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State of Maine
 ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
 COMMITTEE ON VETERANS AND LEGAL AFFAIRS

April 7, 2011

To: Senator Richard Rosen and Representative Patrick Flood, Chairs
 Members, Joint Standing Committee on Appropriations and Financial Affairs

From: Senator Nichi Farnham and Representative Michael Beaulieu, Chairs
 Joint Standing Committee on Veterans and Legal Affairs

RE: LD 1043 "Biennial Budget" Report Back

Recommendations on initiatives not proposed by LD 1043

Maine Advisory Commission on Women Veterans/Women Veterans Coordinator: The Veterans and Legal Affairs Committee unanimously supports an initiative that establishes a fund to provide a stipend in FY 12 and FY 13 for a Women Veterans Coordinator within the Department of Defense Veterans and Emergency Management, Bureau of Veterans Services. The stipend for this position is \$12,500 each year. In addition, these members also support providing funding for expenses, travel reimbursement, and conference attendance fees for the Maine Advisory Commission on Women Veterans for FY 12 in the amount of \$7,500. The funding for the stipend and expenses in FY 12 will be offset by deappropriating (FY 11) Personal Services Savings from 2 vacant positions recently approved for the Gambling Control Board in the Supplemental Budget (LD 100). The positions, budgeted to start in mid-March, will not be filled prior to May 1st 2011. The Personal Services savings is equal to \$20,118 according to information received from the Department of Public Safety. This savings is sufficient to cover the stipend and expenses for FY 12. After discussion at a second worksession, the committee proposed to fund the stipend and expenses for FY 13 by deappropriating All Other savings from the due diligence money approved for the Gambling Control Board in the supplemental budget for work necessary to consider the application for the Oxford County Casino. Recognizing that there has been no receipt of an application for the Oxford casino, we estimate the savings from that, to date, is approximately \$47,000 since enactment of LD 100. We will provide statutory language that ensures that this fund is administered by Bureau of Veterans Services and that there is an annual report to VLA about the use of this money. It is our hope that the need to highlight the lapses in the care and recognition of our women veterans will be unnecessary and thus, we are proposing a sunset to these provisions in 6 years.

(Vote on 4/6/2011 Farnham, Patrick, Plowman, Beaulieu, Carey, Damon, Crockett, Chipman, Valentino, Willette, Longstaff, Mitchell, Russell, Johnson)

Annual \$2 Million transfer to the Maine Clean Election Fund: Title 21-A §1124, sub-§2 provides for the annual transfer of General Fund dollars to the Maine Clean Election Fund on January 1st of each year. In recent years, the Commission has requested that the date of transfer be moved to an earlier date of September 1st, and the Legislature

has responded favorably to that request. We unanimously recommend that the final report on LD 1043 include language that amends this section to permanently change this date to September 1st beginning in 2011. (Vote on 3/25/2011: Farnham, Patrick, Beaulieu, Crockett, Damon, Valentino, Johnson, Carey, Longstaff, Russell)

Funding 1.5 positions within the Bureau of Elections and Corporations: Deputy Secretary of State, Julie Flynn presented us with a compelling argument to find funding for a full-time central voter registration manager position and a half-time assistant director of elections. These positions had been paid for by the General Fund in the past, but in 2006 in order to save General Fund money, those positions were paid for using federal Help America Vote Act (HAVA) money. A majority (8) wants to express its support for funding these positions even though we were unable to find money within our area of jurisdiction. (Vote on 4/6/2011: Farnham, Plowman, Beaulieu, Chipman, Crockett, Damon, Johnson, Willette) Although the committee unanimously recognizes the importance of the two positions, a minority opposed the initiative because they believe that the Secretary of State has the option to self-fund these positions but has placed other spending initiatives within its department as a higher priority. In addition, the minority opposed to this initiative believe that there will be HAVA money available to fund these positions through the biennium. (Patrick, Carey, Valentino, Russell, Longstaff, Mitchell)

Recommendations on initiatives proposed by LD 1043

The Joint Standing Committee on Veterans and Legal Affairs voted unanimously to support all but 2 of the budget initiatives as proposed by the Governor's budget. The committee voted to reject one Other Special Revenue spending proposal at the request of the Commission on Governmental Ethics and Election Practices. The committee also unanimously voted to delay consideration of the continuation of two positions within the Gambling Control Board. The table below summarizes the committee's votes on the initiatives proposed by LD 1043.

Initiative	FY 2011-12	FY 2012-13	Vote
Department of Defense Veterans and Emergency Management			
Ref# 6900 p. VLA-6 Continues 5 federally funded positions under Military Training and Operations – previously funded by Financial Order	\$365,017 Federal Ex.	\$389,424 Federal Ex.	IN – unanimous Crockett, Damon, Valentino, Farnham, Johnson, Carey, Longstaff, Russell
Ref # 6910 p. VLA-7 Continues 6 Military Firefighter positions- previously funded by Financial order	\$464,874 Federal Ex.	\$494,664 Federal Ex.	IN – unanimous Crockett, Damon, Valentino, Farnham, Johnson, Carey, Longstaff, Russell
Commission on Governmental Ethics and Election Practices			
Ref#10300 p. VLA-12 Funds for online system for filing financial statements by Legislators and certain Exec. Branch officials	\$10,000 Other Special Revenue	\$0	IN- unanimous Chipman, Crockett, Valentino, Plowman, Farnham, Beaulieu, Johnson, Carey, Longstaff, Russell
Ref#10310 p. VLA-13 Modifies campaign finance reporting system to accommodate certain municipal reports	\$70,000 Other Special Revenue	\$0	OUT- unanimous Chipman, Crockett, Valentino, Plowman, Farnham, Beaulieu, Johnson, Carey, Longstaff, Russell
Ref #10320 p. VLA-13 Funds a project planning and research assistant for the 2012 election	\$30,674 Other Special Revenue	\$31,711 Other Special Revenue	IN- unanimous Chipman, Crockett, Valentino, Plowman, Farnham, Beaulieu, Johnson, Carey, Longstaff, Russell
Secretary of State – Bureau of Corporations and Elections			
Ref#21020 p. VLA-21 Provides funding for HAVA elections program	\$1,323,300 Federal Ex.	\$1,323,300 Federal Ex.	IN – unanimous Chipman, Crockett, Damon, Valentino, Farnham, Beaulieu, Johnson, Carey, Longstaff, Russell

Department of Public Safety – Liquor Enforcement			
Ref#20390 p. VLA-18 Provides funding for the increased cost of building rent	\$192 OSR	\$941 OSR	IN – unanimous Chipman, Crockett, Damon, Valentino, Farnham, Beaulieu, Johnson, Carey, Longstaff, Russell
Department of Public Safety – Gambling Control Board			
Ref#20500 p.VLA-16 Continues Office Spec. I and Pub. Safety Inspector I and contractual services needed for Oxford Casino	\$258,904 General Fund	\$275,053 General Fund	*DELAY – unanimous Need further review of the Oxford casino law – Sen Plowman and Rep. Carey to report back to committee.
<ul style="list-style-type: none"> • Although the committee understands the importance of continuing these 2 positions within the Gambling Control Board, we feel it is important to take the necessary time to review those in the larger context of considering necessary changes to the staffing level of the Board in recognition of the expansion of oversight and regulation required with the operation of a casino in Oxford County. • The Veterans and Legal Affairs Committee recognizes that they will need to pay ongoing attention to the expansion of the Gambling Control Board to accommodate the future licensing and oversight of the Oxford County Casino. We recognize the biennial budget is the best place to consider such an initiative, however, there are too many factors that are still unknown but necessary to guide us through the development of that policy at this time. It is our intent to continue consideration of this policy matter as information regarding the anticipated start-date of the casino, projected revenues, and the hiring of a new Executive Director become available. We request that you reserve action on this initiative until we have been able to better recommend a course of action on broader changes to staffing of the Gambling Control Board. 			

Thank you for your time and consideration of our report.

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Committee Recommendations for Changes to Governor's Budget Proposal

Name of Committee: VETERANS AND LEGAL AFFAIRS

LD: 1043 Date of Report: APRIL 7, 2011

GF Cost (Savings)		Change in Headcount (All Funds)		Vote
FY12	FY13	FY12	FY13	

			\$258,904	\$275,053			
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Proposals to Reject the Governor's Initiatives & Effect on Net GF Cost or Savings

Page	Reference/ Part	Summary of Initiative					
VLA-13	10310	Funds modification using OSR to campaign finance database in order to accommodate receipt of certain municipal reports					OUT unanimous

Proposals to Amend the Governor's Initiatives & Effect on Net GF Cost or Savings

Page	Reference/ Part	Description of Amendment (Attach Revised Initiative Description or Language)					
VLA-16	20500	DELAY approval of Office Specialist I and P.S. Inspector I for Gambling Control Board and contractual services for specialized legal assistance (AG) - include in larger consideration of changes to GCB necessary for oversight and administration of slot machines and table games with the pending operation of the Oxford Casino					UNANIMOUS

Proposals for Additional Initiatives & Effect on Net GF Cost or Savings

	DPS/GCB	Deappropriate FY 11 Personal Services savings from two positions approved in the supplemental budget from the Gambling Control Board unfilled from March 15th to May 1st - direct that those savings not be recognized by the salary plan. Use to fund FY12 stipend and expenses for women veterans initiative.	(\$20,118)	\$0			UNANIMOUS
	DPS/GCB	Deappropriate FY 11 All Other savings from money not spent on due diligence in connection to work on the application for the Oxford casino. Use to fund FY 13 stipend for women veterans initiative.		(\$47,000)			UNANIMOUS
	DVEM	Provide stipend within the DVEM, Bureau of Veterans Services for a Women's Veterans Coordinator	\$12,500	\$12,500			UNANIMOUS
	DVEM	Provide funds for travel, supplies and conference fees for the Maine Advisory Commission on Women Veterans	\$7,500	\$0			UNANIMOUS
	SOS	Fund 1 full-time CVR manager and 1 half-time asst. director of elections	\$108,880	\$116,152			8 IN - 6 OUT

			\$108,762	\$81,652			
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			\$367,666	\$356,705			
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VLA LD 1043

Military Training and Operations 0108

Initiative: BASELINE BUDGET

	History 2009-10	History 2010-11	2011-12	2012-13
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	25.000	25.000	25.000	25.000
Personal Services	\$1,565,693	\$1,503,083	\$1,660,407	\$1,725,118
All Other	\$951,138	\$951,550	\$951,550	\$951,550
GENERAL FUND TOTAL	\$2,516,831	\$2,454,633	\$2,611,957	\$2,676,668

	History 2009-10	History 2010-11	2011-12	2012-13
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	88.000	88.000	88.000	88.000
Personal Services	\$6,694,737	\$6,892,907	\$6,099,194	\$6,347,211
All Other	\$10,557,509	\$10,557,509	\$10,557,509	\$10,557,509
FEDERAL EXPENDITURES FUND TOTAL	\$17,252,246	\$17,450,416	\$16,656,703	\$16,904,720

	History 2009-10	History 2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$74,889	\$78,702	\$73,137	\$77,659
All Other	\$563,709	\$738,809	\$563,809	\$563,809
OTHER SPECIAL REVENUE FUNDS TOTAL	\$638,598	\$817,511	\$636,946	\$641,468

	History 2009-10	History 2010-11	2011-12	2012-13
MAINE MILITARY AUTHORITY ENTERPRISE FUND				
Personal Services	\$44,295,546	\$46,237,216	\$46,031,314	\$48,479,344
All Other	\$44,508,103	\$44,508,103	\$44,508,103	\$44,508,103
MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	\$88,803,649	\$90,745,319	\$90,539,417	\$92,987,447

Justification:

The Military Bureau consists of the Army National Guard and the Air National Guard. The Army National Guard provides a force ready to serve with the Active Army in support of National security. The Air National Guard provides a combat ready force to serve in federal missions of air refueling, combat communications, and engineering installations. Both serve the Governor and the State in times of emergency.

Military Training and Operations 0108

Initiative: Continues one limited-period Engineering Technician III position, one limited-period Civil Engineer III position, one limited-period Senior Planner position and one limited-period Groundskeeper I position created by Financial Order 005975 F1. Also continues one limited-period Planner II position created by Financial Order 005976 F1. These positions end on June 8, 2013.

Ref. #: 6900

One Time

Committee Vote: IN UNANIMOUS AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

2011-12	2012-13
\$365,017	\$389,424
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\$365,017	\$389,424

FEDERAL EXPENDITURES FUND TOTAL

Justification:

These positions are necessary for the Military Training and Operations to continue to support the Army National Guard's requirements for Installation Status Reporting. In addition to the department's ability to plan, complete, track Maine National Guard projects for the State and to ensure the safe accessibility and appearance of State facilities. The revenue to fund these positions is derived 100% from federal funds through the cooperative agreement.

Military Training and Operations 0108

Initiative: Continues 6 limited-period Military Firefighter positions created by financial order. These positions end on June 8, 2013.

Ref. #: 6910

One Time

Committee Vote:

Unanimous

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

2011-12	2012-13
\$464,874	\$494,664
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\$464,874	\$494,664

FEDERAL EXPENDITURES FUND TOTAL

Justification:

These positions are necessary for the Maine Air National Guard Fire Department to increase their full-time Firefighters based on the National Guard manpower standards. The department provides fire protection 24 hours a day 365 days a year on a 56 hours work schedule. The revenue to fund these positions is derived 100% from Federal Expenditure Funds through the cooperative agreement.

Sec. A-26. Appropriations and allocations. The following appropriations and allocations are made.

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

Governmental Ethics and Election Practices - Commission on 0414

Initiative: BASELINE BUDGET

	History 2009-10	History 2010-11	2011-12	2012-13
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	2,000	2,000	2,000	2,000
Personal Services	\$122,334	\$118,357	\$127,403	\$131,811
All Other	\$9,659	\$9,584	\$9,615	\$9,615
GENERAL FUND TOTAL	\$131,993	\$127,941	\$137,018	\$141,426
	History 2009-10	History 2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	5,000	5,000	5,000	5,000
Personal Services	\$436,525	\$537,981	\$391,153	\$405,654
All Other	\$3,027,104	\$1,157,843	\$1,195,247	\$1,195,247
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,463,629	\$1,695,824	\$1,586,400	\$1,600,901

Justification:

The budget request of the Maine Commission on Governmental Ethics and Election Practices is based on the costs necessary for the administration of Maine's legislative ethics standards, lobbyist registration and disclosure requirements, and the statutory requirements for campaign finance reporting by candidates, party committees, and political action committees, including administration of the Maine Clean Election Act, as mandated by Title 1, chapter 25, Title 3, chapter 15 and Title 21-A, chapters 13 and 14.

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Provides funding for the development and implementation of an online system for the filing of financial statements by Legislators and certain executive branch officials.

Ref. #: 10300 One Time Committee Vote: IN UNANIMOUS AFA Vote: _____

	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS		
All Other	\$10,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$0

Justification:

Legislators and certain executive branch officials are required to file statements of sources of income with the Ethics Commission on an annual basis. These statements are currently filed on paper. Public Law 2007, chapter 704 requires the Ethics Commission to publish these statements on a publicly accessible website. This funding is required to develop and implement a system for the statements to be filed on-line and to be available to the public on the Commission's website.

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Provides funding for modifications of the online campaign finance filing system and creation of an online system for the filing of financial statements by public officials.

Ref. #: 10310

One Time

Committee Vote:

OUT
unanimous

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

2011-12

2012-13

\$70,000

\$0

OTHER SPECIAL REVENUE FUNDS TOTAL

\$70,000

\$0

Justification:

Modifications of the Commission's on-line campaign finance filing system are necessary to allow municipal candidates and political action committees to file campaign finance reports on-line as required by Public Law 2009, chapter 366. The Commission's web-based application for qualifying contributions requires modifications in light of operational problems discovered in the 2010 election cycle (Maine Revised Statutes, Title 21-A, section 1125(3)). Legislators and certain executive branch officials are required to file statements of sources of income with the Ethics Commission on an annual basis. These statements are currently filed on paper. Public Law 2007, chapter 704 requires the Ethics Commission to publish these statements on a publicly accessible website.

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Establishes one project Planning and Research Assistant position needed to administer the 2012 election. This position begins on January 1, 2012 and ends on December 31, 2012.

Ref. #: 10320

One Time

Committee Vote:

IN
unanimous

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

Personal Services

All Other

2011-12

2012-13

\$30,674

\$31,711

(\$30,674)

(\$31,711)

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0

\$0

Justification:

This Planning and Research Assistant position will fill staffing needs during the 2012 election year.

Sec. A-63. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Gambling Control Board Z002

Initiative: BASELINE BUDGET

	History 2009-10	History 2010-11	2011-12	2012-13
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	6,000	8,000	6,000	6,000
Personal Services	\$448,208	\$471,697	\$472,865	\$485,094
All Other	\$569,464	\$838,920	\$599,213	\$599,213
GENERAL FUND TOTAL	\$1,017,672	\$1,310,617	\$1,072,078	\$1,084,307
	History 2009-10	History 2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS				
All Other	\$565,631	\$572,967	\$572,967	\$572,967
OTHER SPECIAL REVENUE FUNDS TOTAL	\$565,631	\$572,967	\$572,967	\$572,967

Justification:

The Board was created to regulate, supervise, and exercise general control over the ownership and operation of slot machines, the distribution of slot machines, and slot machine facilities and the people who are employed by those entities.

Gambling Control Board Z002

Initiative: Continues one Office Specialist I position and one Public Safety Inspector I position established in fiscal year 2010-11 and contractual services for legal counsel to meet immediate needs associated with the Oxford County casino.

Ref. #: 20500

Committee Vote: DELAY AFA Vote: _____

		2011-12	2012-13
GENERAL FUND			
POSITIONS - LEGISLATIVE COUNT	unanimous. See narrative in VLA report	2,000	2,000
Personal Services		\$124,547	\$132,685
All Other		\$134,357	\$142,368
GENERAL FUND TOTAL		\$258,904	\$275,053

Justification:

Maine's citizens voted in support of a referendum to allow a casino in Oxford County per 2009 Initiated Bill, c. 2. The current staff at the Gambling Control Board is insufficient to support the expanded requirements. The GCB currently receives office support services from the Commissioner's secretary. One individual will no longer be able to support both offices. The previous GCB director routinely filled shifts at Hollywood Slots in order to provide essential coverage on the gaming floor. The new director, given this expansion in gambling, will not have time to assist with these duties at the Bangor slot facility. Other costs are contracted full-time assistance of legal counsel with specialized knowledge of gambling. No revenues are recognized in this request. A full fiscal note will be developed when implementing legislation is submitted.

Licensing and Enforcement - Public Safety 0712

Initiative: BASELINE BUDGET

	History 2009-10	History 2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	10,000	10,000	10,000	10,000
Personal Services	\$714,508	\$751,662	\$748,027	\$772,961
All Other	\$232,060	\$246,936	\$240,595	\$240,595
Capital Expenditures	\$38,300	\$40,100	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$984,868	\$1,038,698	\$988,622	\$1,013,556

Justification:

Responsible for the licensing and enforcement of all non-profit gaming, and also licenses and enforces the laws associated with private investigators, private security guards, and concealed firearms permits.

Licensing and Enforcement - Public Safety 0712

Initiative: Provides funding for the increased cost of building rent.

Ref. #: 20390

Committee Vote:

IN
unanimous

AFA Vote: _____

	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS		
All Other	\$192	\$941
OTHER SPECIAL REVENUE FUNDS TOTAL	\$192	\$941

Justification:

The department is in the 7th year of a 15 year lease for its office space at the Central Maine Commerce Center. The lease terms include yearly increases to the price per square foot.

LICENSING AND ENFORCEMENT - PUBLIC SAFETY 0712

PROGRAM SUMMARY

	History 2009-10	History 2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	10,000	10,000	10,000	10,000
Personal Services	\$714,508	\$751,662	\$748,027	\$772,961
All Other	\$232,060	\$246,936	\$240,787	\$241,536
Capital Expenditures	\$38,300	\$40,100	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$984,868	\$1,038,698	\$988,814	\$1,014,497

Sec. A-67. Appropriations and allocations.

The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Elections and Commissions 0693

Initiative: BASELINE BUDGET

	History 2009-10	History 2010-11	2011-12	2012-13
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	1,000	1,000	1,000	1,000
Personal Services	\$103,402	\$109,206	\$108,880	\$116,152
FEDERAL EXPENDITURES FUND TOTAL	\$103,402	\$109,206	\$108,880	\$116,152
	History 2009-10	History 2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS				
All Other	\$4,000	\$4,000	\$4,000	\$4,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,000	\$4,000	\$4,000	\$4,000

Justification:

The Election Division supervises and administers all state elections for federal, state and county offices and referenda. The division also certifies petitions for direct initiative and people's veto questions to appear on State ballots. In undertaking its responsibilities, the Division conducts training sessions for municipal elections officials, prints ballots for federal, state, and county elections, tabulates official election results, supervises recounts of contested races, and oversees the state's laws regarding candidate and citizen initiative and people's veto petitions. The Division also provides electronic access to over 1,800 rules adopted under the Administrative Procedure Act.

Elections and Commissions 0693

Initiative: Provides funding for the Help America Vote Act of 2002 program.

Ref. #: 21020

Committee Vote:

IN
unanimous

AFA Vote:

	2011-12	2012-13
FEDERAL EXPENDITURES FUND		
All Other	\$1,323,300	\$1,323,300
FEDERAL EXPENDITURES FUND TOTAL	\$1,323,300	\$1,323,300

Justification:

All Other funding will be used to complete central absentee ballot issuance requirements for uniformed service and overseas voters pursuant to the federal Move Act and to fund maintenance and repairs to central voter registration site equipment located in 504 municipalities throughout the state. Funds were previously allocated through Financial Order 006281F1 for fiscal year 2010-11. The Help America Vote Act (HAVA) of 2002, enacted by Congress on October 29, 2002, authorized federal funding to enhance the accessibility and integrity of elections across the country and to assist states in meeting the law's requirements.