

State &
Federal
COMMUNICATIONS

COMPLIANCE NOW



E-News from State and Federal Communications, Inc.

October 2008

V * O * T * E

Ever stop to think about all those holiday cards? Millions are sent each year to deliver a personal message.

My company has done this as well for many years... until now.

We decided instead to develop a 'Vote Card' this year. The card is meant to inspire people everywhere to get out and vote for their candidate in this important Presidential election. We believe so strongly in this message that we had our entire staff join in for a team photo with the Vote message.

Until next month, take the time to vote on November 4th. It will make a difference.

Elizabeth Z. Bartz
President and CEO



Last Minute Campaign Contributions: *What to Consider*

by John Cozine, Esq., Research Manager

As the November 4th election nears, you need to take extra care to ensure your contributions comply with all applicable laws and that you are filing all required reports. There are several important issues to consider when making contributions close to an election.

Some jurisdictions have contribution bans close to elections. For example, Florida does not allow PACs to expend or obligate contributions received within five days of an election, nor are candidates allowed to accept contributions within five days of an election, unless the candidate is running unopposed. Tennessee does not allow non-party PACs to make contributions to candidates within 10 days preceding the election.

Another consideration is the reports due near elections. Many jurisdictions

have increased reporting requirements near elections. For example, once the registration threshold is met, Georgia requires additional reports six days before run-off elections and 15 days before special elections. Maine requires PAC reports to be filed 11 days before an election. These are just two examples – this is a common requirement, so be sure you know what reports are due. Post-election reports are also quite common, so don't relax just because the election has passed!

Finally, some jurisdictions require immediate reporting of certain contributions made in the period leading up to the election. Turnaround time on the reports is typically 24 to 48 hours. California and Washington are two examples with such reporting requirements. Consider making contributions before the "late contribution" reporting period begins to avoid this requirement altogether. If you do give, be sure you know what reporting obligations you have and be sure to have your report ready to go.



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LOBBYING COMPLIANCE
IN CANADA?

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You Should Know

by John Cozine, Esq.,
Research Manager

On September 24,
2008 New Jersey

Governor Jon Corzine signed four executive orders and announced a legislative initiative to enhance reform on a number of ethics issues at the state and local levels. The proposals outlined in the legislative initiative will require legislative action to amend current law.

Executive Order #117 expands the definition of "business entity" as it is applied to pay-to-play laws with the purpose of tightening coverage of the current ban on state contractor contributions. In addition, the order extends application of the pay-to-play law to contributions made to a legislative leadership committee or a municipal political party committee. The order also expands the application to contributions made to a candidate committee or election fund of any candidate for or holder of the office of lieutenant governor. This order is effective November 15, 2008.

Executive Order #118 effectively extends the current pay-to-play restrictions on state contractors to redevelopers and consultants entering into redevelopment agreements with the state. The order will ban certain contributions from such entities as well as implement at the time of contracting a reporting requirement to state redevelopment entities of all contributions made to political organizations organized under section 527 of the Internal Revenue Code in the prior four years. This order is effective November 15, 2008.

Executive Order #119 creates a task force comprised of 11 individuals with expertise in local governance, local government ethics, and the procurement of goods and services by local units to be appointed by the governor with recommendation of various members of the state legislature. The task force is charged with making recommendations on whether local government ethics law should be amended to match state conflict of interest law and to consider how to implement a training and compliance program for local ethics. This order became effective immediately.

Executive Order #120 updates a previous financial disclosure executive order. As a result, the office of state comptroller and members of the New Jersey Marine Sciences Consortium and the New Jersey Technology Governing Board will be subject to disclosure requirements. This order became effective immediately.

Corzine's plan of attack issued to the legislature includes a number of broad,

sweeping ethics reforms. Proposed pay-to-play reforms include codifying the executive orders, extending state law to all county and municipal governments and authorities, expanding application to cover contributions by school district contractors and contractors for legislatively created regional utility authorities, and banning contributions by audit firms and partners to audit clients.

The legislative initiative is also aimed at restricting "wheeling," the practice of party committees making unlimited contributions to candidates, other party committees, and PACs. Under Corzine's plan, state committees, legislative leadership committees, county committees, and municipal committees would be subject to more rigid regulation.

The plan also calls for greater disclosure for political advertising, more competitive local contracting, stronger public official financial disclosure laws, prohibition of the use of state grant funds for hiring lobbyists, and granting the Election Law Enforcement Commission the power to penalize late campaign finance reporting and other election law violations.

For Pets Sake ... Meet Buckeye

by Jeff Roberts, CPA

Buckeye is a 20 month old mix of Australian Shepherd and Husky. My son and his girlfriend went to his friend's house to see their new puppies. Buckeye was the only puppy with his coloring and they could not resist him and his pretty blue eyes. It was literally the "Mom, can we keep him?" scenario. He is very playful and will spend hours chasing his favorite red ball with the flashing lights and whistling noise. He also gives high 5s, sits, speaks, (any of these for a treat). He thinks he has hands attached to his front paws and tries to grab and hold things with them just like people do. He loves people, especially kids, and has a natural instinct to be gentle when the little ones are around. He follows my son, Steven, everywhere he goes and gets upset if he leaves him at home. If you say "Steven," Buckeye will growl and jump up to look for him. He is a lot of fun!



Summary of Changes UPDATE

- 1] Seattle's new lobbying law went into effect on September 17, 2008. Lobbyists are required to register within 30 days of that date. Reports will be required on April 15th, July 15th, and October 15th, with an annual report due January 15th.
- 2] California has passed Assembly Bill 583, which would require each lobbying firm, lobbyist, and lobbyist employer to pay a non-refundable registration fee of \$700 every two years. Voter approval is required before the provision will take effect. The issue will go before the voters in 2009.
- 3] The Canadian Parliament was dissolved on September 7, 2008 and an election, known as polling day, occurred on October 14. The writs of election are to be returned by November 4, 2008, which means names of the winners will be returned on that day.
- 4] A federal judge rescinded the ruling that blocked West Virginia from requiring third parties to report what they spent on non-broadcast political ads. With the April ruling now vacated, disclosure of electioneering communications is no longer limited to broadcast advertisements but will also require disclosure of any paid communication made by broadcast, cable, or satellite signal, mass mailing, telephone bank, billboard advertising, or published in any newspaper, magazine, or other periodical.
- 5] For Utah, Constitutional Amendment C, appearing on the ballot November 4, 2008, would change the start of the annual legislative session from the third Monday in January to the fourth Monday in January and would not count federal holidays in calculation of the 45-day limit on the length of the legislative session.



Compliance in Canada

Canadian Compliance for US Companies™ focuses on Canadian legislation, both at the federal level and in the 10 provinces and three territories. This service is intended for U.S.-based businesses, organizations, and associations and not for Canadian-based companies. There is a need to understand and deal with changing Canadian regulations, so we have taken the lead here to present this new service to you. State and Federal Communications, Inc. encourages you to take advantage of the free trial! Simply log-in to your account and sign up for one free month of service!

Landmark Series – ?

This article is one of an ongoing series that focuses on historical and/or significant landmarks. Information gleaned from cbbt.com.

Where can you see 12 miles of trestle, two one-mile tunnels, two bridges, two miles of causeway, four man-made islands, and 5.5 miles of approach roads providing a 23 mile adventure?

You can find these at the Chesapeake Bay Bridge-Tunnel.

In 1964, the Chesapeake Bay Bridge-Tunnel began its service providing a direct link between southeastern Virginia and the Delmarva Peninsula (Delaware plus the Eastern Shore counties in Maryland and Virginia.)

Just 42 months after construction began - the Bridge-Tunnel opened to traffic and the Chesapeake Bay

Ferry Commission ferry service was permanently discontinued.

This bridge/tunnel cuts 95 miles from the journey between Virginia Beach and points north of Wilmington, Delaware. The individual components aren't the longest or largest ever built, however the Bridge-Tunnel is unique in the multitudes



of structures it includes. Additionally, construction was accomplished under the relentless conditions imposed by hurricanes, nor-easters, and the unpredictable Atlantic Ocean.

Distinguished as "The Outstanding Civil Engineering Achievement" by the American Society of Civil Engineers, and selected in 1964 as one of the "Seven Engineering Wonders of the Modern World", the bridge-tunnel has provided an important East Coast travel convenience.

To meet additional traffic demands and provide for a safer crossing, the 2nd phase of construction creating a parallel crossing was completed in 1999. The production of the new span was as challenging as the construction of the original span. This project, again, drew focus to its remarkable triumph in engineering and construction. Each phase of

construction cost \$200 million dollars. The funds were gathered from cashing in revenue bonds. No local, state or federal tax monies were used for construction costs.

From the State and Federal Communications Scrapbook



LEFT - Akron Mayor Don Plusquellic, Elizabeth Z. Bartz, Ohio Secretary of State- Jennifer Brunner. and Ohio Summit County Executive, Russ Pry.

ABOVE - Several employees of State and Federal Communications attended a luncheon lecture with Ohio Secretary of State, Jennifer Brunner.

See Us in Person

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

November 12 – 14	Public Affairs Council State and Local Government Relations Seminar, Alexandria, VA
November 22 – 25	SGAC Foundation Leaders' Policy Conference, Dana Point, CA
December 2	WASRG Holiday Party, Washington, DC
December 5	CSG Annual Meeting, Omaha, NE
December 7 – 10	30 th Annual COGEL Conference, Chicago, IL
December 10 - 13	NCSL Fall Forum, Atlanta, GA
December 16	SGAC Holiday Party, Washington, DC