



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1597

H.P. 1087

House of Representatives, February 23, 2016

**An Act To Provide Supplemental Appropriations and
Deappropriations for the Judicial Department for the Fiscal Years
Ending June 30, 2016 and June 30, 2017**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HOBBS of Saco.

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

3 **Whereas,** the 90-day period may not terminate until after the beginning of the next
4 fiscal year; and

5 **Whereas,** this legislation provides adjustments to appropriations from the General
6 Fund for certain expenditures of the judicial branch for the fiscal years ending June 30,
7 2016 and June 30, 2017; and

8 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
9 the meaning of the Constitution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public peace, health and safety; now,
11 therefore,

12 **Be it enacted by the People of the State of Maine as follows:**

13 **Sec. 1. 4 MRSA §1556, sub-§2, ¶I** is enacted to read:

14 I. The hourly rate of compensation for the guardian ad litem may not be less than the
15 rate of compensation established by the Maine Commission on Indigent Legal
16 Services pursuant to section 1804, subsection 3, paragraph F. Nothing in this
17 paragraph prohibits the court from establishing maximum fees and other reasonable
18 requirements relating to guardian ad litem billing and compensation.

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

21 **JUDICIAL DEPARTMENT**

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

23 Initiative: Provides funding for the child protective guardian ad litem hourly rate increase
24 from \$50 per hour to \$60 per hour to be consistent with the rate paid to attorneys
25 appointed to represent parents.

26			
27	GENERAL FUND	2015-16	2016-17
28	All Other	\$0	\$443,000
29			
30	GENERAL FUND TOTAL	\$0	\$443,000

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

32 Initiative: Provides funding for the increase in hours from a 37.5-hour workweek to a 40-
33 hour workweek for the administrative bargaining unit, remaining employees in the
34 professional and supervisory bargaining units and confidential nonmanagement
35 employees.

36

1	GENERAL FUND	2015-16	2016-17
2	All Other	\$0	\$770,000
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$770,000</u>

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

6 Initiative: Provides funding for the increase in the executive branch network charges
7 based on current users.

8			
9	GENERAL FUND	2015-16	2016-17
10	All Other	\$93,776	\$93,776
11			
12	GENERAL FUND TOTAL	<u>\$93,776</u>	<u>\$93,776</u>

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

14 Initiative: Deappropriates funds no longer needed for courthouse feasibility studies.

15			
16	GENERAL FUND	2015-16	2016-17
17	All Other	(\$215,000)	\$0
18			
19	GENERAL FUND TOTAL	<u>(\$215,000)</u>	<u>\$0</u>

20 **Judicial - Debt Service Z097**

21 Initiative: Deappropriates funds no longer needed for debt service costs.

22			
23	GENERAL FUND	2015-16	2016-17
24	All Other	(\$400,000)	(\$1,300,000)
25			
26	GENERAL FUND TOTAL	<u>(\$400,000)</u>	<u>(\$1,300,000)</u>

27			
28	JUDICIAL DEPARTMENT	2015-16	2016-17
29	DEPARTMENT TOTALS		
30			
31	GENERAL FUND	(\$521,224)	\$6,776
32			
33	DEPARTMENT TOTAL - ALL FUNDS	<u>(\$521,224)</u>	<u>\$6,776</u>

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

1 **SUMMARY**

2 This bill provides an hourly rate increase for guardians ad litem and makes the
3 following adjustments to appropriations from the General Fund for certain expenditures
4 of the judicial branch for the fiscal years ending June 30, 2016 and June 30, 2017.

5 1. It provides funding for the guardian ad litem hourly rate increase from \$50 per
6 hour to \$60 per hour to be consistent with the rate paid to court-appointed counsel.

7 2. It provides funding for an increase in the workweek of certain judicial branch
8 employees from 37.5 hours per week to 40 hours per week.

9 3. It provides funding for an increase in fees charged by the Department of
10 Administrative and Financial Services, Office of Information Technology to the judicial
11 branch.

12 4. It deappropriates unused feasibility study funds.

13 5. It deappropriates funds no longer needed for debt services.