



121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1673

H.P. 1249

House of Representatives, December 19, 2003

An Act To Provide Funding for the Commission on Governmental Ethics and Election Practices

(EMERGENCY)

Submitted by the Commission on Governmental Ethics and Election Practices pursuant to Joint Rule 204.

Received by the Clerk of the House on December 16, 2003. Referred to the Committee on Appropriations and Financial Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. Mac Jarland

MILLICENT M. MacFARLAND Clerk

Presented by Speaker COLWELL of Gardiner.

Cosponsored by Senator GAGNON of Kennebec and

Representatives: PINGREE of North Haven, RICHARDSON of Brunswick, Senators: President DAGGETT of Kennebec, MAYO of Sagadahoc, SAVAGE of Knox, TURNER of Cumberland, WESTON of Waldo, YOUNGBLOOD of Penobscot. **Emergency preamble. Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, due to earlier transfers to the General Fund, the Maine Clean Election Fund needs additional funding to cover the costs that it is anticipated will be incurred during the 2004 statewide election; and

10 Whereas, the Commission on Governmental Ethics and Election
 Practices has certain pressing operational costs to adequately
 12 fulfill its responsibilities for statewide elections; and

14 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 16 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 18 safety; now, therefore,

- 20 Be it enacted by the People of the State of Maine as follows:
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- PART A
- 24 Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON

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Maine Clean Election Fund

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Initiative: Appropriates funds to cover an anticipated shortfall in the Maine Clean Election Fund for projected costs of the 2004 statewide election. The State Controller shall transfer these funds to the Maine Clean Election Fund no later than June 30, 2004.

General Fund		2003-04	2004-05	
38	All Other	\$1,551,201	\$0	
40	General Fund Total	\$1,551,201	\$0	

42 Governmental Ethics and Election Practices - Commission on 0414

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Initiative: Appropriates funds for temporary employees needed for election-related data entry and clerical tasks.

48	General Fund	2003-04	2004-05
	All Other	\$5,000	\$5,000
50			

_	General Fund Total	\$5,000	\$5,000		
2					
	Governmental Ethics and Election				
4	Practices - Commission on 0414				
6	Initiative: Appropriates funds for n	ecessary softw	are costs and		
0	the operational costs for maintaining				
8	the operational costs for maintaining				
Q	Cananal Fund	2003-04	2004-05		
	General Fund		\$7,500		
10	All Other	\$0	φ7,500		
			#7 E00		
12	General Fund Total	\$0	\$7,500		
14	Governmental Ethics and Election				
	Practices - Commission on 0414				
16					
		or per diem	payments to		
18	commission members.				
20	General Fund	2003–04	2004–05		
	All Other	\$1,500	\$1,500		
22					
	General Fund Total	\$1,500	\$1,500		
24					
	GOVERNMENTAL ETHICS AND ELECTION				
26	PRACTICES, COMMISSION ON				
	DEPARTMENT TOTALS	2003-04	2004-05		
28					
	GENERAL FUND	\$1,557,701	\$14,000		
30			-		
•••	DEPARTMENT TOTAL - ALL FUNDS	\$1,557,701	\$14,000		
32		+	··		
	PART B				
34					
	Sec. B-1. 21-A MRSA §1124, sub-§2.	. TB . as amende	d by PL 2001.		
36	c. 714, Pt. RR, §1, is further amended	· •• ·	u », 12 2002,		
50					
38	B. Two million dollars of th	e revenues fr	om the taxes		
50	imposed under Title 36, Parts 3				
40	General Fund, transferred to		v the State		
τU	Controller on or before January		4		
42	_	ues must be			
76	-				
	equitable manner by an equiva				
44	administrative divisions of t	-			
46	executive branch agencies. This	-			
46	funds distributed to the Local	Government Fun	a under Title		
	30-A, section 5681.				
48					
	If the commission determines the	hat the fund	will not have		

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sufficient revenues to cover the likely demand for funds

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from the Maine Clean Election Fund in the upcoming calendar 2 year 2006, by January 1_{7} -2006 <u>1st</u>, the commission shall provide a report of its projections of the balances in the 4 Maine Clean Election Fund to the Legislature and the Governor and may request that the State Controller make the 6 following transfers to the Maine Clean Election Fund from General Fund. These transfers may include up to the 8 \$2,000,000 no later than February 28, 2004, reflecting an advance of the transfer of the amounts that would be 10 received on or before January 1, 2005 pursuant to this paragraph, and: 12 (1) Up to \$2,000,000 no later than February 28, 2006,

- 14 reflecting an advance of the transfer of the amounts that would be received on or before January 1, 2007 16 pursuant to this paragraph; and
- 18 (2) Up to \$2,000,000 no later than July 31, 2006, reflecting an advance of the transfer of the amounts
 20 that would be received on or before January 1, 2008 pursuant to this paragraph;
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Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

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SUMMARY

Part A of this bill appropriates funds to the Commission on 30 Governmental Ethics and Election Practices for the following purposes.

It provides additional funding for the Maine Clean
 Election Fund.

36 2. It provides additional funds for temporary workers needed for election-related data entry and clerical tasks.

3. It provides additional funds for certain technology 40 costs.

42 4. It provides additional funds for per diem payments for commission members.

Part B of this bill authorizes the commission to request transfers to the Maine Clean Election Fund if it determines that the likely demand from the fund in the coming year will exceed revenues in the fund. The bill specifically authorizes the commission to request a transfer of up to \$2,000,000 no later than February 28, 2004, reflecting an advance of the transfer of amounts that would be received on or before January 1, 2005.

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