

COMPLIANCE NOW



E-News from State and Federal Communications, Inc.

May 2011

Lend a Hand



Internship season will return to State and Federal Communications in 2011. We did not have any last year because our budget tightened just as did everyone else's. We missed having interns in the office.

You should know we have a great program. First, we pay our interns, which the students love. Second, we pay a bonus at the end of the summer based on the number of hours they work, which their parents love. [Students think twice about rolling over and going back to sleep when they see how missing that time in the office affects an end-of-summer bonus to pay for needed college supplies.]

This summer you will see our interns highlighted on our blog, www.lobbycomply.com, and on Facebook, LinkedIn, and Twitter postings.

■ Intern #1 is Emily Kessler, a sophomore studying Psychology and Political Science at Northwestern. She is one of those underachievers who graduated from high school with a 4.2 GPA -- something I know you couldn't do at Howland High School in the 70s! She is working with our Social Media Coordinator Joe May and assisting the company in getting the good word out about lobbying, political contributions, and procurement issues.

■ Intern #2 is Zachary Koozer, yes, related to my IT Director Ren Koozer. He also happens to be my nephew. Zack is a computer whiz and is going to help our IT Assistant Ken Kelewae keep our computers running at warp speed this summer. He is a freshman at the University of Akron.

This isn't so much an article promoting our interns, but the general subject of having interns. We complain when students graduate from college and lack working skills, but we do not help them attain any. Take the time to see if you can help a college student—whether undergraduate or graduate student. I know there are a lot of unpaid internships available, but not everyone can afford to even consider them because of much-needed college expenses.

Until next month, if your organization cannot provide an internship, see if there is a non-profit that can use some extra hands. I always suggest students ask a church if there is something that can be done with a newsletter or mailings or your city's community events. Even in my little town of Akron, Ohio we have weekly concerts at Lock 3, a BBQ event, and the summer planning of the Road Runner Marathon. These are all great opportunities to teach students how to work together.

Elizabeth Z. Bartz
President and CEO

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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 the State and Federal Communications' digital encyclopedias for lobbying laws, political contributions, and procurement lobbying; this information is located on the client portion of the State and Federal Communications website.

Summaries of major bills are also included in monthly e-mail updates sent to all clients. The attached chart shows the number of bills we are tracking in regards to lobbying laws, political contributions, and procurement lobbying.

	Total Bills	Number of Jurisdictions	Passed	Died	Carried over to 2012
Lobbying Laws	183	43	15	49	0
Political Contributions	337	49	16	85	0
Procurement Lobbying	151	38	6	53	0

Summary of Changes UPDATE

Note Recent Changes to Compliance Regulations

by John Cozine, Esq.
Research Manager

IOWA: Governor Terry Branstad signed House File 126 into law on Tuesday, April 28, 2011. This law, taking effect on July 1, 2011, requires lobbyist registration and reporting only with the legislative branch. This bill changes Iowa's law to require lobbyists to register and report with the legislative branch only; currently there is separate registration and reporting for the legislative and executive branches. Lobbyists will indicate on the registrations whether they will lobby executive officials in addition to lawmakers. Lobbyists will have a combined annual report due each July 31 and registration will open in December for the following calendar year.

TENNESSEE: Governor Haslam has signed into law Senate Bill 1227, which revises the filing dates for lobbyist employer disclosure reports. The bill requires that employer disclosure reports be filed within 45 days of June 30 and December 31. The new law takes effect July 1, 2011, with the first employer disclosure report under the new law, covering the time period from April 1, 2011 to December 31, 2011 having a filing deadline of February 14, 2012.

WEST VIRGINIA: Acting Governor Tomblin signed House Bill 2464 into law late last week. This ethics bill, which takes effect on July 1, 2011, prohibits members of the state legislature, elected executive branch officials, agency heads, and certain other appointed officials from acting as lobbyists for one year after leaving office. Additionally, this legislation will require a public official who files

financial disclosure statements to reveal employment information and other "business interests" of his or her spouse. The spousal disclosures are designed to shine light on additional conflicts of interest an official may have even without a personal stake in a matter.



NEW MEXICO: Governor Martinez has signed Senate Bill 432 prohibiting state and local government employees who are involved in the contracting process from subsequently being employed by a contractor. The bill expands the existing Governmental Conduct Act to apply to state and local government employees involved in the procurement process. Under the new law, state agencies are barred from entering into contracts with a business represented by a person who has been an employee of the state within one year if the value of the contract is in excess of \$1,000 and the contract is a direct result of an official act by the former employee. The law becomes effective July 1, 2011.

CUYAHOGA COUNTY, OHIO: The newly created county council passed a far-reaching ethics law to regulate and provide transparency in the areas of lobbying, contracting, and the conduct of public employees. This law was passed in the wake of a cascade of ethics scandals plaguing the county. The law will require lobbyists and those doing business with the county to register with the county's inspector general and undergo ethics training. The law will also prohibit them from giving gifts or even making campaign contributions to certain county employees. The ordinance affects public officials as well; they will be prohibited from hiring family members and must file conflict of interest disclosure statements.



Providence, Rhode Island Passes New Lobbying Law

by George Ticoras
Research Associate

Four years in the making, the Providence City Council passed a lobbyist registration and reporting ordinance this year. First introduced in 2007, the new law delineates who is considered a lobbyist, what activity is considered lobbying, and the various registration and reporting requirements persons who lobby city officials and employees must follow.

The ordinance defines "lobbyist" as an appointed representative seeking to influence municipal decisions. Exempted from the definition are those who are unpaid and represent non-profit organizations, news media employees, and attorneys representing clients before municipal bodies. Grassroots lobbying activity falls under the umbrella of the new law. Lobbying on a contingency fee basis is prohibited.

Lobbyists must register with the city clerk prior to their first lobbying activity. Employers are not required to register. Each lobbyist must pay an annual registration fee of \$150. Lobbyists employed by non-profit entities with operating budgets of less than \$250,000 are required to pay a \$25 fee.

An identification badge is issued to each lobbyist. The badge will include the word "**Lobbyist**" in bold print, a photograph of the lobbyist, and the names of the clients the lobbyist represents. The ordinance requires the lobbyist to conspicuously display this identification badge while in city hall or city offices at all times of the day.

Employers, while not required to register, are required to file with the city clerk, along with lobbyists, quarterly reports of activity, and expenditures. The lobbyist's salary related to lobbying activity, the subjects of concern lobbied, expenditures of \$25 or more, and the city officials contacted must be reported. There is also a final report due in January which must detail all money or things of value given or promised, in the prior calendar year, to a city official or employee which in the aggregate exceeds \$250. A copy of the report must also be submitted to the Rhode Island Ethics Commission and to the named city official or employee.

Violations of the ordinance could subject the lobbyist or employer to fines of \$250 per day per incident up to \$25,000. Other penalties may include a prohibition on lobbying activity.

Wealth of Information at www.lobbycomply.com

Want to interact with your fellow government affairs and procurement colleagues? Then jump into the State and Federal Communications, Inc. blog at www.lobbycomply.com.

Once there, you can join the exchange of ideas and view solutions to common challenges and problems. Also, State and Federal Communications continually adds content to the blog, including 'hot topics,' which are summaries of important news items you need to know about.

Join the conversation, and make use of this valuable information resource.



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. You can directly submit questions for this feature, and we will select those most appropriate and answer them here. Send your questions to: marketing@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 e-mail us with questions about your particular company or organization. As always, we will confidentially and directly provide answers or information you need.) Our replies to your questions are not legal advice. Instead, these replies represent our analysis of laws, rules, and regulations.

Q.

Summer is approaching and I will be attending conferences such as NCSL and ALEC. Can I pay for dinners with legislators and/or State Night events?

A.

First and foremost, are you or your company registered to lobby in the state? Most states have more stringent gift laws applicable to lobbyists and lobbyist principals (Texas is the exception to this rule of thumb). The answer will also vary depending upon whether you are paying for a private dinner or sponsoring a State Night event. For example, taking a legislator to dinner, paying for cab fare or other transportation, or giving him a ticket to a ballgame are not considered part of the national conference agenda. Therefore, the normal gift limits will apply.

Many states have gift limit exceptions specifically carved out for expenditures at national conferences to which all members of the legislature are invited. State Night events are considered part of the conference agenda; therefore the gift limit exceptions will apply.

Although a State Night sponsorship may be permissible, it is important to determine if and when the expenditure must be disclosed. The reporting implications for such events range from simple aggregate disclosure to detailed reporting where the name of every legislator attending must be listed.

State and Federal Communications Expands Coverage

In a continuing effort to better serve the needs of its clients, State and Federal Communications, Inc. is expanding coverage of laws and regulations for political contributions, lobbying, and procurement lobbying to more municipalities, regional governments, and governmental organizations.

We have added three new jurisdictions for which our online clients will find comprehensive, timely, and accurate information that includes: complete calendar of reporting deadlines; critical statutory citations; extensive directories of contact information; summaries of each state law; detailed reference charts on goods and services contributions; highlights of every statute; copies of all required forms; and much more.

The new jurisdictions are:

Doral, FL

Henderson, NV

Spokane, WA

See Us in Person

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

June 8, 2011	NCSL/SGAC, Washington, D.C.
June 16, 2011	WASRG, Washington, D.C.
June 27 - 30, 2011	BIO International Convention, Washington, D.C.
July 12 -15, 2011	Social Media for Government Conference by Advanced Learning Institute, Washington, D.C.
August 8 - 11, 2011	NCSL Legislative Summit Booth 217, San Antonio, Texas

The State and Federal Communications, Inc. Scrapbook



Another proud moment for State and Federal Communications, Inc. occurred recently when Ren Koozer, I.T. Director, accepted the United Way of Summit County award for State and Federal Communications, Inc. for Highest Corporate per Capita giving by employees (for employers under 49) for the eighth year straight. Attending the event was [l to r:] George Ticoras, Joe May, John Cozine, Ren Koozer, Amber Fish Linke, Myra Cottrill, Steve Quinn, Ken Kelewae, and Nicolette Bartz Koozer, photographer.



Ren Koozer accepting the Campaign Excellence Award for State and Federal Communications, Inc. for outstanding excellence in giving. In the photo with Koozer are William Feth [AESCO Electronics] and Katie Rennard [United Way].



In May, Leah Hadgis and Ren Koozer staffed our booth at the Ohio State Bar Association Convention in Columbus, OH talking to lawyers interested in fulfilling available positions at State and Federal Communications, Inc. See the write-up on this fantastic event at: www.lobbycomply.com.



State and Federal Communications, Inc. treated the administrative staff to a luncheon sponsored by Superior Staffing on Administrative Assistants Day. Founder of Superior Staffing, Fran Doll, was the guest speaker. Her dynamic life story truly inspired the sold out crowd at Portage Country Club. In attendance was: [front] Leah Hadgis, Susan Stofka, Val Blake, and Sarah Gray, [back] Megan Huber, Nicole Davis, Becky Campbell, and Justin Quinlan.