

MAINE STATE LEGISLATURE

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Date: 4/30/19

Majority

LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 246, L.D. 310, Bill, "An Act Regarding Grassroots Lobbying"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Indirect 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-§7-B is enacted to read:

7-B. Indirect lobbying. "Indirect lobbying" means to communicate with members of the general public to solicit them to communicate directly with any covered official for the purpose of influencing legislative action, other than legislation that is before the Legislature as a result of a direct initiative in accordance with the Constitution of Maine, Article IV, Part Third, Section 18, when that solicitation is made by:

A. A broadcast, cable or satellite transmission;

B. A communication delivered by print media; or

C. A letter or other written communication delivered by mail or by comparable delivery service. E-mail is not considered a letter for the purposes of this paragraph.

Sec. 2. 3 MRSA §312-A, sub-§11-A, as amended by PL 2007, c. 630, §8, is further amended to read:

11-A. Original source. "Original source" means any person who contributes or pays \$1,000 or more in any lobbying year directly or indirectly to any employer of a lobbyist for purposes of lobbying or indirect lobbying, except that contributions of membership dues to nonprofit corporations formed under Title 13-B, under any equivalent state law or by legislative enactment are not considered contributions by an original source.

Sec. 3. 3 MRSA §312-A, sub-§14-A is enacted to read:

COMMITTEE AMENDMENT

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14-A. Solicit. "Solicit" means to entreat, implore, urge or ask.

Sec. 4. 3 MRSA §317, sub-§1, ¶E-1 is enacted to read:

E-1. When expenditures for the purposes of indirect lobbying exceed \$15,000 during the month that is the subject of the report, the specific dollar amount of expenditures for indirect lobbying made or incurred during the month by a lobbyist, lobbyist associate or employer, with separate totals for expenditure categories as determined by the commission, the legislative actions that are the subject of the indirect lobbying and a general description of the intended recipients;

Sec. 5. 3 MRSA §317, sub-§1, ¶J, as amended by PL 2007, c. 630, §14, is further amended to read:

J. A list of all of the employer's original sources who have contributed or paid \$1,000 or more during the lobbying year directly or indirectly to the employer for purposes of lobbying and a statement of the dollar amounts contributed or paid by the original sources to the employer. If the original source is a corporation formed under Title 13 or 13-C or former Title 13-A, nonprofit corporation formed under Title 13-B or limited partnership under Title 31, the corporation, nonprofit organization or limited partnership, not the individual members or contributors, must be listed as the original source.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

**ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL
Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Provides funds to modify the commission's lobbyist system and public disclosure website.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$10,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$0

SUMMARY

This amendment is the majority report of the committee and strikes the provision in the bill that would have required a person who is not already reporting as a lobbyist to submit a report to the Commission on Governmental Ethics and Election Practices when that person has spent in excess of \$2,000 on grassroots lobbying. The amendment also changes the term "grassroots lobbying" to "indirect lobbying." It specifies that indirect lobbying is communication to members of the general public soliciting them to directly communicate with Legislators or members of the executive branch regarding a legislative action. Under this amendment reporting indirect lobbying expenditures would not be

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1 required until \$15,000 was spent on that activity during the month subject to the report. It
2 also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 310

LR 1164(02)

An Act Regarding Grassroots Lobbying

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Appropriations/Allocations				
Other Special Revenue Funds	\$10,000	\$0	\$0	\$0

Fiscal Detail and Notes

The bill includes a one-time Other Special Revenue Funds allocation of \$10,000 in fiscal year 2009-10 to the Commission on Governmental Ethics and Election Practices for necessary modifications to the lobbyist system and public disclosure website. These modifications can be accomplished with existing funds in the lobbyist special account.