

MAINE STATE LEGISLATURE

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L.D. 2059

Date: 2/18/26

(Filing No. S-567)

MINORITY

JUDICIARY

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STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 852, L.D. 2059, "An Act to Provide Required Funding for the Reimbursement of Assigned Counsel and to Develop the Public Defender Office for Cumberland County"

Amend the bill by striking out the title and substituting the following:

'An Act to Provide Required Funding for the Reimbursement of Assigned Counsel and to Prohibit Collective Bargaining by Public Defenders and Employed Counsel'

Amend the bill in the emergency preamble by striking out all of the 6th and 7th paragraphs (page 1, lines 20 to 25 in L.D.).

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

'Sec. 1. 26 MRSA §979-A, sub-§6, ¶H-1 is enacted to read:

H-1. Who is a public defender or employed counsel employed by the Maine Commission on Public Defense Services established by Title 5, section 12004-G, subsection 25-A. For purposes of this paragraph, "employed counsel" has the same meaning as in Title 4, section 1802, subsection 3-A and "public defender" has the same meaning as in Title 4, section 1802, subsection 5.

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

PUBLIC DEFENSE SERVICES, MAINE COMMISSION ON

Maine Commission on Public Defense Services Z112

Initiative: Provides one-time funding to address the shortfall in funding available to compensate constitutionally and statutorily required assigned counsel in fiscal years 2025-26 and 2026-27.

| | | |
|---------------------|----------------|----------------|
| GENERAL FUND | 2025-26 | 2026-27 |
| All Other | \$13,000,000 | \$9,000,000 |
| | _____ | _____ |

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "B" to S.P. 852, L.D. 2059 (S.557)

| | | | |
|---|--------------------|--------------|-------------|
| 1 | GENERAL FUND TOTAL | \$13,000,000 | \$9,000,000 |
|---|--------------------|--------------|-------------|

2

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
4 number to read consecutively.

5

SUMMARY

6

7 This amendment, which is the minority report of the committee, changes the title and
8 removes from the bill funding for the establishment of a public defender office in
9 Cumberland County. It also provides that attorneys employed by the Maine Commission
10 on Public Defense Services as employed counsel or public defenders are exempt from the
State Employees Labor Relations Act.

11

FISCAL NOTE REQUIRED

12

(See attached)

COMMITTEE AMENDMENT



132nd MAINE LEGISLATURE

I.D 2059

LR 2847(03)

An Act to Provide Required Funding for the Reimbursement of Assigned Counsel and to Develop the Public Defender Office for Cumberland County

Fiscal Note for Bill as Amended by Committee Amendment # *B" (S. 357)*
Committee: Judiciary
Fiscal Note Required: Yes

Fiscal Note

| | FY 2025-26 | FY 2026-27 | Projections FY 2027-28 | Projections FY 2028-29 |
|-----------------------------------|--------------|-------------|------------------------|------------------------|
| Net Cost (Savings) | | | | |
| General Fund | \$13,000,000 | \$9,000,000 | \$0 | \$0 |
| Appropriations/Allocations | | | | |
| General Fund | \$13,000,000 | \$9,000,000 | \$0 | \$0 |

Fiscal Detail and Notes

The bill includes one-time General Fund appropriations to the Commission on Public Defense Services of \$13,000,000 in fiscal year 2025-26 and \$9,000,000 in 2026-27 to address the shortfall in funding available to compensate constitutionally and statutorily required assigned counsel.