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

L.D. 1034

Date: (Filing No. S- )

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**130th Legislature**

**First Special Session**

SENATE AMENDMENT “      ” 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'**Sec. 1. 5 MRSA §12004-I, sub-§74-J,** as enacted by PL 2019, c. 457, §1, is repealed.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, Indigenous and Tribal Populations | Permanent Commission on the Status of Racial, Indigenous and Tribal Populations | Legislative Per Diem and Expenses | 5 MRSA §25001 |

'

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:

'**Sec. 8. Transfer of funds.** Notwithstanding any provision of law to the contrary, the State Controller shall 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 Racial, Indigenous and Tribal Populations, Other Special Revenue Funds account within the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations no later than June 30, 2022.

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

**LABOR, DEPARTMENT OF**

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

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

|  |  |  |
| --- | --- | --- |
| **OTHER SPECIAL REVENUE FUNDS** | **2021-22** | **2022-23** |
| All Other | ($500) | ($500) |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($500) | ($500) |

|  |  |  |
| --- | --- | --- |
| **LABOR, DEPARTMENT OF** |  |  |
| **DEPARTMENT TOTALS** | **2021-22** | **2022-23** |
|  |  |  |
| **OTHER SPECIAL REVENUE FUNDS** | **($500)** | **($500)** |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| **DEPARTMENT TOTAL - ALL FUNDS** | **($500)** | **($500)** |

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

**Racial, Indigenous and Tribal Populations N329**

Initiative: Establishes ongoing funds 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.

|  |  |  |
| --- | --- | --- |
| **GENERAL FUND** | **2021-22** | **2022-23** |
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $439,241 | $597,367 |
| All Other | $1,560,759 | $1,402,633 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| GENERAL FUND TOTAL | $2,000,000 | $2,000,000 |

**Racial, Indigenous and Tribal Populations N329**

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

|  |  |  |
| --- | --- | --- |
| **FEDERAL EXPENDITURES FUND** | **2021-22** | **2022-23** |
| All Other | $500 | $500 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| FEDERAL EXPENDITURES FUND TOTAL | $500 | $500 |

|  |  |  |
| --- | --- | --- |
| **OTHER SPECIAL REVENUE FUNDS** | **2021-22** | **2022-23** |
| All Other | $500 | $500 |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

|  |  |  |
| --- | --- | --- |
| **STATUS OF RACIAL, INDIGENOUS AND** **TRIBAL POPULATIONS, PERMANENT** **COMMISSION ON THE** |  |  |
| **DEPARTMENT TOTALS** | **2021-22** | **2022-23** |
|  |  |  |
| **GENERAL FUND** | **$2,000,000** | **$2,000,000** |
| **FEDERAL EXPENDITURES FUND** | **$500** | **$500** |
| **OTHER SPECIAL REVENUE FUNDS** | **$500** | **$500** |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$2,001,000** | **$2,001,000** |

|  |  |  |
| --- | --- | --- |
| **SECTION TOTALS** | **2021-22** | **2022-23** |
|  |  |  |
| **GENERAL FUND** | **$2,000,000** | **$2,000,000** |
| **FEDERAL EXPENDITURES FUND** | **$500** | **$500** |
| **OTHER SPECIAL REVENUE FUNDS** | **$0** | **$0** |
|  | \_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_ |
| **SECTION TOTAL - ALL FUNDS** | **$2,000,500** | **$2,000,500** |

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

**SUMMARY**

This amendment changes, from an account within the Department of Labor to an account maintained by the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations, the account into which funds received by the commission must be deposited. The amendment moves the statutory allocation of the establishment of the commission from the section of law concerning advisory boards and boards with minimal authority to the section of law concerning independent advisory boards to categorize 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 also transfers unobligated balances in the Racial, Indigenous and Maine Tribal Populations, Other Special Revenue Funds account within the Department of Labor to the Racial, Indigenous and Tribal Populations, Other Special Revenue Funds account within the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations. It also adds an appropriations and allocations section.

**SPONSORED BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**(Senator BALDACCI, J.)**

**COUNTY: Penobscot**