

State &
Federal
COMMUNICATIONS

COMPLIANCE
NOW

E-News from State and Federal Communications, Inc.

May 2010

In Praise of the Restorative Powers of Vacation

I am a vacation convert. I went on my first one in five years last month and I'm looking to go again! I went with the Greater Akron Chamber of Commerce on a Discover Tuscany trip in March.



I can get into specifics about my trip including the great tour manager, driver, the sites, the wine, the gelato, the Tuscan cooking class I took, and that I bought so much stuff I had to buy another suitcase. If you are friend of mine on Facebook, you have seen the photos.

But, here is what I learned.... Vacations are good and it has been awhile since I have really taken the time out of the office. John Chames and I went to Shanghai in 2005 when our daughter was studying there, but that was five years ago!!! And, I am definitely not counting any time off in 2006 surrounding breast cancer as anything relating to a vacation.

When I searched "vacations are good" on Google, the first article that showed up was written in July 2004. Okay, maybe the topic needs resurrected. This article dealt with a book written by Dr. Mel Borins of Toronto, "Go Away, Just for the Health of It." The advice in the book isn't new: Take the time, don't feel guilty, it's good for what ails you. I get it. I get it.

I have always pushed annual leave for my colleagues here at State and Federal Communications. Everyone on staff has two-thirds of their leave planned by the end of the first quarter. That way, I know people are going to take vacation and return fresh from their port of calm! I just have not practiced what I preach.

Let me know what your vacation plans are for 2010. I am not going to stalk you ... because I want to know what other places there are to go!!!

And, if you are interested in seeing my photos from Tuscany, let me know. I will even share the recipes from my Tuscan cooking class!

Until next month, Ciao!

Elizabeth Z. Bartz

President and CEO



Elizabeth Z. Bartz at the Coliseum in Rome, Italy, with the Greater Akron Chamber Business Leaders Mission.

Follow State and Federal
Communications, Inc. on



<http://twitter.com/stateandfed>

State &
Federal
COMMUNICATIONS

Visit us in
Booth 310
at NCSL
Louisville!

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 2010
Lobbying Laws	288	40	7	30	1
Political Contributions	637	45	14	28	3
Procurement Lobbying	414	39	6	24	7

Summary of Changes UPDATE

Note Recent Changes to Compliance Regulations

Government affairs professionals need to be aware of recent changes – and upcoming changes – in compliance laws for several jurisdictions, including:

COLORADO: Prompted by a request for a ruling from Governor Bill Ritter after the decision in *Citizens United v. Federal Election Commission*, the Colorado Supreme Court found provisions in the state's voter-approved Amendment 27 to the state constitution to violate free-speech rights. The court determined barring corporations and labor organizations from directly advocating for a candidate's election or defeat and barring the purchase of television and print ads in the 60-day run-up to a general election is in violation of the First Amendment of the United States Constitution, in light of *Citizens United*.

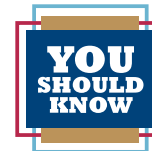
INDIANA: Governor Mitch Daniels has signed into law House Bill 1001, a major ethics reform bill passed during the recent legislative session. The law requires lobbyists to report gifts worth \$50 or more, and persons holding state elected office or who are appointed by the governor to wait one year after leaving their position before being eligible to register as a lobbyist. Provisions of the bill will first be effective July 1, 2010.

LONG BEACH, CALIFORNIA: On March 11, 2010, the mayor of Long Beach signed into law the city's first lobbying ordinance. The ordinance took effect on April 11, 2010. The ordinance defines lobbying as the influencing or attempting to influence a legislative or administrative action of the city. It creates three categories of lob-

byists: contract lobbyists, business or organization lobbyists, and expenditure lobbyists, all of which are required to register as of April 11th. Registration fees are \$100. Lobbyists are also required to file quarterly reports in April, July, October, and January of each year.

UTAH: Governor Gary Herbert has signed legislation that makes substantial changes to Utah's Lobbyist Disclosure and Regulation Act. House Bill 267 requires the disclosure of an individual expenditure or aggregate daily expenditures greater than \$10. Also, lobbyists, principals, or government officers are prohibited from making or offering to make expenditures greater than \$10 except for food, beverage, travel, lodging, or admission to or attendance at a meeting or activity. Finally, the bill changes the lobbyist filing fee from \$25 to \$100. These bills are effective May 11, 2010. The governor also signed two bills amending Utah's campaign finance reporting law. The first, House Bill 59, provides all expenditures made by a corporation and a political issues committee must be reported as of five days instead of three days before the required filing dates of the required financial statement. A second bill, House Bill 124, modifies existing campaign and financial reporting requirements by amending provisions related to the personal use of campaign funds. These two bills are effective May 12, 2010.

WASHINGTON: On March 25, 2010, the governor of Washington signed into law Senate Bill 6344, which imposes new campaign contribution limits in local elections. Under the law, there will be an \$800 dollar per election contribution limit for all campaigns in county, city council, and mayoral elections. Prior to this new law, most of these elections were not subject to any campaign contribution restrictions. The new limit will take effect on June 10, 2010.



by Brenna L. Fasko
Research Associate

Iowa Adopts Sweeping Changes to Lobbyist Law

On February 10, 2010, Governor Chet Culver of Iowa signed House File 2109 into law. This new law has brought sweeping changes to the lobbyist reporting requirements, for both the executive and legislative branches. The biggest change brought on by the new law completely repeals all lobbyist reporting requirements.

Lobbyists will no longer have to file monthly and quarterly reports. Lobbyists will continue to have to file an annual registration statement, but now, in addition, the lobbyist must identify all of their clients, and provide an e-mail address of a contact person for each client.

Lobbyist employers will still be required to file their annual July reports under the new law. However, the employer will no longer have to break down the total salaries, fees, retainers, and reimbursement of expenses paid to a lobbyist for lobbying between the executive and legislative branches. Rather, the total amount will be shown on both reports filed with the branches.

Beyond the changes to lobbyist reporting, the new legislation also sets forth new requirements for events and functions. If there is a function during the legislative session where all 150 legislators are invited, a pre-function report must be e-filed five calendar days prior to the event.

Twenty-eight days after the event, a function report must be e-filed and must disclose the amount spent on food, beverages, and entertainment. In this type of event, the three dollar limit on gifts of food, beverage, and entertainment does not apply.

The lobbyist representing the primary sponsor of the function will be accountable for filing these pre-function registrations and function reports.

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. Can I use my company's federal PAC to make contributions to candidates for state office?

A. Yes. In every state and the District of Columbia, contributions from federal PACs to non-federal state candidates are permissible. However, the challenging aspect of making these types of contributions is that every jurisdiction has different rules regarding how to register and report such contributions. To make this a little easier to digest, we have broken down the states into five categories. Please note: regardless of the registration and reporting process, in all jurisdictions the federal PAC is subject to the contribution limits according to the law of that jurisdiction.

Category 1: You do not have to do anything. Simply make the contribution to the state candidate as you would any other contribution from your federal PAC. This option is usually only available if your FEC filings are current and complete. Examples of these jurisdictions include Alabama, South Dakota, and West Virginia.

Category 2: You must register and report as a state PAC. In these instances, your federal PAC is treated no differently than any other out-of-state PAC. You must register your federal PAC using that jurisdiction's registration forms. You must report your contributions using state forms and file your reports according to that jurisdiction's filing deadlines. Examples of these jurisdictions include Connecticut, Georgia, and Tennessee.

Category 3: You may file your FEC registration and reports in lieu of state registrations and reports. The tricky thing about these jurisdictions is keeping track of whether you file your reports according to the jurisdiction's reporting schedule or the FEC's reporting schedule. Examples of these jurisdictions include Colorado, Kentucky, and New York.

Category 4: You have to register using state forms and report using your FEC filings, or vice versa. Examples of these jurisdictions include Delaware, Pennsylvania, and South Carolina.

Category 5: You have a choice regarding how to register and report. These two jurisdictions include Iowa and Kansas.

We have not listed PAC rules for all the states, only examples of some states. If you have a question on a state not listed here, please contact us directly at 1-888-452-9669.

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.

May 3-6, 2010	BIO Annual Convention, Chicago, Illinois
May 6, 2010	Women in Government Relations Spring Soiree, Washington, D.C.
May 11, 2010	Ohio Chamber of Commerce Day, Columbus, Ohio
May 17-19, 2010	U.S. Chamber of Commerce Small Business Summit, Washington, D.C.
May 20-23, 2010	The Council of State Governments' 2010 Economic Summit of the States, New York City, New York
June 11, 2010	Greater Akron Chamber of Commerce Excellence in Business Award Luncheon, Akron, Ohio
July 25-28, 2010	NCSL Legislative Summit, Booth #310, Louisville, Kentucky



The Mission of State and Federal Communications is to make sure that your organization can say, "I Comply."
We are the leading authority and exclusive information source on legislation and regulations surrounding campaign finance and political contributions; state, federal, and municipal lobbying; and procurement lobbying.

Contact us to learn how conveniently our services will allow you to say "I Comply" for your compliance activities.
<http://www.stateandfed.com/>

State and Federal Communications, Inc. Scrapbook



In left photo, Ray Dunkle [left], of Brockman, Coats, Gedelian & Co., chats with Jeff Roberts of State and Federal Communications, Inc. at the Greater Akron Chamber of Commerce annual dinner and meeting. In right photo, Elizabeth Bartz, standing right, is shown at the Chamber dinner with Karen Talbott, standing left, president of the Akron General Visiting Nurse Service and Affiliates. Also in photo are, from left, Myra Cottrill, Nicole Chames, and Sarah Gray, all of State and Federal Communications.



Amber Fish Linke, compliance manager for State and Federal Communications, Inc., meets with Jim Delatte, southeast government affairs manager for Takeda Pharmaceuticals, during the March SGAC Annual Meeting in Denver.