

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 871 - L.D. 1357

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

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

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

This section is repealed December 4, 2024.

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

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

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

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

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

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

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

**2. Lobbying prohibited.** Beginning December 4, 2024, a former officer or employee in the classified service or a former employee from the executive branch in the unclassified

service of this State or a person who was employed in a position for which the salary is subject to adjustment by the Governor under Title 2, section 6 or that is described as a major policy-influencing position under Title 5, chapter 71 may not engage in compensated lobbying until one year after the termination of the employee's executive branch employment.

**3. 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 person against whom the complaint has been filed and may undertake an 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.

**4. 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.