

MAINE STATE LEGISLATURE

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Date: 6/15/21

(Filing No. S-298)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 768, L.D. 1034, "An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations"

Amend the amendment by striking out all of section 1 and inserting the following:

'Sec. 1. 5 MRSA §12004-I, sub-§74-J, as enacted by PL 2019, c. 457, §1, is repealed.

Sec. 2. 5 MRSA §12004-J, sub-§19 is enacted to read:

19.

Racial, Permanent Commission on the Legislative Per 5 MRSA §25001
Indigenous and Status of Racial, Indigenous and Diem and Expenses
Tribal Tribal Populations
Populations

Amend the amendment in section 3 in §25001 in the first indented paragraph in the 2nd line (page 2, line 2 in amendment) by striking out the following: "section 12004-I, subsection 74-J" and inserting the following: 'section 12004-I, subsection 74-J section 12004-J, subsection 19'

Amend the amendment by inserting after section 6 the following:

'Sec. 7. 5 MRSA §25010, as enacted by PL 2019, c. 457, §2, is amended to read:

§25010. Federal and state funds

The commission may accept funds from the Federal Government, from a political subdivision of the State or from an individual, a foundation or a corporation and may expend funds for purposes that are consistent with this chapter. Funds received under this section must be deposited in ~~a nonlapsing Other Special Revenue Funds account within the Department of Labor~~ an account maintained by the commission to support the work of the commission.'

Amend the amendment by inserting after section 7 the following:

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1 **Sec. 8. Transfer of funds.** Notwithstanding any provision of law to the contrary,
2 the State Controller shall transfer any unobligated balances remaining in the Racial,
3 Indigenous and Maine Tribal Populations, Other Special Revenue Funds account within
4 the Department of Labor to the Racial, Indigenous and Tribal Populations, Other Special
5 Revenue Funds account within the Permanent Commission on the Status of Racial,
6 Indigenous and Tribal Populations no later than June 30, 2022.

7 **Sec. 9. Appropriations and allocations.** The following appropriations and
8 allocations are made.

9 **LABOR, DEPARTMENT OF**

10 **Racial, Indigenous and Maine Tribal Populations Z287**

11 Initiative: Eliminates base allocations provided to authorize expenditures from funds
12 received by the commission from federal or private sources.

13	OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
14	All Other	(\$500)	(\$500)
15			
16	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500)	(\$500)

17
18 **LABOR, DEPARTMENT OF**
19 **DEPARTMENT TOTALS**

20		2021-22	2022-23
21	OTHER SPECIAL REVENUE FUNDS	(\$500)	(\$500)
22			
23	DEPARTMENT TOTAL - ALL FUNDS	(\$500)	(\$500)

24 **STATUS OF RACIAL, INDIGENOUS AND TRIBAL POPULATIONS,**
25 **PERMANENT COMMISSION ON THE**

26 **Racial, Indigenous and Tribal Populations N329**

27 Initiative: Establishes ongoing funds for one Public Service Executive II position, one
28 Policy Development Specialist position, one Public Service Coordinator I position, one
29 Business Manager II position, one Planning and Research Associate I position and related
30 All Other costs to support the operations of the Permanent Commission on the Status of
31 Racial, Indigenous and Tribal Populations effective October 1, 2021.

32	GENERAL FUND	2021-22	2022-23
33	POSITIONS - LEGISLATIVE COUNT	5,000	5,000
34	Personal Services	\$439,241	\$597,367
35	All Other	\$1,560,759	\$1,402,633
36			
37	GENERAL FUND TOTAL	\$2,000,000	\$2,000,000

38 **Racial, Indigenous and Tribal Populations N329**

39 Initiative: Provides base allocations to authorize expenditures from funds received from
40 federal or private sources.

41	FEDERAL EXPENDITURES FUND	2021-22	2022-23
42	All Other	\$500	\$500

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1			
2	FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
3			
4	OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
5	All Other	\$500	\$500
6			
7	OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
8			
9	STATUS OF RACIAL, INDIGENOUS AND		
10	TRIBAL POPULATIONS, PERMANENT		
11	COMMISSION ON THE		
12	DEPARTMENT TOTALS	2021-22	2022-23
13			
14	GENERAL FUND	\$2,000,000	\$2,000,000
15	FEDERAL EXPENDITURES FUND	\$500	\$500
16	OTHER SPECIAL REVENUE FUNDS	\$500	\$500
17			
18	DEPARTMENT TOTAL - ALL FUNDS	\$2,001,000	\$2,001,000
19			
20	SECTION TOTALS	2021-22	2022-23
21			
22	GENERAL FUND	\$2,000,000	\$2,000,000
23	FEDERAL EXPENDITURES FUND	\$500	\$500
24	OTHER SPECIAL REVENUE FUNDS	\$0	\$0
25			
26	SECTION TOTAL - ALL FUNDS	\$2,000,500	\$2,000,500

28 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
29 section number to read consecutively.

30 **SUMMARY**

31 This amendment changes, from an account within the Department of Labor to an
32 account maintained by the Permanent Commission on the Status of Racial, Indigenous and
33 Tribal Populations, the account into which funds received by the commission must be
34 deposited. The amendment moves the statutory allocation of the establishment of the
35 commission from the section of law concerning advisory boards and boards with minimal
36 authority to the section of law concerning independent advisory boards to categorize the
37 commission as a commission that has a separate line item in the budget document and to
38 which money is allocated or appropriated by the Legislature. The amendment also transfers
39 unobligated balances in the Racial, Indigenous and Maine Tribal Populations, Other
40 Special Revenue Funds account within the Department of Labor to the Racial, Indigenous
41 and Tribal Populations, Other Special Revenue Funds account within the Permanent

SENATE AMENDMENT

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 768, L.D. 1034 (S-298)

1 Commission on the Status of Racial, Indigenous and Tribal Populations. It also adds an
2 appropriations and allocations section.

3 SPONSORED BY: *Gregory Baldacci*
4 (Senator BALDACCI, J.)

5 COUNTY: Penobscot

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT



130th MAINE LEGISLATURE

LD 1034

LR 436(05)

An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-298)

Sponsor: Sen. Baldacci of Penobscot

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Appropriations/Allocations				
General Fund	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Federal Expenditures Fund	\$500	\$500	\$500	\$500
Other Special Revenue Funds	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

This amendment establishes the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations as an independent advisory board in order to establish the commission as a commission that has a separate line item in the budget document and to which money is allocated or appropriated by the Legislature.

The amendment provides ongoing General Fund appropriations of \$2,000,000 per year beginning in fiscal year 2021-22 to a newly created Racial, Indigenous and Tribal Populations program within the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations for one Public Service Executive II position, one Policy Development Specialist position, one Public Service Coordinator I position, one Business Manager II position, one Planning and Research Associate I position and related All Other costs to support the operations of the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations effective October 1, 2021.

The amendment also provides Other Special Revenue Funds and Federal Expenditures Fund base allocations of \$500 per year beginning in fiscal year 2021-22 to the Racial, Indigenous and Tribal Populations program to authorize expenditures in the event funds are received from federal or private sources. The amendment also provides a corresponding Other Special Revenue Funds deallocation to the Racial, Indigenous and Maine Tribal Populations program within the Department of Labor. Finally, this amendment includes language that directs the State Controller to transfer any unobligated balances remaining in the Racial, Indigenous and Maine Tribal Populations Other Special Revenue Funds account within the Department of Labor to the new dedicated program account within the commission no later than June 30, 2022.

LD 221, the 2022-2023 biennial budget, as amended by the May 2021 change package, includes General Fund appropriations of \$495,035 per year beginning in fiscal year 2021-22 to a program account within the Department of Labor to support the work of the commission. If both this legislation and LD 221 as amended are approved by the Legislature, the General Fund appropriations made to the program account within the Department of Labor will need to be transferred to the program account within the commission.