

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1591

H.P. 1095

House of Representatives, May 9, 2017

**An Act To Strengthen the Restrictions Governing Lobbying by
Former Legislators and Former Executive Branch Officials**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FARRIN of Norridgewock.

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

2 **Sec. 1. 1 MRSA §1024, sub-§1**, as enacted by PL 2013, c. 129, §2, is amended to
3 read:

4 **1. Actions precluded.** Beginning with the convening of the 127th Legislature, a
5 person who has served as a Legislator may not engage in ~~activities that would require~~
6 ~~registration as a lobbyist or lobbyist associate~~ lobbying as defined by Title 3, section
7 312-A, ~~subsections 10 and 10-A, respectively,~~ subsection 9 until one year after that
8 person's term as a Legislator ends. This subsection may not be construed to prohibit
9 uncompensated lobbying by a former Legislator during the one-year period following the
10 end of that Legislator's most recent term in office or to prohibit lobbying as a legislative
11 designee as defined in Title 3, section 312-A, subsection 8-A.

12 **Sec. 2. 1 MRSA §1024, sub-§3**, as enacted by PL 2013, c. 129, §2, is amended to
13 read:

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

16 **Sec. 3. 3 MRSA §318-A**, as enacted by PL 2013, c. 288, §1, is repealed.

17 **Sec. 4. 3 MRSA §318-B** is enacted to read:

18 **§318-B. Waiting period before engaging in lobbying activities**

19 **1. Actions precluded.** A person may not engage in lobbying if that person has
20 within the previous 12 months been employed in a position for which the salary is subject
21 to adjustment by the Governor under Title 2, section 6 or that is described as a major
22 policy-influencing position under Title 5, chapter 71.

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

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

31 **Sec. 5. Effective date.** This Act takes effect January 1, 2018.

32 **SUMMARY**

33 Current law allows former Legislators and certain former executive-level state
34 employees to engage in compensated lobbying for up to 8 hours per calendar month for
35 the first year after leaving office or employment. This bill prohibits all compensated
36 lobbying by such persons during that period of time.