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

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

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

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

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

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

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

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

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

### **JUDICIAL DEPARTMENT**

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

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

<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$0	\$443,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$443,000</b>

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

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

<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$0	\$770,000
GENERAL FUND TOTAL	\$0	\$770,000

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

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

<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$93,776	\$93,776
GENERAL FUND TOTAL	\$93,776	\$93,776

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

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

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

**Judicial - Debt Service Z097**

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

<b>GENERAL FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	(\$400,000)	(\$1,300,000)
GENERAL FUND TOTAL	(\$400,000)	(\$1,300,000)

<b>JUDICIAL DEPARTMENT DEPARTMENT TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
<b>GENERAL FUND</b>	<b>(\$521,224)</b>	<b>\$6,776</b>
	<b>(\$521,224)</b>	<b>\$6,776</b>

**DEPARTMENT TOTAL - ALL FUNDS**

**(\$521,224)**

**\$6,776**

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

## **SUMMARY**

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

1. It provides funding for the guardian ad litem hourly rate increase from \$50 per hour to \$60 per hour to be consistent with the rate paid to court-appointed counsel.
2. It provides funding for an increase in the workweek of certain judicial branch employees from 37.5 hours per week to 40 hours per week.
3. It provides funding for an increase in fees charged by the Department of Administrative and Financial Services, Office of Information Technology to the judicial branch.
4. It deappropriates unused feasibility study funds.
5. It deappropriates funds no longer needed for debt services.