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LD 2214, An Act to Make Supplemental Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025

Good afternoon Senator Rotundo, Representative Sachs and members of the Appropriations and Financial Affairs and Judiciary Committees, and good afternoon Senator Carney, Representative Moonen, and members of the Judiciary Committee. My name is Aaron Frey, and I have the privilege to serve as Maine's Attorney General. I appreciate this opportunity to present the office's FY 2023-24 Supplemental Budget and its new initiatives before you today.

The budget for our office begins on Page A-21, consists of twenty (20) initiatives, and is affected by one article of language.

The first program may be found on page A-21 under the heading ADMINISTRATION – ATTORNEY GENERAL 0310. This program is funded by a mix of General Fund, Federal Funds, and Other Special Revenue Funds. There are five (5) initiatives under this program.

The first initiative transfers one Assistant Attorney General position from 50% Administration - Attorney General program, General Fund and 50% from the Human Services Division program, Other Special Revenue Funds to 50% General Fund and 50% Other Special Revenue Funds within the Human Services Division program. This initiative also transfers related All Other costs. Presently, this position is treated for accounting purposes as belonging to multiple divisions within the office. In reality, the position only belongs to the Health and Human Services Division within the office. This transfer more accurately aligns position allocation with management and supervision. This initiative pairs with the first initiative listed on page A-23, resulting in a net zero effect.

The second initiative on page A-21 provides funding for the approved reorganization/rate change of four Research Assistant MSEA-B/Assistant Complaint Examiner positions in the Consumer Protection Division from range 19 to range 22. This reorganization is needed to properly recognize the scope of work for these positions, while also serving to attract and retain talented employees.

The third initiative transfers one Assistant Attorney General position and related All Other costs from the Administration - Attorney General program to the Human Services Division

program within the same fund. Presently, this position is treated for accounting purposes as belonging to multiple divisions within the office. In reality, the position only belongs to the Health and Human Services Division within the office. This transfer will more accurately align position allocation with management and supervision. This initiative pairs with the sixth initiative listed on page A-23, resulting in a net zero effect.

The fourth initiative provides funding to reflect salary stipends, which are used to pay for costs like training, call-out time, overtime, and availability pay. These costs are currently authorized by contract or Human Resources Memo that are not reflected in position profiles. Previously, the costs of these stipends were not budgeted for and instead were drawn from available salary savings. This is not a sustainable practice, and funds should be budgeted for contractual terms.

The final initiative for this program and on this page provides funding for the approved reorganization of one Research Assistant MSEA-B position from range 22 to range 25 (Auditor III) and transfers All Other to Personal Services to fund the reorganization. Financial crimes prosecutors and investigators in the Office of Attorney General have identified they are in real need of a forensic auditing resource who can devote their time to compiling and analyzing financial records, and need this position more than they need a statewide-focused elder fraud victim witness advocate. By having an accounting professional analyze the financial records, we will have more effective prosecutions. Effective prosecutions should deter others who might be tempted to take advantage of older relatives or other older victims for financial gain. Accounting support would benefit financial exploitation cases across the State.

This concludes the review of the baseline budget and the initiatives for the ADMINISTRATION – ATTORNEY GENERAL 0310 program.

The next fiscal program appears on Page A-22 under the heading CHIEF MEDICAL EXAMINER – OFFICE OF 0412. The Office of the Chief Medical Examiner operates independently of the Office of the Attorney General, but its budget is housed under the same financial umbrella as the District Attorneys and Attorney General. There are three (3) initiatives for this program, all appearing on page A-22.

The first initiative provides funding for unanticipated extraordinary costs resulting from the catastrophic events in Lewiston on October 25, 2023. The Office of Chief Medical Examiner played an integral part in this tragedy via scene response, taking custody of the victims, and conducting full forensic testing and autopsies. Unbudgeted costs include staff overtime, expert forensic pathology assistance, on-property external refrigeration, additional body transportation, supplies, and waste pickup.

The second initiative on page A-22 provides funding for continuation of a pilot for premium overtime, callout and standby pay for the Medical Examiner Assistants in the Office of Chief Medical Examiner per the 2023-2025 Collective Bargaining Agreement.

The final initiative for this program is the Chief Medical Examiner's portion of the stipend initiative originally discussed on page A-21.

This concludes the review of the baseline budget and the initiatives for the CHIEF MEDICAL EXAMINER – OFFICE OF 0412 fiscal program.

The next program is found on page A-22 under the heading DISTRICT ATTORNEYS SALARIES 0409.

The single initiative in this program appears on page A-22 and provides headcount for 2 Assistant District Attorney positions to correct an error in Public Law 2023, chapter 412. The previous budget established 2 permanent Assistant District Attorney positions to handle sexual assault and domestic violence cases without establishing headcount for the positions. This initiative corrects what was passed by providing the necessary headcount.

This concludes the review of the baseline budget for the DISTRICT ATTORNEYS SALARIES 0409 program.

The next program is found on Page A-23 under the heading HUMAN SERVICES DIVISION 0696.

There are ten (10) initiatives in the HUMAN SERVICES DIVISION program.

On page A-23, the first initiative in this program is the other half of the position transfer initiative first seen on page A-21 in the ADMINISTRATION – ATTORNEY GENERAL program. It transfers one Assistant Attorney General position from 50% Administration - Attorney General program, General Fund and 50% from the Human Services Division program, Other Special Revenue Funds to 50% General Fund and 50% Other Special Revenue Funds within the Human Services Division program to more accurately align position allocation with management and supervision.

The second initiative on page A-23 provides funding for the approved reorganization of one Research Assistant MSEA-B position from range 19 to range 20, a Secretary/Paralegal position to a Paralegal position.

The third, fourth, and fifth initiatives provide funding for the approved reorganizations of Research Assistant MSEA-B positions from range 20 to range 22, paralegal positions to senior paralegal positions.

The sixth initiative in this program corresponds with the third initiative on page A-21 and is the other side of the transfer of one Assistant Attorney General position and related All Other costs from the Administration - Attorney General program to the Human Services Division program within the same fund to more accurately align position allocation with management and supervision.

The seventh and eighth initiatives, like several listed above, provide funding for the approved reorganizations of Research Assistant MSEA-B positions from range 20 to range 22, paralegal positions to senior paralegal positions.

Moving forward to page A-24, still in the HUMAN SERVICES DIVISION program, the ninth initiative found on this page provides funding for the approved reorganization of one Secretary Associate Legal position to a Research Assistant MSEA-B paralegal position.

The final initiative in this program, the second listed on page A-24, provides funding for the approved reorganization of one Secretary Specialist Supervisor position to a Research Assistant MSEA-D Senior Paralegal Supervisor position.

With respect to these reorganizations, the need for the reorganizations was driven by the increased scope of work and increased complexity of the tasks being assigned. Furthermore, while all of these positions are housed under the Human Services Division program, the positions are serving different units at the Department of Health and Human Services. These positions may be found in the Child Support, Child Protection, and Human Services Divisions within the Office of the Attorney General.

This concludes the review of the baseline budget and the initiatives for the HUMAN SERVICES DIVISION 0696 program.

The next program is found on Page A-24 under the heading VICTIMS' COMPENSATION BOARD 0711. This program offers financial reimbursement for losses suffered by victims of violent crime and their families and reimburses hospitals for sexual assault. Funding for this program comes from assessments levied against perpetrators as well as a federal grant.

The single initiative in this program establishes one limited-period Research Assistant MSEA-B position through June 7, 2025 and provides one-time funding for related All Other costs. This position is needed pursuant to Public Law 2019, chapter 549, An Act To Create a Victims' Compensation Fund for Victims of Property Crimes. The Office of the Attorney General's fiscal note relating to Public Law 2019, chapter 549, An Act To Create a Victims' Compensation Fund for Victims of Property Crimes, included the requirement of the establishment of one limited-period Research Assistant MSEA-B position in the office. In addition, the office is concerned that the assessment charges for the Property Crimes Fund will not be sufficient to accumulate adequate funding to fund both required staff and approved reimbursement claims. It is still too soon, however, to project that shortfall. Additional General Fund appropriation cannot be determined at this stage and is not requested in this initiative.

This concludes the review of the baseline budget and the initiatives for the VICTIMS' COMPENSATION BOARD 0711 program.

Also included in the Office of the Attorney General Budget is Language Part N, found at page 35 of the language document, which creates the Maine Mass Violence Care Fund to provide financial support to victims of mass violence and their families and household members. This fund is created with a \$5 million transfer from Unappropriated Surplus. The Fund, similar to the one created in Virginia last year, is to be invested over time and then used to cover the long-term medical needs of those injured in the mass violence event in Lewiston last October. In mass shooting events in other states, victims and surviving family members still require surgery and need other medical and behavioral health-related intervention ten and fifteen years later. The Fund

will provide long-term coverage for physical and mental health out-of-pocket expenses not covered by insurance. The Fund will be invested by the Office of the State Treasurer with eligibility determined and proceeds distributed by the Maine Crime Victims' Compensation Board within the Office of the Attorney General. The office has been engaged in discussion around the best way to integrate this program into the current victims' compensation programming, and the director of victims' services is willing to help make this as seamless as practicable.

This concludes the review of the Office of the Attorney General's FY2023-24 Supplemental Budget and its new initiatives before you today.

Finally, not in the Office of the Attorney General budget, but vital for programming that benefits the office, I want to express robust support for the one-time transfer of \$6,000,000.00 to support victims of crimes that is found in the first initiative on page A-85. This initiative may have been presented to AFA and the Health and Human Services Committee on 2/27/2024. This transfer would address the anticipated Victims of Crimes Act ("VOCA") shortfall. The victims' services programming supported by VOCA is immeasurably important to so many victims, victim's families, and those who support victims across the state.

Thank you. I would be happy to answer any questions that you may have.