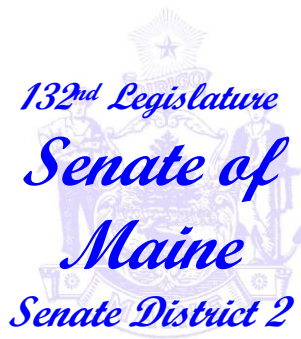




Senator Harold 'Trey' Stewart, III
Senate Republican Leader
3 State House Station
Augusta, ME 04333-0003
(207) 287-1505

August 5, 2026

Honorable Ryan Fecteau, Speaker of the House
Honorable Matthea Daughtry, President of the Senate
Members, Legislative Council
c/o Office of the Executive Director
115 State House Station
Augusta, ME 04333-0115

Dear Speaker Fecteau, President Daughtry and Legislative Council members:

Last week, [the Bangor Daily News reported](#) that a group of lawmakers plans to use private funding to hire its own staff member. This group, self-described as the Legislature's Progressive Caucus, has since reportedly declined to share the source or sources of funding for this position. The concept of a privately-funded legislative staffer raises serious ethical concerns.

Although representatives of the Progressive Caucus said they worked with the Maine Commission on Governmental Ethics and Election Practices to craft guidelines for the position, the group's refusal to identify the position's funders goes against the very ideal of governmental transparency. Furthermore, their statement that this position is not a lobbyist position simply does not pass the straight face test. The statute on lobbying is very clear. 3 MRS §312-A (9) defines lobbying as the following:

“‘Lobbying’ means to communicate directly with any official in the legislative branch or any official in the executive branch or with a constitutional officer for the purpose of influencing any legislative action or with the Governor or the Governor's cabinet and staff for the purpose of influencing the approval or veto of a legislative action when reimbursement for expenditures or compensation is made for those activities. ‘Lobbying’ includes the time spent to prepare and submit to the Governor, an official in the legislative branch, an official in the executive branch, a constitutional officer or a legislative committee oral and written proposals for, or testimony or analyses concerning, a legislative action.”

The publicly-posted job description for the position includes responsibilities such as “working with members to develop policy priorities” and “helping caucus members effectively articulate policy positions.” A privately-funded position designed to influence policy at this level cannot credibly be characterized as one that will not engage in efforts to influence legislative action.

I respectfully request that the presiding officers hold a meeting of the Legislative Council, which has not met in months, to address the clear gaps in legislative policy highlighted by the news of

this “staff” position and to conduct fact-finding to determine whether this position complies with existing law and our longstanding employee policies and practices.

We should seek answers to the following questions raised by this unorthodox job posting:

1. Will the hired individual have building access?
2. Will they have access to IT services, secure internet services, etc.?
3. Will they be given an office or a dedicated workspace?
4. Will their work correspondence be subject to Maine’s Freedom of Access Act?
5. What rules will govern the individual’s handling, storage and retention of legislative records?
6. Will they be subject to the rules prescribed in the Legislature’s Personnel Policy Handbook?
7. Will their salary be a matter of public record as is the case for all legislative branch employees?
8. Will the individual be required to complete the same statutorily required workplace conduct/sexual harassment training as legislative employees?
9. Will the individual be authorized to communicate with nonpartisan legislative staff on behalf of caucus members?
10. What insurance, workers’ compensation and liability protections will apply to the individual?
11. Will the legislators receiving professional services from the hired individual be required to report these services as in-kind gifts on their personal financial disclosure forms?
12. If this individual is not going to be treated as a legislative staff member, what is the exact mechanism by which they would not be required to register as a lobbyist?
13. Did the Maine Commission on Governmental Ethics and Election Practices issue a formal opinion regarding the position? If so, will that opinion and all materials submitted for its review be made public?
14. What safeguards will prevent the undisclosed funders of the position from using the position to advance their own legislative interests?

These questions are not exhaustive, but they underscore the serious legal, ethical and administrative issues raised by this unprecedented arrangement. The Legislative Council should meet without further delay to address this urgent matter and protect the integrity and transparency of the legislative process, our institution and the body politic of Maine’s government and its people.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold Stewart", with a stylized flourish at the end.

Harold “Trey” Stewart III
Senate Republican Leader