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Date: (Filing No. S-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” 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 to a political action committee, ballot question committee or party committee of which the Governor, a

COMMITTEE AMENDMENT

1 member of the Legislature, a constitutional officer or the staff or agent of these
2 officials is a treasurer, officer or primary fund-raiser or decision maker.

3 C. This subsection does not apply to:

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

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

8 (4) Solicitations or contributions accepted by a member of the Legislature
9 supporting that member's campaign for federal office-; and

10 (5) Solicitations made or contributions accepted before the Legislature convenes
11 or after final adjournment by a party committee for which the Governor, a
12 member of the Legislature, a constitutional officer or the staff or agent of these
13 officials is not a treasurer, officer or primary fund-raiser or decision maker.

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

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

24 SUMMARY

25 This amendment replaces the bill and is the minority report of the committee. Like
26 the bill, the amendment prohibits a member of the Legislature, the Governor or any
27 constitutional officer from soliciting or accepting a contribution from a lobbyist or an
28 employer. The amendment provides that candidates for the Legislature or Governor are
29 also subject to this year-round contribution prohibition. The amendment also provides
30 that party committees may solicit or accept contributions when the Legislature is not in
31 session as long as a member of the Legislature, the Governor or a constitutional officer is
32 not the treasurer, an officer or primary decision maker or fund-raiser for the party
33 committee.