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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

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

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

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

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

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

§1024. Waiting period before engaging in lobbying activities

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

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

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

COMMITTEE AMENDMENT

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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)**