

MAINE COMMUNITY COLLEGE SYSTEM

**GENERAL ADMINISTRATION
Section 212**

SUBJECT: LOBBYING AND RELATED ACTIVITIES

PURPOSE: To define the authority to lobby and communicate for M CCS on governmental matters affecting M CCS

A. Purpose

By state law, the M CCS Board of Trustees, through the M CCS president, is responsible for developing and presenting all resource requests to the State's governor and legislature. These resources include any bi-annual, supplemental or other budget requests, as well as any general obligation bonding requests. Maine law also requires the M CCS president to designate and register certain persons who lobby state legislative and executive officials on behalf of M CCS. Federal law imposes a like requirement for lobbying of like officials of the federal government. The purpose of this policy is to help M CCS comply with these requirements and ensure consistent and accurate communication with governmental officials on governmental matters affecting M CCS.

B. Definitions

For purpose of this policy:

1. Communications that are Lobbying

"Lobbying" means to communicate directly or indirectly with any of the following officials or their staff for the following reasons, and excluding the subjects identified in *section F* below, on the express, implied or reasonably inferred behalf of M CCS or one of its programs or colleges:

a) Federal Officials

A United States President, Senator, Representative, or executive agency official for the purpose of influencing the issuance, adoption, defeat, amendment or repeal of any federal bill, veto, appropriation, earmark, executive order or regulation on a matter that affects M CCS or its colleges.

b) State Officials

A State of Maine Governor, Senator, Representative, or executive agency official for the purpose of influencing the issuance, adoption, defeat, amendment or repeal of any state bill, resolution, appropriation, bond issue, referendum, citizens' initiative, executive order or regulation on a matter that affects M CCS or its colleges.

c) Municipal Officials

A municipal official for the purpose of influencing the issuance, adoption, defeat, amendment or repeal of any ordinance or other matter that affects M CCS or its colleges.

2. Communications that are not Lobbying

Notwithstanding the foregoing, "lobbying" does not include the following communications:

- a) A college president and the president's designees may communicate in customary ways with federal, state and municipal officials in explaining and answering questions about the impacts, benefits and needs of a college's programs, services, mission and role;
- b) A college may communicate with federal, state and municipal officials regarding grants; provided that only a college president can approve a grant application for a college, and no grant can obligate another college and/or M CCS without their express prior approval;
- c) A college may communicate with federal, state and municipal officials regarding licenses, permits, interpretive and enforcement issues; provided that, as appropriate or necessary, the M CCS General Counsel is consulted; and
- d) An employee to communicate with governmental officials solely in the employee's individual and unofficial capacity consistent with *M CCS Policy 211*.

C. Authority to Retain Lobbyists and Assistants

Only the M CCS president may authorize federal, state or municipal lobbying on behalf of M CCS or one of its programs or colleges as defined in *section B* above. The M CCS president may also retain for lobbying subject matter experts who are not M CCS employees in order to assist in analyzing and communicating M CCS interests when circumstances so require.

D. State Lobbyists

If the person who is authorized by the MCCC president to serve as a state lobbyist is required to register pursuant to 3 MRSA §313, such person shall be an employee of MCCC.

E. Other Statements about Governmental Affairs Affecting MCCC

A college president must consult with the MCCC president prior to a college issuing any statement, request or position on any federal, state, or municipal governmental matter that affects MCCC or one of its programs or colleges.

REFERENCES: 20-A M.R.S.A. §12706, §12708, §12709; P.L. 1985, ch. 695, §20(8) and (9); 5 MRSA §12021 et seq.; 3 MRSA §311 et seq.; 2 USC 1601 et. seq.

DATE ADOPTED: November 29, 2012

DATE(S) AMENDED: