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STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE

MEMORANDUM

TO: Senator Catherine E. Breen, Senate Chair  
Representative Teresa Pierce, House Chair  
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator James F. Dill, Senate Chair  
Representative H. Scott Landry, Jr., House Chair  
Joint Standing Committee on Inland Fisheries and Wildlife

DATE: 4 April 2022

RE: **Priorities for bills on Appropriations Table**

Pursuant to Joint Rule 314(7), we are reporting our committee's priorities for final passage of bills reported out of our committee that may be on the Appropriations Table. The following is a summary of the votes on priorities.

	Sen Dill	Sen Black	Sen Curry	Rep. Landry	Rep Alley	Rep Hepler	Rep Lyford	Rep. D Martin	Rep. J Martin	Rep. Mason	Rep Nadeau	Rep. Ordway	Rep. Theriault
LD 1992	yes	N/A	N/A	N/A	N/A	"could go either way"	N/A	yes	N/A	N/A	yes	N/A	yes

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs  
Members, Joint Standing Committee on Inland Fisheries and Wildlife



The five unanimous recommendations are as follows:

1. Rural Public Defender Unit

Initiative. Establishes one District Defender position (Elected DA-equivalent Grade 90), 2 Assistant Defender I positions (ADA-equivalent Grade 38) and 2 Assistant Defender II positions (ADA-equivalent Grade 30), to be dispatched in the State where needed, and provides for their ancillary costs and meals and travel expenses.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT		5
Personal Services		\$704,482
All Other		\$261,415
<b>GENERAL FUND TOTAL</b>		<b>\$965,897</b>

**Judiciary Committee vote: 12-0 (2 absent)**

2. Legal research resources (electronic access, some paper publications)

Initiative: Provides ongoing funds for MCILS to enter into contract for online legal research access that is then provided to MCILS rostered attorneys (up to 300), and annual reimbursement for written legal materials purchased by attorneys.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other		\$275,580
<b>GENERAL FUND TOTAL</b>		<b>\$275,580</b>

**Judiciary Committee vote: 12-0 (2 absent)**



**3. Training**

Initiative: Provides ongoing funds for MCILS to provide up to 4, 2-day in-person trainings per year, including the costs of facilities, necessary expenses and honoraria for expert trainings. Existing funds will cover the hourly expense for attendance by rostered attorneys.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other		\$300,000
<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/> \$300,000

**Sec. 1. 4 MRSA §1804, sub-§2, ¶F** is amended to read:

F. Standards for the reimbursement of expenses incurred by assigned counsel and contract counsel, including attendance at training events provided by the commission; and

**Judiciary Committee vote: 12-0 (2 absent)**

**4. Contracts to specialists**

Initiative: Provides ongoing funds and authority for MCILS to contract with attorneys and other providers and subject matter experts to support indigent legal services by providing targeted support concerning diversion and mitigation, appellate assistance, mentoring of new attorneys and serving co-counsel or lead counsel with a new attorney. Contracts will cover diversion and mitigation, appellate assistance, mentoring of new lawyers and serving as co-counsel and lead counsel with new attorneys

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other		\$240,000
<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/> \$240,000

**Judiciary Committee vote: 12-0 (2 absent)**



**5. Increase hourly rate to \$100**

Initiative: Provides ongoing funding to raise the hourly rate for attorneys from \$80 to \$100 to continue to move toward resource parity between the defense and prosecution functions.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other		\$4,649,763
<b>GENERAL FUND TOTAL</b>		<b>\$4,649,763</b>

**Judiciary Committee vote: 12-0 (2 absent)**

**6. Kennebec and Somerset Counties Public Defender Office**

A majority of the Judiciary Committee supports LD 1686 that has remained on the Special Appropriations Table since 2021, and we recommend slight modifications. We recommend that the geographically-limited public defender office encompass not only Kennebec County as originally envisioned, but all of that prosecutorial District (District 4), to include Somerset County. We recommend that the 17 positions necessary to make that public defender office provide high-quality constitutionally legal defense be funded to start on October 1, 2022.

This is based on the appropriations section from the committee amendment to LD 1686, currently on the Special Appropriations Table. The numbers have been updated to reflect a start date of October 1, 2022, and the two 3% state employee increases. Also note that the public defender office coverage is the entire Prosecutorial District 4.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

**Maine Commission on Indigent Legal Services Z112**

Initiative: Establishes and provides funding for 4 Public Service Manager III positions, 5 Public Service Manager II positions, 2 Public Service Coordinator I positions, 2 Clinical Social Worker positions, 3 Paralegal positions and one Office Specialist II position to establish a Public Defender Office in Kennebec County. These positions begin October 1, 2022.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT		17,000
Personal Services		\$1,559,211
All Other		\$115,719
<b>GENERAL FUND TOTAL</b>		<b>\$1,674,930</b>

**Judiciary Committee vote: 8-4 (2 absent)**







**7. Civil Legal Services Fund ongoing appropriation**

A majority of the Judiciary Committee also recognizes the increasing need for civil legal services for those who cannot afford them but are not in situations in which the state is constitutionally required to provide representation.

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

Initiative: Provides ongoing funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1.

<b>GENERAL FUND</b>	<b>2022-23</b>
All Other	\$4,000,000
<b>GENERAL FUND TOTAL</b>	<u>\$4,000,000</u>

**Judiciary Committee vote: 8-5 (1 absent)**



