

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

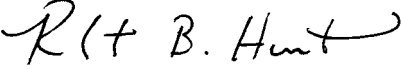
No. 1357

H.P. 871

House of Representatives, March 28, 2023

**An Act to Impose an Expanded Prohibition on Lobbying for Former
Executive Branch Employees**

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


ROBERT B. HUNT
Clerk

Presented by Representative KESSLER of South Portland.
Cosponsored by Representative BOYER of Poland, Senator BENNETT of Oxford and
Representatives: MORRIS of Turner, O'NEIL of Saco, PLUECKER of Warren, Senators:
BRAKEY of Androscoggin, CHIPMAN of Cumberland, GROHOSKI of Hancock.

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

2 **Sec. 1. 3 MRSA §318-A**, as enacted by PL 2013, c. 288, §1, is amended by enacting
3 at the end a new paragraph to read:

4 This section is repealed December 4, 2024.

5 **Sec. 2. 3 MRSA §318-B** is enacted to read:

6 **§318-B. Former executive branch employee lobbying prohibited**

7 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
8 following terms have the following meanings.

9 A. "Classified service" has the same meaning as in Title 5, section 7032, subsection 3.

10 B. "Compensated lobbying" means lobbying conducted by an individual who is
11 specifically employed by another person other than the State or an agency of the State
12 for that purpose or lobbying conducted by an individual as a regular employee of
13 another person other than the State or an agency of the State. "Compensated lobbying"
14 does not include activities for which the individual receives no compensation other
15 than reimbursement for lobbying-related travel with the State and reimbursement for
16 other out-of-pocket expenditures made by the individual for printing, postage and food
17 and lodging connected with lobbying activities paid for by the individual. For the
18 purposes of this section, "reimbursement for other out-of-pocket expenditures" does
19 not include reimbursement for the individual's time spent lobbying that would have
20 been otherwise compensated by an employer or in the course of the individual's
21 employment.

22 C. "Employee from the executive branch in the unclassified service" has the same
23 meaning as in Title 5, section 7032, subsection 6-A.

24 D. "Lobbying" has the same meaning as in section 312-A, subsection 9.

25 **2. Lobbying prohibited.** Beginning December 4, 2024, a former officer or employee
26 in the classified service or a former employee from the executive branch in the unclassified
27 service of this State or a person who was employed in a position for which the salary is
28 subject to adjustment by the Governor under Title 2, section 6 or that is described as a
29 major policy-influencing position under Title 5, chapter 71 may not engage in compensated
30 lobbying until one year after the termination of the employee's executive branch
31 employment.

32 **SUMMARY**

33 This bill prohibits, beginning with the convening of the 132nd Legislature, former
34 executive branch employees and officers, including former officers or employees in the
35 classified service, former employees in the unclassified service and persons who held a
36 position for which the salary is subject to adjustment by the Governor or that is a major
37 policy-influencing position, from engaging in compensated lobbying until one year after
38 the termination of the executive branch employment.