technology needs.

Administration - Attorney General 0310

Initiative: Provides funding for software upgrades to the database management system.

Ref. #: 600 Committee Vote: IN 12-2 AFA Vote: _____

Minority (Haggan & Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$12,384	\$1,858
GENERAL FUND TOTAL	\$12,384	\$1,858

Ref. #: 601 Committee Vote: Voted with Ref. #600 above AFA Vote: _____

FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$4,438	\$679
FEDERAL EXPENDITURES FUND TOTAL	\$4,438	\$679

Ref. #: 602 Committee Vote: Voted with Ref. #600 above AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$10,059	\$1,510
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,059	\$1,510

Justification:

Filemaker is an easy-to-use database management system used by many Offices of the Attorney General personnel. Its drag and drop abilities, ease of report generation, and phone application make its efficiency and use beneficial for attorneys and support staff alike. This upgrade will assure that the office continues to run on the most recent and risk-free version of the system available.

Administration - Attorney General 0310

Initiative: Adjusts funding for the increased hours of one Research Assistant MSEA-B position from 40-hours biweekly funded by General Fund to 80 hours biweekly and eliminates another 40 hour biweekly Research Assistant MSEA-B position funded by Other Special Revenue Funds to combine into one Research Assistant MSEA-B position and reallocates the costs of the position to 50% General Fund and 50% Other Special Revenue Funds within the same program and provides for related All Other costs.

Ref. #: 606 Committee Vote: IN 11-3 AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	(\$107)	(\$108)
GENERAL FUND TOTAL	(\$107)	(\$108)

Ref. #: 607 Committee Vote: Voted with Ref. #606 above AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
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Ref. #: 613

Committee Vote: Voted with Ref. #612 on previous page

AFA Vote: _____

FEDERAL EXPENDITURES FUND

All Other

2023-24 **2024-25**

\$15,321 \$15,321

FEDERAL EXPENDITURES FUND TOTAL

\$15,321 \$15,321

Ref. #: 614

Committee Vote: Voted with Ref. #612 on previous page

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

2023-24 **2024-25**

\$130,956 \$171,039

OTHER SPECIAL REVENUE FUNDS TOTAL

\$130,956 \$171,039

Justification:

The Office of the Attorney General projects annual All Other costs spending for billing purposes so that customer agencies may project costs for their annual budgets. This initiative reflects the increase in non-personal services per person costs such as information technology costs, employee insurances, supplies, and software upgrades.

Administration - Attorney General 0310

Initiative: Provides funding for parking services in Cumberland County.

Ref. #: 618

Committee Vote: IN 12-2

AFA Vote: _____

Minority (Haggan & Lyford) = OUT

GENERAL FUND

All Other

2023-24 **2024-25**

\$1,860 \$1,860

GENERAL FUND TOTAL

\$1,860 \$1,860

Justification:

This initiative provides funding for parking services in Cumberland County. Historically, free parking in the Cumberland County Parking garage has been granted to Investigations Division, Attorney General Detectives assigned to the United States Attorneys' Office. Recently modified garage operations and updated lease arrangements have necessitated a charge for this service by the County.

Administration - Attorney General 0310

Initiative: Provides funding for increased leased space costs.

Ref. #: 619

Committee Vote: IN 12-2

AFA Vote: _____

Minority (Haggan & Lyford) = OUT

FEDERAL EXPENDITURES FUND

All Other

2023-24 **2024-25**

\$3,344 \$4,604

FEDERAL EXPENDITURES FUND TOTAL

\$3,344 \$4,604

Initiative: Establishes one Assistant Attorney General position dedicated to the Litigation Division and provides funding for related All Other costs.

Ref. #: 624

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$119,886	\$126,195
All Other	\$11,099	\$11,217
OTHER SPECIAL REVENUE FUNDS TOTAL	\$130,985	\$137,412

Justification:

This initiative establishes one Assistant Attorney General position dedicated to the Litigation Division and provides funding for related All Other costs. Funding for this position is from the Department of Administrative and Financial Services, Office of Cannabis Policy. This position will provide legal services including: reviewing and commenting on rules; reviewing, explaining, and advising regarding legislation; responding to subpoenas served; case evaluation, preparation, and presentation for both enforcement of Office of Cannabis Policy laws and defense of those laws; case preparation to include reviewing case files and evidence, preparing all pre-hearing submissions, identifying and addressing legal and factual issues; drafting legal memoranda and documents; and providing legal advice throughout the legal process including appeals. The position will also provide legal services with respect to Freedom of Access requests, as well as other consultation as needed.

Administration - Attorney General 0310

Initiative: Provides funding for the approved reorganization of one Director Investigations Position to a Research Assistant Position.

Ref. #: 626

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
Personal Services	\$5,006	\$5,005
GENERAL FUND TOTAL	\$5,006	\$5,005

Justification:

This initiative provides funding for the approved reorganization of one Director Investigations Position to a Research Assistant Position and provides funding for all related all other costs.

Administration - Attorney General 0310

Initiative: Provides funding for Uninterrupted Power Supply server battery replacements.

Ref. #: 627

Committee Vote: IN 12-2

AFA Vote: _____

Minority (Haggan & Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$3,000	\$3,000

GENERAL FUND TOTAL	\$3,000	\$3,000
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Justification:

This initiative provides funding for UPS (uninterrupted power supply) server battery replacements. Industry standards/best practices recommend updating UPS regularly to avoid data loss and service outages. These battery replacements will address the office's primary and backup servers, storage servers, virtual environment, and data switches.

Administration - Attorney General 0310

Initiative: Reallocates one Research Assistant MSEA-B position from 100% General Fund to 55% General Fund, 45% Other Special Revenue Funds.

Ref. #: 628	Committee Vote: <u>IN 11-3</u>	AFA Vote: _____
	Minority (Haggan, Andrews, Lyford) = OUT	

GENERAL FUND	2023-24	2024-25
Personal Services	(\$36,554)	(\$38,457)
GENERAL FUND TOTAL	(\$36,554)	(\$38,457)

Ref. #: 629	Committee Vote: <u>Voted with Ref. #628 above</u>	AFA Vote: _____
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OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
Personal Services	\$36,554	\$38,457
OTHER SPECIAL REVENUE FUNDS TOTAL	\$36,554	\$38,457

Justification:

Public Law 2003, chapter 20 allowed for the allocation of positions to mirror the Department's cost allocation (DICAP) plan. With the agency's recent adoption of the Maine State Time and Attendance Management System (MSTAMS), positions were able to be directly allocated via the budget system. This position was omitted from that process.

Administration - Attorney General 0310

Initiative: Provides funding for virtual server environment support and maintenance.

Ref. #: 630	Committee Vote: <u>IN 12-2</u>	AFA Vote: _____
	Minority (Haggan, Lyford) = OUT	

GENERAL FUND	2023-24	2024-25
All Other	\$6,000	\$6,000
GENERAL FUND TOTAL	\$6,000	\$6,000

Justification:

This initiative provides funding for virtual server environment support and maintenance. The office's virtual environment runs on Cisco Smartnet Hardware systems, which run on a five-year refresh cycle. The physical servers do not require replacement at this time.

levels. MFCU detectives carry approximately 15-20 open cases each, plus commonly have several fresh allegations and MFCU-mandated referrals for review to see if full investigation is warranted. MFCU cases range from million-dollar healthcare fraud allegations to patient sexual assault and patient endangerment up to, and including, death.

Administration - Attorney General 0310

Initiative: Establishes one Assistant Attorney General position dedicated to the Criminal Division Drug Task Force and provides funding for related All Other costs.

Ref. #: 636

Committee Vote: IN 10-4

AFA Vote: _____

Minority (Haggan, Andrews, Poirier & Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$119,886	\$126,195
All Other	\$8,693	\$8,693
GENERAL FUND TOTAL	\$128,579	\$134,888

Justification:

This initiative establishes one Assistant Attorney General position dedicated to the Criminal Division Drug Task Force and provides funding for related All Other costs. The Office of the Attorney General's Drug Task Force is a direct result of the formation of the Maine Drug Enforcement Agency (MDEA) as part of the Maine Drug Enforcement Act of 1992. Historically, the Office of the Attorney General has fulfilled this obligation through Assistant Attorneys General handling matters in all but several counties in the State: Aroostook, Somerset, Hancock and Washington counties, where prosecution of drug cases is handled by the local district attorney. For the past several years, the lack of a Drug Task Force prosecutor has been a persistent problem in Prosecutorial District VII, which consists of Hancock and Washington Counties. As a result there have been low sentences (inconsistent with other counties) on negotiated plea agreements, early disclosure of confidential informants, and minimal communication between prosecutors and law enforcement agencies. While a number of different solutions have been tried without success, the pre/post pandemic increase in the number of serious drug cases, the quantities of drugs being seized, and a marked increase in drug-related violence and their resulting multiple homicides, non-fatal shootings, and other violent incidents a Drug Task Force prosecutor is now needed in Prosecutorial District VII. Although prosecution alone will not solve the problems of Washington County, it is hoped that a specialized prosecutor who can dedicate time to serious drug offenses would alleviate some of these persistent problems.

**ADMINISTRATION - ATTORNEY GENERAL 0310
PROGRAM SUMMARY**

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	62.500	63.500	70.000	70.000
Personal Services	\$7,620,584	\$7,982,239	\$8,548,617	\$8,765,624
All Other	\$828,078	\$831,997	\$1,184,584	\$1,256,654
GENERAL FUND TOTAL	\$8,448,662	\$8,814,236	\$9,733,201	\$10,022,278
FEDERAL EXPENDITURES FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	10.000	10.000	11.000	11.000
Personal Services	\$1,306,672	\$1,356,947	\$1,772,991	\$1,825,507
All Other	\$268,629	\$268,629	\$315,569	\$318,155
FEDERAL EXPENDITURES FUND TOTAL	\$1,575,301	\$1,625,576	\$2,088,560	\$2,143,662
OTHER SPECIAL REVENUE FUNDS	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	53.500	55.500	57.000	57.000
Personal Services	\$7,642,715	\$8,355,842	\$8,291,842	\$8,553,715
All Other	\$971,064	\$989,718	\$966,076	\$1,038,650
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,613,779	\$9,345,560	\$9,257,918	\$9,592,365

Chief Medical Examiner - Office of 0412

Initiative: BASELINE BUDGET

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	12.000	12.000	12.000	12.000
Personal Services	\$1,726,867	\$1,781,966	\$1,799,684	\$1,854,431
All Other	\$805,531	\$805,531	\$818,089	\$818,089
GENERAL FUND TOTAL	\$2,532,398	\$2,587,497	\$2,617,773	\$2,672,520

FEDERAL EXPENDITURES FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$70,591	\$73,963	\$71,704	\$72,710
All Other	\$278,398	\$278,398	\$278,398	\$278,398
FEDERAL EXPENDITURES FUND TOTAL	\$348,989	\$352,361	\$350,102	\$351,108

OTHER SPECIAL REVENUE FUNDS	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$185,003	\$185,003	\$185,003	\$185,003
OTHER SPECIAL REVENUE FUNDS TOTAL	\$185,003	\$185,003	\$185,003	\$185,003

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: Provides funding for increased paper costs.

Ref. #: 649

Committee Vote: IN 12-2 AFA Vote: _____

Minority (Haggan & Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$407	\$407
GENERAL FUND TOTAL	\$407	\$407

Ref. #: 650

Committee Vote: Voted with Ref. #649 above AFA Vote: _____

FEDERAL EXPENDITURES FUND	2023-24	2024-25
All Other	\$7	\$7

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

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	12.000	12.000	12.000	12.000
Personal Services	\$1,726,867	\$1,781,966	\$1,799,684	\$1,854,431
All Other	\$805,531	\$805,531	\$967,098	\$969,485
GENERAL FUND TOTAL	\$2,532,398	\$2,587,497	\$2,766,782	\$2,823,916
FEDERAL EXPENDITURES FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$70,591	\$73,963	\$71,704	\$72,710
All Other	\$278,398	\$278,398	\$279,637	\$279,637
FEDERAL EXPENDITURES FUND TOTAL	\$348,989	\$352,361	\$351,341	\$352,347
OTHER SPECIAL REVENUE FUNDS	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$185,003	\$185,003	\$185,003	\$185,003
OTHER SPECIAL REVENUE FUNDS TOTAL	\$185,003	\$185,003	\$185,003	\$185,003

Civil Rights 0039

Initiative: BASELINE BUDGET

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$180,717	\$189,543	\$183,339	\$185,336
All Other	\$97,255	\$97,255	\$97,255	\$97,255
GENERAL FUND TOTAL	\$277,972	\$286,798	\$280,594	\$282,591

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 175 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: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

Ref. #: 565

Committee Vote: IN 11-2-1

AFA Vote: _____

Minority Report #1 (Haggan & Lyford) = OUT

GENERAL FUND		2023-24	2024-25
All Other	Minority Report #2 (Andrews) = Eliminate the Civil Rights Project and its funding	\$892	\$914
GENERAL FUND TOTAL		\$892	\$914

Justification:

This initiative provides funding for Department of Administrative and Financial Services, Office of Information Technology (OIT) rate increases, computer replacements and other information technology needs.

Civil Rights 0039

Initiative: Provides funding for the increased All Other expenses for Office of Attorney General positions.

Ref. #: 566

Committee Vote: IN 11-2-1

AFA Vote: _____

Minority Report #1 (Haggan & Lyford) = OUT

GENERAL FUND		2023-24	2024-25
All Other	Minority Report #2 (Andrews) = Eliminate the Civil Rights Project and its funding	\$2,420	\$2,420
GENERAL FUND TOTAL		\$2,420	\$2,420

Justification:

The Office of the Attorney General projects annual All Other costs spending for billing purposes so that customer agencies may project costs for their annual budgets. This initiative reflects the increase in non-personal services per person costs such as information technology costs, employee insurances, supplies, and software upgrades.

**CIVIL RIGHTS 0039
PROGRAM SUMMARY**

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$180,717	\$189,543	\$183,339	\$185,336
All Other	\$97,255	\$97,255	\$100,567	\$100,589
GENERAL FUND TOTAL	\$277,972	\$286,798	\$283,906	\$285,925

District Attorneys Salaries 0409

Initiative: BASELINE BUDGET

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	97.500	97.500	97.500	97.500
Personal Services	\$12,461,202	\$13,027,803	\$14,282,600	\$14,865,531
GENERAL FUND TOTAL	\$12,461,202	\$13,027,803	\$14,282,600	\$14,865,531

FEDERAL EXPENDITURES FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	6.000	6.000	6.000	6.000
Personal Services	\$641,723	\$672,731	\$736,396	\$774,688
All Other	\$41,483	\$41,483	\$41,483	\$41,483
FEDERAL EXPENDITURES FUND TOTAL	\$683,206	\$714,214	\$777,879	\$816,171

OTHER SPECIAL REVENUE FUNDS	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	1.500	1.500
Personal Services	\$157,751	\$165,417	\$179,814	\$189,326
All Other	\$11,157	\$11,157	\$11,157	\$11,157
OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,908	\$176,574	\$190,971	\$200,483

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. They prosecute the majority of all criminal offenses occurring in their district, with the exception of murder. This caseload is carried statewide with a staff of 97 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 District Attorneys' offices 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: Provides funding to restore Personal Services related to the reduction for attrition savings in the District Attorneys Salaries program.

Ref. #: 642

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
Personal Services	\$217,766	\$227,082
GENERAL FUND TOTAL	\$217,766	\$227,082

**DISTRICT ATTORNEYS SALARIES 0409
PROGRAM SUMMARY**

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	97.500	97.500	98.000	98.000
Personal Services	\$12,461,202	\$13,027,803	\$14,564,155	\$15,159,748
GENERAL FUND TOTAL	\$12,461,202	\$13,027,803	\$14,564,155	\$15,159,748

FEDERAL EXPENDITURES FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	6.000	6.000	6.000	6.000
Personal Services	\$641,723	\$672,731	\$736,396	\$774,688
All Other	\$41,483	\$41,483	\$41,483	\$41,483
FEDERAL EXPENDITURES FUND TOTAL	\$683,206	\$714,214	\$777,879	\$816,171

OTHER SPECIAL REVENUE FUNDS	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	1.000	1.000
Personal Services	\$157,751	\$165,417	\$119,767	\$126,122
All Other	\$11,157	\$11,157	\$11,157	\$11,157
OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,908	\$176,574	\$130,924	\$137,279

FHM - Attorney General 0947

Initiative: BASELINE BUDGET

	History 2021-22	History 2022-23	2023-24	2024-25
FUND FOR A HEALTHY MAINE				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$109,765	\$115,063	\$144,239	\$151,768
All Other	\$21,164	\$21,164	\$21,164	\$21,164
FUND FOR A HEALTHY MAINE TOTAL	\$130,929	\$136,227	\$165,403	\$172,932

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: Provides funding for the increased All Other expenses for Office of Attorney General positions.

Ref. #: 679

Committee Vote: IN 12-2

AFA Vote: _____

Minority (Haggan & Lyford) = OUT

	2023-24	2024-25
FUND FOR A HEALTHY MAINE		
All Other	\$2,292	\$2,292
FUND FOR A HEALTHY MAINE TOTAL	\$2,292	\$2,292

Justification:

The Office of the Attorney General projects annual All Other costs spending for billing purposes so that customer agencies may project costs for their annual budgets. This initiative reflects the increase in non-personal services per person costs such as information technology costs, employee insurances, supplies, and software upgrades.

FHM - ATTORNEY GENERAL 0947

PROGRAM SUMMARY

	History 2021-22	History 2022-23	2023-24	2024-25
FUND FOR A HEALTHY MAINE				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$109,765	\$115,063	\$144,239	\$151,768
All Other	\$21,164	\$21,164	\$23,456	\$23,456
FUND FOR A HEALTHY MAINE TOTAL	\$130,929	\$136,227	\$167,695	\$175,224

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$83,319	\$88,245
All Other	\$6,965	\$7,049
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,284	\$95,294

Justification:

This initiative requests to make permanent of one Secretary Associate Legal position in the Portland office originally established by financial order 02130 F2 and subsequently continued by financial order 02300 F3. This position is assigned to the Child Protective Division, with approved funding from the Department of Health and Human Services. There are currently 2.5 administrative staff supporting a caseload of 800 litigated by nine Assistant Attorneys General across four counties. Support required includes electronic and printed mail processing, share file downloading and e-filing, discovery management, data entry, paper filing, copying, scanning, calendaring, schedule management, archiving, communication with court clerks, caseworkers, witnesses, and opposing counsel. This volume of work has Assistant Attorneys General increasingly doing their own administrative work.

Human Services Division 0696

Initiative: Provides funding for increased paper costs.

Ref. #: 663

Committee Vote: IN 12-2

AFA Vote: _____

Minority (Haggan & Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$2,595	\$2,595
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,595	\$2,595

Justification:

While State of Maine offices strive to transfer as much functionality to electronic formats as possible, unfortunately much of what our office does remains paper-intensive. Over the course of and post-pandemic, the cost per case of paper has gone from \$24.00 to \$36.48.

Human Services Division 0696

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

Ref. #: 664

Committee Vote: IN 12-2

AFA Vote: _____

Minority (Haggan & Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$20,223	\$21,967
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,223	\$21,967

GENERAL FUND	Minority (Lyford, Henderson, Andrews) = OUT	2023-24	2024-25
All Other	Absent (Haggan)	\$0	\$200,000
GENERAL FUND TOTAL		<u>\$0</u>	<u>\$200,000</u>

Justification:

The Victims' Compensation Board reviews claims and determines compensation, up to \$15,000, of documented losses incurred by victims of violent crime. Funding for the program consists of grant funds awarded by the US Department of Justice and State match funds. The grant's award mechanism is such that future grants are calculated based on past years' match spending. Match funds are transferred to the account by the Judicial Branch from a portion of fees assessed to perpetrators of felony, misdemeanor, and sex trafficking crimes. While grant funding had begun to decline in the past several years, the shutdown of the court system upon the outbreak of Covid substantially reduced fee assessments received, thereby additionally reducing the annual program budget. Working with the Department of Health and Human Services, program staff were able to re-allocate \$94,000 for program needs, shifting Sexual Assault Forensic Examiner (SAFE) spending to the Department of Health and Human Services' Victims of Crime grant. Projections show, however, that trends will not improve over the short term. As a result, the Victims' Compensation Fund would like to transfer another piece of SAFE spending, the reimbursement of victims of gross sexual assault for forensic examinations, to the General fund. Pre-Covid, the program reimbursed for 200-300 kits annually, but delayed Covid-period requests are anticipated.

**VICTIMS' COMPENSATION BOARD 0711
PROGRAM SUMMARY**

GENERAL FUND	History	History	2023-24	2024-25
All Other	2021-22	2022-23		
	\$0	\$0	\$0	\$335,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$335,000</u>

FEDERAL EXPENDITURES FUND	History	History	2023-24	2024-25
All Other	2021-22	2022-23		
	\$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	History	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23		
Personal Services	3.000	3.000	3.000	3.000
All Other	\$244,039	\$253,742	\$265,848	\$269,224
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$600,508</u>	<u>\$600,508</u>	<u>\$605,759</u>	<u>\$604,503</u>
	<u>\$844,547</u>	<u>\$854,250</u>	<u>\$871,607</u>	<u>\$873,727</u>

ATTORNEY GENERAL, DEPARTMENT OF THE

DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$27,348,044	\$28,626,867
FEDERAL EXPENDITURES FUND	\$3,443,329	\$3,537,729
FUND FOR A HEALTHY MAINE	\$167,695	\$175,224
OTHER SPECIAL REVENUE FUNDS	\$22,833,557	\$23,526,075
DEPARTMENT TOTAL - ALL FUNDS	\$53,792,625	\$55,865,895

Justification:

This initiative provides funding to pay specially trained mediators to conduct conciliations for state only Maine Human Rights Act reasonable grounds cases as ordered by the commissioners in accordance with the law.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for commissioners' mileage payments.

Ref. #: 1535	Committee Vote: <u>IN 11-3</u>	AFA Vote: _____
	Minority (Haggan, Andrews, Lyford) = OUT	
GENERAL FUND		
All Other		
		2023-24 2024-25
		\$3,594 \$3,594
GENERAL FUND TOTAL		<hr/> \$3,594 \$3,594

Justification:

Commissioners attend 12 regularly scheduled meetings per year. The Commission has 5 appointed commissioners and holds 12 meetings each year. The statutory mileage reimbursement rate for state appointed officials not subject to a collective bargaining agreement is forty-six cents per mile for actual mileage traveled to attend each meeting.

Human Rights Commission - Regulation 0150

Initiative: Continues and makes permanent one Maine Human Rights Investigator position previously continued by Financial Order 002251 F3 and reduces All Other to fund the position.

Ref. #: 1536	Committee Vote: <u>IN 11-3</u>	AFA Vote: _____
	Minority (Haggan, Andrews, Lyford) = OUT	
FEDERAL EXPENDITURES FUND		
POSITIONS - LEGISLATIVE COUNT		
Personal Services		
All Other		
		2023-24 2024-25
		1.000 1.000
		\$82,439 \$86,387
		(\$82,439) (\$86,387)
FEDERAL EXPENDITURES FUND TOTAL		<hr/> \$0 \$0

Justification:

The position is necessary meet federal contract obligations. This position conducts investigations of discrimination complaints, performs advanced case analyses, reviews complaint intake submissions and drafts complaints under various statutes and regulations and in accordance with federal contract agreements. This position is funded 75% Human Rights Commission - Equal Employment Opportunity Commission, Federal Expenditures Fund account and 25% Human Rights Commission - Housing and Urban Development, Federal Expenditures Fund account. Funds are no longer required in the All Other line category for the purpose for which they were originally intended because general operating expenditures are anticipated to be lower.

Human Rights Commission - Regulation 0150

Initiative: Establishes one Business Manager I position to provide billing, collections and accounting services due to an increase in cases and contracted mediations and conciliations. This initiative also provides funding for related All Other costs.

Ref. #: 1538

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$85,846	\$90,981
All Other	\$4,439	\$4,439
GENERAL FUND TOTAL	\$90,285	\$95,420

Justification:

This position is necessary as the Maine Human Rights Commission (the Commission) relies on third party contracted services to perform mediations and post cause conciliations. The Commission lacks accounting staff necessary to support agency contracted services; this function cannot be supported by a financial service center. Due to an increase in cases and contracted mediations and conciliations, this position will be responsible for billing and collections activities for contracted mediation services, public information requests and will process accounting transactions for contracted post-cause conciliation services ordered by commissioners as required under the Maine Human Rights Act.

Human Rights Commission - Regulation 0150

Initiative: Establishes one Maine Human Rights Investigator position to allow the agency to meet statutory requirements for completing investigations and address a significant case inventory arising out of increased and more complex case filings due to the COVID-19 pandemic. This initiative also provides funding for related All Other costs.

Ref. #: 1539

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,712	\$90,735
All Other	\$4,235	\$4,235
GENERAL FUND TOTAL	\$98,947	\$94,970

Justification:

This position is necessary to meet statutory obligations as authorized under the Maine Human Rights Act, to meet federal contract obligations for conducting investigations of unlawful discrimination and to try to reduce case backlogs occurring due to the COVID-19 pandemic. This position conducts complex investigations of discrimination complaints, performs advanced case analyses, reviews complaint intake submissions and drafts complaints under various state and federal statutes and regulations and in accordance with federal cooperative agreements.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims, and actuarially recommended reserves.

Ref. #: 1540

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$3,920	\$3,920

Initiative: Provides funding for statewide technology services provided by the Department of Administrative and Financial Services, Office of Information Technology.

Ref. #: 1543

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND

All Other

GENERAL FUND TOTAL

2023-24	2024-25
\$1,122	\$1,122
<u>\$1,122</u>	<u>\$1,122</u>

Justification:

MaineIT is responsible for the delivery of safe, secure, and high-performing networks and systems to State Agencies for daily performance of their missions for the citizens of Maine. IT enterprise functions benefitting all state agencies are managed through this office to ensure consistency, volume discount efficiencies, and optimum performance and throughput. MaineIT is established as an internal service fund intended to recoup their costs through billings to departments and agencies for services provided. MaineIT expenses are higher due to negotiated and benefit changes to Personal Services as well as increases in operational costs, including vendor increases, supply chain costs, and network and systems modernization and upgrades. This recoupment process results in increased billing rates to departments and agencies.

Human Rights Commission - Regulation 0150

Initiative: Provides funding to bring allocations in line with projected revenue.

Ref. #: 1544

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

FEDERAL EXPENDITURES FUND

All Other

FEDERAL EXPENDITURES FUND TOTAL

2023-24	2024-25
\$100,025	\$90,895
<u>\$100,025</u>	<u>\$90,895</u>

Justification:

This initiative reflects anticipated revenue increases from work-sharing agreements with the U.S. Department of Housing and Urban Development (HUD) and U.S. Equal Employment Opportunity Commission (EEOC). In the HUD account, the Maine Human Rights Commission (the Commission) anticipates increases in dual-filed housing discrimination charge receipts, contract payments for dual-filed charge resolutions, and contract payments for commencing court litigation of housing enforcement actions. The Commission's fiscal year 2022-23 revenue in the HUD account is anticipated to increase 32% from the previous fiscal year. In the EEOC account, the Commission anticipates an increase in both dual-filed employment discrimination charge receipts and contract reimbursements for dual-filed charge resolutions due to increases in case filings relates to the COVID-19 pandemic. The Commission's actual revenue from the EEOC contract increased 16% from the previous fiscal year.

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

	History 2021-22	History 2022-23	2023-24	2024-25
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	9.500	9.500	11.000	11.000
Personal Services	\$1,086,402	\$1,084,091	\$1,330,189	\$1,367,404
All Other	\$85,275	\$81,625	\$126,950	\$127,849
GENERAL FUND TOTAL	\$1,171,677	\$1,165,716	\$1,457,139	\$1,495,253
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	5.000	5.000
Personal Services	\$392,854	\$403,264	\$405,950	\$419,028
All Other	\$199,970	\$196,464	\$214,050	\$200,972
FEDERAL EXPENDITURES FUND TOTAL	\$592,824	\$599,728	\$620,000	\$620,000
OTHER SPECIAL REVENUE FUNDS				
All Other	\$107,864	\$107,864	\$107,864	\$107,864
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107,864	\$107,864	\$107,864	\$107,864

HUMAN RIGHTS COMMISSION, MAINE

DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$1,457,139	\$1,495,253
FEDERAL EXPENDITURES FUND	\$620,000	\$620,000
OTHER SPECIAL REVENUE FUNDS	\$107,864	\$107,864
DEPARTMENT TOTAL - ALL FUNDS	\$2,185,003	\$2,223,117

Sec. A-37. Appropriations and allocations. The following appropriations and allocations are made.

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-state Commission 0554

Initiative: BASELINE BUDGET

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$166,814	\$166,814	\$111,614	\$111,614
GENERAL FUND TOTAL	\$166,814	\$166,814	\$111,614	\$111,614

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 additional staff to more effectively address Maine Indian Tribal-State Commission's multiple statutory responsibilities regarding a wide range of Tribal-State issues.

Ref. #: 2209

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND		2023-24	2024-25
All Other		\$156,886	\$156,886
GENERAL FUND TOTAL		\$156,886	\$156,886

Justification:

The proposed increase would enable Maine Indian Tribal-State Commission (MITSC) to have two full-time employees and part-time contractors for special projects so that MITSC can perform its statutory duties.

MAINE INDIAN TRIBAL-STATE COMMISSION 0554

PROGRAM SUMMARY

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$166,814	\$166,814	\$268,500	\$268,500
GENERAL FUND TOTAL	\$166,814	\$166,814	\$268,500	\$268,500

INDIAN TRIBAL-STATE COMMISSION, MAINE

DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$268,500	\$268,500
DEPARTMENT TOTAL - ALL FUNDS	\$268,500	\$268,500

Sec. A-38. 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 2021-22	History 2022-23	2023-24	2024-25
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	11.500	16.500	15.500	15.500
Personal Services	\$927,667	\$1,654,097	\$1,750,288	\$1,815,306
All Other	\$15,521,725	\$16,058,720	\$16,058,720	\$16,058,720
GENERAL FUND TOTAL	\$16,449,392	\$17,712,817	\$17,809,008	\$17,874,026
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	6.000	6.000	6.000	6.000
Personal Services	\$708,658	\$723,236	\$681,169	\$713,543
All Other	\$9,742,033	\$9,722,533	\$9,722,533	\$9,722,533
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,450,691	\$10,445,769	\$10,403,702	\$10,436,076
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY				
All Other	\$4,000,000	\$0	\$1,500,000	\$1,500,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$4,000,000	\$0	\$1,500,000	\$1,500,000

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

See Replacement Initiative E in cover memo

Initiative: Provides funding to establish a tiered billing rate for assigned legal counsel effective May 1, 2023. This rate will be no less than \$80 and no more than \$150 per hour. These tiers will be defined by the Commission in their major substantive rules. The rates must be tied to the type of case or the nature of criminal charges faced.

Ref. #: 2200

Committee Vote: OUT 12-0

AFA Vote: _____

	Absent (Haggan, Dana)		2023-24	2024-25
GENERAL FUND				
All Other			\$6,100,000	\$6,100,000
GENERAL FUND TOTAL			\$6,100,000	\$6,100,000

Initiative: Establishes 2 Public Service Manager III positions, 8 Public Service Manager II positions, 2 Paralegal positions and one Office Specialist Supervisor II position to be dispatched in the State where needed. This initiative also provides funding for related All Other costs.

Ref. #: 2203

Committee Vote: OUT 12-0

AFA Vote: _____

Absent (Haggan, Dana)

GENERAL FUND		2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT		13.000	13.000
Personal Services	See Replacement Initiative F in cover memo	\$1,587,956	\$1,674,481
All Other		\$148,610	\$148,610
GENERAL FUND TOTAL		\$1,736,566	\$1,823,091

Justification:

This initiative establishes 2 Public Service Manager III positions, 8 Public Service Manager II positions, 2 Paralegal positions and one Office Specialist Supervisor II position to provide staffing to add capacity to the State's public defender positions established in PL2021, chapter 720, and provides associated All Other funding.

Maine Commission on Indigent Legal Services Z112

Initiative: Transfers 2 Paralegal positions, 4 Public Service Manager II positions and related All Other costs for reimbursements for assigned legal counsel from the Other Special Revenue Funds to the General Fund within the same program.

Ref. #: 2204

Committee Vote: IN 9-3

AFA Vote: _____

Minority (Andrews, Lyford, Henderson) = OUT

GENERAL FUND		2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	Absent (Haggan, Dana)	6.000	6.000
Personal Services		\$681,169	\$713,543
All Other		\$8,565,533	\$8,565,533
GENERAL FUND TOTAL		\$9,246,702	\$9,279,076

Ref. #: 2205

Committee Vote: Voted with Ref. #2204 above

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS		2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT		(6.000)	(6.000)
Personal Services		(\$681,169)	(\$713,543)
All Other		(\$8,565,533)	(\$8,565,533)
OTHER SPECIAL REVENUE FUNDS TOTAL		(\$9,246,702)	(\$9,279,076)

Justification:

In Public Law 2021, chapter. 398, the Legislature provided funding for 6 new positions and reimbursements for assigned legal counsel, including funds to increase reimbursement rates from \$60 per hour to \$80 per hour. The funding was provided via a transfer of General Fund unappropriated surplus to the Other Special Revenue account in the Maine Commission on Indigent Legal Services program. Positions and attorney reimbursements are typically charged to the General Fund account in this program and this initiative transfers the ongoing funding to that account.

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

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	11.500	16.500	34.500	34.500
Personal Services	\$927,667	\$1,654,097	\$4,019,413	\$4,203,330
All Other	\$15,521,725	\$16,058,720	\$30,937,672	\$30,939,156
GENERAL FUND TOTAL	\$16,449,392	\$17,712,817	\$34,957,085	\$35,142,486
OTHER SPECIAL REVENUE FUNDS	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	6.000	6.000	0.000	0.000
Personal Services	\$708,658	\$723,236	\$0	\$0
All Other	\$9,742,033	\$9,722,533	\$1,157,000	\$1,157,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,450,691	\$10,445,769	\$1,157,000	\$1,157,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$4,000,000	\$0	\$1,500,000	\$1,500,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$4,000,000	\$0	\$1,500,000	\$1,500,000

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$34,957,085	\$35,142,486
OTHER SPECIAL REVENUE FUNDS	\$1,157,000	\$1,157,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$1,500,000	\$1,500,000
DEPARTMENT TOTAL - ALL FUNDS	\$37,614,085	\$37,799,486

Sec. A-40. Appropriations and allocations.

The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: BASELINE BUDGET

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	538.000	559.000	559.000	559.000
Personal Services	\$51,494,945	\$55,042,049	\$58,800,385	\$60,198,083
All Other	\$21,518,460	\$23,415,400	\$23,395,300	\$23,395,300
GENERAL FUND TOTAL	\$73,013,405	\$78,457,449	\$82,195,685	\$83,593,383
FEDERAL EXPENDITURES FUND	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$510,723	\$554,700	\$147,359	\$149,932
All Other	\$1,088,789	\$1,088,789	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	\$1,599,512	\$1,643,489	\$1,236,148	\$1,238,721
OTHER SPECIAL REVENUE FUNDS	History 2021-22	History 2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	19.000	16.000	16.000	16.000
Personal Services	\$5,059,931	\$4,849,169	\$4,035,245	\$4,154,687
All Other	\$7,288,901	\$7,368,901	\$7,368,901	\$7,368,901
Capital Expenditures	\$300,000	\$300,000	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,648,832	\$12,518,070	\$11,704,146	\$11,823,588

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 34 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: Transfers one Manager of Court Alternative Dispute Resolution position and reallocates the cost from 65% Other Special Revenue Funds and 35% General Fund to 100% General Fund within the same program.

Ref. #: 2430

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$104,327	\$105,393

GENERAL FUND TOTAL		\$104,327	\$105,393
Ref. #: 2431	Committee Vote:	Voted with Ref. #2430 on previous page	AFA Vote:
OTHER SPECIAL REVENUE FUNDS		2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT		(1,000)	(1,000)
Personal Services		(\$104,327)	(\$105,393)
OTHER SPECIAL REVENUE FUNDS TOTAL		(\$104,327)	(\$105,393)

Justification:

This initiative transfers one Manager of Court Alternative Dispute Resolution position and reallocates the cost from 65% Other Special Revenue Funds and 35% General Fund to 100% General Fund within the same program. The reallocation of this position is necessary to ensure the continued ability to fund this critical role, and to ensure that the funding source is consistent with the responsibilities of the position. The services provided by the Court Alternative Dispute Resolution CADRES program have increased, but fees are sometimes waived when parties are not able to afford the cost. Since fees are waived for parties that cannot afford to pay, increasing fees is unlikely to support the expenses in this account. This leaves the program susceptible to revenue shortfall and projections show that the account will not be able to sustain the continued cost of this position. Existing staff do not have the ability to absorb the workload.

Courts - Supreme, Superior and District 0063

Initiative: Provides ongoing funding for credit card terminal replacements.

Ref. #: 2432	Committee Vote:	IN 11-3	AFA Vote:
		Minority (Haggan, Andrews, Lyford) = OUT	
GENERAL FUND		2023-24	2024-25
All Other		\$10,000	\$10,000
GENERAL FUND TOTAL		\$10,000	\$10,000

Justification:

This initiative provides ongoing funding to create a replacement cycle for credit card terminals throughout the courts. This is needed to ensure security and compliance. Technology updates and security requirements mean that most machines have a 3-year security and compliance life cycle. This funding allows a maintenance replacement schedule to ensure that the courts can update non-compliant devices. Ensuring compliance also helps the state to avoid any non-compliance fees which can be substantial.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for operational costs for the York Judicial Center.

Ref. #: 2433	Committee Vote:	IN 11-3	AFA Vote:
		Minority (Haggan, Andrews, Lyford) = OUT	
GENERAL FUND		2023-24	2024-25
All Other		\$520,000	\$520,000
GENERAL FUND TOTAL		\$520,000	\$520,000

Justification:

This initiative provides funding for the facility operation costs of the York Judicial Center set to open in April of 2023. These costs include snow removal, janitorial, utilities and landscaping costs.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for mediation service rate increases.

Ref. #: 2434

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$275,000	\$275,000
GENERAL FUND TOTAL	<u>\$275,000</u>	<u>\$275,000</u>

Justification:

This request provides funding for mediation service rate increases. Mediation for dispute resolution is an effective way to divert and resolve certain types of cases and is mandated in certain cases. This initiative provides funding to increase family mediation rates by \$35 per mediation session to a rate of \$125 per session and increase small claims mediation fee by \$30 per session to a rate of \$100 per session. These rates are per session rates not per hour. With recent legislative changes, the need for mediation services is increasing, which means costs are increasing. Mediation fees are waived in some instances when parties cannot afford to pay, so raising fees could just result in more parties being unable to afford the cost. This initiative requests General Fund appropriation to support the cost of a rate increase for much needed mediation services. These services are needed, and a rate increase is necessary for to continue to be able to get these services, but the low revenue levels in the Other Special Revenue, Court Alternative Dispute Resolution Account mean that this increased cost requires support from the General Fund. The Maine Judicial Branch believes that mediation is a core court function and as such should be supported, at least in part, in the General Fund budget.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased facility operation costs.

Ref. #: 2435

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$290,000	\$290,000
GENERAL FUND TOTAL	<u>\$290,000</u>	<u>\$290,000</u>

Justification:

This initiative provides funding for increased facility operation costs. These costs include utilities, snow removal, janitorial and landscaping costs. Recent inflation has seen these service costs increase and in order to continue to operate all current facilities additional funding is required.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased capital improvement costs.

Ref. #: 2436 **Voted with Language Part KKK**

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS

Capital Expenditures

2023-24 **2024-25**

\$500,000 \$500,000

OTHER SPECIAL REVENUE FUNDS TOTAL

\$500,000 \$500,000

Justification:

This initiative provides funding for increased capital improvement costs. Pursuant to Maine Revised Statutes, Title 4, section 28, the Judicial Branch is authorized up to \$300,000 per fiscal year of fee revenue collected to support capital expenditures. This funding cap has not been increased since it was set in Public Law 2009, Chapter 213, Part QQ- 2. With the number of courthouses, complexity of facility systems in place and the increased cost of parts and service the \$300,000 cap is not enough to adequately maintain current facility needs. Language is submitted with this initiative to request amending the cap to \$800,000.

Courts - Supreme, Superior and District 0063

Initiative: Continues and makes permanent one Facility Engineer position previously continued in Public Law 2021, chapter 29.

Ref. #: 2437

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT

Personal Services

2023-24 **2024-25**

1.000 1.000

\$126,930 \$132,949

OTHER SPECIAL REVENUE FUNDS TOTAL

\$126,930 \$132,949

Justification:

This initiative continues and makes permanent one Facility Engineer position. This position was created to assist in providing project management/clerk of the works oversight for the construction of the courthouse in York County. In fiscal year 2023-24 the facility will be operational, and this position will become the permanent Facility Engineer at that location.

Courts - Supreme, Superior and District 0063

Initiative: Continues 3 limited-period Law Clerk positions previously continued in Public Law 2021, chapter 29 through June 14, 2025.

Ref. #: 2438

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS

Personal Services

2023-24 **2024-25**

\$306,600 \$318,749

OTHER SPECIAL REVENUE FUNDS TOTAL

\$306,600 \$318,749

GENERAL FUND TOTAL	\$96,300	\$96,300
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Justification:

This initiative provides funding for increased insurance rates in accordance with the rates published by Risk Management. The rates for last biennial were not known in time to include in that request, this adjustment is reflective of the 22-23 Biennial rate increase and the 24-25 Biennial rate increase.

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Child Protective and Juvenile Process Specialist position previously continued in Public Law 2021, chapter 29 through June 14, 2025.

Ref. #: 2442	One Time	Committee Vote: <u>IN 11-3</u>	AFA Vote: _____
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Minority (Haggan, Andrews, Lyford) = OUT

	2023-24	2024-25
FEDERAL EXPENDITURES FUND		
Personal Services	\$159,094	\$161,099
FEDERAL EXPENDITURES FUND TOTAL	\$159,094	\$161,099

Justification:

This position is 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 position is responsible for assisting in the implementation of grant requirements.

Courts - Supreme, Superior and District 0063

Initiative: Continues 2 limited-period Court Appointed Special Advocate Legal Services Advisor positions previously continued in Public Law 2021, chapter 29 and transfers and reallocates the cost from 100% Federal Expenditures Fund to 95% General Fund and 5% Federal Expenditures Fund within the same program. These positions will end on June 14, 2025.

Ref. #: 2443		Committee Vote: <u>IN 11-3</u>	AFA Vote: _____
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Minority (Haggan, Andrews, Lyford) = OUT

	2023-24	2024-25
GENERAL FUND		
Personal Services	\$279,074	\$287,392
GENERAL FUND TOTAL	\$279,074	\$287,392

Ref. #: 2444	One Time	Committee Vote: <u>Voted with Ref. #2443 above</u>	AFA Vote: _____
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	2023-24	2024-25
FEDERAL EXPENDITURES FUND		
Personal Services	\$14,688	\$15,124
All Other	\$163	\$168
FEDERAL EXPENDITURES FUND TOTAL	\$14,851	\$15,292

Justification:

This initiative continues 2 CASA Legal Services Advisor positions, transfers the home account from the Federal Fund to the General Fund and reallocates the funding from 100% Federal Fund to 95% General Fund and 5% Federal Fund within the same program. These positions have historically been funded by the federal Victims of Crime Assistance grant. In prior years we received a specified portion of the grant funds available, but future grants will be moving to a competitive bid process. This process change means that we could receive less grant funding or none at all. The uncertainty of funding and necessity of these positions to complete statutorily required program functions means that to continue to confidently provide services we will need to fund be able to fund these positions at least partially through the General Fund. These positions provide assistance to the Court Appointed Special Advocate (CASA) Director and supervise the efforts of the CASA volunteers assisting children subject to abuse and neglect. The use of volunteers reduces the need for guardian ad litem funding.

Courts - Supreme, Superior and District 0063 Ref. #2445 & #2446 (this page) voted with Ref. #2484 & #2485 on page 70

Initiative: Transfers funding for legal service assistance providers from the Courts- Supreme, Superior and District program General Fund and Other Special Revenue accounts to the Maine Civil Legal Services Fund program General Fund and Other Special Revenue accounts.

Ref. #: 2445	Committee Vote: <u>IN 11-3</u>	AFA Vote: _____		
	Minority (Haggan, Andrews, Lyford) = OUT			
GENERAL FUND			2023-24	2024-25
All Other			(\$1,300,000)	(\$1,300,000)
GENERAL FUND TOTAL			<u>(\$1,300,000)</u>	<u>(\$1,300,000)</u>

Ref. #: 2446	Committee Vote: <u>Voted with Ref. #2445 above</u>	AFA Vote: _____		
OTHER SPECIAL REVENUE FUNDS			2023-24	2024-25
All Other			(\$2,500,346)	(\$2,500,346)
OTHER SPECIAL REVENUE FUNDS TOTAL			<u>(\$2,500,346)</u>	<u>(\$2,500,346)</u>

Justification:

This initiative transfers funding from the Supreme JD & Superior Courts account within the Courts- Supreme, Superior and District program to the Maine Civil Legal Services Fund account within the Maine Civil Legal Services Fund program. Funding provided in Public Law 2021, Chapter 635, is to be used specifically to fund legal assistance programs as designated by the Maine Civil Legal Services Commission. This initiative transfers Maine Civil Legal Services funding to a separate program specific for legal assistance funding still underneath the Judicial umbrella. This keeps the funding separate from the general activity of the Judicial Branch ensuring transparency of program work, tracking and reporting.

Courts - Supreme, Superior and District 0063 + New Initiative B (see cover memo)

Initiative: Establishes 4 Court Attendant positions and 5 Deputy Marshal positions effective July 01, 2023 and 3 Deputy Marshal positions effective July 01, 2024.

Ref. #: 2447	Committee Vote: <u>IN 11-3</u>	AFA Vote: _____		
	Minority (Haggan, Andrews, Lyford) = OUT			
GENERAL FUND			2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT			9.000	12.000

Initiative: Establishes one Mediator Coordinator position effective July 01, 2024.

Ref. #: 2452

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$132,413
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$132,413</u>

Justification:

This initiative establishes one Mediator Coordinator position effective July 01, 2024. This position would assist the director of the Court Alternative Dispute Resolution program with recruiting, retaining, and scheduling of mediators. The branch is finding it increasingly difficult to find individuals to support the statewide need for mediation services. The addition of this positions would provide assistance to the director in recruiting and managing the independent contractors.

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Managing Procurement Analyst position effective July 01, 2023.

Ref. #: 2453

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$137,668	\$144,714
GENERAL FUND TOTAL	<u>\$137,668</u>	<u>\$144,714</u>

Justification:

This initiative establishes one Managing Procurement Analyst position to work as a subject matter expert on procurement processes and to coordinate procurement branch wide. This individual will oversee one procurement coordinator position and together the unit will help to make a consistent streamlined procurement process within the Judicial Branch. They will be involved advising on the legal terms of contracts, ensuring compliance to procurement rules and regulations and assisting Judicial staff in navigating the procurement process to ensure successful management of branch resources.

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Business Analyst Technology Trainer position and one Court Operations Trainer position, effective July 01, 2023.

Ref. #: 2454

Committee Vote: IN 10-4

AFA Vote: _____

Minority (Haggan, Andrews, Poirier & Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$208,438	\$220,307
GENERAL FUND TOTAL	<u>\$208,438</u>	<u>\$220,307</u>

Justification:

This initiative establishes one Assistant Systems Administrator position. The roles of Enterprise Architect and Senior Database Administrator (DBA) are critical to the department's technical infrastructure, and there is only have 1 person in each role. Although cross training is done to the extent possible, backup and redundancy resource capabilities remain limited. This results in a single point of failure for these critical positions. This Assistant Systems Administrator position would provide backup and support augmentation for both the Enterprise Architect and the Senior DBA. The specific job functions would be a combination of the responsibilities listed on the job description of both positions, but under the training and advisory of both positions.

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Legal Process Specialist position effective July 01, 2024.

Ref. #: 2457	Committee Vote: <u>IN 7-7</u>	AFA Vote: _____
	Report A (Lee, Sheehan, Moonen, Carney, Bailey, Kuhn & Galgay Reckitt) = IN Report B (Haggan, Andrews, Dana, Poirier, Lyford, Moriarty & Henderson) = OUT	
GENERAL FUND		2023-24 2024-25
POSITIONS - LEGISLATIVE COUNT		0.000 1.000
Personal Services		\$0 \$140,739
GENERAL FUND TOTAL		<u>\$0</u> <u>\$140,739</u>

Justification:

This initiative establishes one Legal Process Specialist positions effective 07/01/2024. By creating this position the division would be able to better create and analyze caseloads, prepare public information documents and online training, assist the clerks and judges with developing alternative schedules to better manage the caseload, work with the grants coordinator to research grant opportunities for training of judges, clerks and marshals, assist the clerks in developing a plan for better management of the ever-shrinking roster of court appointed counsel and provide quarterly training statewide to the bail commissioners and jail staff. The addition of this position would also improve the branch's ability to engage with stakeholders on statewide initiatives and legislative initiatives.

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Form Development Specialist position effective July 01, 2023.

Ref. #: 2458	Committee Vote: <u>IN 7-3-3</u>	AFA Vote: _____
	Minority Report #1 (Poirier, Henderson, Moriarty) = Establish this as a term-limited position that ends with the end of the biennium.	
GENERAL FUND		2023-24 2024-25
POSITIONS - LEGISLATIVE COUNT	Minority Report #2 (Haggan, Andrews & Lyford) = OUT	1.000 1.000
Personal Services	Abstain (Dana)	\$102,308 \$108,148
GENERAL FUND TOTAL		<u>\$102,308</u> <u>\$108,148</u>

Justification:

This initiative establishes one Form Development Specialist position. Much of the information provided to the court and from the court is entered into official court forms. These forms are based on statute or court rule and are integral to the judicial process. Due to changes in rules and statutes, these forms are constantly being updated to better meet the needs of the public and the court. Form development is a joint effort between many areas of the Maine Judicial Branch with Court Operations taking the ultimate responsibility for development of the final form. We have been utilizing a member of the Odyssey team for this function and it has taken her away from other important roles in configuration, court process

Justification:

This initiative provides funding for a cybersecurity services contract. IT security is paramount these days. When the new paperless court record is fully implemented, IT security will become even more important. Hiring an outside security vendor to analyze, plan, test and develop action plans on an ongoing basis is crucial. The MJB has recently signed a one time one year IT security contract. However, OIT strongly anticipates the need for ongoing expertise in this area. Cybersecurity is an ever-growing threat and OIT and the MJB must do what is possible to first prevent, but also prepare for an eventual attack. In order to continually maintain and enhance our security profile, OIT believes that cybersecurity experts will always need to be an integral part of maintaining a culture of continuous security improvement, guided by industry experts. As is frequently stated by IT security experts, cybersecurity is not just about technology. It is a frame of mind, a way of doing business, and a commitment to honor those who entrust you with valuable information assets.

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Odyssey Administrator position effective July 01, 2023.

Ref. #: 2464

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$135,624	\$143,089
GENERAL FUND TOTAL	\$135,624	\$143,089

Justification:

This initiative establishes one Odyssey Administrator position. Odyssey has many different elements, and a dedicated administrator must watch and control these elements. For example, setting up a new user requires ensuring many different parameters are set correctly or the application will not function correctly and/or allow improper access to users. There are also many integration partners that Odyssey interacts with, and these interfaces are very complex and difficult to track and maintain. This position would be responsible for primary Odyssey Application and IMS Administrator, Monitor Odyssey alerts and logs from all sources, Job errors, SCOM alerts, etc., Primarily responsible for troubleshooting and diagnosing job failures, Actively participate in Tyler Community to establish relationships with other Tyler customers, Coordinate and monitor Odyssey tickets, Odyssey account management, Create CRMs and work closely with Tyler, Work with trainers on creating Odyssey training material, Identify and communicate Odyssey issues and solutions, documenting solutions that can be used by Helpdesk and Operations for common issues, Monitor and maintain the public portal, Monitor and maintain eCitations, Coordinate and manage product versions, package installations/synchs and related upgrades, Coordinate database refreshes of Non-Prod environments, Work with Tyler and MJB's Disaster Recovery team to help ensure that all Odyssey DR processes are understood, documented, and tested. If this position is not created, the Judicial Branch will need to contract with Tyler to manage these things and the cost could be prohibitive in comparison.

Courts - Supreme, Superior and District 0063

Initiative: Provides one-time funding for Alternative Dispute Resolution Information System updates.

Ref. #: 2465

One Time

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$50,000	\$0
GENERAL FUND TOTAL	\$50,000	\$0

Justification:

This initiative provides one-time funding to contract for updates and change requests for the Alternative Dispute Resolution Information System (ADRIS). The critical items identified for update represent identified security issues and alignment with debt collection cases - a legislative mandate. These changes are imperative to continued system functionality.

Courts - Supreme, Superior and District 0063

Initiative: Continues 3 limited-period Intermittent project Referee positions, previously continued in Public Law 2021, chapter 635 through June 14, 2025, and provides funding for related All Other costs.

Ref. #: 2466 One Time Committee Vote: IN 9-5 AFA Vote: _____

GENERAL FUND	Minority (Haggan, Andrews, Poirier, Lyford & Moriarty) = OUT	2023-24	2024-25
Personal Services		\$189,390	\$192,309
All Other		\$602,000	\$602,000
GENERAL FUND TOTAL		<u>\$791,390</u>	<u>\$794,309</u>

Justification:

This request continues 3 Intermittent project Referee positions, through June 14, 2025, to address the backlog of non-jury, family and civil cases, caused by the COVID-19 pandemic, by providing determinations on referred cases. Non-jury cases can be referred by agreement or on the court's own initiative. All Other costs related to these positions include transcription services, minor equipment, and technology costs related to licenses and hosting services. Contracted hosting services mitigate the larger expense associated with supplying an onsite space and associated costs for staffing and equipping that space. Costs associated with minor technology setup and training services and additional docketing hours will be absorbed in the existing budget.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased Google Enterprise Licensing costs.

Ref. #: 2467 Committee Vote: IN 11-3 AFA Vote: _____

GENERAL FUND	Minority (Haggan, Andrews, Lyford) = OUT	2023-24	2024-25
All Other		\$50,000	\$50,000
GENERAL FUND TOTAL		<u>\$50,000</u>	<u>\$50,000</u>

Justification:

This initiative provides funding for increased Google mail license costs. Changes to Google's pricing structure have resulted in additional licensing costs. The branch negotiated a reduced rate, but this is still an increase from the original rate. Google has agreed to a reduced rate through fiscal year 2024-25, but the rate is expected to go up another 100k in fiscal year 2025-26.

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding to align allocations with projected available resources.

Ref. #: 2468

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS

	2023-24	2024-25
All Other	(\$788,997)	(\$793,729)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$788,997)	(\$793,729)

Justification:

This initiative reduces allotment and revenue in Other Special Revenue accounts to align allocations with available and forecasted resources.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in active retired justices' and judges' per diem rates from \$350 to \$500 per day and from \$200 to \$300 per half day.

Ref. #: 2473

Voted with Language Part LLL

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND

	2023-24	2024-25
Personal Services	\$114,620	\$114,620
GENERAL FUND TOTAL	\$114,620	\$114,620

Justification:

This initiative provides funding for an increase in the active retired judges' and justices' per diem rates from \$350 to \$500 per day and from \$250 to \$300 per half day. At the current rate active retired judges and justices are paid \$43.75 to \$50 per hour, which is lower than court appointed attorneys, guardian ad litem and most other service providers. This increase will bring the rate up to the appropriate compensation for the work that they perform. The last increase for this per diem was in fiscal year 2017-18.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased Microsoft SQL Server costs.

Ref. #: 2474

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND

	2023-24	2024-25
All Other	\$160,000	\$160,000
GENERAL FUND TOTAL	\$160,000	\$160,000

Justification:

This initiative provides funding for increased Microsoft SQL Server costs. The Microsoft's SQL Server Licensing model mechanism has increased, and this initiative represents an ongoing increase.

Courts - Supreme, Superior and District 0063

Initiative: Continues and makes permanent one Accounting Technician position and one Collections Coordinator position, previously established by Financial Order JJ2300 F3, and one Court Fine Screener position, previously continued in Public Law 2021, chapter 29.

Ref. #: 2475

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$280,481	\$296,676
All Other	\$3,119	\$3,299
OTHER SPECIAL REVENUE FUNDS TOTAL	\$283,600	\$299,975

Justification:

This initiative provides funding to continue and make permanent one Accounting Technician, one Collections Coordinator and one Court Fine Screener positions in the Other Special Revenue, Collections Fund account. These positions support revenue collection throughout the state and were established pursuant to Title 4, section 20 and are funded through the money collected. Tasks completed by these positions include, but are not limited to tax and lottery off-set, revenue recording, reconciliations, research death records, coordinate collection efforts, and provide guidance and assistance to individuals who have failed to pay fines in accordance with court orders.

Courts - Supreme, Superior and District 0063

Initiative: Transfers All Other funding from the Courts - Supreme, Superior and District program, Other Special Revenue Funds to the Courts - Supreme, Superior and District program, General Fund for increased reimbursements for guardian ad litem services.

Ref. #: 2476

Committee Vote: IN 11-3

AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$972,234	\$972,234
GENERAL FUND TOTAL	\$972,234	\$972,234

Ref. #: 2477

Committee Vote: Voted with Ref. #2476 above

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	(\$972,234)	(\$972,234)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$972,234)	(\$972,234)

Justification:

In Public Law 2021, chap. 398, the Legislature provided funding to increase the reimbursement for guardian ad litem services from \$60 per hour to \$80 per hour. The increased funding was provided via a transfer of General Fund unappropriated surplus to the Other Special Revenue account in the Courts - Supreme, Superior and District program. Guardian ad litem reimbursements are typically charged to the General Fund account in this program and this initiative transfers the ongoing funding to that account.

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Assistant Clerk position and 2 limited-period Collections Clerk positions previously continued in Public Law 2021, chapter 29 through June 14, 2025.

Ref. #: 2479 One Time Committee Vote: IN 11-3 AFA Vote: _____

Minority (Haggan, Andrews, Lyford) = OUT

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
Personal Services	\$258,040	\$269,277
All Other	\$2,869	\$2,994
OTHER SPECIAL REVENUE FUNDS TOTAL	\$260,909	\$272,271

Justification:

This initiative continues one limited-period Assistant Clerk and 2 limited-period Collections Clerk positions through June 14, 2025. These positions support collection efforts throughout the state including and were established pursuant to Title 4, section 20 and are funded through the money collected.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased courier services costs.

Ref. #: 2480 Committee Vote: IN 12-2 AFA Vote: _____

Minority (Haggan & Lyford) = OUT

GENERAL FUND	2023-24	2024-25
All Other	\$62,000	\$62,000
GENERAL FUND TOTAL	\$62,000	\$62,000

Justification:

This initiative provides increased funding for courier services. Courier services provide state-wide courier services from the Court locations to the bank. The items to be picked up by the courier and delivered to various locations include, but are not limited to, legal currency and checks and document transfers between locations. Inflation, rising wages and gas prices have seen a slight rise in cost. Increased costs to the vendor are expected from vendor conversations and will be reflected in an increased cost to the state in the next service contract.

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

	History 2021-22	History 2022-23	2023-24	2024-25
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	538.000	559.000	591.000	603.000
Personal Services	\$51,494,945	\$55,042,049	\$62,402,221	\$65,191,433
All Other	\$21,518,460	\$23,415,400	\$25,508,101	\$25,458,101
GENERAL FUND TOTAL	\$73,013,405	\$78,457,449	\$87,910,322	\$90,649,534
	History 2021-22	History 2022-23	2023-24	2024-25
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$510,723	\$554,700	\$321,141	\$326,155
All Other	\$1,088,789	\$1,088,789	\$1,088,952	\$1,088,957
FEDERAL EXPENDITURES FUND TOTAL	\$1,599,512	\$1,643,489	\$1,410,093	\$1,415,112
	History 2021-22	History 2022-23	2023-24	2024-25
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	19.000	16.000	19.000	19.000
Personal Services	\$5,059,931	\$4,849,169	\$5,068,189	\$5,240,785
All Other	\$7,288,901	\$7,368,901	\$3,113,312	\$3,108,885
Capital Expenditures	\$300,000	\$300,000	\$800,000	\$800,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,648,832	\$12,518,070	\$8,981,501	\$9,149,670

Judicial - Debt Service Z097

Initiative: BASELINE BUDGET

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$17,089,584	\$16,043,927	\$16,043,927	\$16,043,927
GENERAL FUND TOTAL	\$17,089,584	\$16,043,927	\$16,043,927	\$16,043,927

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
PROGRAM SUMMARY**

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$17,089,584	\$16,043,927	\$16,043,927	\$16,043,927
GENERAL FUND TOTAL	\$17,089,584	\$16,043,927	\$16,043,927	\$16,043,927

MAINE CIVIL LEGAL SERVICES FUND Z367

Initiative: Transfers funding for legal service assistance providers from the Courts- Supreme, Superior and District program General Fund and Other Special Revenue accounts to the Maine Civil Legal Services Fund program General Fund and Other Special Revenue accounts.

Ref. #: 2484	Committee Vote: <u>Voted IN 11-3</u>	AFA Vote: _____
	with Ref. #2445 & Ref. #2446 on page 55	
GENERAL FUND		2023-24 2024-25
All Other		\$1,300,000 \$1,300,000
GENERAL FUND TOTAL		<u>\$1,300,000 \$1,300,000</u>

Ref. #: 2485	Committee Vote: <u>Voted IN 11-3</u>	AFA Vote: _____
	with Ref. #2445 & Ref. #2446 on page 55	
OTHER SPECIAL REVENUE FUNDS		2023-24 2024-25
All Other		\$2,500,346 \$2,500,346
OTHER SPECIAL REVENUE FUNDS TOTAL		<u>\$2,500,346 \$2,500,346</u>

Justification:

This initiative transfers funding from the Supreme JD & Superior Courts account within the Courts- Supreme, Superior and District program to the Maine Civil Legal Services Fund account within the Maine Civil Legal Services Fund program. Funding provided in Public Law 2021, Chapter 635, is to be used specifically to fund legal assistance programs as designated by the Maine Civil Legal Services Commission. This initiative transfers Maine Civil Legal Services funding to a separate program specific for legal assistance funding still underneath the Judicial umbrella. This keeps the funding separate from the general activity of the Judicial Branch ensuring transparency of program work, tracking and reporting.

MAINE CIVIL LEGAL SERVICES FUND Z367

PROGRAM SUMMARY

GENERAL FUND	History	History	2023-24	2024-25
	2021-22	2022-23		
All Other	\$0	\$0	\$1,300,000	\$1,300,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>	<u>\$1,300,000</u>	<u>\$1,300,000</u>

OTHER SPECIAL REVENUE FUNDS	History	History	2023-24	2024-25
	2021-22	2022-23		
All Other	\$0	\$0	\$2,500,346	\$2,500,346
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>	<u>\$2,500,346</u>	<u>\$2,500,346</u>

JUDICIAL DEPARTMENT

DEPARTMENT TOTALS	2023-24	2024-25
GENERAL FUND	\$105,254,249	\$107,993,461
FEDERAL EXPENDITURES FUND	\$1,410,093	\$1,415,112
OTHER SPECIAL REVENUE FUNDS	\$11,481,847	\$11,650,016
DEPARTMENT TOTAL - ALL FUNDS	\$118,146,189	\$121,058,589

Sec. A-56. Appropriations and allocations.

The following appropriations and allocations are made.

PINE TREE LEGAL ASSISTANCE

Legal Assistance 0553

Initiative: BASELINE BUDGET

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$650,000	\$650,000	\$650,000	\$650,000
GENERAL FUND TOTAL	\$650,000	\$650,000	\$650,000	\$650,000

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 statewide call center, a network of local field offices (Portland, Lewiston, Augusta, Bangor, Machias and Presque Isle) and several statewide projects (serving victims of sexual assault, veterans, Native Americans, low-income children, and homeowners at risk of foreclosure). In addition to enforcing legal protections on behalf of individual clients, a November 2016 report has detailed significant economic impact to the State from this work.

<https://www.justicemaine.org/wp-content/uploads/Gabe-Report-Submitted-November-14-2016.pdf> Pine Tree Legal Assistance is recognized on a national basis for the quality of its legal work and the efficiency with which it delivers services. Three program websites (www.ptla.org and www.kidslegal.org for Maine residents and www.statesidelegal.org for veterans and military families nationwide) provide access to user-friendly explanations of the law, court forms and other self-help tools. In CY 2017, Pine Tree handled more than 7,700 cases and its websites were used by more than 2.2 million people. Unrestricted general funding has steadily declined, although it is essential in allowing Pine Tree to focus legal services on the needs of local residents throughout the State. Pine Tree's current State Appropriation of \$500,000/year is one of the largest single sources of general funding and currently represents almost a quarter of CY2018 general funds. The State Appropriation is also essential as a source of matching funds for other federal and foundation grants that can expand access to legal services around the State.

LEGAL ASSISTANCE 0553

PROGRAM SUMMARY

GENERAL FUND	History 2021-22	History 2022-23	2023-24	2024-25
All Other	\$650,000	\$650,000	\$650,000	\$650,000
GENERAL FUND TOTAL	\$650,000	\$650,000	\$650,000	\$650,000

PINE TREE LEGAL ASSISTANCE

	2023-24	2024-25
DEPARTMENT TOTALS		
GENERAL FUND	\$650,000	\$650,000
DEPARTMENT TOTAL - ALL FUNDS	\$650,000	\$650,000

PART EE

Sec. EE-1. 5 MRSA §7-B is amended to read:

§7-B. Use of state vehicles for commuting

Notwithstanding section 7-A, a state-owned or state-leased vehicle may not be used by any employee to commute between home and work, except for those vehicles authorized and assigned to employees of the Baxter State Park Authority and of the Department of Defense, Veterans and Emergency Management, Military Bureau as designated by the Commissioner of Defense, Veterans and Emergency Management, to the director or deputy director or duty officer of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management and to law enforcement officials within the following organizational units: Bureau of State Police; Maine Drug Enforcement Agency; Office of the State Fire Marshal; the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and collection of taxes on malt liquor and wine; Bureau of Motor Vehicles; Bureau of Marine Patrol; the forest protection unit within the Bureau of Forestry; Bureau of Warden Service; Bureau of Parks and Lands; and ~~the Office of Chief Medical Examiner~~, the investigation division and the Medicaid fraud control unit within the Office of the Attorney General.

JUD Vote: OUT 13-0

Absent (Haggan)

PART EE SUMMARY

This Part removes the Office of Chief Medical Examiner within the Office of the Attorney General from the commuting exclusion clause associated with the use of state vehicles. In the office, field workers are scheduled for on call duty on a staggered basis. As a result, one fleet vehicle was removed from the budget for savings purposes and the remaining vehicle is to be used for commuting by the employee on call only.

PART FF

Sec. FF-1. 22 MRSA §3022, sub-§2A is amended to read:

2-A. Appointment of office administrator. The Chief Medical Examiner may appoint one office administrator who shall serve at the pleasure of the Chief Medical Examiner. The office administrator shall perform such duties as may be delegated by the Chief Medical Examiner. Notwithstanding any other provisions of law, the compensation of the Chief Medical Examiner's office administrator must be fixed by the Chief Medical Examiner subject to the approval of the Attorney General.

PART FF SUMMARY

JUD Vote: IN 11-3

Minority (Haggan, Andrews, Lyford) = OUT

This Part requires that the Attorney General approve the compensation set for the Chief Medical Examiner's office administrator.

PART GG

Sec. GG-1. 5 MRSA §3360-I is amended to read:

§3360-I. Funding sources

As part of the sentence or fine imposed, the court shall impose an assessment of ~~\$35~~ \$70 on any person convicted of murder, a Class A crime, a Class B crime or a Class C crime and ~~\$20~~ \$40 on any person convicted of a Class D crime or a Class E crime, except that the court shall impose an assessment of ~~\$1,000~~ \$2,000 on any person convicted of aggravated sex trafficking as described in Title 17-A, section 852, an assessment of ~~\$500~~ \$1,000 on any person convicted of sex trafficking as described in Title 17-A, section 853, an assessment of ~~\$500~~ \$1,000 on any person for the first conviction and ~~\$1,000~~ \$2,000 for each subsequent conviction of engaging a prostitute as described in Title 17-A, section 853-B and an assessment of ~~\$500~~ \$1,000 on any person for the first conviction and ~~\$1,000~~ \$2,000 for each subsequent conviction of patronizing prostitution of a minor or patronizing prostitution of a mentally disabled person as described in Title 17-A, section 855. Notwithstanding any other law, the court may not waive the imposition of the assessment required by this section. For purposes of collection and collection procedures, this assessment is considered part of the fine. At the time of commitment, the court shall inform the Department of Corrections or the county sheriff of any unpaid balances on assessments owed by the offender to the Victims' Compensation Fund. All funds collected as a result of these assessments accrue to the Victims' Compensation Fund.

When compensation is awarded from the Victims' Compensation Fund, the amount of any restitution ordered and paid as part of a sentence imposed that, when added to the award from the fund, exceeds the victim's actual loss must be paid to the fund, in an amount not to exceed the amount of the award. Similarly, the amount of any insurance, 3rd-party payment or recovery in a successful civil action against a person responsible for the eligible expenses and losses that, when added to the award from the fund, exceeds the victim's actual loss must be paid to the fund, in an amount not to exceed the amount of the award.

The board may establish a reserve fund approved by the State Auditor and the Treasurer of State. At the end of every quarter, the Treasurer of State shall credit unreserved funds in excess of \$2,000,000 to the General Fund.

JUD Vote: IN 8-4

**PART GG
SUMMARY**

Minority (Andrews, Lee, Lyford, Kuhn) = OUT

Absent (Haggan, Dana)

This Part increases the fines assessed against perpetrators in support of the Victims' Compensation Fund.

PART JJJ

Sec. JJJ-1. Judges and Justice Salary Adjustment. Effective July 1, 2023, the State Court Administrator shall increase the salaries of each judge or justice on the Supreme Judicial, Superior, and Districts Courts by 4.5%. Funding shall be provided in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in the amount up to \$747,180 for the fiscal year ending June 30, 2024 and in the amount up to \$761,541 for the fiscal year ending June 30, 2025.

JUD Vote: IN 11-2-1

Minority Report #1 (Haggan, Lyford) = OUT

PART JJJ SUMMARY

Minority Report #2 (Andrews) = Increase salaries only with a 3% COLA

This Part provides for a raise of 4.5% for judges and justices of the state courts in fiscal years 2023-24 and 2024-25.

PART KKK

Sec. KKK-1. 4 MRSA §28 is amended to read:

§28. Additional fee revenue dedicated

The judicial branch may credit ~~4%~~ 6%, up to a maximum of ~~\$300,000~~ \$800,000 per fiscal year, of fee revenue collected pursuant to administrative orders of the court to a nonlapsing Other Special Revenue Funds account to support the capital expenses of the judicial branch. If the fee revenue from the judicial branch is less than the amount budgeted as undedicated fee revenue for the General Fund, the amount credited to the Other Special Revenue Funds account during the fiscal year must be reduced by a percentage equal to the percentage by which General Fund undedicated fee revenue is under budget.

PART KKK SUMMARY

Voted IN 11-3
(with Ref. #2436 on pages 51-52)

This Part amends the maximum per fiscal year fee revenue that can be credited to the Judicial Branch Other Special Revenue account for capital expenditures.

PART LLL

Sec. LLL-1. 4 MRSA §104-A is 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 1/2 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. LLL-2. 4 MRSA §104-A is 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 1/2 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.

PART LLL SUMMARY

Voted IN 11-3
(with Ref. #2473 on page 65)

This Part amends the active retired judge and justice per diem rates from \$350 to \$500 per day and from \$250 to \$300 per half day.

PART MMM

Sec. MMM-1. 4 MRSA §1601-I is amended to read:

§1610-I. Additional securities; judicial branch

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities from time to time in an aggregate amount not to exceed \$95,600,000 outstanding at any one time for the purposes of paying the costs associated with the planning, purchasing, financing, acquiring, constructing, renovating, furnishing, equipping, improving, extending, enlarging and consolidating new and existing facilities and projects relating to the judicial branch in the counties of Oxford, Waldo and

York, acquiring and improving property relating to the judicial branch in Hancock County and 55 Lisbon Street in Lewiston, replacing and upgrading ventilation systems in facilities relating to the judicial branch in Presque Isle, Lewiston, Rockland, Skowhegan and West Bath, acquiring and improving property adjacent to Capital Judicial Center for parking and acquiring and improving property in Skowhegan for future expansion, and planning for other court facilities.

**PART MMM
SUMMARY**

JUD Vote: IN 12-2

Minority (Haggan & Lyford) = OUT

This Part amends the purpose of use for securities to include acquiring and improving properties in Lewiston, Skowhegan and Augusta.