

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding Grassroots Lobbying'**

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

**'Sec. 1. 3 MRSA §312-A sub-§4-A** is enacted to read:

**4-A. Covered official.** "Covered official" means an official in the executive branch, an official in the legislative branch, a constitutional officer, the Governor and the Governor's cabinet and staff.

**Sec. 2. 3 MRSA §312-A, sub-§7-B** is enacted to read:

**7-B. Grassroots lobbying.** "Grassroots lobbying" means to communicate with members of the public to solicit them to communicate directly with any covered official for the purpose of influencing legislative action, when that solicitation is made by:

- A. A broadcast, cable or satellite transmission;
- B. A communication delivered by e-mail, a website or any other digital format;
- C. A communication delivered by print media;
- D. A letter or other written communication delivered by mail or by comparable delivery service;
- E. Telephone; or
- F. A method of communication similar to those listed in paragraphs A to E.

A person does not engage in grassroots lobbying by communicating with that person's stockholders, employees, board members, officers or dues-paying members.

**Sec. 3. 3 MRSA §312-A, sub-§11-A,** as repealed and replaced by PL 1993, c. 691, §7, is amended to read:

**11-A. Original source.** "Original source" means any person who contributes \$500 or pays \$1,000 or more in any lobbying year directly or indirectly to any employer of a lobbyist for purposes of lobbying or grassroots lobbying or to any other person for purposes of grassroots lobbying, except that contributions of membership dues to nonprofit corporations formed under Title 13-B, any equivalent state law or by legislative enactment are not considered contributions by an original source.

**Sec. 4. 3 MRSA §312-A, sub-§14-A** is enacted to read:

**14-A. Solicit.** "Solicit" means to entreat, to implore, to urge or to ask.

**Sec. 5. 3 MRSA §317, sub-§1, ¶E-1** is enacted to read:

E-1. The specific amount of expenditures for grassroots lobbying made or incurred during the month, with separate totals for expenditure categories as determined by the commission, the legislative actions that are the subject of the grassroots lobbying and a general description of the intended recipients;

**Sec. 6. 3 MRSA §317, sub-§1, ¶J,** as corrected by RR 2001, c. 2, Pt. B, §1 and affected by §58, is amended to read:

~~J. If the lobbyist is required to make a specific list of items under paragraph I, a~~ A list of all of the lobbyist's original sources of any money received from that employer must be included and a statement of the amounts contributed or paid by the original sources to the employer. If the employer or person who contributes to an employer original source is a corporation formed under Title 13 or 13-C or former Title 13-A, nonprofit corporation formed under Title 13-B or limited partnership under Title 31, the corporation, nonprofit organization or limited partnership, not the individual members or contributors, is ~~must be~~ listed as the original source.

**Sec. 7. 3 MRSA §317-A** is enacted to read:

### **§ 317-A. Grassroots lobbying report**

Any person not required to register under section 313 that spends more than \$2,000 on grassroots lobbying during a lobbying year shall file a report no later than 11:59 p.m. on the 15th day of the calendar month following the date on which that amount was exceeded. The person shall file monthly reports by 11:59 p.m. on the 15th calendar day of each month for the remainder of the lobbying year.

**1. Reports.** A grassroots lobbying report filed by a person pursuant to this section must include:

A. The name of the person required to file the report;

B. The name of an individual serving as the contact for the person;

C. The business address and other contact information for the person;

D. A description of the business activity, mission, employer or occupation;

E. The specific amount of expenditures for grassroots lobbying made or incurred during the month that is the subject of the report, with separate totals for expenditure categories as determined by the commission, the legislative actions that are the subject of the grassroots lobbying and a general description of the intended recipients; and

F. A list of all of the person's original sources and a statement of the amounts contributed or paid by the original source. If the original source is a corporation formed under Title 13 or former 13-A, nonprofit corporation formed under Title 13-B or limited partnership under Title 31, the corporation, nonprofit organization or limited partnership, not the individual members or contributors, must be listed as the original source.

A person required to file monthly reports is subject to the same electronic filing requirements contained in section 317, subsection 2-A. Upon the termination of grassroots lobbying, the person shall file a notice of termination with the final monthly report.

**Sec. 8. Appropriations and allocations.** The following appropriations and allocations are made.

**ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL**

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Provides an allocation to update the existing electronic filing system for lobbyist disclosure to allow for disclosure of grassroots lobbying.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$0	\$3,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$3,000

**SUMMARY**

This amendment replaces the bill. The amendment defines "grassroots lobbying." It provides that a person who already files reports as a lobbyist must disclose grassroots lobbying payments and expenditures in their monthly reports. For a person who does not file reports as a lobbyist, the amendment requires disclosure of grassroots lobbying expenditures once \$2,000 has been spent on grassroots lobbying.

**FISCAL NOTE REQUIRED**  
(See attached)