

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 41

S. P. 13

Office of the Clerk of the House

Filed December 10, 1970 under Joint Rule 6 by Senator Katz of Kennebec.
To be printed and delivered to the Senate of the 105th Legislature.

BERTHA W. JOHNSON, Clerk

Presented by Senator Katz of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Legislative Counsel or Agents.

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

Sec. 1. R. S., T. 3, §§ 311 and 312, amended. Sections 311 and 312 of Title 3 of the Revised Statutes are amended to read as follows:

§ 311. Registration

1. **Time limit.** Any person or persons accepting employment to act as legislative counsel or agent to promote or oppose, directly or indirectly, legislation by the Legislature shall register within 48 hours after such employment ~~cause his or their names to be entered~~ upon a docket as provided, and all employers of such legislative counsel or agents shall within the same time ~~cause their names to be entered~~ themselves to be registered upon the same docket as provided.

2. **Registration not valid.** Such registration is not valid for more than 30 days after the adjournment of a legislative session.

3. **Termination of employment.** Upon termination of the employment of a legislative counsel or agent, the fact of such termination and the date thereof shall be entered upon the docket at the direction of the employer.

§ 312. Registration docket; maintenance and inspection

1. **Secretary of State to keep docket.** The Secretary of State shall prepare and keep a docket for the registration of legislative counsel or agents and of their employers, which docket shall be open to public inspection during the office hours of said Secretary of State and shall contain the names of legislative counsel and agents and of their employers, the addresses of each,

the date and subject matter of the employment, the legislation to be promoted or opposed, the nature of the compensation to be paid the legislative counsel or agents, and, by appropriate words, a designation of whether such employment is as counsel or agent or both. Such docket shall be so arranged and indexed that under the name of each employer shall appear the names of all legislative counsel or agents employed by him and that the name or names of each employer represented by any counsel or agent shall appear under the name of such counsel or agent.

2. Statement of expenses.

A. It shall be the duty of every person, firm, association or corporation who employs a legislative counsel or agent to file an itemized statement in the office of the Secretary of State within 30 days after the adjournment of the Legislature.

B. The itemized statement shall show in detail all expenses paid, incurred or promised directly or indirectly in connection with legislation pending at the last previous session, with the names of the payees and the amount paid to each, including all disbursements paid, incurred or promised to legislative counsel or agents, and also specifying the nature of said legislation and the interest of the person, firm, association or corporation therein.

C. The itemized statement shall be verified by the oath of such person or in the case of a firm of a member thereof or in the case of a domestic corporation or association of an officer thereof or in the case of a foreign corporation or association of an officer or agent thereof.

STATEMENT OF FACT

The high moral standards of the members of the "third house" of the Maine Legislature are fully recognized by the Committee. However, the Committee also recognizes that members of the Legislature and the public have a right to know more about the lobbyists employment agreement. It is felt that the docket kept by the Secretary of State could be enlarged to state the legislation promoted or opposed by the lobbyist and to record the nature of compensation to be paid the lobbyist.

The bill recommends that after the session the employers of lobbyists would be required to file a detailed account of the expenses related to lobbying they had incurred during the session, the specific nature of the legislation they had promoted or opposed, and their interest in it.