



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1151

H.P. 816

House of Representatives, March 21, 2013

**An Act Regarding the Administration and Financial Transparency
of the Citizen Trade Policy Commission**

(EMERGENCY)

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MAKER of Calais.
Cosponsored by Senator SHERMAN of Aroostook and
Representatives: GIFFORD of Lincoln, KESCHL of Belgrade, LAJOIE of Lewiston,
MASTRACCIO of Sanford, ROTUNDO of Lewiston, TURNER of Burlington, WERTS of
Auburn, Senator: KATZ of Kennebec.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the Citizen Trade Policy Commission through Public Law 2011, chapter
4 468 acquired ongoing funding to contract for qualified year-round administrative support
5 staff and the commission contracted for such qualified staff; and

6 **Whereas,** it is important to ensure that all funding provided to the commission
7 remains available to the commission and does not lapse, including funding that would
8 lapse at the end of the current fiscal year, so that the commission can continue to function
9 appropriately and efficiently with the limited resources available to it; and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
11 the meaning of the Constitution of Maine and require the following legislation as
12 immediately necessary for the preservation of the public peace, health and safety; now,
13 therefore,

14 **Be it enacted by the People of the State of Maine as follows:**

15 **Sec. 1. 10 MRSA §11, sub-§8,** as enacted by PL 2003, c. 699, §2, is repealed and
16 the following enacted in its place:

17 **8. Staff.** The Legislature, through the commission, shall contract for staff support
18 for the commission, which, to the extent funding permits, must be year-round staff
19 support. In the event funding does not permit adequate staff support, the commission
20 may request staff support from the Legislative Council, except that Legislative Council
21 staff support is not authorized when the Legislature is in regular or special session.

22 **Sec. 2. 10 MRSA §11, sub-§10,** as enacted by PL 2003, c. 699, §2, is amended to
23 read:

24 **10. Accounting; outside funding.** All funds appropriated, allocated or otherwise
25 provided to the commission must be deposited in an account separate from all other funds
26 of the Legislature and are nonlapsing. Funds in the account may be used only for the
27 purposes of the commission. The commission may seek and accept outside funding to
28 fulfill commission duties. Prompt notice of solicitation and acceptance of funds must be
29 sent to the Legislative Council. All funds accepted must be forwarded to the Executive
30 Director of the Legislative Council, along with an accounting that includes the amount
31 received, the date that amount was received, from whom that amount was received, the
32 purpose of the donation and any limitation on use of the funds. The executive director
33 ~~administers any~~ shall administer all funds received in accordance with this section. At
34 the beginning of each fiscal year, and at any other time at the request of the cochairs of
35 the commission, the executive director shall provide to the commission an accounting of
36 all funds available to the commission, including funds available for staff support.

37 **Emergency clause.** In view of the emergency cited in the preamble, this
38 legislation takes effect when approved.

1 **SUMMARY**

2 This bill modifies the law governing the Citizen Trade Policy Commission to provide
3 that:

4 1. To the extent funding permits, the Legislature, through the commission, must
5 contract for year-round staff support for the commission. To the extent the commission
6 lacks adequate staff support, the commission may request staff support from the
7 Legislative Council, except that Legislative Council staff support is not authorized when
8 the Legislature is in regular or special session; and

9 2. All funds appropriated, allocated or otherwise provided to the commission must be
10 separately accounted for and used solely for the purposes of the commission and are
11 nonlapsing. At the beginning of each fiscal year, and at any other time at the request of
12 the cochairs of the commission, the Executive Director of the Legislative Council must
13 provide to the commission an accounting of all funds available to the commission,
14 including funds for staff support.

15 The bill is designated an emergency to ensure that the limited funding available to the
16 commission does not lapse at the end of the current fiscal year.