



# SUMMARY OF ENACTED LEGISLATION - 2020 SESSION

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## AMENDMENTS TO CAMPAIGN FINANCE & LOBBYING DISCLOSURE LAWS

The effective date of the amendments to **Campaign Finance Law** are effective on **June 16, 2020**, and the amendments to the **Lobbyist Disclosure Law** are effective on **December 1, 2020**. For a complete text of the new laws, please check the Commission's website ([www.maine.gov/ethics](http://www.maine.gov/ethics)).

### CHANGES TO CAMPAIGN FINANCE LAWS (2020 P.L. c. 534, 563, & 564)

#### Changes Affecting Candidates and Candidate Committees

**Lobbyist Contribution Ban for Candidates:** Starting on June 16, 2020, gubernatorial and legislative candidates, and their committees, may not solicit or accept contributions from a registered lobbyist or lobbyist associate unless that lobbyist or lobbyist associate will be eligible to vote for that candidate on the day of the election. This prohibition does not apply if the contribution is not the property of the lobbyist or lobbyist associate or if the contribution is made by the employer of the lobbyist or a lobbying firm. 2020 P.L. c. 534.

**Lobbyist Contribution Ban for Covered Officials:** Covered Officials, meaning the Governor, Legislators, and Constitutional Officers, and any of their staff, may not solicit or accept contributions from a lobbyist, lobbyist associate, the employer of a lobbyist, or lobbying firm during a legislative session. This prohibition does not apply if the contribution is for a special election in which the Covered Official is also a candidate for that office, but the Lobbyist Contribution Ban For Candidates section above still applies. If the legislature is not in session and the Covered Official is also a candidate for office, then the Lobbyist Contribution Ban for Candidates section applies. 2020 P.L. c. 534.

#### Changes Affecting Governor-Elect Transition Committees

**Governor-Elect Transition Committee:** The term "Governor-elect" is defined to mean the candidate for the office of Governor elected in the most recent general election. The law specifies that all donations received by the committee must be used for expenses related to the transition to office or inauguration. Financial Disclosure statements must be filed on January 2nd and February 15th following the gubernatorial election. If the committee has surplus funds or is unable to satisfy all outstanding debts and loans by February 5th, then the committee shall file bimonthly reports starting on April 15th until it satisfies all outstanding debts and loans and disposes of any surplus funds. The committee may accept donations through March 31st of the year following the election, but the Commission may authorize the committee to accept donations after March 31st to satisfy a debt or loan. The law specifies that Lobbyists and Lobbyist Associates who are required to register with the Commission, and their employers may not make donations to the committee. The law also establishes criteria to be considered by the Commission in assessing a penalty for violations. 2020 P.L. c. 564.

#### Changes Affecting PACs and BQCs

**Clarification of PAC and BQC Reporting:** The Commission has defined the term "Committee" to include both political action committees and ballot question committees. Subchapter IV Reports by Political Action Committees and Ballot Question Committees has been updated to clarify which sections apply to political action committees, which sections apply to ballot question committees, and which sections apply to both. These changes are not substantive in nature. The law also clarifies the procedure by which municipal clerks may refer matters to the Commission for enforcement. 2020 P.L. c. 563.

**CHANGES TO LOBBYING LAWS (2020 P.L. C 587 & 599) (EFFECTIVE 12/01/2020)**

**Expansion of harassment training requirement:** The annual mandatory harassment training has been expanded to include both Lobbyists and Lobbyist Associates. 2020 P.L. c. 587.

**New Definition “Lobbying Firm”:** The term Lobbying Firm means a partnership, corporation, limited liability company or unincorporated association that employs or contracts with more than one lobbyist or lobbyist associate and that receives, or is entitled to receive, compensation for engaging in lobbying either directly or through its employees. 2020 P.L. c. 587.

**Lobbyist Expenditure Reports:** A lobbyist who makes an expenditure directly to or on behalf of a Covered Official, or a member of the Covered Official’s family, that is not attributable to a client shall file a Lobbyist Expenditure Report and disclose the transaction. The Lobbyist Expenditure Report is due on the 15th calendar day of the month following the expenditure. This report supplements the lobbyist’s regular monthly disclosures but is not attributable to a client. 2020 P.L. c. 587. (The law also makes non-substantive changes to clarify the reporting requirements for lobbyists.)

**New Legislative Designee Requirements:** A legislative designee is defined as the primary employee designated by a state department or agency to lobby on its behalf or who is expected to lobby on its behalf for more than 10 hours during a legislative session. This requirement was reduced from 20 hours during a session and no longer includes time spent monitoring legislation. The department or agency must submit a list of the name(s) and position(s) of each legislative designee, the name of the department or agency, and the employees’ mailing address, email and phone to the Commission. Under the old requirement, each legislative designee was required to submit individual forms. 2020 P.L. c. 587.

**Grassroots Lobbying Reports:** A lobbyist who, or whose client, makes an expenditure in excess of \$2,000 during a calendar month for the purpose of soliciting the general population to contact members of the legislature to influence legislation shall disclose that expenditure in the next regularly scheduled lobbyist report. If a person does not have a registered lobbyist but spends \$2,000 or more in a calendar month for the purpose of grassroots lobbying, then that person shall file a report with the Commission no later than the 15th day of the calendar month following the expenditure date. The law also made the grassroots reporting requirement applicable to digital and telephonic communications. 2020 P.L. c. 599.

**Disclaimer:** *The Commission has taken care to make this Summary concise and accurate. However, the Summary is not a substitute for the applicable statutory provisions of the Election Law and Commission’s rules. The statutes and rules are controlling in the event of any omission or misstatement in this publication.*