

# PRACTICAL GUIDANCE

What Nonprofits Need to  
Know About Lobbying in

# MAINE

#### Inside This Guide:

This Practical Guidance resource is designed to help your nonprofit organization determine if lobbying rules in Maine might apply to your state or local work. It includes:

- Summary of registration and reporting triggers
- Key takeaways for nonprofit organizations
- FAQs
- Case study for a hypothetical small student voting rights organization
- List of helpful additional resources

## What Lobbying Activities Trigger Registration Requirements in Maine?

DIRECT LOBBYING OF:	CAN THIS TRIGGER?	TRIGGER
<b>State Legislators</b>	Yes	An employee or contractor who you pay and who spends more than eight hours in a month to: <ul style="list-style-type: none"> <li>communicate directly with covered public officials in the legislative branch to attempt to influence legislative action, OR</li> <li>prepare or submit to a covered public official proposals, testimony, or analysis concerning legislative action you are trying to influence</li> </ul>
<b>State Executive Branch Officials</b>	Yes – for legislative actions only	Same eight hour trigger as above, applied to covered public officials in the executive branch to attempt to influence <b>legislative action</b> . Maine does not regulate lobbying of public officials in the executive branch about rulemaking or other executive actions.
<b>Local Legislators or Local Executive Branch Officials</b>	Maybe	Maine's state statute does not regulate local lobbying, but some local jurisdictions, including Portland, have municipal ordinances that might require lobbyist registration.

### KEY LOBBYING TAKEAWAYS FOR NONPROFIT ADVOCACY ORGANIZATIONS IN MAINE:

- The registration threshold includes some, but not all, kinds of preparation time:** In addition to time spent directly communicating with covered officials, lobbying also includes time spent to prepare and submit oral or written proposals, testimony, or analyses concerning a legislative action. Other preparation, travel, or wait time is not included in determining whether or not the trigger is met. The trigger also does not include any time spent on grassroots efforts.
- Grassroots lobbying is reportable, but does not trigger lobbyist registration:** Grassroots lobbying (calling on members of the public to take action to attempt to influence legislative action) does not, on its own, trigger the full obligations of registering and reporting for the rest of the lobbying year. Grassroots lobbying can, however, trigger a separate grassroots lobbying reporting obligation for any month in which your expenditures on grassroots lobbying are over \$2,000.
- Grassroots lobbying reporting is quite detailed:** If your organization might trigger grassroots lobbying reporting, you will need robust expense-tracking systems in place to be able to report your grassroots lobbying expenses in the 12 separate categories required in these reports.
- Donor disclosure may potentially be required:** Both the regular lobbyist monthly reports and the grassroots lobbying reports require disclosure of any donor contributions over \$1,000 that were made specifically to fund your lobbying activities. Disclosure is not required if contributions were made for general operating purposes, or for programs that also include non-lobbying elements.

This resource is current as of January 2023. We do our best to periodically update our resources and welcome any comments or questions regarding new developments in the law. Please e-mail [advocacy@afj.org](mailto:advocacy@afj.org) or at [info@democracycapacity.org](mailto:info@democracycapacity.org) with any comments.

This resource is meant to convey the basic principles of sections of state law that are most relevant for nonprofit advocacy and does not cover all aspects or all details of the state statutes. Please refer to the full text of the law for more details. This resource also does not cover details of federal lobbying disclosure law, IRS regulations related to lobbying, or any separate county or municipal regulations that may apply to lobbying-related activities. In some states there is an ongoing movement towards the enactment of additional local county and municipal level lobbying regulations, and organizations are urged to check with the appropriate local jurisdiction before undertaking local lobbying activity.

## Q: How should we think about using this Practical Guidance resource?

This Practical Guidance – What Nonprofits Need to Know About Lobbying resource is designed to help your nonprofit organization determine if state or local regulations might apply to your existing or proposed advocacy work. The answer is surprisingly often – **YES!** – but there are also often many advocacy activities that do not require state lobbyist registration or reporting.

This Guide will help you identify which of your state or local activities might trigger registration and reporting, and also give you potential alternative program design ideas that would allow your program to be in compliance with the regulations but not require registration and reporting.

If you do need to register and report with the state, this Guide will also give you practical tips about what information needs to be included in your reports, and how to try to minimize your operational burden while remaining in compliance with the rules.

While this Guide does provide some information about the federal IRS rules that apply to nonprofit lobbying, it is designed to cover state and local regulations. Links to resources containing more information about federal IRS rules can be found in the federal lobbying FAQ below.

We also hope that this Guide will prove useful to legal counsel and other advocacy advisors who are working to assist nonprofit advocacy organizations, as well as the funders who generously support this work. Advisors and funders are invited to use the free Bolder Advocacy Technical Assistance Hotline and the written legal resources available in Bolder Advocacy’s resource library at <https://bolderadvocacy.org/>

## Q: What activities count as lobbying?

### Direct lobbying:

Maine defines “lobbying” as receiving compensation or reimbursement for communicating directly with an **official in the legislative branch**, **official in the executive branch**, or a **constitutional officer** (together, referred to as covered officials) for the purpose of influencing any **legislative action**.

Lobbying, for the purposes of the registration trigger and reporting, also includes time spent preparing oral and written proposals, testimony, or analyses concerning a legislative action.

- **Official in the legislative branch** is a member, member-elect, employee, officer, or candidate for the legislature.
- **Official in the executive branch** is an individual in a major policy-influencing position in a department or agency, or a member of the Governor's cabinet or staff.
- **Constitutional officer** is the Secretary of State, the State Treasurer, and the State Attorney General.
- **Legislative action** is the drafting, introduction, consideration, modification, enactment, or defeat of any bill, resolution, amendment, report, nomination, or other matter by the legislature, by either the House of Representatives or the Senate, any legislative committee, or an official in the legislative branch, or action of the Governor in approving or vetoing any legislative document.

### Grassroots lobbying:

Maine defines “grassroots lobbying” as communicating with members of the general public to solicit them to communicate directly with any covered official for the purpose of influencing legislative action.

Grassroots lobbying only occurs when the solicitation is made through certain methods, which include television, radio, print media, internet, e-mail (or other digital medium), letter, telephone, or similar methods. Grassroots communications made through an in-

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person rally, or in-person communications at a table or door-to-door canvas do not count as grassroots lobbying for reporting purposes. However, any handouts you provide in such scenarios likely would count as grassroots lobbying.

## Q: What triggers lobbyist registration and reporting with the state?

Any employee or contractor you pay and who spends more than eight hours in a month to:

- communicate directly with covered public officials to attempt to influence legislative action, OR
- prepare or submit to a covered public official proposals, testimony, or analyses about specific legislative action you are trying to influence

Maine produces a FAQ document clarifying that monitoring legislation and working on general issues not associated with specific legislative action does not count as this kind of prep time. See the Maine Lobbying FAQ document available here:

<https://www.maine.gov/ethics/lobbyists>

If you use your organization's employees to lobby, you will only need to register one lobbyist, and then any other staff who also go over the eight-hour trigger threshold can be listed as "associate lobbyists" on the primary lobbyist's registration.

Volunteer lobbyists whose only compensation for lobbying is reimbursement for lobbying-related travel and other out-of-pocket expenditures do not trigger registration.

**Important note on grassroots lobbying:** While grassroots lobbying activities do not trigger registration, they can trigger a separate obligation to file a report with the State for any month where you spend more than \$2,000 on grassroots lobbying activities. See the FAQ below – "What information do the periodic lobbying reports include?"

## Q: How does the trigger threshold work if we are a fiscally sponsored project?

You will need to be sure you are communicating transparently and in a timely fashion with your fiscal sponsor if you plan to undertake activities that might potentially count as lobbying activities!

Each fiscal sponsor will have its own ways of working with projects who wish to take on lobbying activities.

In general, for fiscally sponsored projects that do not have their own legal entity and the fiscal sponsor engages all of the project's independent contractors or employees, the lobbyist registration trigger must be divided between all of the projects housed at the fiscal sponsor who are doing lobbying activities in the state.

Your account manager at your fiscal sponsor will be able to help you understand how to track your portion of the available threshold.

**IMPORTANT NOTE:** In states where registration is required prior to, or very shortly after, the registration threshold is reached, or periodic lobbyist disclosure is due shortly after the end of a reporting period, special procedures may need to be worked out in order to process the registration or reporting on time. You should connect with your account manager as soon as you begin planning any potential lobbying strategy!

## Q: Are there exceptions to what counts as lobbying?

**Yes!** Certain types of lobbying activities do not require state-level lobbyist registration or reporting. The exceptions most relevant to nonprofit organizations are:

- Lobbying by volunteers
- Lobbying executive branch public officials about rulemaking or other decisions that are not legislative actions

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- Participating, at the request of a governmental body, in a subcommittee, stakeholder group, task force, or other working group regarding a legislative action
- Grassroots lobbying does not include:
  - In-person oral communications
  - Communicating with your organization's employees, board members, officers, or dues-paying members
  - Communication about legislation that is before the legislature as a result of a ballot measure initiative (called a "direct initiative" in Maine)

## **Q: How does this work together with federal IRS lobbying regulations?**

All tax-exempt organizations must follow both federal tax law (regulated by the IRS) **and** any state and local lobbying laws that apply to their work.

The IRS rules regulate how much lobbying a nonprofit organization can do, while state and local regulations are transparency rules designed to help the public understand what funds are being spent to influence decision making and by whom. As a result, federal tax law rules related to lobbying and state lobbying regulations are quite different, and state lobbying regulations also vary greatly state to state.

In general, the IRS requires 501(c)(3) organizations to report on their annual Form 990 legislative lobbying at the federal, state, and local levels, but does not count as lobbying advocacy activities relating to executive branch or administrative officials at any level. There is no additional requirement for organizations or individuals to "register" with the IRS to report lobbying activities.

Nonprofits that are public charities under IRS exemption 501(c)(3), including grantmaking public charities like community foundations, can lobby within the generous limits allowed by federal tax law. The amount of lobbying is determined by either using the insubstantial part test or the 501(h) expenditure test.

See <https://bolderadvocacy.org/resource/public-charities-can-lobby-guidelines-for-501c3-public-charities-2/>

Organizations that are tax-exempt under 501(c)(4) (social welfare organizations), 501(c)(5) (labor organizations), and 501(c)(6) (trade associations) can do unlimited lobbying. See <https://bolderadvocacy.org/resource/being-a-player-a-guide-to-the-irs-lobbying-regulations-for-advocacy-charities/>

Your organization will need to ensure that you are keeping track of your lobbying staff time and your expenses in a way that works for both your IRS reporting, and for any required state or local reporting, since the information required in each regime will be different.

Note that there is also a federal law called the Lobbying Disclosure Act that requires some organizations to register and report their federal level lobbying activities. Organizations that have only occasional contacts at the federal level (having occasional meetings with members or staff or sending occasional letters to Congress) will not need to register under the LDA. The thresholds are designed to require only those organizations with substantial lobbying activities and expenses to file. For more information see [https://bolderadvocacy.org/wp-content/uploads/2018/06/Understanding\\_the\\_Lobbying\\_Disclosure\\_Act.pdf](https://bolderadvocacy.org/wp-content/uploads/2018/06/Understanding_the_Lobbying_Disclosure_Act.pdf)

## **Q: Does supporting or opposing a ballot measure count as lobbying?**

In Maine, citizen-initiated ballot measures (called "direct initiatives") are first presented to the state legislature for a vote. If the legislature does not adopt the measure without change, or if the Governor vetoes the measure, then the measure is placed before the voters.

When a measure is before the legislature for a vote, supporting or opposing the legislature's action on the measure counts as direct lobbying, but grassroots

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communications regarding the measure are specifically exempt from reporting in this context.

If the measure is put before voters, supporting or opposing the measure is then regulated under the state's campaign finance laws. Nonprofit organizations considering working on ballot measures in Maine should seek additional advice on how to comply with any applicable state or local campaign finance reporting requirements.

## Q: If we are required to register, how does the process work?

Registration as a lobbyist is required within 15 business days of any of your staff crossing the eight-hour registration trigger threshold. General information about registration can be found at: <https://www.maine.gov/ethics/lobbyists/registering>

The initial registration is a joint registration of your principal lobbyist and your organization (called the **"Client"** in the forms). You can view the information you will need to provide here:

[https://lobbyist.maine campaign finance.com/CampaignFinance/Filings/CF-1\\_NoticeofOrganization.aspx?Public=A1Z2Y7B3-7901-567W-C1PU-8V5EU9ERS110](https://lobbyist.maine campaign finance.com/CampaignFinance/Filings/CF-1_NoticeofOrganization.aspx?Public=A1Z2Y7B3-7901-567W-C1PU-8V5EU9ERS110)

The cost for a joint registration is \$250 plus \$125 for each additional associate lobbyist included in the registration. If the registration fees will be a burden on your organization, you can request a fee waiver using the simple form available here:

<https://www.maine.gov/ethics/lobbyists/forms>

Registration automatically expires on November 30th of each year and must be renewed annually if you are going to continue to lobby in the following year.

### Some practical tips on filling out the lobbyist registration form:

- When describing the primary nature of your business you can be brief. There is an entry in the drop down menu for "public interest" that will be suitable for most nonprofit organizations.
- You will need to know the date you first started lobbying, and also when you first crossed the eight-hour trigger threshold. It is expected that some organizations will have been lobbying for quite some time before they needed to register, since a limited amount of lobbying is permitted each month without triggering registration.
- You can also be brief about the method of lobbyist compensation. For most employees, the answer will be something like "prorated employee compensation for time spent lobbying."
- You should use business contact information instead of personal for all of your lobbyists and lobbyist associates because this information will be made public.
- You do need to answer the question about Lobbying Firms.
- You will use the "Lobbyist Associates" section of the form to list any additional employees or contractors who also have reached the eight-hour registration trigger.

You can add as your Authorized Agent a person you want to have access the portal for you. This might be your lawyer, or a staff person responsible for submitting the reporting who is not also registered as a lobbyist.

### Mandatory harassment training:

Before registering, lobbyists are required to complete a harassment training (or request an extension of time to complete the training). The State makes multiple zoom training sessions available, and you can view the schedule of upcoming sessions here:

<https://www.maine.gov/ethics/lobbyists>

Each lobbyist or associate lobbyist on your registration form will need to certify that they have completed the training by submitting the Harassment Training for Lobbyists Certification form available here: <https://www.maine.gov/ethics/lobbyists/forms>

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**Terminating registration:** If you are sure you will not be doing any additional lobbying for the remainder of the lobbying year you can terminate your registration early by filing a termination of registration notice available at: <https://www.maine.gov/ethics/lobbyists/forms>

## Q: When are periodic lobbying reports due?

### Monthly reports:

- If you have registered, then a Monthly Report is due once a month, by the 15th day of each month, covering your lobbying activities in the prior month. For example, the report covering February activities is due March 15th.
- These reports are due whether or not you have any lobbying activities in the month, but a short form version called the “No-Activity Report” is available for that situation.
- Once the legislative session is over, if you don’t expect to do any additional lobbying for the remainder of the lobbying year, you can request a “non-session waiver” so that you do not have to file the monthly reports for the remaining portion of the lobbying year. You can ask for this waiver at the time of filing your last monthly report for the legislative session. If you decide to do some more lobbying during the year you can simply restart your monthly reporting (as opposed to re-registering if you have terminated your registration altogether).

**Grassroots lobbying reports:** Even if you are not required to register, you may still sometimes need to file a Grassroots Lobbying Report. These reports are due on the 15th day after the end of any month in which your organization spent more than \$2,000 on grassroots lobbying activities.

**Expenditure reports (for expenditures made on public officials):** There is a separate additional report due on the 15th day of the month after expenditures made directly to (or on behalf of) the Governor, legislators, Constitutional Officers, or their staff or immediate families exceed \$300, and the lobbyist does not expect to be reimbursed by their employer. This situation should not usually apply to lobbyists who are employees of non-profit organizations.

There are monetary fines for late reports (\$50 for the first 24 hours a report is late and \$100 per month thereafter).

## Q: What information do the periodic lobbying reports include?

### Monthly reports:

In months where you have lobbying activity, your monthly reports will include the following types of disclosure:

- The prorated compensation received in aggregate for your principal lobbyist and any lobbyist associates for time spent lobbying or preparing to lobby
- Other non-compensation expenses incurred for the purpose of lobbying (includes only spending directly related to lobbying and does not include prorated overhead expenses – for more details see the FAQ below on expenditures)
- Legislative actions that were the subject of lobbying during the month
- Money (or other things of value) given to, or on behalf of, public officials
- Information on the source of any contributions of \$1,000 or more **made specifically** to support your lobbying work (see the FAQ below on donor disclosure)
- Detailed information about your grassroots lobbying efforts if those expenditures were over \$2,000 for the month (see details below)

Note that your reporting of compensation and expenditures need to be broken out separately between funds used to lobby legislative officials, executive branch officials, or Constitutional Officers.

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Additional details are required for expenditures made for the benefit of public officials, attendees at events you may have held, and aggregate total of funds spent for lobbying a particular legislative action if the expenditures exceed \$1,000 in the month.

A short “no-activity report” can be filed for months where you did not have any lobbying activity.

Monthly reports are filed through the State’s e-filing system, which can be accessed at <https://lobbyist.mainecampaignfinance.com/PublicSite/homepage.aspx>. To log in, you will need to use the login and password that were sent to you when your registration was approved.

## **Grassroots lobbying reports:**

You will need to file a grassroots lobbying report for any month in which your expenditures on grassroots lobbying of legislative actions are more than \$2,000, even if you have no registered lobbyists.

- If your organization has a registered lobbyist and does monthly reporting, your grassroots lobbying disclosure will be made as part of your monthly reports.
- If you do not have a registered lobbyist, you will need to separately file the report with the Maine Commission on Governmental Ethics & Election Practices. The form is available here: <https://www.maine.gov/ethics/lobbyists/forms>. Forms may be submitted by e-mail to the Ethics Commission’s Political Committee and Lobbyist Registrar. At the time of this resource publication that person is Emma Burke whose e-mail is [emma.burke@maine.gov](mailto:emma.burke@maine.gov).

The grassroots lobbying reports are quite detailed and require disclosure of the legislative actions that are the subject of your grassroots lobbying, and details about each individual grassroots lobbying-related payment you made. The payments must be coded into 12 different expense categories (with no minimum dollar threshold), and you must also disclose details about any donors who contributed \$1,000 or more specifically to fund your grassroots lobbying activities. Details about the expenditures that will need to be reported are outlined in the next FAQ below.

## **Q: What is considered a reportable “expenditure”?**

### **Expenditures reported in the monthly report:**

The “total expenditures made for lobbying activities” section of the monthly report requires you to disclose all expenditures made for the specific purpose of your direct lobbying (grassroots lobbying expenditures are reported separately). These expenditures include:

- Travel reimbursements for your lobbyist staff
- Payments made for lobbying-specific research and analysis
- Other costs directly associated with direct lobbying such as a bus and lunches for volunteers for your Lobby Day

Expenditures made for the benefit of public officials are also separately reported on the monthly report, but since Maine ethics laws generally prohibit legislators and their immediate family members from accepting any gifts from lobbyists, it is usually best practice for smaller nonprofits to steer clear of making any expenditures for the benefit of public officials.

For more information on expenditures made on public officials and gifts, see <https://www.maine.gov/ethics/lobbyists/contributions-gifts>

### **Expenditures reported in the grassroots lobbying report:**

The grassroots lobbying report includes 12 different categories of grassroots lobbying expenditures that need to be reported:

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- **Literature:** Printed grassroots lobbying materials (palmcards, signs, stickers, flyers, etc.)
- **Mailings:** Direct mail costs (design, printing, mailing, and postage)
- **Online:** Social media and online advertising
- **Personnel:** Personnel and campaign staff, consulting, and independent contractors, but not in-house employees
- **Phones:** Phone banking, robocalls, and texts
- **Polling:** Polling and survey research
- **Postage:** Postage for US Mail and mailbox fees
- **Professionals:** Professional services (graphic design, legal services, web design)
- **Radio:** Radio ads and production costs
- **TV:** TV/Cable ads, production, and media buyer costs
- **Web:** Website and internet costs (website domain and registration, etc.)
- **Other:** Any other kinds of grassroots expenses

**NOTE:** Prorated **internal staff time** spent on grassroots lobbying activities is **not** counted as an expenditure for the \$2,000 reporting threshold, or for the report itself.

Each expenditure must be individually listed, with the vendor name, mailing address, date and amount of the payment, as well as a description of what the payment was for. There is no minimum threshold for these disclosure requirements, so even very small expenditures will need to be disclosed if you have reached the \$2,000 per month reporting trigger.

Remember that, even if you have not triggered lobbyist registration, if your expenses for grassroots lobbying activities exceed \$2,000 in one month, you will need to file a grassroots lobbying report with the State for that month.

## **Q: Do our organization's donors need to be disclosed on any lobbying reports?**

Potentially, **but only if the donations are given specifically for lobbying.** Both organizations with registered lobbyists and organizations that do not have any registered lobbyists but are required to file any grassroots lobbying reports are required to disclose any donors that contributed \$1,000 or more in a year for the specific purpose of funding your direct or grassroots lobbying program. Disclosure is not required if contributions were made for general operating purposes, or for programs that also include non-lobbying elements.

While the state requires disclosure of the "original source" of any such earmarked donations, if your donor is a corporation or a limited partnership that entity will count as the original source. For donations made through an LLC, tracking back through the LLC entity to an original source may be required.

## **Q: How are our lobbyists required to identify themselves while lobbying?**

Lobbyists must wear a clearly visible name tag while lobbying. The name tag must clearly display the lobbyist's name and must include either your organization's name, or the term "lobbyist."

A lobbyist who testifies before a joint committee of the legislature must disclose to the committee the name of the person or organization that the lobbyist is representing. While the statute only expressly refers to "joint" committees, we advise following these procedures when testifying before any committee of the legislature, out of an abundance of caution.

**Q: Are there any other restrictions on lobbyists that we should be aware of?**

- **No contingency fees:** A lobbyist's compensation may not be contingent upon the outcome of any legislative action.
- **Restrictions based on former employment:** Former Maine state employees are not allowed to lobby for 12 months after they leave state employment.
- **No instigation of legislative action:** A person may not instigate the introduction or commencement of any legislative action for the purpose of obtaining employment as a lobbyist to oppose or support such legislative action.
- **Prohibited campaign contributions by lobbyists and their employers:** Maine imposes very strict restrictions on lobbyists' ability to make campaign contributions, even in their own personal capacity, other than for candidates for whom the lobbyist is entitled to vote for themselves. See the State's Guidance on Contributions by Lobbyists and Clients flowchart here: <https://www.maine.gov/ethics/node/291>

# Case Study STUDENTS VOTE NOW

Students Vote Now is a hypothetical small 501(c)(3) advocacy organization considering being vocal about LD 101 currently pending in the Maine Legislature

## STUDENTS VOTE NOW IS CONSIDERING:

- Reaching out to its student constituents, via direct physical mailings, e-mails, and volunteer phone banking, in order to get the students to call their state house representative about LD 101.
- Doing an in-person Lobby Day at the state capital about LD 101 to meet with legislators, or alternatively arranging a virtual Zoom lobby event. The Lobby Day activity might potentially include renting a bus, buying T-shirts for the volunteer participants, and handing out some small swag type items from the organization to the legislators, or if done by Zoom, the purchase of an upgraded Zoom account.
- Testifying before a committee of the House of Representatives regarding the student perspective on LD 101.
- Having an employee engage with the Mayor of Portland about a similar, but separate, local ordinance being considered.

ACTIVITY	LOBBYIST REGISTRATION/REPORTING REQUIREMENTS
 <p><b>Student Engagement</b></p>	<p>The student engagement activities are considered grassroots lobbying and do not count towards the lobbyist registration trigger. But note that the cost of these activities (not including the cost of any employee staff time) does get counted towards the separate \$2,000 grassroots lobbying reporting trigger.</p> <p>Student Vote Now should pay special attention to the cost of the direct mail portion of this programming, since those costs might easily exceed \$2,000 in a month.</p>
 <p><b>Lobby Day</b></p>	<p>Time spent by paid staff during the Lobby Day meetings, and in preparing the proposal, testimony, or analysis on LD 101 to be presented during the Lobby Day's meetings would count towards the eight-hour registration threshold. Other prep, travel, and waiting time do not count towards the threshold. Students Vote Now can potentially spread work between staffers and make use of volunteers, such that no one employee crosses the threshold.</p> <p>Given Maine's strict gift ban, Students Vote Now should not give legislators "swag," and instead can give them information about the organization.</p>
 <p><b>Committee Testimony</b></p>	<p>Time spent testifying before the committee and preparing the testimony would count towards the eight-hour threshold if done by paid employees of Students Vote Now. Travel and wait time does not count.</p> <p>Students Vote Now could consider using student volunteers to testify or testifying in a different month than the Lobby Day activities if they are coming close to the registration trigger but want to avoid registration.</p>
 <p><b>Mayor</b></p>	<p>Maine state law does not cover the lobbying of the Portland Mayor. However, Portland city regulations require any <b>organization</b> that spends eight hours or more engaging in efforts to influence Portland officials or spends \$1,000 or more within a particular calendar <b>quarter</b> to register within three business days of reaching either threshold, and to file quarterly lobbying reports.<sup>1</sup></p>
<p><b>Bottom Line</b></p>	<p>Students Vote Now should carefully track its grassroots lobbying costs since if they go over \$2,000 in a month they can trigger the separate grassroots reporting obligation, even if lobbyist registration is not triggered. Options exist for spreading work between paid staffers to avoid triggering lobbyist registration at the State or Portland city levels. Because of Maine's strict gift ban, Students Vote Now should generally refrain from giving any swag to the legislators and give out information about the organization instead.</p>

<sup>1</sup> <https://www.portland.gov/lobbyist/report-lobbying-activities>; see also <https://www.portland.gov/lobbyist/question-categories/general>

## ADDITIONAL RESOURCES

### BOLDER ADVOCACY'S TECHNICAL HOTLINE:

Bolder Advocacy's free Technical Hotline team is always happy to help nonprofits and advocacy attorneys with more specific questions. You can contact Bolder Advocacy by e-mailing [advocacy@afj.org](mailto:advocacy@afj.org), or calling 866-NP-LOBBY (866-675-6229) during standard business hours.

### MAINE STATE RESOURCES:

- **Maine Commission on Governmental Ethics & Election Practices**  
Maine's lobbying registration and reporting system is administered by the Maine Commission on Governmental Ethics & Election Practices (the "Ethics Commission"):  
<https://www.maine.gov/ethics/lobbyists>
- **Full Text of Maine Lobbying Statutes**  
The full text of the Maine lobbying statute can be found at:  
<https://www.mainelegislature.org/legis/statutes/3/title3ch15sec0.html>. PDF and Word versions are available using the links on the upper left hand side of the page.
- **Guidebook for Maine Lobbyists**  
The Ethics Commission publishes the Guidebook for Maine Lobbyists to help lobbyists comply with Maine's registration and reporting requirements:  
<https://www.maine.gov/ethics/sites/maine.gov.ethics/files/inline-files/2022%20Lobbyist%20Guidebook.pdf>
- **Forms**  
Various forms, including the Grassroots Lobbying Report form, are available here:  
<https://www.maine.gov/ethics/lobbyists/forms>
- **Guidance**  
Additional Ethics Commission guidance materials are available here:  
<https://www.maine.gov/ethics/node/291>
- **Mandatory Harassment Training**  
The schedule for available mandatory harassment training sessions is available here:  
<https://www.maine.gov/ethics/lobbyists>
- **Additional Questions**  
Any questions about lobbyist registration and reporting can also be directed to the Ethics Commission by calling (207) 287-4179.

### BOLDER ADVOCACY'S FEDERAL LAW RESOURCES:

While state and local laws regulate which lobbying activities require registration and reporting, the IRS also regulates how much lobbying a 501(c)(3) tax-exempt organization is allowed to do, including at the state and local levels. The way the IRS counts lobbying will almost always be different than how state and local laws count it, and organizations are urged to review Bolder Advocacy's federal law resources to ensure all IRS compliance obligations are being met. See *Being a Player: A Guide to the IRS Lobbying Regulations for Advocacy Charities*. <https://bolderadvocacy.org/resource/being-a-player-a-guide-to-the-irs-lobbying-regulations-for-advocacy-charities/>



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