

SENATE

LISA KEIM, DISTRICT 18, CHAIR
RODNEY L. WHITTEMORE, DISTRICT 3
DAWN HILL, DISTRICT 35

MARGARET J. REINSCH, SENIOR LEGISLATIVE ANALYST
JANET STOCCO, LEGISLATIVE ANALYST
SUSAN M. PINETTE, COMMITTEE CLERK





HOUSE

MATTHEW W. MOONEN, PORTLAND, CHAIR
JOYCE MCCREIGHT, HARPSWELL
CHRISTOPHER W. BABBIDGE, KENNEBUNK
DONNA BAILEY, SACO
BARBARA A. CARDONE, BANGOR
LOIS GALGAY RECKITT, SOUTH PORTLAND
STACEY K. GUERIN, GLENBURN
ROGER L. SHERMAN, HODGDON
RICHARD T. BRADSTREET, VASSALBORO
CHRIS A. JOHANSEN, MONTICELLO

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

March 28, 2017

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

FROM: Senator Lisa Keim, Senate Chair 
Representative Matt Moonen, House Chair 
Joint Standing Committee on Judiciary

Re: Judiciary Committee report on Biennial Budget

Attached please find the Judiciary Committee's biennial budget work sheet and proposed amendments. The work sheet indicates vote totals for each initiative and language proposal. The voting grid, also attached, indicates the votes of the individual members of the Judiciary Committee.

Please note that we have tabled the proposed budgets for the Maine Commission on Indigent Legal Services and the proposed Office of the Public Defender, as well as Part UUUU (which proposes to create the Office of the Public Defender). We are exploring various ways to address the concerns which have prompted the proposal of the changes in Part UUUU, and will provide you with recommendations in the near future. We would like to draw to your attention that the Supplemental Budget did not include sufficient funding for the completion of the current fiscal year through June 30th, so those delayed appropriations will need to be added to the funding already included in the biennial budget for MCILS (if not otherwise covered by the end of this fiscal year). Also, the baseline budget for the biennial budget did not take into account the full appropriation to MCILS in the first year of the current biennium, so the underfunding continues into the 2018-2019 biennium. We will take that into account as we continue to work on this matter.

Please let us know if you have any questions.

Thank you.

Attachments:
JUD work sheet (Part 1)
Proposed language changes (Part 2)
Voting grid (Part 3)

JUD Part 1

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

GENERAL FUND	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	60,000	60,000	60,000	60,000
Personal Services	\$6,019,044	\$6,121,670	\$6,479,080	\$6,711,366
All Other	\$792,747	\$681,766	\$681,766	\$681,766
Capital Expenditures	\$58,000	\$0	\$0	\$0
GENERAL FUND TOTAL	\$6,869,791	\$6,803,436	\$7,160,846	\$7,393,132

FEDERAL EXPENDITURES FUND	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10,000	10,000	10,000	10,000
Personal Services	\$955,785	\$939,327	\$977,695	\$1,011,421
All Other	\$275,464	\$253,691	\$253,691	\$253,691
FEDERAL EXPENDITURES FUND TOTAL	\$1,231,249	\$1,193,018	\$1,231,386	\$1,265,112

OTHER SPECIAL REVENUE FUNDS	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	46,500	46,500	46,500	46,500
Personal Services	\$5,859,778	\$5,936,421	\$5,948,269	\$6,211,571
All Other	\$894,306	\$917,139	\$917,610	\$917,634
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,754,084	\$6,853,560	\$6,865,879	\$7,129,205

Justification:

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

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

The Office of the Attorney General includes the following divisions:

Administrative Services Division is responsible for budgeting, human resources, accounting, and other administrative functions of the Office. The Division manages the Victims' Compensation Program, which provides reimbursement to

victims of violent crime for certain financial losses, and includes the Civil Rights Team Project.

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

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

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

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

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

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

Administration - Attorney General 0310

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

Ref. #: 558

Committee Vote: 13-0

AFA Vote: _____

GENERAL FUND

All Other

2017-18 2018-19

\$7,215 \$3,815

GENERAL FUND TOTAL

\$7,215 \$3,815

Ref. #: 559

Committee Vote: 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

All Other

2017-18 2018-19

\$5,712 \$5,712

FEDERAL EXPENDITURES FUND TOTAL\$5,712 \$5,712

Ref. #: 560

One Time

Committee Vote:

13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

2017-18 2018-19

\$7,329 \$4,781

OTHER SPECIAL REVENUE FUNDS TOTAL\$7,329 \$4,781**Justification:**

The Department of Administrative and Financial Services, Office of Information Technology entered into an Enterprise Agreement with Microsoft, the vendor for the State of Maine's licensing suite for desktop applications and operating system. This agreement no longer offers "A la Carte" choices that could be made by agencies. The agreement offers the Office 365 "all-inclusive" system whereby the most common communication and file management services must be included in annual licenses required for desktop equipment. In cases where agencies did not utilize each of the services, as is the case for the Office of the Attorney General, the increase is significant (approximately \$7 per user per month to \$43). Additionally, the network access rate is increasing from \$41 per user per month to \$54. The Office of Attorney General replaces computers on a five year cycle.

Administration - Attorney General 0310

Initiative: Transfers All Other to Personal Services to allocate grant related personnel costs.

Ref. #: 564

Committee Vote:

13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

Personal Services

2017-18 2018-19

\$250,827 \$263,368

All Other

(\$250,827) (\$263,368)

OTHER SPECIAL REVENUE FUNDS TOTAL\$0 \$0**Justification:**

This initiative requests the transfer of a portion of All Other allotment into the Personal Services line category in the Other Special Revenue account used to accumulate the State match required by the Medicaid Fraud Control Unit federal grant. Currently all of the allotment in this account is in the All Other line category; however, match expenses fall into both the Personal Services and the All Other line categories. This transfer allows for the appropriate categorization of grant expenses.

Administration - Attorney General 0310

Initiative: Provides one-time funding to transition Office of the Attorney General satellite offices from analog to digital phone systems.

Ref. #: 566

One Time

Committee Vote:

12-1

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
All Other	\$3,900	\$7,100
Capital Expenditures	\$40,000	\$80,000
GENERAL FUND TOTAL	\$43,900	\$87,100

Justification:

This initiative provides funding to transition three locations from analog to digital (Voice Over Internet Protocol - VoIP) systems. VoIP provides more functionality, eliminates technician interaction, and is easier to scale a growing workforce than analog phones. VoIP utilizes existing data ports within an office environment and eliminates the need for specific wiring tied to a specific phone number (required with analog). The VoIP phones have more features that are necessary and helpful to busy office environments. The initiative includes estimated costs of \$40,000 for a gateway - a physical device much like a switch or router. With VoIP there is no actual phone provider like Fairpoint or AT&T, so there needs to be a way to point 911 calls to a specific location, hence the gateway. The gateway is programmed so when a VoIP number dials 911 the emergency responders know where to go - city, street, building and floor. The initiative also includes \$11,000 for 43 VoIP phones.

Administration - Attorney General 0310

Initiative: Provides funding for the approved reorganization of one Secretary Associate Legal position to a Secretary Specialist Supervisor position.

Ref. #: 567

Committee Vote: 12-1

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
Personal Services	\$6,720	\$7,140
GENERAL FUND TOTAL	\$6,720	\$7,140

Justification:

This initiative requests funding for the management-initiated reorganization of one Secretary Associate Legal position to a Secretary Specialist Supervisor approved by the Bureau of Human Resources 11/2/2016. The Criminal Division of the Office of the Attorney General, pursuant to Title 5 section 200-D, is responsible for the investigation and prosecution of all homicide cases, including direct appeals and the unsolved homicide unit. The Criminal Division also encompasses: counsel to the Maine Department of Public Safety; the Medicaid Fraud Control Unit; prosecution of Financial Crimes, including but not limited to Welfare, Tax, and Elder Fraud; Statewide Drug Prosecution; counsel to the Maine Computer Crimes Task Force; counsel to the Office of Securities; 3 Victim Witness Advocate positions; and counsel for Sexual Offender Registration and Notification Act issues. This Secretary Specialist Supervisor position will have direct oversight and give direction to six support staff who provide support to the Division's 24 Attorneys, 4 Detectives and 3 Victim Advocates. This shift of oversight will allow the Deputy Attorney General who is the Division Chief to focus on managing the myriad of issues in the Division, including the prosecution of homicide cases. Failure to fund this position will impact the prosecution of cases that directly impacts public safety.

Administration - Attorney General 0310

Initiative: Establishes one Secretary Legal position dedicated to Consumer Protection and provides funding for related All Other costs.

Ref. #: 571

Committee Vote: 7-6

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,072	\$64,236
All Other	\$6,504	\$5,045
OTHER SPECIAL REVENUE FUNDS TOTAL	\$67,576	\$69,281

Justification:

The Consumer Division includes consumer complaints, tobacco enforcement, collections of monies due the State, antitrust, and legal efforts against inappropriate business transactions. Work has increased with no increase in support staff; currently this busy Division has just one secretary position covering all administrative efforts. The collections practice is very notification and form intensive requiring significant effort tracking, filing and ensuring timely responses and follow up. New state law requires that data breach notices be filed with this Division. This requires the maintenance of an organized database and prompt response to requests to the public as we receive frequent Freedom of Information Act requests for these documents. In addition, contacts to the Consumer Protection Division have increased significantly over the years, from 6,874 to more than 12,000 in 2015, which requires more follow up, tracking, written correspondence, and timely communications with consumers. Failure to fund this position will put at risk the Division's ability to respond, communicate, and serve thousands of consumers and will hinder the ability to take timely and effective action on collection efforts.

Administration - Attorney General 0310

Initiative: Provides funding to increase the hours of one Research Assistant MSEA - B position from 30 hours to 80 hours biweekly and transfers the position from the General Fund to the Other Special Revenue Funds within the same program.

Ref. #: 573

Committee Vote:

7-6

AFA Vote: _____

GENERAL FUND

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$24,821)	(\$24,858)
All Other	(\$3,102)	(\$3,103)
GENERAL FUND TOTAL	(\$27,923)	(\$27,961)

Ref. #: 574

Committee Vote:

7-6

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$65,655	\$65,756
All Other	\$5,108	\$5,176
OTHER SPECIAL REVENUE FUNDS TOTAL	\$70,763	\$70,932

Justification:

Consumer contacts to the Consumer Protection Division have increased significantly in recent years. In 2012 the Division received 6,874 consumer contacts; 10,120 in 2013; 12,103 in 2014; 12,916 in 2015; and 11,221 through October 2016. As consumers become savvier about their rights and continue to hold businesses to a higher standard as a result of the products they purchase this office will continue to see an increase in phone calls, emails, walk-ins and letters from

consumers seeking assistance.

Specifically, the Assistant Complaint Examiner (ACE) position is responsible for: answering the consumer hotline which is staffed from 9-4 daily; responding to consumer emails; sorting and responding to incoming mail; assisting the 25 volunteer mediators; explaining to consumers how to complete the complaint forms for mediation; and gathering data as needed from the database for pending enforcement actions. All of these tasks can vary in time and effort depending on the consumer and whether additional research is warranted.

Failure to get another position hinders the Division's ability to investigate and prosecute businesses not following the law. As consumer awareness increases, they look to this office to protect them based on the law. In addition to what is already listed above, the increased workload with no increase in staff hampers the ability to proactively protect Maine consumers and enforce the consumer protection laws of the state. If the additional position is not authorized, the Division may need to consider limiting the hours of the hotline, hampering timely responses to citizens and creating increased consumer frustration with the inability to bring more enforcement actions. Failure to fund this position will put at risk the Division's ability to respond, communicate, and serve thousands of consumers.

Administration - Attorney General 0310

Initiative: Establishes one Research Assistant MSEA - B position dedicated to Consumer Protection and provides funding for related All Other costs.

Ref. #: 569

Committee Vote:

7-6

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$102,444	\$107,307
All Other	\$15,291	\$13,300
OTHER SPECIAL REVENUE FUNDS TOTAL	\$117,735	\$120,669

Justification:

Consumer contacts to the Consumer Protection Division have increased significantly over the years, from 6,874 in 2012 to more than 12,000 in 2015. As consumers become savvier about their rights and look to hold businesses accountable for the quality of the products they purchase, this Division will continue to receive an increasing number of complaints, which lead to investigations.

The Research Assistant Investigator position will find and interview witnesses, talk to consumers, locate assets, attend sales presentations, purchase products, subpoena phone records and examine computers - all as part of researching consumer complaints. Failure to create this position hinders the ability to investigate and prosecute businesses who are not following the law. As consumer awareness increases, people will look to this Division to protect them based on the law. The increased workload with no increase in staff hampers the ability to protect Maine consumers proactively and to enforce the consumer protection laws of the state. The Division will not be able to handle further increases in complaints and investigations to the Division without additional staff. If the additional position is not authorized, the Division may need to consider limiting the hours of the hotline, hampering timely responses to citizens.

**ADMINISTRATION - ATTORNEY GENERAL 0310
PROGRAM SUMMARY**

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	60.000	60.000	59.500	59.500
Personal Services	\$6,019,044	\$6,121,670	\$6,460,979	\$6,693,648
All Other	\$792,747	\$681,766	\$689,779	\$689,578
Capital Expenditures	\$58,000	\$0	\$40,000	\$80,000
GENERAL FUND TOTAL	\$6,869,791	\$6,803,436	\$7,190,758	\$7,463,226
	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	10.000	10.000	10.000	10.000
Personal Services	\$955,785	\$939,327	\$977,695	\$1,011,421
All Other	\$275,464	\$253,691	\$259,403	\$259,403
FEDERAL EXPENDITURES FUND TOTAL	\$1,231,249	\$1,193,018	\$1,237,098	\$1,270,824
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	46.500	46.500	49.500	49.500
Personal Services	\$5,859,778	\$5,936,421	\$6,428,267	\$6,712,238
All Other	\$894,306	\$917,139	\$701,015	\$682,630
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,754,084	\$6,853,560	\$7,129,282	\$7,394,868

Chief Medical Examiner - Office of 0412

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	12.000	12.000	12.000	12.000
Personal Services	\$1,311,710	\$1,325,761	\$1,287,233	\$1,323,839
All Other	\$603,861	\$613,461	\$613,461	\$613,461
Capital Expenditures	\$76,000	\$0	\$0	\$0
GENERAL FUND TOTAL	\$1,991,571	\$1,939,222	\$1,900,694	\$1,937,300

	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	0.500	0.500	0.500	0.500
Personal Services	\$28,189	\$27,624	\$21,279	\$22,245
All Other	\$189,841	\$189,803	\$189,803	\$189,803
FEDERAL EXPENDITURES FUND TOTAL	\$218,030	\$217,427	\$211,082	\$212,048

	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
All Other	\$14,993	\$14,993	\$14,993	\$14,993
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993	\$14,993	\$14,993

Justification:

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

Chief Medical Examiner - Office of 0412

Initiative: Provides funding to bring allocation in line with current revenue projections.

Ref. #: 590

Committee Vote: 13-0

AFA Vote: _____

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS		
All Other	\$49,900	\$49,900
OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,900	\$49,900

Part 666 13-0
Part 666 13-0

Justification:

This account is experiencing higher than anticipated revenues because the Chief Medical Examiner has processed more cremation certificates than originally projected. Funds in this account are used to support the operations of the Office, including a national accreditation effort.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for toxicology screenings related to autopsies performed by the pathologists in the Office of the Chief Medical Examiner.

Ref. #: 591

Committee Vote:

13-0

AFA Vote: _____

GENERAL FUND

All Other

2017-18

2018-19

\$150,000

\$150,000

GENERAL FUND TOTAL

\$150,000

\$150,000

Justification:

This initiative provides funds for toxicology screenings, which are increasing due an increase in the number of autopsies and the sudden surge in suspected and confirmed drug overdose cases. Both a greater number of tests as well as a more sophisticated level of testing are needed due to the types of drugs, including new "designer drugs", being misused on the streets. Current funding provides for \$100,000 for toxicology services to this vendor. However, the most recent three invoices average \$16,000 per month, or \$200,000 annually. Additionally, this request provides \$50,000 to allow the Chief Medical Examiner to authorize further testing, something he has not been able to do due to insufficient funding.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for the after hours telephone answering service contract with the Office of the Chief Medical Examiner.

Ref. #: 592

Committee Vote:

13-0

AFA Vote: _____

GENERAL FUND

All Other

2017-18

2018-19

\$35,000

\$35,000

GENERAL FUND TOTAL

\$35,000

\$35,000

Justification:

This contract was rebid in the summer of 2016. The successful bidder resulted in a contract price increase of approximately \$35,000 per year for the five year contract. The current appropriation level for this account is insufficient to absorb the change for this critical after hours service.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for contracted Forensic Pathologists.

Ref. #: 593

Committee Vote:

7-3

AFA Vote: _____

GENERAL FUND

All Other

2017-18

2018-19

\$69,000

\$69,000

GENERAL FUND TOTAL

\$69,000

\$69,000

↓
\$34,500
each year

Justification:

This initiative provides funding for contracted Forensic Pathologists to perform autopsies, complete associated reports, and other associated work. The additional contract pathologists are designed to distribute the case load, with the two full time pathologists, in a manner that will ensure efficient and timely completion of cases. Delays in processing of cases results in delays of closure for families and paperwork completion with insurance companies. The increase is three-fold: 1) A higher number of general autopsies and a surge in suspected and confirmed drug overdose cases. 2) Increasing the per autopsy fee from \$750 to \$1,000 per autopsy. The current fee has been in effect for more than six years; also it is approximately half the national average for the same services. 3) Paying this fee to Cary Medical Center that previously performed this service for free, but is unable to absorb the cost of doing so going forward.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for the National Association of Medical Examiners Accreditation of the Maine Office of the Chief Medical Examiner.

Ref. #: 594

Committee Vote:

13-0

AFA Vote: _____

GENERAL FUND

2017-18

2018-19

All Other

\$6,000

\$6,000

GENERAL FUND TOTAL

\$6,000

\$6,000

Justification:

This initiative provides funding for annual costs related to national accreditation of the Maine Office of the Chief Medical Examiner (OCME). Accreditation is a necessary step for Maine's OCME as it has been established by the American Board of Pathology as a requirement for forensic pathologists to work in an accredited office in order to keep and renew their board certification. Board certification in forensic pathology is a statutory requirement in Maine to become the Chief or Deputy Chief Medical Examiner. Accreditation also shows that the Office has met the highest and best standards of practice. These funds will cover the accreditation inspection fee, annual calibration of scales, printing of annual reports, and purchasing annually updated field manuals. Failure to fund this request puts the Office at risk of not being able to recruit qualified personnel.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding to increase the fee paid to non-salaried medical examiners and medicolegal death investigators.

Ref. #: 595

Committee Vote:

8-5

AFA Vote: _____

GENERAL FUND

2017-18

2018-19

All Other

\$11,000

\$11,000

GENERAL FUND TOTAL

\$11,000

\$11,000

Part EEE 9-4

Justification:

This initiative provides funding to increase the fee paid to field medical examiners and field medicolegal death investigators for inspection/view from \$85 per case to \$100. In 2015, there were 14,339 deaths in Maine. About 1,400 deaths, or 10% of the total, required review by a medical examiner. The Office of the Chief Medical Examiner has just two pathologists and two Medicolegal Death Investigators. They cannot do all of these reviews. The death investigation system in Maine depends on private doctors to complete field examinations and forward findings for review to the Office of the Chief Medical Examiner.

—st year there were 732 exams conducted by field medical examiners. An examination, which is not the same as an autopsy, can take several hours to complete and document and may require several hours of travel by the examining doctor. For this effort, the doctor will be reimbursed \$85, plus an additional \$15 if they must draw blood from the deceased. If they also go the death scene, they can expect an additional \$50, though scene visit is infrequent. They are reimbursed for mileage, but not the time to drive to the scene or funeral home. As a side note, the funeral home will be reimbursed \$120 for transporting a body to the Medical Examiner's office if it is within 25 miles of Augusta.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for the approved reorganization of 9 positions within the Office of the Chief Medical Examiner program. Position detail is on file with the Bureau of Budget.

Ref. #: 596 Committee Vote: 12-1 AFA Vote: _____

GENERAL FUND	2017-18	2018-19
Personal Services	\$72,134	\$75,680
GENERAL FUND TOTAL	<u>\$72,134</u>	<u>\$75,680</u>

Justification:
This initiative provides funding for the management-initiated reorganization of 9 positions within the Office of the Chief Medical Examiner which has been approved by Bureau of Human Resources. The reorganization affects most positions within the Office and better reflects the duties, expectations, requirements, training, and working conditions.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding to adjust the salary of one Deputy Chief Medical Examiner position.

Ref. #: 597 Committee Vote: 7-6 AFA Vote: _____

GENERAL FUND	2017-18	2018-19
Personal Services	\$19,843	\$30,430
GENERAL FUND TOTAL	<u>\$19,843</u>	<u>\$30,430</u>

Justification:
Part DDD 10-3
This initiative provides funding to adjust the Deputy Chief Medical Examiner position from a specific salary schedule reference to compensation being set by the Attorney General in consultation with the Chief Medical Examiner. This calculation anticipates a 4% merit increase for fiscal years 2017-18 and 2018-19. This initiative is associated with the language Part.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for the approved range change of 2 Medical Examiner Assistant positions from range 16 to range 19.

Ref. #: 598 Committee Vote: 12-1 AFA Vote: _____

GENERAL FUND	2017-18	2018-19
Personal Services	\$11,754	\$12,285
GENERAL FUND TOTAL	<u>\$11,754</u>	<u>\$12,285</u>

Justification:

This initiative provides funding for approved employee-initiated range change for 2 Medical Examiner Assistant positions from range 16 to 19 within the Office of the Chief Medical Examiner. This continues actions from fiscal year 2016-17 request I-A-7001.

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for the approved range change of of one Senior Forensic Medicine Technician position from range 19 to range 22.

Ref. #: 599

Committee Vote: _____

12-1

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
Personal Services	\$12,683	\$12,990
GENERAL FUND TOTAL	<u>\$12,683</u>	<u>\$12,990</u>

Justification:

This initiative provides funding for one approved employee-initiated range change for a Senior Forensic Medicine Technician position from range 19 to range 22 within the Office of the Chief Medical Examiner. This continues actions from fiscal year 2016-17 request I-A-7002.

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

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	12.000	12.000	12.000	12.000
Personal Services	\$1,311,710	\$1,325,761	\$1,403,647	\$1,455,224
All Other	\$603,861	\$613,461	\$884,461	\$884,461
Capital Expenditures	\$76,000	\$0	\$0	\$0
GENERAL FUND TOTAL	\$1,991,571	\$1,939,222	\$2,288,108	\$2,339,685
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	0.500	0.500	0.500	0.500
Personal Services	\$28,189	\$27,624	\$21,279	\$22,245
All Other	\$189,841	\$189,803	\$189,803	\$189,803
FEDERAL EXPENDITURES FUND TOTAL	\$218,030	\$217,427	\$211,082	\$212,048
OTHER SPECIAL REVENUE FUNDS				
All Other	\$14,993	\$14,993	\$64,893	\$64,893
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993	\$64,893	\$64,893

Part CCC 13-0

Civil Rights 0039

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	2,000	2,000	2,000	2,000
Personal Services	\$168,587	\$168,444	\$179,396	\$184,748
All Other	\$98,694	\$94,698	\$94,698	\$94,698
GENERAL FUND TOTAL	<u>\$267,281</u>	<u>\$263,142</u>	<u>\$274,094</u>	<u>\$279,446</u>

Justification:

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

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

Civil Rights 0039

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

Ref. #: 540

Committee Vote:

7-6

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
All Other	\$1,224	\$1,224
GENERAL FUND TOTAL	<u>\$1,224</u>	<u>\$1,224</u>

Justification:

The Department of Administrative and Financial Services, Office of Information Technology entered into an Enterprise Agreement with Microsoft, the vendor for the State of Maine's licensing suite for desktop applications and operating system. This agreement no longer offers "A la Carte" choices that could be made by agencies. The agreement offers the Office 365 "all-inclusive" system whereby the most common communication and file management services must be included in annual licenses required for desktop equipment. In cases where agencies did not utilize each of the services, as is the case for the Office of the Attorney General, the increase is significant (approximately \$7 per user per month to \$43). Additionally, the network access rate is increasing from \$41 per user per month to \$54. The Office of Attorney General replaces computers on a five year cycle.

**CIVIL RIGHTS 0039
PROGRAM SUMMARY**

GENERAL FUND	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$168,587	\$168,444	\$179,396	\$184,748
All Other	\$98,694	\$94,698	\$95,922	\$95,922
GENERAL FUND TOTAL	\$267,281	\$263,142	\$275,318	\$280,670

District Attorneys Salaries 0409

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	93.500	93.500	93.500	93.500
Personal Services	\$10,334,307	\$10,817,040	\$11,213,673	\$11,701,029
GENERAL FUND TOTAL	\$10,334,307	\$10,817,040	\$11,213,673	\$11,701,029
	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$85,239	\$89,489	\$90,659	\$94,915
All Other	\$8,244	\$8,244	\$8,244	\$8,244
FEDERAL EXPENDITURES FUND TOTAL	\$93,483	\$97,733	\$98,903	\$103,159
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	1.500	1.500
Personal Services	\$142,379	\$149,655	\$120,280	\$125,792
All Other	\$10,987	\$11,157	\$11,157	\$11,157
OTHER SPECIAL REVENUE FUNDS TOTAL	\$153,366	\$160,812	\$131,437	\$136,949

Justification:

Historically, the eight District Attorneys' offices handle approximately 90,000 criminal and juvenile cases per year, as well as thousands of traffic and civil violations. This caseload is carried statewide with a staff of 88 Assistant District Attorneys and 8 elected District Attorneys. When traffic infractions and civil violations are factored in, as well as probation revocations, appeals to the Law Court, and other cases, each Assistant District Attorney handles very high caseloads.

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

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

District Attorneys Salaries 0409

Initiative: Provides funding to restore Personal Services related to the reduction for attrition savings in the District Attorneys Salaries program.

Ref. #: 581

Committee Vote: 13-0

AFA Vote: _____

GENERAL FUND

Personal Services
GENERAL FUND TOTAL

2017-18	2018-19
\$164,178	\$171,227
<u>\$164,178</u>	<u>\$171,227</u>

Ref. #: 582

Committee Vote: 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services
FEDERAL EXPENDITURES FUND TOTAL

2017-18	2018-19
\$923	\$965
<u>\$923</u>	<u>\$965</u>

Ref. #: 583

Committee Vote: 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

Personal Services
OTHER SPECIAL REVENUE FUNDS TOTAL

2017-18	2018-19
\$1,501	\$1,569
<u>\$1,501</u>	<u>\$1,569</u>

Justification:

This initiative removes the 1.6% attrition rate and associated benefits reductions from positions in the District Attorney Salaries program accounts.

District Attorneys Salaries 0409

Initiative: Continues 2 Assistant District Attorney positions and 2 part-time Assistant District Attorney positions previously authorized by Financial Order 003826 F7 and continues 2 Assistant District Attorney positions previously authorized by Financial Order 004037 F7. Also provides funding for related All Other costs.

Ref. #: 584

Committee Vote: 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT
Personal Services
All Other
FEDERAL EXPENDITURES FUND TOTAL

2017-18	2018-19
5.000	5.000
\$491,210	\$518,782
\$52,863	\$46,961
<u>\$544,073</u>	<u>\$565,743</u>

Justification:

This initiative requests to continue 4 Assistant District Attorney positions and 2 part-time Assistant District Attorney positions dedicated to impaired driving prosecution assigned to Prosecutorial Districts I (York), II (Cumberland), III (Oxford, Franklin, and Androscoggin), IV (Kennebec and Somerset), and V (Penobscot and Piscataquis). Funding is from Highway Safety Federal IHTSA grant funds. Impaired Driving cases represent an increased need for technical expertise, especially in the area of impaired driving drug prosecution. These Assistant District Attorneys will continue to address

this problem by enabling extra prosecutorial resources and providing specialized training and experience. They will spend their grant funded time exclusively on providing specialized impaired driving prosecution abilities to their respective counties. These positions were established on Financial Order 003430F16 as Research Assistant-Impaired Driving Special Prosecutor, then these positions changed their title to Assistant District Attorney on Financial Order 003826 F7 and 004037 F7.

District Attorneys Salaries 0409

Initiative: Establishes 4 Assistant District Attorney positions.

Ref. #: 585

Committee Vote: 2-1-1-9 AFA Vote: _____

GENERAL FUND	IN		OUT			
POSITIONS - LEGISLATIVE COUNT		3		3	2017-18	2018-19
Personal Services		positions unrestricted		positions, no coordinator position	4.000	4.000
GENERAL FUND TOTAL					\$394,792	\$414,772
					\$394,792	\$414,772

Justification:

This initiative funds 4 Assistant District Attorney (ADA) positions. This is a continuation of a 2015 Maine Prosecutor's Association initiative for 22 new ADA positions included in the FY16/17 Governor's budget. 10 positions were approved in the final budget. The District Attorneys by consensus determined where the 10 positions would be allocated. Since then 3 full-time equivalent Impaired Driving Special Prosecutors have been obtained through federal funding by Financial Order 003959 F7 (one each for District II, III and V) and another 2 by Financial Order 004037 F7 (one each for District I and IV). The District Attorneys have collectively agreed that the most critical unmet need is as follows: 1. An additional ADA for District V - Penobscot and Piscataquis counties; 2. An additional ADA for District III - Androscoggin, Oxford and Franklin counties; 3. A Prosecutor Coordinator to assist in the statewide coordination of prosecutor resources including training, drafting model policies, etc. 4. An additional ADA for District VII - Hancock and Washington counties. The additional positions will enable the DAs Offices to maintain case screening practices and enhance the quality of trials and appellate work to the benefit of public safety. Without these additional positions, prosecution priorities and policies will have to be adjusted.

**DISTRICT ATTORNEYS SALARIES 0409
PROGRAM SUMMARY**

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	93.500	93.500	97.500	97.500
Personal Services	\$10,334,307	\$10,817,040	\$11,772,643	\$12,287,028
GENERAL FUND TOTAL	\$10,334,307	\$10,817,040	\$11,772,643	\$12,287,028
	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	6.000	6.000
Personal Services	\$85,239	\$89,489	\$582,792	\$614,662
All Other	\$8,244	\$8,244	\$61,107	\$55,205
FEDERAL EXPENDITURES FUND TOTAL	\$93,483	\$97,733	\$643,899	\$669,867
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	1.500	1.500
Personal Services	\$142,379	\$149,655	\$121,781	\$127,361
All Other	\$10,987	\$11,157	\$11,157	\$11,157
OTHER SPECIAL REVENUE FUNDS TOTAL	\$153,366	\$160,812	\$132,938	\$138,518

FHM - Attorney General 0947

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
FUND FOR A HEALTHY MAINE				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$116,600	\$118,540	\$121,765	\$127,517
All Other	\$21,542	\$19,628	\$19,628	\$19,628
FUND FOR A HEALTHY MAINE TOTAL	\$138,142	\$138,168	\$141,393	\$147,145

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
PROGRAM SUMMARY**

	History 2015-16	History 2016-17	2017-18	2018-19
FUND FOR A HEALTHY MAINE				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$116,600	\$118,540	\$121,765	\$127,517
All Other	\$21,542	\$19,628	\$19,628	\$19,628
FUND FOR A HEALTHY MAINE TOTAL	\$138,142	\$138,168	\$141,393	\$147,145

Human Services Division 0696

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	71.000	71.000	71.000	71.000
Personal Services	\$7,274,698	\$7,363,773	\$7,389,913	\$7,716,929
All Other	\$1,045,223	\$1,041,441	\$1,041,441	\$1,041,441
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,319,921	\$8,405,214	\$8,431,354	\$8,758,370

Justification:

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

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

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

Human Services Division 0696

Initiative: Provides funding to increase the hours of one part-time Assistant Attorney General position from 40 hours to 80 hours biweekly and related All Other costs.

Ref. #: 602

Committee Vote:

10-3

AFA Vote: _____

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$50,027	\$52,376
All Other	\$3,058	\$3,116
OTHER SPECIAL REVENUE FUNDS TOTAL	\$53,085	\$55,492

Justification:

This initiative provides funding to increase the hours of one Assistant Attorney General position from part-time to full-time dedicated to Child Protection litigation. Currently, there is a limited-period part-time Assistant Attorney General position, established by Financial Order 003469 F6 and continued in Financial Order 003861 F7, which the Departments wish to continue on an ongoing basis. Funding is from Maine's Department of Health and Human Services, Child Protection Division. The Assistant Attorney General positions handle in excess of 2,000 active child protection

cases in 27 different District Courts around the state. Each trial counsel handles 100-300 complex cases at all times; the American Bar Association's maximum standard caseload is 60. Additionally, the number of appeals is significantly increasing, nearly doubling from 2013 to 2015.

Human Services Division 0696

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

Ref. #: 603

Committee Vote: 12-1

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$48,156	\$95,288
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,156	\$95,288

Justification:

The Department of Administrative and Financial Services, Office of Information Technology entered into an Enterprise Agreement with Microsoft, the vendor for the State of Maine's licensing suite for desktop applications and operating system. This agreement no longer offers "A la Carte" choices that could be made by agencies. The agreement offers the Office 365 "all-inclusive" system whereby the most common communication and file management services must be included in annual licenses required for desktop equipment. In cases where agencies did not utilize each of the services, as is the case for the Office of the Attorney General, the increase is significant (approximately \$7 per user per month to \$43). Additionally, the network access rate is increasing from \$41 per user per month to \$54. The Office of Attorney General replaces computers on a five year cycle.

Human Services Division 0696

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

Ref. #: 604

Committee Vote: 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$153,690	\$153,690
OTHER SPECIAL REVENUE FUNDS TOTAL	\$153,690	\$153,690

Justification:

The Office of Attorney General Tobacco Enforcement Program subcontracts with a vendor to conduct grant-mandated FDA Retail Tobacco Compliance Check Inspections at 100% youth accessible tobacco retailers statewide. These inspections are necessary to determine compliance with the provisions cited in the Food Drug and Cosmetic Act (FD&C Act) as amended by the Tobacco Control Act, Section C. The contract value is estimated at approximately \$400,000 each year of the biennium and is funded in full by a federal grant. This request increases the All Other allotment to enable ongoing encumbrance of this subcontract.

Human Services Division 0696

Initiative: Establishes one Assistant Attorney General position and one Research Assistant MSEA - B position dedicated to welfare fraud and provides funding for related All Other costs.

Ref. #: 605

Committee Vote: 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$177,061	\$185,620
All Other	\$15,431	\$12,058
OTHER SPECIAL REVENUE FUNDS TOTAL	\$192,492	\$197,678

Justification:

With an existing Assistant Attorney General (AAG) dedicated to welfare fraud, this new AAG position will also prosecute crimes investigated by the Department of Health and Human Services' (DHHS) Fraud Unit. The number of welfare fraud investigators at DHHS has increased, which has led to additional referrals and prosecutions. The current prosecutor travels to all courts throughout Maine; adding a prosecutor will allow for splitting the state-wide coverage between the two. The new Research Analyst Paralegal position will provide dedicated support for both of the welfare fraud attorneys. Support would include drafting of documents; filing notices with courts; drafting briefs; copying; filing; calendaring; and preparing discovery, among other administrative support functions. Failure to create these positions hinders the State's ability to prosecute perpetrators of fraud in a timely, efficient manner, putting at risk our ability to obtain restitution from perpetrators and our ability to deter fraud.

Human Services Division 0696

Initiative: Provides funding for the reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to Child Support, Child Protection, and Health and Human Services divisions and related All Other costs.

Ref. #: 606

Committee Vote: 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2017-18	2018-19
Personal Services	\$2,360	\$4,755
All Other	\$112	\$166
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,472	\$4,921

Justification:

This initiative requests the reorganization of a Secretary Legal position to Secretary Associate Legal in the Portland office. The Portland office has had an increase in legal work without an increase in support staff. Currently, this busy office has seven Child Protection AAGs; two Child Support AAGs; and one general HHS AAG. The office handles 648 active Child Protection cases and 251 active Child Support cases, as well as a significant number of Mental Health commitment hearings. The AAGs depend heavily on clerical staff. This reorganization will allow the assignment of higher level responsibilities necessary to support all office needs, including facilities management, general support staff oversight, and liaison to the Augusta and other satellite offices. This shift will allow the Office Manager AAG to focus primarily on critical courtroom work. Failure to fund this position will negatively impact the productivity and overall efficiency of the Portland office on a daily basis, which may negatively impact the state's goal of successfully keeping children safe and effectively serving the needs of families and the public.

Human Services Division 0696

Initiative: Continues one Research Assistant MSEA - B - Victim Witness Advocate position previously authorized by Financial Order 003860 F7 dedicated to assisting victims of violent crime and provides funding for related All Other costs.

Ref. #: 607

Committee Vote: 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-1
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,995	\$81,441
All Other	\$16,628	\$16,728
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$94,623</u>	<u>\$98,169</u>

Justification:

This initiative requests to continue one Research Assistant-Victim Witness Advocate position. Funding is from Department of Health and Human Services, Victims of Crime Act grant, which has expanded as the federal government increases the ability of states to respond to the needs of victims of crimes. Maine has 120 unsolved homicide cases, missing persons cases in which foul play is suspected, and suspicious death cases. Family members and loved ones of victims in these cases have been largely underserved by the criminal justice system. This Advocate will continue to: communicate with these individuals; educate them on their rights and responsibilities; and serve as their liaison with the investigators and prosecutors assigned to the investigation through possible prosecution of their loved one's murderer. The position was established on Financial Order 003440F6 and continued on Financial Order 003860 F7.

**HUMAN SERVICES DIVISION 0696
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	History 2015-16	History 2016-17	2017-18	2018-1^c
POSITIONS - LEGISLATIVE COUNT	71.000	71.000	74.500	74.500
Personal Services	\$7,274,698	\$7,363,773	\$7,697,356	\$8,041,121
All Other	\$1,045,223	\$1,041,441	\$1,278,516	\$1,322,487
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$8,319,921</u>	<u>\$8,405,214</u>	<u>\$8,975,872</u>	<u>\$9,363,608</u>

new initiative

C-A-2

11-2

C-A-4

7-6

Victims' Compensation Board 0711

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
All Other	\$225,549	\$225,549	\$225,549	\$225,549
FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549	\$225,549	\$225,549
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$240,923	\$244,381	\$224,963	\$233,324
All Other	\$594,112	\$599,418	\$599,418	\$599,418
OTHER SPECIAL REVENUE FUNDS TOTAL	\$835,035	\$843,799	\$824,381	\$832,742

Justification:

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

**VICTIMS' COMPENSATION BOARD 0711
PROGRAM SUMMARY**

	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
All Other	\$225,549	\$225,549	\$225,549	\$225,549
FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549	\$225,549	\$225,549
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$240,923	\$244,381	\$224,963	\$233,324
All Other	\$594,112	\$599,418	\$599,418	\$599,418
OTHER SPECIAL REVENUE FUNDS TOTAL	\$835,035	\$843,799	\$824,381	\$832,742

ATTORNEY GENERAL, DEPARTMENT OF THE

DEPARTMENT TOTALS	2017-18	2018-
GENERAL FUND	\$21,526,827	\$22,370,609
FEDERAL EXPENDITURES FUND	\$2,317,628	\$2,378,288
FUND FOR A HEALTHY MAINE	\$141,393	\$147,145
OTHER SPECIAL REVENUE FUNDS	\$17,127,366	\$17,794,629
DEPARTMENT TOTAL - ALL FUNDS	\$41,113,214	\$42,690,671

Sec. A-39. Appropriations and allocations. The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	8.000	8.000	8.000	8.000
Personal Services	\$680,858	\$684,119	\$774,004	\$797,716
All Other	\$23,936	\$23,936	\$23,936	\$23,936
GENERAL FUND TOTAL	\$704,794	\$708,055	\$797,940	\$821,652
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	5.000	5.000	5.000	5.000
Personal Services	\$326,850	\$328,205	\$322,788	\$335,045
All Other	\$51,759	\$53,759	\$53,709	\$53,674
FEDERAL EXPENDITURES FUND TOTAL	\$378,609	\$381,964	\$376,497	\$388,719
OTHER SPECIAL REVENUE FUNDS				
All Other	\$23,388	\$23,388	\$23,388	\$23,388
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,388	\$23,388	\$23,388	\$23,388

Justification:

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

Human Rights Commission - Regulation 0150

Initiative: Provides funding to bring allocations in line with available resources.

Ref. #: 1494

Committee Vote:

13-0

AFA Vote:

FEDERAL EXPENDITURES FUND

	2017-18	2018-19
All Other	\$157,092	\$156,157
FEDERAL EXPENDITURES FUND TOTAL	\$157,092	\$156,157

Justification:

Anticipated revenues from federal worksharing agreements with the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development are expected to increase based on federal fiscal year 2016 contract performance.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for an increase in the cost of mediation services.

Ref. #: 1496 Committee Vote: 13-0 AFA Vote: _____

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS		
All Other	\$17,950	\$17,950
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$17,950</u>	<u>\$17,950</u>

Justification:

The Commission expects to receive an increase in revenues for mediation from fee-for-service regulatory authorization (as authorized by the 2014 amendment to 94-348 Code of Maine Rules chapter 2, § 2.04(A)).

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved reclassification of one Public Service Coordinator I position to a Public Service Manager II position and for related All Other costs.

Ref. #: 1497 Committee Vote: 12-1 AFA Vote: _____

	2017-18	2018-19
GENERAL FUND		
Personal Services	\$4,381	\$4,748
GENERAL FUND TOTAL	<u>\$4,381</u>	<u>\$4,748</u>

Ref. #: 1498 Committee Vote: 13-0 AFA Vote: _____

	2017-18	2018-19
FEDERAL EXPENDITURES FUND		
Personal Services	\$2,255	\$2,448
All Other	\$185	\$201
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,440</u>	<u>\$2,649</u>

Justification:

The Bureau of Human Resources approved the reclassification of this position effective August 19, 2016 to align the position with the duties currently being performed.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved reorganization of one Office Associate II position, one Office Associate II - Supervisor position and one Paralegal Assistant position to 3 Secretary Associate Legal positions and for related All Other costs.

Ref #: 1499

Committee Vote: 11-2

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
Personal Services	\$15,874	\$16,423
GENERAL FUND TOTAL	<u>\$15,874</u>	<u>\$16,423</u>

Ref #: 1500

Committee Vote: 12-1

AFA Vote: _____

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$2,553	\$2,687
All Other	\$209	\$220
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,762</u>	<u>\$2,907</u>

Justification:

These are management initiated reorganizations approved by the Bureau of Human Resources.

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the cost of rental space for monthly public hearings.

Ref #: 1501

Committee Vote: 12-1

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
All Other	\$3,000	\$3,000
GENERAL FUND TOTAL	<u>\$3,000</u>	<u>\$3,000</u>

Justification:

The Commission has most recently been using the meeting room in the lower level of 19 Union Street for their monthly public hearings. The Commission was given 30 days' notice that this meeting space would no longer be available as it is going to be developed for office space for another department. The Commission needs to have a space that is large enough to hold the number of people that attend their public hearings as well as the necessity to have priority to use the space once each public hearing has been officially announced. The Commission inquired about using other state owned facilities but there will not be any available that meets their criteria for at least another two years. The Commission will need to contract with a non-state facility to hold their monthly public hearings until a state owned facility that meets their criteria becomes available.

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

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	8.000	8.000	8.000	8.000
Personal Services	\$680,858	\$684,119	\$794,259	\$818,887
All Other	\$23,936	\$23,936	\$26,936	\$26,936
GENERAL FUND TOTAL	\$704,794	\$708,055	\$821,195	\$845,823
	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	5.000	5.000	5.000	5.000
Personal Services	\$326,850	\$328,205	\$327,596	\$340,180
All Other	\$51,759	\$53,759	\$211,195	\$210,252
FEDERAL EXPENDITURES FUND TOTAL	\$378,609	\$381,964	\$538,791	\$550,432
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
All Other	\$23,388	\$23,388	\$41,338	\$41,338
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,388	\$23,388	\$41,338	\$41,338

HUMAN RIGHTS COMMISSION, MAINE

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$821,195	\$845,823
FEDERAL EXPENDITURES FUND	\$538,791	\$550,432
OTHER SPECIAL REVENUE FUNDS	\$41,338	\$41,338
DEPARTMENT TOTAL - ALL FUNDS	\$1,401,324	\$1,437,593

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

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-state Commission 0554

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
All Other	\$111,614	\$111,614	\$111,614	\$111,614
GENERAL FUND TOTAL	\$111,614	\$111,614	\$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

PROGRAM SUMMARY

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
All Other	\$111,614	\$111,614	\$111,614	\$111,614
GENERAL FUND TOTAL	\$111,614	\$111,614	\$111,614	\$111,614

JUD 13-0

INDIAN TRIBAL-STATE COMMISSION, MAINE

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$111,614	\$111,614
DEPARTMENT TOTAL - ALL FUNDS	\$111,614	\$111,614

Sec. A-42. 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 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	11.500	11.500	11.500	11.500
Personal Services	\$751,517	\$757,951	\$806,606	\$832,565
All Other	\$18,345,742	\$15,567,725	\$15,567,725	\$15,567,725
GENERAL FUND TOTAL	\$19,097,259	\$16,325,676	\$16,374,331	\$16,400,290
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
All Other	\$777,497	\$793,497	\$793,497	\$793,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$777,497	\$793,497	\$793,497	\$793,497

Justification:

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

Maine Commission on Indigent Legal Services Z112

Initiative: Provides funding for travel and per diem payments for the 5 members of the Maine Commission on Indigent Legal Services.

Ref. #: 2195

Committee Vote: _____

AFA Vote: _____

GENERAL FUND		2017-18	2018-19
Personal Services		\$3,300	\$3,300
All Other		\$5,000	\$5,000
GENERAL FUND TOTAL		\$8,300	\$8,300

Tabled

Justification:

This initiative is provides funding for commission members per diem and meeting expenses. Maine Revised Statute, Title 5, section 12004-G, subsection 25-A authorizes compensation per diem and meeting expenses.

Maine Commission on Indigent Legal Services Z112

Initiative: Reduces funding for services provided by the Office of Indigent Legal Services by eliminating one Executive Director of Maine Indigent Legal Service position, one Public Service Manager II position, one Accountant Technician position, one Office Associate I position and 9 Financial Screener positions and related All Other costs.

Ref. #: 2196

Committee Vote: _____

AFA Vote: _____

GENERAL FUND		2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT		(11,500)	(11,500)
Personal Services		(\$806,606)	(\$832,565)
All Other		(\$15,567,725)	(\$15,567,725)
GENERAL FUND TOTAL		(\$16,374,331)	(\$16,400,290)

Tabled

Ref. #: 2197

Committee Vote: _____

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS		2017-18	2018-19
All Other		(\$793,497)	(\$793,497)
OTHER SPECIAL REVENUE FUNDS TOTAL		(\$793,497)	(\$793,497)

Tabled

Justification:

This initiative reduces funding for services that are moving from Office of Indigent Legal Services to the Office of the Public Defender to establish a statewide public defender system.

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

GENERAL FUND	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11,500	11,500	0,000	0,000
Personal Services	\$751,517	\$757,951	\$3,300	\$3,300
All Other	\$18,345,742	\$15,567,725	\$5,000	\$5,000
GENERAL FUND TOTAL	\$19,097,259	\$16,325,676	\$8,300	\$8,300

OTHER SPECIAL REVENUE FUNDS	History 2015-16	History 2016-17	2017-18	2018-19
All Other	\$777,497	\$793,497	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$777,497	\$793,497	\$0	\$0

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

DEPARTMENT TOTALS	2017-18	2018-
GENERAL FUND	\$8,300	\$8,300
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$8,300	\$8,300

Sec. A-44. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	515,000	521,000	518,500	518,500
Personal Services	\$39,397,609	\$42,176,304	\$44,181,637	\$45,408,792
All Other	\$17,285,531	\$17,779,415	\$17,779,415	\$17,779,415
GENERAL FUND TOTAL	\$56,683,140	\$59,955,719	\$61,961,052	\$63,188,207
	History 2015-16	History 2016-17	2017-18	2018-19
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1,500	1,500	1,500	1,500
Personal Services	\$2,429,510	\$2,528,508	\$1,989,055	\$2,050,880
All Other	\$1,088,789	\$1,088,789	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	\$3,518,299	\$3,617,297	\$3,077,844	\$3,139,669
	History 2015-16	History 2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	7,000	7,000	7,000	7,000
Personal Services	\$1,060,785	\$1,043,454	\$528,721	\$548,631
All Other	\$3,241,601	\$3,241,601	\$3,241,601	\$3,241,601
Capital Expenditures	\$300,000	\$300,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,602,386	\$4,585,055	\$3,770,322	\$3,790,232

Justification:

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

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Legal Publications Specialist position through June 8, 2019. This position was previously authorized in Public Law 2015, chapter 267.

Ref #: 2376

One Time

Committee Vote:

13-0

AFA Vote:

OTHER SPECIAL REVENUE FUNDS

Personal Services

2017-18

2018-19

\$98,315

\$103,366

OTHER SPECIAL REVENUE FUNDS TOTAL

\$98,315 \$103,366

Justification:

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

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Service Center/Violations Bureau Assistant Clerk position through June 8, 2019. This position was previously authorized by Financial Order JJ1701 F7.

Ref. #: 2377 One Time Committee Vote: 13-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

2017-18 2018-19
\$61,849 \$65,105

Personal Services

OTHER SPECIAL REVENUE FUNDS TOTAL

\$61,849 \$65,105

Justification:

Pursuant to Maine Revised Statutes, Title 4, section 17-A, the Judicial Branch is authorized to collect fees to fund publications, forms, information technology and record checks. This position allows the Judicial Branch to centrally expand the research required to perform record checks requested by the public.

Courts - Supreme, Superior and District 0063

Initiative: Continues 2 limited-period Service Center/Violations Bureau Assistant Clerk positions through June 8, 2019. These positions were previously authorized by Financial Order JJ1702 F7.

Ref. #: 2378 One Time Committee Vote: 13-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

2017-18 2018-19
\$123,698 \$130,210

Personal Services

OTHER SPECIAL REVENUE FUNDS TOTAL

\$123,698 \$130,210

Justification:

These positions provide statewide court services in support of the DHHS IV-D Cooperative Agreement which will assist the courts in ensuring child support and recovery cases are adequately and consistently handled within the timeframes specified in 45 CFR 303.4 and 303.6.

Courts - Supreme, Superior and District 0063

Initiative: Establishes 3 Court Operations Specialist positions, one Technology Business Analyst position, one Senior Database Administrator position, one Programmer Analyst II position, one Quality Assurance Test Lead position and 2 Field Technician positions and provides funding for an increase in All Other.

Ref. #: 2379 Committee Vote: 12-1 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$897,715	\$943,680
All Other	\$42,500	\$22,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$940,215	\$966,180

Justification:

Part YYYV 13-0 amend - see mark up

The Judicial Branch is contracting with a vendor to replace the court's Case Management System and to implement electronic case filing across the state. This large endeavor will change the Judicial Branch staffing needs and create new functional responsibilities that are not currently performed, while using current resources to maintain current systems necessary through the biennium. This initiative will create the positions necessary to implement and maintain the new system.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for maintenance fees for the courts case management system.

Ref. #: 2380

Committee Vote:

11-2

AFA Vote:

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$184,500	\$625,860
OTHER SPECIAL REVENUE FUNDS TOTAL	\$184,500	\$625,860

Justification:

The Judicial Branch is contracting with a vendor to replace the court's Case Management System and to implement electronic case filing across the state. These funds are required for the maintenance and electronic filing fees to operate the system.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increases in contracted court security.

Ref. #: 2381

Committee Vote:

13-0

AFA Vote:

GENERAL FUND	2017-18	2018-19
All Other	\$23,647	\$48,003
GENERAL FUND TOTAL	\$23,647	\$48,003

Justification:

These funds provide increases in security costs provided by county sheriffs in Kennebec, Lincoln and Somerset counties.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the increase in active retired judges per diem rate from \$300 per day to \$375 per day and from \$175 to \$215 for a half day.

Ref. #: 2382

Committee Vote: 3-10 AFA Vote: _____

IN

↓
\$310 full day
\$180 half day

GENERAL FUND

Personal Services

GENERAL FUND TOTAL

	2017-18	2018-19
Personal Services	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

Justification:

Part XXXX-1,2,3 3-10

At \$300 per day, the active retired judges are paid lower than other professional in the state including court appointed attorneys. This increase will bring the rate up to the appropriate compensation for the work that they perform.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increases in operating costs to operate 38 facilities across the state.

Ref. #: 2383

Committee Vote: 10-3 AFA Vote: _____

GENERAL FUND

All Other

GENERAL FUND TOTAL

	2017-18	2018-19
All Other	\$88,655	\$181,579
GENERAL FUND TOTAL	\$88,655	\$181,579

Justification:

It is anticipated that operating costs will be increasing in the 38 facilities that the Judicial Branch occupies across the state. These funds will cover those increases.

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Facility Engineer position through June 8, 2019, previously established by Financial Order JJ1704 F7. This initiative also transfers the position from the General Fund to Other Special Revenue Funds within the same program. This position will be funded from the reimbursement of Department of Health and Human Services Cooperative Agreement for the child support and recovery services.

Ref. #: 2384

One Time

Committee Vote: 12-1 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

Personal Services

OTHER SPECIAL REVENUE FUNDS TOTAL

	2017-18	2018-19
Personal Services	\$98,315	\$103,366
OTHER SPECIAL REVENUE FUNDS TOTAL	\$98,315	\$103,366

Justification:

This position will assist on a temporary basis to fill in for other facility staff that will be providing the project management/clerk of the works oversight for the construction of the buildings in Waldo and Oxford counties. Current staff expertise in this area will assist the court in completing the projects on time and within budget.

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Senior Programmer Analyst position to support the Information Technology team.

Ref. #: 2385

Committee Vote: 7-6

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$117,582	\$123,668
OTHER SPECIAL REVENUE FUNDS TOTAL	\$117,582	\$123,668

Justification:

This position will support the Information Technology team by providing senior level programming for data exchanges and reporting needs for the new Court Management System. This position will be funded by the Publication/Technology Fund from the sale of publications and the record fee.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for adjusting judicial salaries.

Ref. #: 2386

2017-18 2018-19

Committee Vote: 11-2 | 6-7 AFA Vote: _____

IN ← | IN
DUT | DUT

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	\$302,772
GENERAL FUND TOTAL	\$0	\$302,772

Justification:

PART XXXX-4 6-5-2 see mark-up

This initiative provides funding to adjust judicial salaries to be comparable to Northern New England states and to be more competitive with the Maine legal community. This adjustment associates with the language.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the replacement of assisted listening devices.

Ref. #: 2387

Committee Vote: 12-1

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
All Other	\$17,700	\$17,700
GENERAL FUND TOTAL	\$17,700	\$17,700

Justification:

The expected useful life of assisted listening devices is 5 years and the Judicial Branch's devices are approximately 8 years old. These funds will replace the devices that are currently in use.

Courts - Supreme, Superior and District 0063

Initiative: Continues 2 limited-period Court Appointed Special Advocate Legal Services Advisor positions through June 8, 2019. These positions were previously authorized in Public Law 2015, chapter 267.

Ref. #: 2388 One Time Committee Vote: 13-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$196,630	\$206,732
FEDERAL EXPENDITURES FUND TOTAL	<u>\$196,630</u>	<u>\$206,732</u>

Justification:

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

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Project Coordinator position and one limited-period Administrative Assistant position through June 8, 2019. These positions were previously authorized in Public Law 2015, chapter 267.

Ref. #: 2389 One Time Committee Vote: 13-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$183,860	\$191,859
FEDERAL EXPENDITURES FUND TOTAL	<u>\$183,860</u>	<u>\$191,859</u>

Justification:

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

Courts - Supreme, Superior and District 0063

Initiative: Continues 2 limited-period Collections Clerk positions through June 8, 2019 that were previously authorized in Public Law 2015, chapter 267. Also continues one limited-period Court Fine Screener position through June 8, 2019 that was previously authorized in Financial Order JJ 1708 F7.

Ref. #: 2390 One Time Committee Vote: 12-1 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
------------------------------------	----------------	----------------

Personal Services	\$196,561	\$206,354
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$196,561</u>	<u>\$206,354</u>

Justification:

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

Courts - Supreme, Superior and District 0063

Initiative: Provides funding to support Judicial Branch Capital Expenditures for courthouse facilities throughout the state.

Ref. #: 2391 One Time Committee Vote: 2-1 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$300,000</u>	<u>\$300,000</u>

Justification:

Pursuant to Maine Revised Statutes, Title 4, section 28, the Judicial Branch is authorized to credit up to \$300,000 per fiscal year of fee revenue collected to support capital expenses.

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the reorganizations of one Division Supervisor I position to a Division Supervisor II position, one Assistant Clerk position to a Financial Clerk position, 5 Deputy Marshal positions to Corporal positions, one Administrative Clerk position to a Division Supervisor I position, and one Senior Service Center Associate position to a Service Center Supervisor position.

Ref. #: 2392 Committee Vote: 13-0 AFA Vote: _____

GENERAL FUND	2017-18	2018-19
Personal Services	\$41,713	\$45,119
GENERAL FUND TOTAL	<u>\$41,713</u>	<u>\$45,119</u>

Justification:

These reorganizations are based on the Judicial Branch's collective bargaining agreement or based on operational needs.

Courts - Supreme, Superior and District 0063

Initiative: Reallocates the cost of various positions between the General Fund, Federal Expenditures Fund and Other Special Revenue Funds within the same program. Position detail on file at Bureau of the Budget.

Ref. #: 2393

Committee Vote: 13-0

AFA Vote: _____

GENERAL FUND

Personal Services

2017-18	2018-19
(\$846)	(\$4,807)

GENERAL FUND TOTAL

<u>(\$846)</u>	<u>(\$4,807)</u>
----------------	------------------

Ref. #: 2394

Committee Vote: 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

2017-18	2018-19
(\$1,903,859)	(\$1,961,773)

FEDERAL EXPENDITURES FUND TOTAL

<u>(\$1,903,859)</u>	<u>(\$1,961,773)</u>
----------------------	----------------------

Ref. #: 2395

Committee Vote: 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

Personal Services

2017-18	2018-19
\$1,904,705	\$1,966,580

OTHER SPECIAL REVENUE FUNDS TOTAL

<u>\$1,904,705</u>	<u>\$1,966,580</u>
--------------------	--------------------

Justification:

The Judicial Branch will act as a vendor for the unit services as outlined in the Department of Health and Human Services (DHHS) IV-D Cooperative Agreement. The federal accounting will occur at DHHS for this program. This initiative moves the related activity from the Federal Account to the IV-D Special Revenue Account.

Courts - Supreme, Superior and District 0063

Initiative: Continues 4 limited-period Law Clerk positions through June 8, 2019. These positions were previously authorized by Financial Order JJ1700 F7.

Ref. #: 2396

One Time

Committee Vote: 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

Personal Services

2017-18	2018-19
\$374,520	\$390,868

OTHER SPECIAL REVENUE FUNDS TOTAL

<u>\$374,520</u>	<u>\$390,868</u>
------------------	------------------

Justification:

These Law Clerk positions provide assistance to the judges to help decrease the required time-to-resolution for many case types filed in the Maine Courts. These positions will be funded in the 2018-2019 biennium by IV-D Other Special Revenue.

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2017-18 and 2018-19.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$1,294,289)	(\$1,336,070)
GENERAL FUND TOTAL	(\$1,294,289)	(\$1,336,070)

Justification:

This initiative reflects the savings in the General Fund for the projected savings to the State from an increase in the attrition rate from 1.6% to 5% for fiscal years 2017-18 and 2018-19. This savings does not include Legislature.

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

GENERAL FUND	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	515.000	521.000	518.500	518.500
Personal Services	\$39,397,609	\$42,176,304	\$42,978,215	\$44,465,806
All Other	\$17,285,531	\$17,779,415	\$17,909,417	\$18,026,697
GENERAL FUND TOTAL	\$56,683,140	\$59,955,719	\$60,887,632	\$62,492,503

FEDERAL EXPENDITURES FUND	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	1.500	1.500
Personal Services	\$2,429,510	\$2,528,508	\$465,686	\$487,698
All Other	\$1,088,789	\$1,088,789	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	\$3,518,299	\$3,617,297	\$1,554,475	\$1,576,487

OTHER SPECIAL REVENUE FUNDS	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.000	7.000	17.000	17.000
Personal Services	\$1,060,785	\$1,043,454	\$4,401,981	\$4,581,828
All Other	\$3,241,601	\$3,241,601	\$3,468,601	\$3,889,961
Capital Expenditures	\$300,000	\$300,000	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,602,386	\$4,585,055	\$8,170,582	\$8,771,789

Judicial - Debt Service Z097

Initiative: BASELINE BUDGET

GENERAL FUND	History 2015-16	History 2016-17	2017-18	2018-19
All Other	\$10,239,349	\$10,635,909	\$11,935,909	\$11,935,909
GENERAL FUND TOTAL	\$10,239,349	\$10,635,909	\$11,935,909	\$11,935,909

Justification:

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

Judicial - Debt Service Z097

Initiative: Provides funding for the increase in debt service costs for the previously authorized Oxford, Waldo, and York county courthouse projects pursuant to Public Law 2015, chapter 468.

Ref. #: 2400

Committee Vote:

13-0

AFA Vote: _____

GENERAL FUND	2017-18	2018-19
All Other	\$750,370	\$5,153,675
GENERAL FUND TOTAL	\$750,370	\$5,153,675

Justification:

This project is authorized in Public Law 2015, chapter 468.

**JUDICIAL - DEBT SERVICE Z097
PROGRAM SUMMARY**

GENERAL FUND	History 2015-16	History 2016-17	2017-18	2018-19
All Other	\$10,239,349	\$10,635,909	\$12,686,279	\$17,089,584
GENERAL FUND TOTAL	\$10,239,349	\$10,635,909	\$12,686,279	\$17,089,584

JUDICIAL DEPARTMENT

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$73,573,911	\$79,582,087
FEDERAL EXPENDITURES FUND	\$1,554,475	\$1,576,487
OTHER SPECIAL REVENUE FUNDS	\$8,170,582	\$8,771,789
DEPARTMENT TOTAL - ALL FUNDS	\$83,298,968	\$89,930,363

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

PINE TREE LEGAL ASSISTANCE

Legal Assistance 0553

Initiative: BASELINE BUDGET

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
All Other	\$500,000	\$500,000	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000	\$500,000	\$500,000

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 network of local field offices (Portland, Lewiston, Augusta, Bangor, Machias and Presque Isle) and through several statewide projects (serving Native Americans, low-income children, low-wage workers and homeowners at risk of foreclosure).

Pine Tree currently projects \$6,088,446 in expenses in fiscal year of 2016. Several of Pine Tree's traditional funding sources have decreased in recent years, including the loss of \$100,000 per a year from the Department of Justice to serve victims of domestic violence and loss more than \$75,000 in IOLTA funds to support general legal services.

The proposed State appropriation of \$500,000 a year will stabilize our statewide delivery system, representing 15% of our general legal services funding for the year. State funding also helps match other federal and foundation grant that can expand services around the State.

**LEGAL ASSISTANCE 0553
PROGRAM SUMMARY**

	History 2015-16	History 2016-17	2017-18	2018-19
GENERAL FUND				
All Other	\$500,000	\$500,000	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000	\$500,000	\$500,000

JUD 13-0

PINE TREE LEGAL ASSISTANCE

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$500,000	\$500,000
DEPARTMENT TOTAL - ALL FUNDS	\$500,000	\$500,000

Sec. A-71. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC DEFENDER, OFFICE OF THE

Office of the Public Defender Z248

Initiative: Establishes one Chief Public Defender position, 2 Deputy Chief Defender positions, one Business Services Manager position, one Secretary Associate Legal position, 5 Financial Screener positions and 3 part-time Financial Screener positions and provides associated funding for All Other costs to create the Office of the Public Defender.

Ref. #: 2899 Committee Vote: _____ AFA Vote: _____

GENERAL FUND		2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	<i>Tabled</i>	11.500	11.500
Personal Services		\$949,655	\$994,653
All Other		\$15,415,078	\$15,415,078
GENERAL FUND TOTAL		<u>\$16,364,733</u>	<u>\$16,409,731</u>

Ref. #: 2900 Committee Vote: _____ AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS		2017-18	2018-19
All Other	<i>Tabled</i>	\$793,497	\$793,497
OTHER SPECIAL REVENUE FUNDS TOTAL		<u>\$793,497</u>	<u>\$793,497</u>

Justification:

This initiative provides the funding to create the Office of the Public Defender. This Office will provide legal representation to eligible persons consistent with federal and state constitutional and statutory obligations.

**OFFICE OF THE PUBLIC DEFENDER Z248
PROGRAM SUMMARY**

GENERAL FUND	History 2015-16	History 2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	11.500	11.500
Personal Services	\$0	\$0	\$949,655	\$994,653
All Other	\$0	\$0	\$15,415,078	\$15,415,078
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>	<u>\$16,364,733</u>	<u>\$16,409,731</u>
OTHER SPECIAL REVENUE FUNDS	History 2015-16	History 2016-17	2017-18	2018-19
All Other	\$0	\$0	\$793,497	\$793,497
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>	<u>\$793,497</u>	<u>\$793,497</u>

PUBLIC DEFENDER, OFFICE OF THE

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$16,364,733	\$16,409,731
OTHER SPECIAL REVENUE FUNDS	\$793,497	\$793,497
DEPARTMENT TOTAL - ALL FUNDS	\$17,158,230	\$17,203,228

G:\COMMITTEES\JUD\BUDGET 2017\JUD Report-back blank.docx (3/14/2017 12:54:00 PM)

Changes - All Budget Items

Change Group: C Change Type: All Change Number: 2 Include: Yes One Time: Included

JUD PART 2
 Part A Initiatives &
 Other FY 19

Part A Initiatives &
 Other FY 18

ATT00 DEPARTMENT OF THE ATTORNEY GENERAL

Change Package: C-A-2 Priority: 4 Include: Yes

Description: Establishes one full-time AG Detective position to investigate major cases of elder financial exploitation.

Justification: This initiative provides funding for one full-time AG Detective position in the Office of the Attorney General that will investigate selected major cases of elder financial exploitation. The position will also train other law enforcement personnel to investigate similar cases. Financial exploitation involves the use of deception, intimidation, undue influence, force or other unlawful means to obtain control over the property of an elder or dependent adult for another's profit or advantage. The US Department of Justice estimates that 1 in 9 people over the age of 60 will be abused or exploited each year. This position was recommended by the Maine Attorney General's Task Force on Financial Exploitation of the Elderly.

010 GENERAL FUND

LEGISLATIVE COUNT	1,000	1,000
Total Positions	1,000	1,000
Personal Services	98,775	103,343
All Other	13,952	11,952
Total Appropriations and Allocations	112,727	115,295
Personal Services	98,775	103,343
All Other	13,952	11,952
Total Expenditures	112,727	115,295

JUD 10-2

JUD ①

Changes - All Budget Items

Change Group: C Change Type: All Change Number: 4 Include: Yes One Time: Included

Part A Initiatives &
 Other FY 18

Part A Initiatives &
 Other FY 19

ATT00 DEPARTMENT OF THE ATTORNEY GENERAL

Change Package: C-A-4 Priority: 14 Include: Yes

Description: Establishes one full-time Research Assistant Paralegal position dedicated to the Litigation Division.

Justification: The Office of the Attorney General's Litigation Division's responsibilities include handling complex civil litigation involving the State or its officials in suits involving money damages, injunctive or declaratory relief and in suits challenging the constitutionality of Maine law. The Litigation Division has also increased its role in providing litigation support and guidance to attorneys in other Divisions in the Office on more complex litigation matters. These cases can be document intensive, including electronic records. The complexity of preserving, retrieving, organizing, producing and preparing evidence for discovery and trial has evolved in recent years due to the rapid growth of electronic files. In addition, in recent years, there has been increased litigation requiring extensive historical research and a need to compile and organize this historical information. The current staff is insufficient to meet the demand within the Litigation Division.

010 GENERAL FUND

LEGISLATIVE COUNT	1,000	1,000
Total Positions	1,000	1,000
Personal Services	75,468	79,078
All Other	4,882	3,382
Total Appropriations and Allocations	80,350	82,460
Personal Services	75,468	79,078
All Other	4,882	3,382
Total Expenditures	80,350	82,460

JUD 6-6

JUD (2)

Medical
Examiner

Part CCC to
Part GGG

**PART AAA
SUMMARY**

This Part authorizes the State Controller to transfer the remaining cash balance in the Beverage Container Enforcement Fund, Other Special Revenue Funds account in the Department of Agriculture, Conservation and Forestry to General Fund unappropriated surplus no later than August 30, 2017.

PART BBB

Sec. BBB-1 Transfer balances from Other Special Revenue Funds accounts. Notwithstanding any other provision of law, at the close of fiscal year 2017-18, the State Controller shall transfer \$500,000 from available balances in Other Special Revenue Funds accounts within the Department of Agriculture, Conservation and Forestry to the General Fund unappropriated surplus. On or before June 30, 2018, the Commissioner of the Department of Agriculture, Conservation and Forestry shall determine from which accounts the funds must be transferred so that the sum equals \$500,000 and notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account.

**PART BBB
SUMMARY**

This Part allows the State Controller to transfer cash balances from Other Special Revenue Funds accounts in the Department of Agriculture, Conservation and Forestry at the end of fiscal year 2017-18 to the General Funds unappropriated surplus. Other Special Revenue Funds accounts will be determined by the Department prior to June 30, 2018.

→ **PART CCC**

Sec. CCC-1. 5 MRSA §7-B, as revised by PL 2013, c. 405, Pt. A, §§23, 24, is further amended to read:

§ 7-B Use of state vehicles for commuting

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 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; and Bureau of Parks and Lands;

JUD (3)

and the Office of Chief Medical Examiner and the Investigation and Medicaid Fraud Control units within the Office of the Attorney General.

PART CCC SUMMARY

This Part adds employees in the Office of the Chief Medical Examiner and the Investigation unit and the Medicaid Fraud unit within the Office of the Attorney General to the list of law enforcement officials authorized to use assigned state-owned vehicles to commute between home and work.

PART DDD

Sec. DDD-1. 5 MRSA §196, first ¶, as amended by PL 2005, c. 154, §1, is further amended to read:

§ 196 Deputies and Assistants; appointment and duties

The Attorney General may appoint one or more deputy attorneys general, assistant attorneys general and staff attorneys who serve at the pleasure of the Attorney General or until their successors are duly appointed and qualified. They may perform all the duties required of the Attorney General and other duties the Attorney General delegates to them. The Attorney General may appoint research assistants with any powers and duties the Attorney General delegates. Research assistants may perform duties delegated to them by the Attorney General, including activities authorized by Title 4, section 807. Notwithstanding any other provisions of law, the compensations of research assistants, law office manager and deputy attorneys general are fixed by the Attorney General. The compensation of the Deputy Chief Medical Examiner is fixed by the Attorney General in consultation with the Chief Medical Examiner. The compensations of the staff attorneys, assistant attorneys general and secretary to the Attorney General are fixed by the Attorney General with the approval of the Governor, but such compensations may not in the aggregate exceed the amount appropriated for those positions and may not result in an increased request to future Legislatures.

Sec. DDD-2. 22 MRSA §3022, sub-§2, as amended by PL 2011, c. 1, Pt. II, §1, is further amended to read:

2. Appointment and qualifications of the Deputy Chief Medical Examiner. The Chief Medical Examiner may select one or more of the medical examiners to serve as deputy chief medical examiners. The Deputy Chief Medical Examiner serves at the pleasure of the Chief Medical Examiner and, if salaried, is unclassified. The salary of the Deputy Chief Medical Examiner must be set ~~in salary range 59 of the Standard Salary Schedule for Medical Personnel as published by the Bureau of Human Resources in accordance with Title 5, section 196.~~ In the event of the Deputy Chief Medical Examiner's temporary absence, the Chief Medical Examiner or, if the Chief Medical Examiner is unavailable, the Attorney General may designate one of the

JUD (4)

deputy chief medical examiners to serve as acting Chief Medical Examiner. The acting Chief Medical Examiner has all of the powers and responsibilities of the Chief Medical Examiner.

**PART DDD
SUMMARY**

This Part authorizes the Attorney General to set the compensation of the Deputy Chief Medical Examiner in consultation with the Chief Medical Examiner.

This Part also removes the specific salary schedule reference for the Deputy Chief Medical Examiner, as this is the only unclassified, confidential position on the Medical Personnel salary schedule, and requires that compensation be set by the Attorney General in consultation with the Chief Medical Examiner.

PART EEE

Sec. EEE-1. 22 MRSA §3024, first ¶, as amended by PL 2013, c. 368, Pt. CC, §1, is further amended to read:

The salary of the Chief Medical Examiner of the State must be set by the Governor. Other nonsalaried medical examiners and nonsalaried medicolegal death investigators, upon the submission of their completed report to the Chief Medical Examiner, must be paid a fee of up to \$85 \$100 for an inspection and view and are entitled to receive travel expenses to be calculated at the mileage rate currently paid to state federal employees pursuant to ~~Title 5, section 8~~. An additional fee of \$50 may be authorized by the Chief Medical Examiner for payment to other nonsalaried medical examiners and nonsalaried medicolegal death investigators for visits to death scenes other than hospitals.

**PART EEE
SUMMARY**

This Part increases the maximum fee allowed to be paid to a nonsalaried medical examiner or a nonsalaried medicolegal death investigator for an inspection and view. It also changes the mileage reimbursement rate from the state reimbursement rate to the federal reimbursement rate for these nonsalaried medical examiners or nonsalaried medicolegal death investigators.

PART FFF

Sec. FFF-1. 22 MRSA §3035, sub-§1, as enacted by PL 1997, c. 598, §1, is amended to read:

1. Fees. Except as provided in subsections 3 and 4, the Office of Chief Medical Examiner shall charge a fee for providing report documents, histological slides and other items or

JUD (5)

additional services sought by a person entitled to obtain that item or service relating to a medical examiner case. Fees are to be paid in advance and according to the following fee schedule:

A. For report documents, the fees are as follows:

- (1) Report documents when no autopsy has been performed, ~~\$10~~ \$15;
- (2) Report documents when an autopsy has been performed, ~~\$25~~ \$35; and
- (3) Report documents under subparagraphs (1) and (2) accompanied by a certificate under section 3022, subsection 6, an additional fee of \$35, \$25 of which accrues to the Secretary of State;

B. For histological slides, the fees are as follows:

- (1) For each slide, ~~\$10~~ \$12.50;
- (2) A handling fee per case, ~~\$20~~ \$25; and
- (3) For 21 slides or more, an additional handling fee, ~~\$20~~ \$25; and

PART FFF SUMMARY

This Part increases the fees charged by the Department of the Attorney General, Office of Chief Medical Examiner, for providing report documents and histological slides.

PART GGG

Sec. GGG-1. 32 MRSA §1405, 2nd ¶, as amended by PL 2007, c. 225, §1, is further amended to read:

The body of a deceased person may not be cremated within 48 hours after death unless the person died of a contagious or infectious disease, and in no event may the body of a deceased person be cremated, buried at sea, used by medical science or removed from the State until the person, firm or corporation in charge of the disposition has received a certificate from a duly appointed medical examiner that the medical examiner has made personal inquiry into the cause and manner of death and is satisfied that further examination or judicial inquiry concerning the cause and manner of death is not necessary. This certificate, a certified copy of the death certificate and a burial transit permit when presented by the authorized person as defined in Title 22, section 2846 is sufficient authority for cremation, burial at sea, use by medical science or removal from the State, and the person, firm or corporation in charge of the disposition may not refuse to cremate or otherwise dispose of the body solely because these documents are presented by such an authorized person. The certificate must be retained by the person, firm or corporation in charge of the cremation or disposition for a period of 15 years. For the certificate, the medical examiner must receive a fee of ~~\$15~~ \$25 payable by the person requesting the certificate. This fee may be waived at the discretion of the Chief Medical Examiner.

JUD (6)

**PART GGG
SUMMARY**

This Part increases the fee charged by a medical examiner for a certificate that is required for cremation and allows this fee to be waived at the discretion of the Chief Medical Examiner.

PART HHH

Sec. HHH-1. Rename Audit – Departmental Bureau program. Notwithstanding any other provision of law, the Audit – Departmental Bureau program within the Office of the State Auditor is renamed the Audit Bureau program.

**PART HHH
SUMMARY**

This Part renames the Audit – Departmental Bureau program to the Audit Bureau program to align the program name with the agency name change pursuant to Public Law 2013, chapter 16, which changed the agency's name from the Department of Audit to the Office of the State Auditor.

PART III

Sec. III-1. Rename Audit – Unorganized Territory program. Notwithstanding any other provision of law, the Audit – Unorganized Territory program within the Office of the State Auditor is renamed the Unorganized Territory program.

**PART III
SUMMARY**

This Part renames the Audit – Unorganized Territory program to the Unorganized Territory program to align the program name with the agency name change pursuant to Public Law 2013, chapter 16, which changed the agency's name from the Department of Audit to the Office of the State Auditor.

PART JJJ

Sec. JJJ-1. 34-A MRS §1403, sub-§13 is enacted to read:

13. Personal Services balances authorized to carry to Capital. Notwithstanding any other provision of law, beginning at the close of fiscal year 2017-18, the Department of Corrections is authorized to carry all fiscal year-end balances in the Personal Services line

JUD (7)

Judicial Branch

Part XXXX

3/23/17

PART WWWW
SUMMARY

This Part authorizes the State Controller to transfer funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in fiscal year 2017-18 and one replacement aircraft engine in fiscal year 2018-19.

PART XXXX

Sec. XXXX-1. 4 MRSA, §6-B, as amended by PL 2003, c. 290, §1, is further amended to read:

Any Active Retired Justice of the Supreme Judicial Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, must be compensated for those services at the rate of ~~\$300375~~ per day or ~~\$175215~~ per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Supreme Judicial Court in any calendar year does not exceed the annual salary of a Justice of the Supreme Judicial Court provided that the annual compensation under this section shall not exceed 75% of the annual salary of an Associate Justice of the Court. An Active Retired Justice of the Supreme Judicial Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental and life insurance.

\$310

\$180

Sec. XXXX-2. 4 MRSA §104-A, as amended by PL 2001, c. 439, Pt. DDD, §1, is further amended to read:

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 ~~\$300375~~ per day or ~~\$175215~~ per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Superior Court in any calendar year does not exceed the annual salary of a Justice of the Superior Court provided that the total compensation received 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 and life insurance.

\$310

\$180

Sec. XXXX-3. 4 MRSA, §157-D, as amended by PL 2001, c. 439, Pt. DDD, §2, is further amended to read:

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 ~~\$300375~~ per day or ~~\$175215~~ per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Judge of the District Court

\$310

\$180

JUD (8)

in any calendar year does not exceed the annual salary of a Judge of the District Court provided that the total per diem compensation received 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 and life insurance.

6 IN
2 OUT

Sec. XXXX-4. Judges and Justice Salary Adjustment. Notwithstanding any other provisions of Title 4, beginning on July 1, 2017, the salaries of each judge or justice on the Supreme Judicial, Superior, and Districts Courts shall be increased by 3% ~~and beginning on July 1, 2018, the salaries of each judge or justice on the Supreme Judicial, Superior, and Districts Courts shall be increased by 6%~~

5 voted to delete bracketed language (2nd yr)

**PART XXXX
SUMMARY**

Sections 1 through 3 of this Part increase the Active Retired Justice's compensation from \$300 per day to \$375 per day and from \$175 per ½ day to \$215 per ½ day.

Section 4 of this Part provides for a raise of 3% for judges and justices of the state courts for fiscal year 2017-18 and a raise of 6% for judges and justices of the state courts for each in fiscal year 2018-19.

JUD (9)

Judicial Branch

PART YYYY

Sec. YYYY-1. 4 MRSA, §17-A as amended by PL 2013, c. 502, Pt. V, §1, is further amended to read:

§17-A. Publications and technology

1. **Informational publications and record searches.** The State Court Administrator may establish a fee schedule to cover the cost of printing and distribution of publications and forms, the procedures for the sale of these publications and forms and record searches performed by Judicial Department employees.

2. **Fund; fees deposited.** All fees collected under this section from the sale of publications or forms must be deposited in a fund for use by the State Court Administrator to fund publications, forms and information technology. Twenty percent of fees collected for record searches under subsection 1 must be deposited in the fund, and 80% of fees collected for record such searches must be deposited in the General Fund.

3. **Fees and surcharges for electronic filing.** The Supreme Judicial Court may by court rules or administrative orders raise or establish fees on on-line electronic case searches performed by Judicial Department employees, electronic document delivery and case filings, and surcharges on fines to support the operating costs of maintaining an e-filing and court information management system. All revenues collected under this subsection must be deposited in a fund to be used for the operating costs, including, but not limited to, e-Filing costs, imaging, software maintenance fees, hardware, hardware maintenance fees and personnel costs to maintain the electronic filing and court information management system.

PART YYYY

SUMMARY

This Part clarifies that the record search fee schedule established by the State Court Administrator is for those record searches performed by Judicial Department employees and refines the definition of record search fees deposited into the fund to mean fees for record searches performed by Judicial Department employees.

This Part also allows Supreme Judicial Court to raise or establish fees on on-line electronic case ~~search~~ searches performed by Judicial Department employees, document delivery and filing for the purpose of paying the cost of maintaining an e-filing and court information management system.

JUD

10

Final 3/28/2017 10:33 AM
 converted
 3:31.17

JUDICIARY COMMITTEE: Biennial Budget

Initiatives and votes
 First number in Total is votes in favor of keeping it IN the budget, second number is OUT
 Tabled = no recorded vote

Dept	Ref #	Page #	Rep. Cardone	Rep. Bradstreet	Rep. Johansen	Rep. Babbidge	Rep. Reckitt	Rep. Guerin	Sen. Keim	Rep. Moonen	Sen. Hill	Sen. Whittemore	Rep. McCreight	Rep. Sherman	Rep. Bailey	Total
AG	558	2	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	559	2	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	560	3	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	564	3	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	566	3	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
AG	567	4	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
AG	571	4	In	Out	Out	In	In	Out	Out	In	In	Out	In	Out	In	7-6
AG	573	5	In	Out	Out	In	In	Out	Out	In	In	Out	In	Out	In	7-6
AG	574	5	In	Out	Out	In	In	Out	Out	In	In	Out	In	Out	In	7-6
AG	569	6	In	Out	Out	In	In	Out	Out	In	In	Out	In	Out	In	7-6
AG	590	8	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	FFF	130 of 230	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	GGG	131 of 230	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	591	9	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	592	9	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	593	9	In	A	In	In	In	A	A	In	In	In	In	In	In	10-3
			A: amend reduce to \$34,500 each year													
AG	594	10	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	595	10	In	Out	Out	In	In	Out	Out	In	In	Out	In	In	In	8-5
AG	EEE	130 of 230	In	In	Out	In	In	Out	Out	In	In	Out	In	In	In	9-4
AG	596	11	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1

Dept	Ref #	Page #	Rep. Cardone	Rep. Bradstreet	Rep. Johansen	Rep. Babbidge	Rep. Reckitt	Rep. Guerin	Sen. Keim	Rep. Moonen	Sen. Hill	Sen. Whittemore	Rep. McCreight	Rep. Sherman	Rep. Bailey	Total
AG	597	11	In	Out	Out	In	In	Out	Out	In	In	Out	In	Out	In	7-6
AG	DDD	129 of 230	In	Out	Out	In	In	Out	In	In	In	In	In	In	In	10-3
AG	598	11	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
AG	599	12	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
AG	CCC	128 of 230	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	540	14	In	Out	Out	In	In	Out	Out	In	In	Out	In	Out	In	7-6
AG	581	17	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	582	17	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	583	17	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	584	17	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	585	18	B	Out	Out	C	B	Out	Out	Out	Out	Out	Out	Out	D	2-1-1-9
AG	602	21	In	In	Out	In	In	Out	Out	In	In	In	In	In	In	10-3
AG	603	22	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
AG	604	22	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	605	23	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	606	23	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	607	24	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
AG	New C-A-2		In	In	Out	In	In	Out	In	In	In	In	In	In	In	11-2
AG	New C-A-4		In	Out	Out	In	In	Out	Out	In	In	Out	In	In	Out	7-6

Dept	Ref #	Page #	Rep. Cardone	Rep. Bradstreet	Rep. Johansen	Rep. Babbidge	Rep. Reckitt	Rep. Guerin	Sen. Keim	Rep. Moonen	Sen. Hill	Sen. Whittlemore	Rep. McCreight	Rep. Sherman	Rep. Bailey	Total
MHRC	1494	27	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
MHRC	1496	28	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
MHRC	1497	28	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
MHRC	1498	28	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
MHRC	1499	29	In	In	Out	In	In	Out	In	In	In	In	In	In	In	11-2
MHRC	1500	29	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
MHRC	1501	29	In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
MITSC		32	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
MCILS	2195	34	Tabled													
MCILS	2196	35	Tabled													
MCILS	2197	35	Tabled													
JB	2376	37	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2377	38	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2378	38	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2379	38	In	In	In	In	In	In	In	In	In	In	In	In	Out	12-1
JB	YYYY	176 of 230	Amend	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2380	39	In	In	In	In	In	In	In	In	In	In	In	Out	Out	11-2
JB	2381	39	In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2382	40	A = amend \$310 full day \$180 half day	A	A	A	A	A	A	A	A	A	In	A	In	3-10(A)

Dept	Ref #	Page #		Rep. Cardone	Rep. Bradstreet	Rep. Johansen	Rep. Babbidge	Rep. Reekitt	Rep. Guertin	Sen. Keim	Rep. Moonen	Sen. Hill	Sen. Whittemore	Rep. McCreight	Rep. Sherman	Rep. Bailey	Total
JB	XXXX 1, 2, 3	175 of 230	A = amend \$310 full day \$180 half day	A	A	A	A	In	A	A	A	A	A	In	A	In	3-10(A)
JB	2383	40		In	In	Out	In	In	Out	In	In	In	In	In	Out	In	10-3
JB	2384	40		In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
JB	2385	41		In	Out	Out	In	In	Out	Out	In	In	Out	In	Out	In	7-6
JB	2386	41	2017-2018	In	In	Out	In	In	Out	In	In	In	In	In	In	In	11-2
JB	2386	41	2018-2019	In	Out	Out	In	In	Out	Out	In	Out	Out	In	Out	In	6-7
JB	XXXX 4	175 of 230	A = no salary increase in 2018-2019	In	A	Out	In	In	Out	A	In	A	A	In	A	In	6-2 (out) 5(A)
JB	2387	41		In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
JB	2388	42		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2389	42		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2390	42		In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
JB	2391	43		In	In	Out	In	In	In	In	In	In	In	In	In	In	12-1
JB	2392	43		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2393	44		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2394	44		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2395	44		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2396	44		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2397	45		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
JB	2400	46		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0
PTLA		48		In	In	In	In	In	In	In	In	In	In	In	In	In	13-0

Dept	Ref #	Page #	Rep. Cardone	Rep. Bradstreet	Rep. Johansen	Rep. Babbidge	Rep. Reckitt	Rep. Guerin	Sen. Keim	Rep. Moonen	Sen. Hill	Sen. Whittemore	Rep. McCreight	Rep. Sherman	Rep. Bailey	Total
OPD	2899	50	Tabled													
OPD	2900	50	Tabled													
OPD	UUUU	161-174 of 230	Tabled													

G:\COMMITTEES\UD\BUDGET 2017\Initiative vote grid 3-28-17.docx (3/28/2017 11:44:00 AM)

