

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
2

L.D. 2656
(Filing No. H-796)

3
4
5
6

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
SECOND REGULAR SESSION

7
8

HOUSE AMENDMENT "A" to H.P. 1961, L.D. 2656,
Bill, "AN ACT to Clarify the Lobbyist Disclosure Law."

9
10
11

Amend the bill by striking out everything after
the enacting clause and inserting in its place the
following:

12
13

'Sec. 1. 3 MRSA §317, sub-§2, as amended by PL
1987, c. 816, Pt. KK, §5, is further amended to read:

14
15
16
17
18
19
20
21
22
23

2. Annual report. On or before January 30th
following the end of the year in which any person
lobbied pursuant to section 313, the lobbyist and his
employer shall file with the Secretary of State a
joint report which shall contain the information
required in subsection 1, except that the report shall
summarize all lobbying activities for the calendar
year and report in detail only those legislative
actions not previously reported, as required by
subsection 1, paragraphs H and I.

24
25
26
27

The reports required by subsection 1 shall be signed
by the lobbyist. The reports required by this
subsection shall be signed by both the lobbyist and
employer.

28
29
30
31

If the date any report required by this section is due
falls on a day other than a regular business day, the
report shall be due on the first regular business day
next following the due date.

HOUSE AMENDMENT "A" to H.P. 1961, L.D. 2656

1 In addition to the amounts identified in subsection 1
2 as compensation received or expenditure made for the
3 primary purpose of lobbying, this annual report shall
4 also include the total amount of compensation received
5 by the lobbyist or the lobbying firm, or expended by
6 the employer, except compensation received or expended
7 for purposes not related to lobbying.

8 Sec. 2. 3 MRSA §312-A, sub-§9, as enacted by PL
9 1983, c. 160, §1, is amended to read:

10 9. Lobbying. "Lobbying" means to communicate
11 directly with any official in the Legislature for the
12 purpose of influencing any legislative action, when
13 reimbursement for expenditures or compensation is made
14 for those activities. Lobbying shall not include
15 communications made in conjunction with the appearance
16 by any person before any committee in connection with
17 any matter or measure before that committee and any
18 written statement submitted by any person to any
19 committee in connection with that matter or measure;
20 or any communication made by a person in response to
21 an inquiry or request for information by an official
22 in-the-Legislative-Branch.'

23 STATEMENT OF FACT

24 The amendment to the Maine Revised Statutes, Title
25 3, section 317, added by the 1988 appropriations act
26 would not have produced the information intended,
27 because the total to be reported was not restricted to
28 legislative work. For example, lobbying firms that do
29 extensive nonlegislative work for their clients would
30 have been required to report fees received from the
31 client for all the different types of work done, such
32 as a marketing study in the case of a consulting firm,
33 or title searches and contract drafting in the case of
34 a law firm. Similarly, full-time employees who do
35 work for their employers other than lobbying would
36 have had to report their annual salaries. In neither
37 case would the reports indicate the amount spent to
38 influence legislative action. Just as the present
39 reports in some cases show less than the amount spent
40 on legislative work, the appropriations bill amendment

HOUSE AMENDMENT "A" to H.P. 1961, L.D. 2656

1 would have caused them to show more than the amount
2 spent. The lobbyist disclosure law should be studied
3 with a view toward defining more effectively the
4 information sought.

Filed by Rep. Carroll of Gray
Reproduced and distributed under the direction of the Clerk of the
House
5/4/88 (Filing No. H-796)