

MAINE STATE LEGISLATURE

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Date: 5/30/07

L.D. 1058
(Filing No. H-367)

LEGAL AND VETERANS AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 776, L.D. 1058, Bill, "An Act To Require the Reporting of Executive Branch Lobbying"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 3 MRSA §312-A, sub-§9, as amended by PL 1993, c. 446, Pt. A, §5, is further amended to read:

9. Lobbying. "Lobbying" means to communicate directly with any official in the ~~Legislature~~ legislative branch or any official in the executive branch or with a constitutional officer for the purpose of influencing any legislative action or with the Governor ~~or the Governor's cabinet and staff~~ for the purpose of influencing the approval or veto of a legislative action when reimbursement for expenditures or compensation is made for those activities. ~~It~~ "Lobbying" includes the time spent to prepare and submit to the Governor, ~~a Legislator~~ an official in the legislative branch, an official in the executive branch, a constitutional officer or a legislative committee oral and written proposals for, or testimony or analyses concerning, a legislative action. "Lobbying" does not include time spent by any person providing information to or participating in a subcommittee, stakeholder group, task force or other work group regarding a legislative action by the appointment or at the request of the Governor, ~~a Legislator or legislative committee, a constitutional officer, a state agency commissioner or the chair of a state board or commission as long as the person's regular employment does not otherwise include lobbying.~~

Sec. 2. 3 MRSA §312-A, sub-§10-C is enacted to read:

10-C. Official in the executive branch. "Official in the executive branch" means an individual in a major policy-influencing position listed in Title 5, chapter 71, the Governor's cabinet and staff and any individual in a major policy-influencing position in any other agency or independent agency, as defined in section 953, who is not specifically named in Title 5, chapter 71.

COMMITTEE AMENDMENT

1 **Sec. 3. 3 MRSA §317, sub-§1, ¶D,** as amended by PL 1993, c. 446, Pt. A, §14
2 and affected by §20, is further amended to read:

3 D. The specific dollar amount of compensation received for the preparation of
4 documents and research for the primary purpose of influencing legislative action and
5 for lobbying, specifying the amount of compensation received for lobbying officials
6 in the legislative branch, officials in the executive branch and constitutional officers
7 separately.

8 In the case of a regular employee, the specific dollar amount must be computed by
9 multiplying the number of hours devoted to the preparation of documents and
10 research for the primary purpose of influencing legislative action and to lobbying by
11 the employee's regular rate of pay based on a 40-hour week;

12 **Sec. 4. 3 MRSA §317, sub-§1, ¶E,** as amended by PL 1993, c. 446, Pt. A, §14
13 and affected by §20, is further amended to read:

14 E. The specific dollar amount of expenditures made during the month that is the
15 subject of the report with regard to the preparation of documents and research for the
16 primary purpose of influencing legislative action and to lobbying for which the
17 lobbyist has been or expects to be reimbursed, specifying the amount of expenditures
18 for lobbying officials in the legislative branch, officials in the executive branch and
19 constitutional officers separately;

20 **Sec. 5. 3 MRSA §317, sub-§1, ¶G-1,** as enacted by PL 1993, c. 446, Pt. A, §14
21 and affected by §20, is amended to read:

22 G-1. The date, and a description of ~~the~~ an event, a list of all officials ~~of~~ in the
23 legislative branch or ~~administrative agency~~ executive branch or members of an
24 official's immediate family in attendance and the total amount of expenditures for the
25 event, if the total amount of the expenditures for officials and family members ~~total~~ is
26 \$250 or more;

27 SUMMARY

28 This amendment replaces the bill. Like the bill, this amendment includes lobbying of
29 the executive branch in the definition of "lobbying;" however, in order to accomplish this,
30 this amendment establishes a definition for the term "official in the executive branch."
31 The amendment also includes lobbying of constitutional officers in the definition of
32 lobbying. The amendment requires that lobbying of officials in the executive branch be
33 reported separately from lobbying of officials in the legislative branch when lobbyists
34 submit reports to the Commission on Governmental Ethics and Election Practices.