

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 310

H.P. 246

House of Representatives, February 2, 2009

### An Act Regarding Grassroots Lobbying

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Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative TRINWARD of Waterville.  
Cosponsored by Senator SULLIVAN of York and  
Representatives: BEAUDOIN of Biddeford, BOLAND of Sanford, CAREY of Lewiston,  
CROCKETT of Augusta, MORRISON of South Portland, RUSSELL of Portland, TUTTLE of  
Sanford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 3 MRSA §312-A, sub-§7-B** is enacted to read:

3 **7-B. Grassroots lobbying.** "Grassroots lobbying" means to communicate with  
4 members of the public to solicit them to communicate directly with any covered official  
5 for the purpose of influencing legislative action when that solicitation is made by:

6 A. A broadcast, cable or satellite transmission;

7 B. A communication delivered by e-mail, a website or any other digital format;

8 C. A communication delivered by print media;

9 D. A letter or other written communication delivered by mail or by comparable  
10 delivery service;

11 E. Telephone; or

12 F. A method of communication similar to those listed in paragraphs A to E.

13 "Grassroots lobbying" does not include a person communicating with that person's  
14 stockholders, employees, board members, officers or dues-paying members.

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

17 **11-A. Original source.** "Original source" means any person who contributes or  
18 pays \$1,000 or more in any lobbying year directly or indirectly to any employer of a  
19 lobbyist for purposes of lobbying or grassroots lobbying or to any other person for  
20 purposes of grassroots lobbying, except that contributions of membership dues to  
21 nonprofit corporations formed under Title 13-B, under any equivalent state law or by  
22 legislative enactment are not considered contributions by an original source.

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

24 **14-A. Solicit.** "Solicit" means to entreat, to implore, to urge or to ask.

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

26 E-1. The specific dollar amount of expenditures for grassroots lobbying made or  
27 incurred during the month, with separate totals for expenditure categories as  
28 determined by the commission, the legislative actions that are the subject of the  
29 grassroots lobbying and a general description of the intended recipients;

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

32 J. A list of all of the lobbyist's original sources who have contributed or paid \$1,000  
33 or more during the lobbying year directly or indirectly to the employer for purposes  
34 of lobbying and a statement of the dollar amounts contributed or paid by the original  
35 sources to the employer. If the original source is a corporation formed under Title 13  
36 or 13-C or former Title 13-A, nonprofit corporation formed under Title 13-B or

1 limited partnership under Title 31, the corporation, nonprofit organization or limited  
2 partnership, not the individual members or contributors, must be listed as the original  
3 source.

4 **Sec. 6. 3 MRSA §317-A** is enacted to read:

5 **§317-A. Grassroots lobbying report**

6 Any person not required to register under section 313 that spends more than \$2,000  
7 on grassroots lobbying during a lobbying year shall file a report no later than 11:59 p.m.  
8 on the 15th day of the calendar month following the date on which that amount was  
9 exceeded. The person shall file monthly reports by 11:59 p.m. on the 15th calendar day  
10 of each month for the remainder of the lobbying year.

11 **1. Report.** A grassroots lobbying report filed by a person pursuant to this section  
12 must include:

13 A. The name of the person required to file the report;

14 B. The name of an individual serving as the contact for the person;

15 C. The business address and other contact information for the person;

16 D. A description of the business activity, mission, employer or occupation;

17 E. The specific amount of expenditures for grassroots lobbying made or incurred  
18 during the month that is the subject of the report, with separate totals for expenditure  
19 categories as determined by the commission, the legislative actions that are the  
20 subject of the grassroots lobbying and a general description of the intended  
21 recipients; and

22 F. A list of all of the person's original sources and a statement of the amounts  
23 contributed or paid by the original source. If the original source is a corporation  
24 formed under Title 13 or former Title 13-A, nonprofit corporation formed under Title  
25 13-B or limited partnership under Title 31, the corporation, nonprofit organization or  
26 limited partnership, not the individual members or contributors, must be listed as the  
27 original source.

28 A person required to file monthly reports is subject to the same electronic filing  
29 requirements contained in section 317, subsection 2-A. Upon the termination of  
30 grassroots lobbying, the person shall file a notice of termination with the final monthly  
31 report.

32 **SUMMARY**

33 The bill defines "grassroots lobbying." It provides that a person who already files  
34 monthly reports as a lobbyist must disclose grassroots lobbying payments and  
35 expenditures. For a person who does not file reports as a lobbyist, the bill requires  
36 disclosure of grassroots lobbying expenditures once more than \$2,000 has been spent on  
37 grassroots lobbying.