

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)

10/13/04

L.D. 1822

2

DATE: 4-6-04

(Filing No. H-962)

4

6

Reproduced and distributed under the direction of the Clerk of the House.

8

10

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

12

14

16

HOUSE AMENDMENT "C" 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"

18

20

Amend the amendment by striking out all of section 1 (page 1, lines 26 to 42 in amendment)

22

24

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

26

28

30

32

'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.'

34

36

38

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:

40

42

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

HOUSE AMENDMENT

Page

HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P. 1262,
L.D. 1822

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

6
7 Further amend the amendment by inserting after section 8 the
8 following:

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

10 **§316-B. Additional information**

11 **1. Photograph.** A lobbyist or lobbyist associate shall
12 ensure that the commission has a recent photograph of the
13 lobbyist or lobbyist associate.

14 **2. Lobbyist or lobbyist associate information.** The
15 commission shall determine other information that may be provided
16 by a lobbyist or lobbyist associate for inclusion in the
17 registration docket and on the disclosure website provided in
18 section 315-A. That information may include, but is not limited
19 to, the lobbyist's or lobbyist associate's employer, business
20 address, telephone number and income from lobbying.'

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

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

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

32 Further amend the amendment in section 9 in §317 in
33 subsection 1 in paragraph H-2 in the last line (page 6, line 18
34 in amendment) by striking out the following: "issue."

35 Further amend the amendment in section 9 in §317 in
36 subsection 1 in paragraph I in the 3rd to 5th lines (page 6,
37 lines 22 to 24 in amendment) by striking out the following:
38 "nomination; budget bill section designation or topic; or issue
39 or topic that is not the subject of a legislative action" and
40 inserting in its place the following: 'nomination or budget bill
41 section designation or topic'

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

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

16 'Fees collected pursuant to this chapter must go in equal
17 portions to the General Fund and to the commission, except that
18 75% of all such fees collected in the fiscal year beginning July
19 1, 2006 and ending June 30, 2007 must go to the commission.'
20

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

26 SUMMARY

28 This amendment:

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


34 2. Requires each lobbyist and lobbyist associate, including
35 state agency employees, to provide a recent photograph, and
36 requires the Commission on Governmental Ethics and Election
37 Practices to determine other information that a lobbyist or
38 lobbyist associate may provide for inclusion in the registration
39 docket and on the disclosure website;

42 3. Clarifies those activities for which disclosure is
43 required by removing inconsistent new language;

44 4. Strikes the provision requiring an estimate of hours
45 spent for each legislative action; and
46

HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P. 1262,
L.D. 1822

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

8
10 SPONSORED BY: 
10 (Representative CANAVAN)

12 TOWN: Waterville

14

FISCAL NOTE REQUIRED
(See Attached)



122nd MAINE LEGISLATURE

LD 1822

LR 2879(05)

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 'C' 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.