

MAINE STATE LEGISLATURE

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L.D. 1822

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DATE: 4-4-06

(Filing No. H-946)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1262, L.D. 1822, Bill, "An Act To Require the Commission on Governmental Ethics and Election Practices To Produce a Register of All Registered Lobbyists"

Amend the amendment in section 1 in subsection 9 in the 9th line (page 1, line 37 in amendment) by inserting after the following: "action" the following: 'and time spent in public hearings and work sessions of committees for the purpose of monitoring legislative actions'

Further amend the amendment in section 1 in subsection 9 by striking out all of the last underlined sentence (page 1, lines 37 to 42 in amendment)

Further amend the amendment in section 2 by striking out all of subsection 10 and inserting in its place the following:

'10. **Lobbyist.** "Lobbyist" means any person who is specifically employed by another person for the purpose of and who engages in lobbying in excess of 8 4 hours in any calendar month, or any individual who, as a regular employee of another person, expends an amount of time in excess of 8 hours in any calendar month in lobbying. "Lobbyist" does not include a lobbyist associate.'

Further amend the amendment by inserting after section 4 the following:

'Sec. 5. 3 MRSA §313-A, first ¶, as enacted by PL 1993, c. 691, §11, is amended to read:

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2 Within 5 days of the convening of a regular legislative
3 session, a state employee or an independent agency employee must
4 register at the office of the commission as described in section
5 316-A and provide a photograph pursuant to section 316-B if:'

6
7 Further amend the amendment in section 7 in §315-A in
8 subsection 2 in paragraph C in the 3rd and 4th lines (page 4,
9 lines 6 and 7 in amendment) by striking out the following: "if
10 provided by the lobbyist or lobbyist associate,"

11 Further amend the amendment by inserting after section 8 the
12 following:

13 'Sec. 9. 3 MRSA §316-B is enacted to read:

14 §316-B. Additional information

15 1. Photograph. A lobbyist or lobbyist associate shall
16 ensure that the commission has a recent photograph of the
17 lobbyist or lobbyist associate.

18 2. Biographical information. A lobbyist or lobbyist
19 associate may provide professional biographical information to
20 the commission, which may be used, including in an edited
21 version, on the disclosure website under section 315-A.'

22
23 Further amend the amendment in section 9 in §317 in
24 subsection 1 in paragraph H in the 3rd line (page 6, line 4 in
25 amendment) by striking out the following: "issue,"

26
27 Further amend the amendment in section 9 in §317 in
28 subsection 1 by striking out all of paragraph H-1 (page 6, lines
29 9 to 11 in amendment)

30
31 Further amend the amendment in section 9 in §317 in
32 subsection 1 in paragraph H-2 in the first line (page 6, line 13
33 in amendment) by striking out the following: "H-2. For each
34 legislative action, issue" and inserting in its place the
35 following: 'H-1. For each legislative action,'

36
37 Further amend the amendment in section 9 in §317 in
38 subsection 1 in paragraph H-2 in the last line (page 6, line 18
39 in amendment) by striking out the following: "issue,"

40
41 Further amend the amendment in section 9 in §317 in
42 subsection 1 in paragraph I in the 3rd to 5th lines (page 6,
43 lines 22 to 24 in amendment) by striking out the following:
44 "nomination; budget bill section designation or topic; or issue
45 or topic that is not the subject of a legislative action" and

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2 inserting in its place the following: 'nomination or budget bill
section designation or topic'

4 Further amend the amendment in section 9 in §317 in
6 subsection 1-A in the 3rd to 5th lines (page 6, lines 42 to 44 in
8 amendment) by striking out the following: "topic or issue or
other matter, a lobbyist shall notify the commission regarding
each legislative action, topic or issue or other matter that is
10 the subject of the lobbying activity," and inserting in its place
12 the following: 'topic or other matter in connection with which
the lobbyist is engaged in lobbying, a lobbyist shall notify the
commission regarding that lobbying'

14 Further amend the amendment in section 11 by striking out
16 all of the first paragraph (page 8, lines 23 and 24 in amendment)
and inserting in its place the following:

18 'Fees collected pursuant to this chapter must go in equal
20 portions to the General Fund and to the commission, except that
75% of all such fees collected in the fiscal year beginning July
1, 2006 and ending June 30, 2007 must go to the commission.'

22 Further amend the amendment by relettering or renumbering
24 any nonconsecutive Part letter or section number to read
consecutively.

28 **SUMMARY**

30 This amendment:

32 1. Amends the definition of "lobbying" to include time
34 spent in committee to monitor legislative actions;

36 2. Amends the definition of "lobbyist" by reducing the
38 threshold of lobbying from 8 to 4 hours in a calendar month for
those persons who are specifically employed to lobby by other
than the person's employer;

40 3. Requires each lobbyist and lobbyist associate, including
42 state agency employees, to provide a recent photograph, and
permits a lobbyist or lobbyist associate to provide professional
biographical information;

44 4. Clarifies those activities for which disclosure is
46 required by removing inconsistent new language;

48 5. Strikes the provision requiring an estimate of hours
50 spent for each legislative action; and

PL 016

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2 6. Provides that, for fiscal year 2006-07, 75% of all fees
3 collected under the lobbying laws must go to the Commission on
4 Governmental Ethics and Election Practices instead of 1/2 going
5 to the General Fund.

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SPONSORED BY: *Walter C. Canavan*
(Representative CANAVAN)

10

TOWN: Waterville

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122nd MAINE LEGISLATURE

LD 1822

LR 2879(04)

An Act to Require the Commission on Governmental Ethics and Election Practices to Produce a Register of All Registered Lobbyists

Fiscal Note for House Amendment "B" to Committee Amendment "A"

Sponsor: Rep. Canavan

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$0	(\$27,500)	(\$55,000)	(\$55,000)
Revenue				
General Fund	\$0	\$27,500	\$55,000	\$55,000
Other Special Revenue Funds	\$0	(\$27,500)	(\$55,000)	(\$55,000)

Fiscal Detail and Notes

This amendment authorizes the Commission on Governmental Ethics and Election Practices to keep 75% of fine revenue on a one-time basis in fiscal year 2006-07 and retains the current law 50% split between the General Fund and Other Special Revenue Funds for fiscal year 2007-08 and beyond. Therefore, compared to the committee amendment, the General Fund revenue loss for fiscal year 2006-07 will be reduced by \$27,500 and the General Fund will not experience future annual revenue losses of \$55,000 beginning in fiscal year 2007-08.