

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

An Act To Make Public Information Regarding Financial Interests Affecting Legislative Testimony

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

Sec. 1. 3 MRSA §319-A is enacted to read:

§ 319-A. Testimony before Legislature; lobbyist

1. Disclosure of compensation. A lobbyist or lobbyist associate who testifies before a joint select or joint standing committee of the Legislature shall disclose to the committee as part of the testimony the name of the person or organization that the lobbyist or lobbyist associate is representing.

2. Report of violation. Any person may file a complaint with the commission alleging a violation of this section. The commission shall notify all interested parties and shall investigate any apparent violations of this section.

3. Penalty. If a lobbyist or lobbyist associate fails to disclose information required in subsection 1, the commission may:

- A. Suspend the lobbyist or lobbyist associate from further lobbying by written notice of the commission; and
- B. Assess a penalty of up to \$5,000 against the lobbyist or lobbyist associate.

4. Enforcement. The commission shall report to the Attorney General the name of a lobbyist or lobbyist associate who fails to pay, within 30 days of the imposition of a penalty, the full amount of the penalty assessed pursuant to subsection 3, paragraph B. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the penalty. This action must be brought in the Superior Court for Kennebec County or the District Court, 7th District, Division of Southern Kennebec.

Sec. 2. 3 MRSA §319-B is enacted to read:

§ 319-B. Testimony before Legislature; others

1. Disclosure of compensation. A witness other than a lobbyist or lobbyist associate who testifies before a joint select or joint standing committee of the Legislature and who has received or expects to receive any compensation for the testimony or for any research analysis or other service provided in connection with the testimony shall disclose to the committee as part of the testimony:

- A. The person or organization paying the witness's compensation;
- B. Any source other than that described in paragraph A that is indirectly paying the witness's compensation;
- C. Any employer that has directed the witness to provide the testimony or other service; and

D. Any financial relationship between the witness or the witness's employer and any other organization that has employed a lobbyist or lobbyist associate in the State relating to the subject matter of the testimony.

2. Report of violation. Any person may file a complaint with the commission alleging a violation of this section. The commission shall notify all interested parties and shall investigate any apparent violations of this section.

3. Penalty. The commission may assess a penalty of up to \$5,000 against any person or organization that is involved in a failure to disclose information required in subsection 1.

4. Enforcement. The commission shall report to the Attorney General the name of any person who fails to pay, within 30 days of the imposition of a penalty, the full amount of the penalty assessed pursuant to subsection 3. The Attorney General shall enforce the violation in a civil action to collect the full outstanding amount of the penalty. This action must be brought in the Superior Court for Kennebec County or the District Court, 7th District, Division of Southern Kennebec.

SUMMARY

This bill requires that a person who testifies before a legislative committee must disclose a financial interest that may or does affect the person's testimony.