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COMPLIANCE NOW

E-News from State and Federal Communications, Inc.

November 2015

United Way—Time to Give Your Fair Share

State and Federal Communications started its 16th United Way campaign this week. This is a great opportunity for everyone on staff to help those less fortunate. And, I will say I pride myself on achieving 100 percent participation most years—even though we missed that mark for the current campaign.

I bring this up because many people in government relations are chosen by their own management to supervise United Way campaigns. This is all about sharing so please let me know what works for you.

How does that happen? One hundred percent participation is hard to achieve. Well, as our staff is donating to help those less fortunate, I donate back to them. I save up all those fabulous American Express Membership Rewards and use them for gift cards as premiums to the staff. I am not sure if anyone else receives emails from Regal Cinemas, but I am also able to purchase discount movie tickets for the team.

Here is our program:

Once we reach 100 percent participation all employees will receive three (3) Flee @ 3 days in 2016. We are asking for a minimum pledge of \$2.50 per paycheck.

If any one person increases his or her pledge from the current campaign, he or she will each receive movie tickets plus the opportunity to wear jeans for a month. [Our outside accounting firm said this was a big incentive for its staff.]

Fair Share + is something we picked up from the Red Cross and that is a \$1 extra donation per paycheck. Everyone who pledges Fair Share + will have the costs of Imagination Library paid for by State and Federal Communications, three vouchers to the great summer lunches at the John S. Knight Center, and qualification to our Charitable Service Program, which allows employees to use 24 hours of time to assist a charitable

organization. Many of the staff are on board in the region and this always helps those organizations who would otherwise flounder without time and treasure.

We also provide incentives for those who reach United Way Leadership Levels.

- Crystal pledges (\$500-\$999)—receive a \$150 gift card plus four (4) movie tickets;
- Bronze pledges (\$1,000-\$1,499)—receive a \$200 gift card plus six (6) movie tickets;
- Copper pledges (\$1,500-\$2,499)—receive a \$250 gift card and eight (8) movie tickets; and
- Silver pledges (\$2,500-\$5,000)—receive a \$300 gift card and 10 movie tickets.

We will have a Trifecta drawing for everyone who pledges Fair Share Plus, at one of the above Leadership Levels, and commits to participating and blogging in our Charitable Service Program. Stay tuned to see what those prizes will be ... and, we will do everything possible to utilize all of those American Express Membership Rewards points.

Here is what I think the best thing about our commitment to United Way is—State and Federal Communications matches dollar for dollar every pledge made. That match stays local to help United

Way, making our campaign one of the top 50 campaigns in Summit County.

So what do you do to help those less fortunate in your community? Let's share our stories and make this a great way to help our regions.

Thank you.
[Elizabeth Z. Bartz](#)
President and CEO
[@elizabethbartz](#)



United Way
of Summit County

Summary of Changes UPDATE

Note Recent Changes to Compliance Regulations

by Michael Beckett, Esq., Research Manager

CALIFORNIA: Effective January 1, 2016, Assembly Bill 594 doubles the contribution threshold for recipient committees to \$2,000 or more per calendar year. Major donors, including corporations, active in city elections are no longer required to file pre-election reports for contributions or independent expenditures. The bill also requires all 90-day late contribution reporting to continue through the day of the election.

KANSAS: The registration threshold for expenditure lobbyists has been modified to include any person who makes expenditures in an aggregate of \$1,000 or more, excluding personal travel and expenses, in any calendar year for lobbying. Previously, the expenditure threshold was \$100 per calendar year. Registration and administrative fees have also been raised to \$425 for those who anticipate spending more than \$1,000 on behalf of any one employer in a calendar year.

NEW YORK, NEW YORK: The Office of the City Clerk has published new rules to the city's lobbying law following a public comment period and summer long review by the Law Department. The rules require a lobbyist or client to designate a principal officer to electronically file the registration and reports by enrollment in the city's online e-Lobbyist system. While the rules allow for a designee or compliance officer to assist the principal officer in completing reports, they prohibit a principal officer from sharing his or her e-Lobbyist password. The rules also detail the procedure for enrolling in e-Lobbyist, provide requirements for retainers and authori-

Update

zation letters, indicate when filing extensions may be obtained, provide procedures for obtaining a waiver of late filing penalties, establish enforcement procedures, and create an amnesty program. The amnesty program would allow certain violators of the lobby law to come into compliance without penalty if meeting the eligibility criteria. The rules are effective November 4, 2015.

NORTH CAROLINA: On September 30, Gov. Pat McCrory signed legislation moving next year's presidential primary and general primary for state elected offices to a single date in March. House Bill 373 sets the single primary date to March 15, 2016, and adjusts campaign finance reporting dates accordingly. The bill also permits the leader of each political party caucus of the House of Representatives and Senate to establish a separate affiliated party committee to support the election of party candidates.

ONTARIO, CANADA: Effective October 15, 2015, the Building Ontario Up Act removed officers, directors, and employees of Hydro One, Inc. and its subsidiaries from the list of public office-holders for purposes of the Lobbyists Registration Act. Lobbyist returns filed by a consultant or in-house lobbyist no longer require the lobbyist to indicate whether he or she was at any time a chief executive officer or chair of the Board of Directors of Hydro One Inc. or a subsidiary.



Texas Changes Lobbying and Procurement Laws

by George Ticoras, Esq., Research Associate

Texas lobbying and procurement laws changed this September pursuant to several bills passed during the 2015 legislative session. The bills established a time threshold for lobbyist registration, removed a registration exception for sales agents, created a revolving door provision, and mandated a procurement disclosure form.

House Bill 3512 created an additional exception to lobbying registration thresholds. A person who crosses the compensation threshold is not required to register if lobbying activity constitutes no more than 26 hours of the person's compensated time during a calendar quarter. If a person spends more than eight hours in a single day engaged in lobby communications, only eight hours are counted for purposes of the 26-hour threshold. The bill also codified guidance from the Texas Ethics Commission concerning registration requirements for goodwill lobbying.

House Bill 3517 removed the sales agent exception for contingency procurement activity. A person who is required to register as a lobbyist solely as a result of the change in

House Bill 3517 is not required to register before January 1, 2016.

A new revolving-door provision specific to government procurement employees was created by Senate Bill 20. Former state officers and employees are now prohibited from accepting employment from businesses with whom the former state officer or employee participated in procurement or contract negotiations. This prohibition lasts for a period of two years after the officer's or employee's service or employment has ceased.

Beginning January 1, 2016, House Bill 1295 prohibits a governmental entity or state agency from entering into certain contracts with a business entity unless the business entity submits a "disclosure of interested parties" form to the governmental entity or state agency at the same time it submits the signed contract. The forms are currently being developed by the commission.

You
Should Know



W E B S I T E T I P

In addition to the extensive coverage of individual jurisdictions on our website, the website also features Quick Reference Charts, which can be accessed using the menu found on the right side of the red bars you use to choose the publication you wish to view. Clicking on the right side of the menu will bring up the list of Quick Reference Charts, each of which allows you to view the answers to a specific topic across all of the states. The newest addition to the Political Contribution Quick Reference Charts is one combining contribution restriction periods with legislative session information. In states allowing corporate and lobbyist political contributions, it is common for such contributions to be restricted during a legislative session. The Restricted Contribution Periods chart now details the restriction and provides the session dates in one convenient spot. Be sure to reference this chart before you approve a contribution, as an otherwise acceptable contribution can be illegal when delivered by the wrong person at the wrong time.



Legislation We Are Tracking

At any given time, more than 1,000 legislative bills, which can affect how you do business as a government affairs professional, are being discussed in federal, state, and local jurisdictions. These bills are summarized in State and Federal Communications' digital encyclopedias for lobbying laws, political contributions, and procurement lobbying and can be found in the client portion of our website.

Summaries of major bills are also included in monthly email updates sent to all clients. The chart below shows the number of bills we are tracking in regard to lobbying laws, political contributions, and procurement lobbying.

	Total bills	Number of Jurisdictions	Passed	Died	Carried over to 2016
Lobbying Laws	241	47	40	72	78
Political Contributions	472	50	82	152	162
Procurement Lobbying	234	39	54	58	42

See Us in Person

Plan to say hello at future events where **State and Federal Communications, Inc.** will be attending and/or speaking regarding compliance issues.

Events

- November 2 AGRP Webinar, Washington, DC
- November 10 WGR Toastmasters, Washington, DC
- November 10 PAC Board Meeting, Scottsdale, Arizona
- November 12 AGRP Annual Meeting, Washington, DC
- November 16-17 Professional Women in Advocacy, Washington, DC
- November 21-24 SGAC Leaders' Policy Conference [LPC], Washington, DC
- November 24 Toastmasters, Washington, DC
- December 6-9 COGEL, Boston, Massachusetts
- December 8-11 NCSL Fall Forum, Washington, DC
- December 11 Advocacy Leaders Network - Creating a Mobile Advocacy Toolkit, Washington, DC
- December 10-13 CSG National Conference, Nashville, Tennessee
- December 14 WGRToastmasters, Washington, DC

ASK THE EXPERTS

State and Federal Communications' Experts Answer Your Questions -

Here is your chance to "Ask the Experts" at State and Federal Communications, Inc. Send your questions to experts@stateandfed.com. (Of course, we have always been available to answer questions from clients that are specific to your needs, and we encourage you to continue to call or email us with questions about your particular company or organization. As always, we will confidentially and directly provide answers or information you need.) Our replies are not legal advice, just our analysis of laws, rules, and regulations.



Are there any rules that pertain to making contributions in the weeks leading up to an election?



With local elections in 2015 and the upcoming 2016 elections, it is wise to know what the rules are when making contributions in the days and weeks leading up to an election. Usually, there is a monetary threshold that must be exceeded, and typically there is a short turnaround time to disclose the contribution, usually within 24 hours. In some instances, there is an outright ban on contributions.

In California, contributions of \$1,000 or more per candidate made by a major donor during the 90-day period before an election must be disclosed within 24 hours of making the contribution. Contributions to ballot measure committees and political party committees are also included within this reporting requirement. The candidate and the ballot measure committee must be on the ballot at the election for which the 90-day period applies. California's 90-day pre-election period is the longest in the country. If numerous special elections are being held, the 90-day periods may overlap.

In Washington, a contribution of \$1,000 or more per candidate made by a registered lobbyist during the 21 days before an election must be disclosed within 24 hours of making the contribution. This includes contributions to candidates and ballot measures appearing on the ballot at the election for which the 21-day period applies, as well as contributions to political party committees and PACs. The Washington Public Disclosure Commission has a link on its home page that allows for the electronic filing of this report.

In Florida, opposed candidates must return contributions received less than five days prior to an election.

In Tennessee, a PAC is prohibited from making a contribution to a candidate for state office after the 10th day before an election until the day of the election.

These are just a few examples. As we always advise, verify the rules in your state before making political contributions.

November's Expert - Nola R. Werren, Esq., Client Specialist



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Scrapbook



During the summer of 2015, Stark State Community College promoted its school using State and Federal Communications' own David Jones, I.T. Assistant. We enjoyed seeing his face in all the newspapers.



After travelling almost exclusively on United [formerly Continental] Airlines, Elizabeth Z. Bartz received a plaque declaring her status as a million mile traveler.



State and Federal Communications, Inc. Celebrates Staff Anniversaries



Recently we celebrated the company anniversaries of Kevin Newman, Esq., Research Associate, and Mark Sedmock, Comptroller. They are both assets to the State and Federal Communications team.