

MAINE STATE LEGISLATURE

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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 140, L.D. 413, Bill, "An Act To Limit the Influence of Lobbyists by Expanding the Prohibition on Accepting Political Contributions"

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

Sec. 1. 1 MRSA §1015, sub-§3, as amended by PL 2009, c. 286, §1, is further amended to read:

3. Campaign contributions and solicitations prohibited. The following provisions prohibit certain campaign contributions and solicitation of campaign contributions during a legislative session.

A. As used in this subsection, the terms "employer," "lobbyist" and "lobbyist associate" have the same meanings as in Title 3, section 312-A. As used in this subsection, "contribution" has the same meaning as in Title 21-A, section 1012 and includes seed money contributions as defined in Title 21-A, section 1122, subsection 9.

B. The Governor, a member of the Legislature or any constitutional officer or the staff or agent of the Governor, a member of the Legislature or any constitutional officer or a candidate for Governor or the Legislature may not intentionally solicit or accept a contribution from a lobbyist, lobbyist associate or employer during any period of time in which the Legislature is convened before final adjournment, except for a qualifying contribution as defined under Title 21-A, section 1122, subsection 7. A lobbyist, lobbyist associate or employer may not intentionally give, offer or promise a contribution, other than a qualifying contribution, to the Governor, a member of the Legislature or any constitutional officer or the staff or agent of the Governor, a member of the Legislature or any constitutional officer during any time in which the Legislature is convened before final adjournment or a candidate for Governor or the Legislature. These prohibitions apply to contributions directly and indirectly solicited or accepted by, or given, offered and promised only during the period of time in which the Legislature is convened before final adjournment to a

COMMITTEE AMENDMENT

1 political action committee, ballot question committee or party committee of which
2 the Governor, a member of the Legislature, a constitutional officer or the staff or
3 agent of these officials is a treasurer, officer or primary fund-raiser or decision maker.

4 C. This subsection does not apply to:

5 (1) Solicitations or contributions for bona fide social events hosted for
6 nonpartisan, charitable purposes;

7 (2) Solicitations or contributions relating to a special election to fill a vacancy
8 from the time of announcement of the election until the election; and

9 (4) Solicitations or contributions accepted by a member of the Legislature
10 supporting that member's campaign for federal office.

11 C-1. This subsection does not prohibit the attendance of the Governor, a member of
12 the Legislature or any constitutional officer or the staff or agent of the Governor, a
13 member of the Legislature or any constitutional officer at fund-raising events held by
14 a municipal, county, state or national political party organized pursuant to Title 21-A,
15 chapter 5, nor the advertisement of the expected presence of any such official at any
16 such event, as long as any such official has no involvement in soliciting attendance at
17 the event and all proceeds are paid directly to the political party organization hosting
18 the event or a nonprofit charitable organization.

19 D. A person who intentionally violates this subsection is subject to a civil penalty not
20 to exceed \$1,000, payable to the State and recoverable in a civil action.'

21 SUMMARY

22 This amendment replaces the bill and is a minority report of the committee. Like the
23 bill, the amendment prohibits a member of the Legislature, the Governor or any
24 constitutional officer from soliciting or accepting a contribution from a lobbyist, a
25 lobbyist associate or an employer. The amendment provides that candidates for the
26 Legislature or Governor are also subject to this year-round contribution prohibition. The
27 amendment clarifies that with regard to a political action committee, party committee or
28 ballot question committee, the prohibition applies to contributions solicited, accepted or
29 given only when the Legislature is in session.