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COMPLIANCE NOW



E-News from State and Federal Communications, Inc.

June 2008

Bad Boys, Bad Boys, Whatcha Gonna Do?

I live in Northeast Ohio and read a lot of negative articles about the region. If the Akron Beacon Journal and Cleveland Plain Dealer are not printing articles about the poor economy, they are printing articles about our ethically challenged officials.

It all started with former Governor Bob Taft and his golf outings with the Longaberger family. Then we had the photograph of Congressman Bob Ney taking his teenage son to St. Andrews for the infamous golf outing with He Who Shall Not Be Named. In May, Attorney General Marc Dann, who surprised everyone in 2006 when he won, resigned because of his infidelities. I guess I was more surprised that someone on his level was actually living in Columbus with two roommates. Did he think he was in Animal House? I know what the Capitol Steps would call him!! (Think Lirty Dies.)

And, if that was not enough, we now have State Representative John Widowfield who purchased Ohio State football tickets from his campaign account, sold them, and pocketed the profits. He has now resigned and joins the group of men who can spend the rest of their lives with heads hung low.

Who remembers Peter Finch and his Howard Beale character in the 1976 movie, Network. He shouted for all to hear, "I am mad as hell and I am not

going to take it anymore." Okay, he did it after he was fired, but I am sure you get what I mean.

I hear you, Howard. My colleagues at the State Government Affairs Council, WASRG, Public Affairs Council, NCSL Foundation, ALEC, and the Greater Akron Chamber of Commerce are people of the highest ethical behavior and I am proud to have them as friends...and in my Contacts list!

For the past year, our motto has been "I Comply" and it goes beyond compliance. It is walking the walk and talking the talk of what we do everyday. These bad boys of Ohio need a little lesson on compliance, ethics, and not letting their heads get big because of their elected positions. Many of us are grateful for what we have and do not need to see if the grass is greener on the other side.

Until next month, remember the newspapers are going after the bad guys, so it is important to stay clean. The federal government and many states are auditing lobbying reports. Make sure yours are in line.

Elizabeth Z. Bartz
President and CEO



Summary of Changes UPDATE

In Tennessee, Senate Bill 3917 was signed by the governor. The bill expands a gift exemption to allow candidates, legislative and executive branch officials, and family members of candidates and officials to accept goody bags and exhibitor promotional items provided at a conference if the conference is sponsored by an organization of government officials. Furthermore, the bill provides the same candidates, officials, and family members may accept any entertainment, food, refreshments, meals, beverages, amenities, goody bags, or admission tickets provided at an event designated on the conference's official schedule as a "state night." The bill became effective upon the governor's signature.

The United States Court of Appeals for the Fourth Circuit issued an opinion ruling, among other things, that North Carolina's \$4,000 contribution limit was unconstitutional as applied to political committees that only make independent expenditures and do not contribute to candidates' campaigns.

The Canadian Federal Office of the Lobbyist Registrar has announced it will no longer accept forms submitted on paper. All registrations, amendments, renewals, and terminations must be filed electronically.

With the passage of House Bill 2196, which becomes effective on November 1, 2008, Oklahoma lobbyists and lobbyist principals will no longer be able to make or promise to make contributions to members of or candidates for the Oklahoma legislature during any regular legislative session, beginning with the first Monday in February and ending five calendar days following sine die adjournment.

Kansas passed Senate Bill 196 which, among other things, requires all political committees to file reports on late independent expenditures and contributions immediately preceding primary and general elections. The effective date of the new law is July 1, 2008.



The entire country is still in the dark about LD203, the new semiannual report by lobbying registrants and individual lobbyists mandated by the

Honest Leadership and Open Government Act (HLOGA). Lobbyists are required to file information regarding any PACs they control and any contributions of \$200 or more given to federal candidates and

leadership PACs, as well as to presidential library foundations and inaugural committees. Donations to events honoring or recognizing a covered legislative or executive branch official and entities named for a covered legislative branch official, among other items, will also require disclosure.

The report is to be filed at the end of July and the actual form still has not been released. Stay on the look out for it because everyone will have to file it. Your in-house lobbyists will need to obtain usernames and passwords in order to file their own respective LD203.

Let the Parties Begin – ... but you should know, the rules have changed

by John Cozine, Esq., Research Manager

Now that both parties have a presumptive nominee, everyone is looking forward to the party conventions. With the passage of the Honest Leadership and Open Government Act of 2007 (HLOGA), the rules have changed regarding the kinds of activities in which members of Congress can and cannot participate. Thankfully, both the House Committee on Standards of Official Conduct and the Senate Committee on Ethics have issued memos outlining the restrictions resulting from the passage of HLOGA.

An important change in the gift rules for members of Congress prevents members from participating in an event, during the dates of the national convention, honoring that member if the event is directly paid for by a registered lobbyist or any private entity that retains or employs a registered lobbyist. A member is considered to be participating in the event if they



are named or listed by title as an honoree or special guest in any invitations, promotional materials, or publicity for the event. Members may attend events designed to honor a delegation as long as no specific member is named or provided with special benefits not available to others and as long as the honored group is not composed solely of members of Congress. Additionally, a private organization that employs no



lobbyists may sponsor an event even if it receives some of its funding from a lobbyist or lobbyist employer because the lobbyist or lobbyist employer is not providing funding directly. A lobbyist or lobbyist employer may not, however, earmark the funds provided to the sponsoring non-lobbyist entity to be spent in connection with an event honoring a member.

The 2008 Democratic National Convention opens on August 25th and closes August 28th. The 2008 Republican

National Convention opens soon thereafter on September 1st and has a closing date of September 4th. For the purposes of the restrictions on events honoring members, they apply on the entire calendar date on which the convention begins and run through the entire calendar date on which the convention adjourns.

Members of Congress are permitted to accept gifts provided by the cities of Denver or St. Paul, but this allowance does not permit a gift giver to use the cities as a conduit by providing to one of the cities a gift earmarked for a certain member. Members may accept food other than as part of a meal, regardless of who provides it, however the food served must be of nominal value and limited to hors d'oeuvres, pastries, bagels, beverages, and other items that cannot be considered a meal. Members may also be provided with free admission to a widely-attended event that includes food and refreshments if all of the requirements for a widely-attended event set forth in HLOGA are met. Widely-attended events generally do not include entertainment or recreational events such as shows or sporting events.

For anyone planning on attending one or both conventions, be sure to enjoy yourself, and be sure you can say "I Comply."

For Pets Sake ... Meet Buckeye and Brutus



These Westies, Buckeye and Brutus, belong to Amber Fish Linke and her family. Buckeye was rescued in Texas while Amber was in law school and she named him to show her support for her home team while in the land of the rival Longhorns. Brutus was a natural fit after Amber married another die-hard

OSU football fan. Both dogs have scarlet and gray jerseys for game day. In February, Amber's daughter, Ava, was born and she had to put her foot down as her husband, Rick, wanted to name her Scarlet!

Go Bucks!



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July 22 – 26

NCSL (National Conference of State Legislatures),
New Orleans, Louisiana

July 30 – August 3

ALEC (American Legislative Exchange Council),
Chicago, Illinois

Landmark Series – Vietnam Veterans Memorial

This article is one of an ongoing series that focuses on historical and/or significant landmarks. Information gleaned from nps.gov, wikipedia.com, vmf.org, vietnamwomensmemorial.org, and other sources.



In April of 1979, the Vietnam Veterans Memorial Fund, Inc. (VVMF) was established by a group of veterans led by Jan Scruggs. The non-profit organization set out to create a memorial honoring members of the U.S. Armed Forces who fought in the Vietnam War. The VVMF acknowledged this to be the most controversial war in U.S. history, but made it clear their goal was to focus on recognizing those who served their country. Through

private donations, the grounds of the memorial grew to include:

- The Memorial Wall, dedicated in 1982
- Three Soldiers (often called The Three Servicemen), dedicated in 1984
- The Women's Vietnam Memorial, dedicated in 1993
- The In Memory Plaque, dedicated in 2004

The Memorial Wall

A somber tone is reflected as visitors walk along the pathway next to the Wall and read the inscribed names, make pencil rubbings, leave sentimental items, and reflect on the memorial. Designed by Maya Ying Lin, the black granite walls stretch over 245 feet and bare the names of more than 58,000 Americans who served

in the Vietnam War and were either killed in action (KIA) or classified as missing in action (MIA). If the individual was KIA a diamond symbol is next to their name, and

those classified as MIA are denoted with a cross; if their death is confirmed a diamond is superimposed over the cross.

Although the VVMF intended to avoid controversy, many veterans were angered and felt the wall focused heavily on death and loss; they wanted an additional memorial to convey the heroism, patriotism, and honor of the soldiers. Thus, the Three Soldiers statue was fashioned.



Three Soldiers

This bronze sculpture serves to complement The Memorial Wall in a heroic sense. Designed by Frederick Hart, the three men are depicted consistent with the history of the war. They are young, dressed in war uniforms, carry equipment of war, and purposefully identifiable as Caucasian, African American, and Hispanic. Standing seven feet tall, the soldiers are positioned facing the wall and looking at the names of their fallen comrades.



The Women's Vietnam Memorial

The memorial was dedicated to honor the women who served in the Vietnam War, most of whom were nurses. Voluntarily, thousands of women left the comfort of America to help ease the pain and suffering of wounded soldiers.

Designed by Glenna Goodacre, the memorial is located a few yards south of The Wall.



The "In Memory" Memorial Plaque

Ruth Coder-Fitzgerald, founder of the In Memory plaque project worked tirelessly over several years to have the plaque completed. Carved in black granite, three feet by two feet, the In Memory plaque is placed at the northeast corner of the plaza surrounding the Three Soldiers statue. It was created to honor

veterans who died after the war as a direct result of injuries suffered in Vietnam. The plaque reads, "In memory of the men and women who served in the Vietnam War and later died as a result of their service. We honor and remember their sacrifice."

