

MAINE STATE LEGISLATURE

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5/21/19
RCS

L.D. 1583

Date: 5/21/19

Minority

(Filing No. H-318)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1145, L.D. 1583, Bill, "An Act To Enact the Maine Citizens' Initiatives Clean Election Act"

Amend the bill in section 1 in §1132 by striking out all of subsection 13 (page 2, lines 29 to 37 in L.D.) and inserting the following:

'13. Qualifying period. "Qualifying period" means the time period that begins upon the filing of an application to initiate a citizens' initiative ballot question under section 901 and ends 120 days after the petition has been filed as required by the Constitution of Maine, Article IV, Part Third, Section 17 for a people's veto or Article IV, Part Third, Section 18 for a direct initiative of legislation.'

Amend the bill in section 1 in §1135 in subsection 2 in paragraph A in the first line (page 5, line 3 in L.D.) by inserting after the following: "May" the following: ' , in addition to collecting seed money contributions under subsection 4, collect contributions and make expenditures to collect signatures for the ballot question. The ballot question committee may'

Amend the bill in section 1 in §1135 in subsection 2 in paragraph B in the last line (page 5, line 13 in L.D.) by inserting after the following: "question" the following: 'at a time'

Amend the bill in section 1 in §1135 in subsection 8 in the 8th line (page 7, line 8 in L.D.) by inserting after the following: "of intent" the following: 'and may not be used to collect signatures for the ballot question'

Amend the bill by inserting after section 2 the following:

'Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Revenue Services, Bureau of 0002**

Initiative: Provides one-time funding for programming costs to add 2 new voluntary checkoffs to the individual income tax return.

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 1145, L.D. 1583

1	GENERAL FUND	2019-20	2020-21
2	All Other	\$22,000	\$0
3			
4	GENERAL FUND TOTAL	<u>\$22,000</u>	<u>\$0</u>

5	ADMINISTRATIVE AND FINANCIAL		
6	SERVICES, DEPARTMENT OF		
7	DEPARTMENT TOTALS	2019-20	2020-21
8			
9	GENERAL FUND	\$22,000	\$0
10			
11	DEPARTMENT TOTAL - ALL FUNDS	<u>\$22,000</u>	<u>\$0</u>

12 **ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL**
13 **Maine Citizens' Initiatives Clean Election Fund N319**

14 Initiative: Provides an allocation for temporary staffing to process additional qualifying
15 contributions and to assist with compliance monitoring.

16	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
17	All Other	\$23,614	\$24,270
18			
19	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$23,614</u>	<u>\$24,270</u>

20 **Maine Citizens' Initiatives Clean Election Fund N319**

21 Initiative: Provides an allocation for disbursement of funds to certified committees.

22	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
23	All Other	\$750,000	\$1,500,000
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$750,000</u>	<u>\$1,500,000</u>

26	ETHICS AND ELECTION PRACTICES,		
27	COMMISSION ON GOVERNMENTAL		
28	DEPARTMENT TOTALS	2019-20	2020-21
29			
30	OTHER SPECIAL REVENUE FUNDS	\$773,614	\$1,524,270
31			
32	DEPARTMENT TOTAL - ALL FUNDS	<u>\$773,614</u>	<u>\$1,524,270</u>

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to H.P. 1145, L.D. 1583

1	SECTION TOTALS	2019-20	2020-21
2			
3	GENERAL FUND	\$22,000	\$0
4	OTHER SPECIAL REVENUE FUNDS	\$773,614	\$1,524,270
5			
6	SECTION TOTAL - ALL FUNDS	\$795,614	\$1,524,270
7			

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

10 **SUMMARY**

11 This amendment, which is the minority report of the committee, makes technical
12 changes to the Maine Citizens' Initiatives Clean Election Act established in the bill. The
13 amendment clarifies that a ballot question committee that wishes to participate in the Act
14 and that supports a direct initiative or people's veto may, in addition to collecting seed
15 money contributions, collect a limited amount of contributions and make a limited
16 amount of expenditures specifically for the purposes of gathering signatures on the ballot
17 question petition. The amendment clarifies that a ballot question committee that wishes
18 to participate in the Act may be involved in collecting signatures for only one ballot
19 question at a time and may not expend any revenues distributed from the Maine Citizens'
20 Initiatives Clean Election Fund on signature-gathering activities.

21 The amendment also provides that the qualifying period, during which ballot question
22 committees may collect qualifying contributions for certification under the Act,
23 commences for all committees on the date that an application to initiate proceedings for a
24 direct initiative or people's veto is filed with the Secretary of State under the Maine
25 Revised Statutes, Title 21-A, section 901.

26 The amendment adds an appropriations and allocations section.

27 **FISCAL NOTE REQUIRED**
28 (See attached)

COMMITTEE AMENDMENT



129th MAINE LEGISLATURE

LD 1583

LR 284(02)

An Act To Enact the Maine Citizens' Initiatives Clean Election Act

Fiscal Note for Bill as Amended by Committee Amendment *A(H-318)*

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$3,022,000	\$3,000,000	\$3,000,000	\$3,000,000
Appropriations/Allocations				
General Fund	\$22,000	\$0	\$0	\$0
Other Special Revenue Funds	\$773,614	\$1,524,270	\$1,524,945	\$1,525,638
Transfers				
General Fund	(\$3,000,000)	(\$3,000,000)	(\$3,000,000)	(\$3,000,000)
Other Special Revenue Funds	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000

Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time.

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.

Fiscal Detail and Notes

This bill establishes the Maine Citizens' Initiatives Clean Election Fund (the fund) within the Commission on Governmental Ethics and Election Practices (CGEEP) to provide a public financing mechanism for groups that meet specific criteria to support or oppose a direct initiative of legislation or a people's veto or to support a competing measure to a direct initiative of legislation. A group must collect 2,500 qualifying contributions to receive an initial distribution of \$600,000; for each additional 240 qualifying contributions the group will receive an additional \$50,000 up to a maximum amount of \$1,000,000 per group. The fund will receive an annual transfer of \$3,000,000 from the unappropriated surplus of the General Fund on or before January 1st of each year beginning January 1, 2020. Other funding will come from qualifying contributions raised by committees, voluntary contributions through a tax checkoff program, seed money contributions remaining unspent after a ballot question committee becomes a certified committee, fund revenues unspent after a referendum on a ballot question and certain fines collected related to the bill.

The bill includes a one-time General Fund appropriation of \$22,000 to the Department of Administrative and Financial Services in fiscal year 2019-20 for programming costs to add two new voluntary checkoffs to the individual income tax return. The bill also includes allocations to the GCEEP of \$750,000 in fiscal year 2019-20 and \$1,500,000 in fiscal year 2020-21 for distribution of funds to certified committees and \$23,614 in fiscal year 2019-20 and \$24,270 in fiscal year 2020-21 for one limited-period position to process additional qualifying contributions and to assist with compliance monitoring.

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The bill requires that the annual \$3,000,000 transfers from the General Fund be offset by equivalent reductions in tax expenditures as defined in Title 36, section 199-A, subsection 2. As no guidance is provided in the bill on which tax expenditures will be eliminated nor on who will make that decision, and with no notwithstanding language to allow tax expenditures described in current statute to be eliminated, this fiscal note does not reflect any \$3,000,000 offset to the transfers.