

MAINE STATE LEGISLATURE

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RM
R O E S

L.D. 184

1
2 Date: 5/2/13

(Filing No. H- 115)

3 VETERANS AND LEGAL AFFAIRS

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

5 STATE OF MAINE

6 HOUSE OF REPRESENTATIVES

7 126TH LEGISLATURE

8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 144, L.D. 184, Bill, "An Act To
10 Enhance Transparency in Government by Implementing a Waiting Period for Legislators
11 before They May Register as Lobbyists"

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

14 'Sec. 1. 1 MRSA §1008, sub-§4, as amended by IB 1995, c. 1, §5, is further
15 amended to read:

16 4. **Lobbyist activities.** To administer the lobbyist disclosure laws, Title 3, chapter
17 15, and enforce the waiting period required before former Legislators may engage in
18 compensated lobbying as provided by section 1024;

19 Sec. 2. 1 MRSA §1024 is enacted to read:

20 **§1024. Waiting period before engaging in lobbying activities**

21 1. **Actions precluded.** Beginning with the convening of the 127th Legislature, a
22 person who has served as a Legislator may not engage in activities that would require
23 registration as a lobbyist or lobbyist associate as defined by Title 3, section 312-A,
24 subsections 10 and 10-A, respectively, until one year after that person's term as a
25 Legislator ends. This subsection may not be construed to prohibit uncompensated
26 lobbying by a former Legislator during the one-year period following the end of that
27 Legislator's most recent term in office.

28 2. **Complaints and investigations.** A person may file a complaint with the
29 commission specifying an alleged violation of this section. The commission staff shall
30 notify the party against whom the complaint has been filed and may undertake the
31 investigation of the alleged violation if directed by the commission. The commission
32 may direct commission staff to undertake an investigation of an alleged violation of this
33 section on its own motion.

34 3. **Penalty.** A person who intentionally violates this section is subject to a civil
35 penalty not to exceed \$1,000, payable to the State and recoverable in a civil action.'

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SUMMARY

The purpose of this amendment is to prevent unethical practices of Legislators and former Legislators and to promote and maintain the public's confidence in the integrity of the legislative process.

This amendment replaces the bill, which amended the statute governing lobbyist disclosure procedures to prohibit a former Legislator from engaging in lobbying for one year after the Legislator's term ends. This amendment amends the provisions of law that govern legislative ethics to prohibit a former Legislator from engaging in activities that would require registration as a lobbyist or lobbyist associate until one year after that person's term as a Legislator ends. This prohibition begins with the 127th Legislature. The amendment specifies that uncompensated lobbying is not prohibited. The amendment specifies that the Commission on Governmental Ethics and Election Practices is authorized to investigate complaints and impose a penalty of up to \$1,000 for intentional violation of the waiting period.

FISCAL NOTE REQUIRED

(See attached)



Approved: 04/25/13 *MAC*

126th MAINE LEGISLATURE

LD 184

LR 148(02)

An Act To Enhance Transparency in Government by Implementing a Waiting Period for Legislators before They May Register as Lobbyists

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-115)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new civil violations.

The collection of additional fines may also increase General Fund revenue by minor amounts.