



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

**Testimony of Jonathan Wayne, Executive Director of the
Commission on Governmental Ethics and Election Practices
before the Joint Standing Committee on Appropriations and Financial Affairs
and the Joint Standing Committee on Veterans and Legal Affairs
LD 1995 – Supplemental Budget Bill, FY 2022 and 2023
Public Hearing: March 7, 2022**

Senator Breen, Representative Pierce, Senator Hickman, and Representative Caiazzo, distinguished members of the committees: my name is Jonathan Wayne, and I am the Executive Director of the Maine Ethics Commission. We would urge the adoption of the one item in the supplemental budget bill relating to our office (page **A-49**). This would provide funding for the reorganization of our administrative assistant position to a Secretary Specialist, which has been approved by the Bureau of Human Resources.

Additional issue: fix for a long-term problem in our budget. The Chairs of the Veterans and Legal Affairs Committee have told me that they would like to advocate for a fix of a long-term problem in the Ethics Commission's budget. I have attached a proposed initiative that would solve the issue.

No money to pay administrative costs from General Fund. The Ethics Commission should be paying a portion of our administrative costs from the General Fund, such as payments to:

- DAFS (accounting and personnel services)
- our landlord (rent)
- our IT vendor (maintain and improving our electronic filing system)
- OIT (phones, computers, internet).

Unfortunately, we cannot do this because the All Other portion of our General Fund budget is **only \$8,897**. To pay our basic overhead expenses, we have been overcharging the Maine Clean Election Fund which was set up to make payments to participating candidates and to pay for the administrative costs of that program.

The attached initiative would increase the All Other portion of our General Fund appropriation by \$107,821 so that we could pay about 45% of our administrative costs from the General Fund.

Personal services. The Commission is also overcharging the Maine Clean Election Fund to pay for the Personal Services costs of our agency. Under the current allocation, the Maine Clean Election Fund is paying for the Commission to perform its general governmental duties, which is not the statutory purpose for this special revenue account. For example, it is not appropriate for the Maine Clean Election Fund to pay for staffing or other costs associated with regulating ballot question elections. The attached initiative would move \$171,172 in Personal Services costs from the Maine Clean Election Fund to the General Fund, so that the General Fund would be paying about 45% of our personnel costs.

Total cost of proposal. The proposed increase in our General Fund allocation is shown in the middle column of this table:

	Current General Fund allocation for FY 2023	Proposed increase	Proposed General Fund allocation for FY 2023
Personal Services	\$173,143	\$171,172	\$344,315
All Other	\$8,897	\$107,821	\$116,718
Total	\$182,040	\$278,993	\$461,033

The total cost of this proposal to the General Fund would be \$278,993 annually. This would allow us to pay for our basic costs from the General Fund and to take on occasional IT costs when they are appropriate. Thank you for your consideration of this initiative.

Changes - All Budget Items

Change Group: F Change Type:All Change Number:All Include:Yes One Time:Included

	Emergency Supplemental FY 22	Emergency Supplemental FY 23	From/To
ETH00 COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES			
Change Package: F-A-7			Priority: Include: Yes
Description: Reallocates the cost of one Public Service Executive II position, one Public Service Manager II position, one Public Service Coordinator I position, 2 Registration and Report Officer positions and one Secretary Associate Legal position between General Fund and Other Special Revenue Funds within the same program. Position detail is on file in the Bureau of the Budget. This initiative also reallocates funding for related All Other costs.			
Justification: The current cost allocation has overcharged the Maine Clean Election Fund, which was established to finance the campaigns of candidates participating in the Maine Clean Election Act program "and to pay administrative and enforcement costs of the Commission related to [the program]." (per 21-A MRSA, §1124 sub§1). Currently, the Maine Clean Election Fund is subsidizing the general operations of the Commission, which is contrary to the Fund's statutory purpose and is significantly reducing the amount of cash available to pay candidates. The proposed reallocation reflects the Commission's actual responsibilities, and would charge the General Fund and the Commission's Other Special Revenue Funds for an appropriate portion of the agency's overhead costs, such as technology, communications, services from the Department of Administrative and Financial Services, and office rent.			

01094E041401 COMM ON GOVERNMENTAL ETHICS

Appropriations and Allocations

Personal Services

000100 PERSONAL SVCS	0	171,172
Total Personal Services	0	171,172

All Other

000200 ALL OTHER	0	107,821
Total All Other	0	107,821

Total Appropriations and Allocations	0	278,993
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Expenditures

Personal Services

311000 PERMANENT REGULAR	0	110,203
319500 ATTRITION	0	(1,771)
362100 RECRUIT/RETENTION STIPEND	0	157
363100 LONGEVITY PAY	0	331
390100 HEALTH INSURANCE	0	20,805
390500 DENTAL INSURANCE	0	537
390600 EMPLOYEE HLTH SVS/WORKERS COMP	0	251
390800 EMPLOYER RETIREE HEALTH	0	9,716
391000 EMPLOYER RETIREMENT COSTS	0	8,386
391100 EMPLOYER GROUP LIFE	0	1,198
391200 EMPLOYER MEDICARE COST	0	1,580
396000 RETIRE UNFUNDED LIABILTY-REG	0	19,779
Total Personal Services	0	171,172

All Other

410000 PROF. SERVICES, BY STATE	0	3,500
460000 RENTS	0	28,000
490000 GENERAL OPERATIONS	0	1,450
530000 TECHNOLOGY	0	47,671
550000 EQUIPMENT AND TECHNOLOGY	0	27,200
Total All Other	0	107,821

Total Expenditures	0	278,993
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Changes - All Budget Items

Change Group: F Change Type:All Change Number:All Include:Yes One Time:Included

		Emergency Supplemental FY 22	Emergency Supplemental FY 23	From/To
01494E041401 COMM ON GOVERNMENTAL ETHICS-FEES				
Appropriations and Allocations				
Personal Services				
000100	PERSONAL SVCS	0	(25,156)	
	Total Personal Services	0	(25,156)	
All Other				
000200	ALL OTHER	0	13,743	
	Total All Other	0	13,743	
	Total Appropriations and Allocations	0	(11,413)	
Expenditures				
Personal Services				
311000	PERMANENT REGULAR	0	(14,611)	
319500	ATTRITION	0	228	
362100	RECRUIT/RETENTION STIPEND	0	262	
363100	LONGEVITY PAY	0	93	
390100	HEALTH INSURANCE	0	(5,383)	
390500	DENTAL INSURANCE	0	(77)	
390600	EMPLOYEE HLTH SVS/WORKERS COMP	0	(36)	
390800	EMPLOYER RETIREE HEALTH	0	(1,252)	
391000	EMPLOYER RETIREMENT COSTS	0	(1,473)	
391100	EMPLOYER GROUP LIFE	0	(155)	
391200	EMPLOYER MEDICARE COST	0	(205)	
396000	RETIRE UNFUNDED LIABILTY-REG	0	(2,547)	
	Total Personal Services	0	(25,156)	
All Other				
410000	PROF. SERVICES, BY STATE	0	2,100	
460000	RENTS	0	5,600	
490000	GENERAL OPERATIONS	0	3,454	
530000	TECHNOLOGY	0	(9,011)	
550000	EQUIPMENT AND TECHNOLOGY	0	11,600	
	Total All Other	0	13,743	
	Total Expenditures	0	(11,413)	
Dedicated Revenue				
263100	REGISTRATION FEES	0	(11,413)	
	Total Dedicated Revenue	0	(11,413)	
01494E041402 CLEAN ELECTIONS ACT CHAP 1 INITIATED BILL				
Appropriations and Allocations				
Personal Services				
000100	PERSONAL SVCS	0	(146,016)	
	Total Personal Services	0	(146,016)	

Changes - All Budget Items

Change Group: F Change Type:All Change Number:All Include:Yes One Time:Included

		Emergency Supplemental FY 22	Emergency Supplemental FY 23	From/To
01494E041402 CLEAN ELECTIONS ACT CHAP 1 INITIATED BILL				
Appropriations and Allocations				
All Other				
000200	ALL OTHER	0	(121,564)	
	Total All Other	0	(121,564)	
	Total Appropriations and Allocations	0	(267,580)	
Expenditures				
Personal Services				
311000	PERMANENT REGULAR	0	(95,592)	
319500	ATTRITION	0	1,543	
362100	RECRUIT/RETENTION STIPEND	0	(419)	
363100	LONGEVITY PAY	0	(424)	
390100	HEALTH INSURANCE	0	(15,422)	
390500	DENTAL INSURANCE	0	(460)	
390600	EMPLOYEE HLTH SVS/WORKERS COMP	0	(215)	
390800	EMPLOYER RETIREE HEALTH	0	(8,464)	
391000	EMPLOYER RETIREMENT COSTS	0	(6,913)	
391100	EMPLOYER GROUP LIFE	0	(1,043)	
391200	EMPLOYER MEDICARE COST	0	(1,375)	
396000	RETIRE UNFUNDED LIABILTY-REG	0	(17,232)	
	Total Personal Services	0	(146,016)	
All Other				
410000	PROF. SERVICES, BY STATE	0	(5,600)	
460000	RENTS	0	(33,600)	
490000	GENERAL OPERATIONS	0	(4,904)	
530000	TECHNOLOGY	0	(38,660)	
550000	EQUIPMENT AND TECHNOLOGY	0	(38,800)	
	Total All Other	0	(121,564)	
	Total Expenditures	0	(267,580)	
Dedicated Revenue				
268600	MISC-INCOME	0	(267,580)	
	Total Dedicated Revenue	0	(267,580)	

Changes - All Budget Items

Change Group: F Change Type:All Change Number:All Include:Yes One Time:Included

			Emergency Supplemental FY 22	Emergency Supplemental FY 23	From/To
ETH00	COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES				
Change Package:	F-A-7400	Priority:			Include: Yes
Description:	Provides funding for the approved reorganization of one Secretary Associate Legal position to a Secretary Specialist position in Governmental Ethics and Election Practices - Commission program.				
Justification:	The Bureau of Human Resources has approved the position reorganization, which aligns the position classification more closely to assigned duties.				

01094E041401 COMM ON GOVERNMENTAL ETHICS

Appropriations and Allocations

Personal Services

000100	PERSONAL SVCS	6,570	6,568
	Total Personal Services	6,570	6,568
	Total Appropriations and Allocations	6,570	6,568

Expenditures

Personal Services

311000	PERMANENT REGULAR	4,992	4,992
319500	ATTRITION	(79)	(79)
390800	EMPLOYER RETIREE HEALTH	446	438
391000	EMPLOYER RETIREMENT COSTS	201	201
391100	EMPLOYER GROUP LIFE	53	53
391200	EMPLOYER MEDICARE COST	71	71
396000	RETIRE UNFUNDED LIABILTY-REG	886	892
	Total Personal Services	6,570	6,568
	Total Expenditures	6,570	6,568

01494E041402 CLEAN ELECTIONS ACT CHAP 1 INITIATED BILL

Appropriations and Allocations

Personal Services

000100	PERSONAL SVCS	4,378	4,377
	Total Personal Services	4,378	4,377
	Total Appropriations and Allocations	4,378	4,377

Expenditures

Personal Services

311000	PERMANENT REGULAR	3,328	3,328
319500	ATTRITION	(54)	(54)
390800	EMPLOYER RETIREE HEALTH	298	292
391000	EMPLOYER RETIREMENT COSTS	133	133
391100	EMPLOYER GROUP LIFE	35	35
391200	EMPLOYER MEDICARE COST	48	48
396000	RETIRE UNFUNDED LIABILTY-REG	590	595
	Total Personal Services	4,378	4,377
	Total Expenditures	4,378	4,377

Changes - All Budget Items

Change Group: F Change Type:All Change Number:All Include:Yes One Time:Included

			Emergency Supplemental FY 22	Emergency Supplemental FY 23	From/To
01494E041402	CLEAN ELECTIONS ACT CHAP 1 INITIATED BILL				
	Dedicated Revenue				
268600	MISC-INCOME		4,378	4,377	
	Total Dedicated Revenue		4,378	4,377	