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who had previously contributed to its purposes were "members" of the corporation. The Supreme Court rejected this interpretation. Because the court below had adopted a contrary interpretation in order to avoid constitutional doubts, Justice Rehnquist, speaking for a unanimous court, embarked upon a far-reaching discussion of the constitutionality of Section 441b. In saying the ban on expenditures as well as the ban on contributions is constitutional because it serves the important interest in preventing both actual corruption and erosion of public confidence in government through the appearance of corruption, Justice Rehnquist said for all the Justices --

In order to prevent both actual and apparent corruption, Congress aimed a part of its regulatory scheme at corporations. The statute reflects a legislative judgment that the special characteristics of the corporate structure require particularly careful regulation. While §441b restricts the solicitation of corporations and labor unions without great financial resources, as well as those more fortunately situated, we accept Congress's judgment that it is the potential for such influence that demands regulation. Nor will we second guess a legislative determination as to the need for prophylactic measures where corruption is the evil feared.

Fourth, the dangers of unregulated expenditures by political committees formed to raise and expend vast sums in order to elect or defeat particular candidates dictate that Congress should not concede a want of authority to meet the dangers unless and until compelled by clear-cut precedent.

4. Congress should limit the total amount that any single candidate may accept from all PACs.

Buckley v. Valeo, 424 U.S. 1 (1976) makes plain the constitutionality of ceilings upon contributions. The limit upon

practices as inconsistent with the philosophy of the First Amendment. Similarly, the rules of the Supreme Court of the United States limit the length of briefs and equally apportion the time allowed for oral argument. The "fairness doctrine" sets limits to the editorial as well as the commercial liberty of radio and television broadcasters. And one would suppose that a municipality forced by excess demand to apportion the use of its public auditorium might allocate use by some otherwise neutral rule providing a variety of programs instead of auctioning the facility to the highest bidders.

Should not an election be viewed as a special occasion with a limited framework somewhat like a town meeting? There are identified candidates. There is a campaign season, not precisely limited in duration but nonetheless identifiable. Workable distinctions can be drawn between campaign expenditures targeted in direct support of a candidate and the publication of newspapers and magazines and the ongoing discussion of public issues. The ideals of democratic self-government, including the First Amendment, can hardly be supposed to guarantee that those who can command the most money shall have the opportunity to use the imbalance to win an election.

Mr. Chairman, there are some political commentators who would suggest that any additional limitations on congressional campaigns -- either in the form of PAC limits or overall spending limitations -- would restrict participation in the political process. I would respectfully suggest that the present method of congressional campaign financing serves to restrict

JK SR MK

MONEY IN POLITICS

SPEECH BY CONGRESSMAN RICHARD BOLLING

O'Neill Professor of American Politics
Boston College, Chestnut Hill, Massachusetts

September 21, 1983

It is well-established, I suppose, that those, like Thoreau or Dante, who spend time in strange or distant or eye-opening places are obliged to report back on what they have seen and learned. In delivering this speech as the occupant of the Thomas P. O'Neill, Jr. Chair of American Politics at Boston College, I am pleased to be here tonight to report on some of what I have seen during my years in another eye-opening place, the U.S. Congress. While I found it less idyllic than Walden Pond, fortunately I also found it less hellish or populated with sinners than the Inferno.

I am, in fact, an ardent fan of the institution of the U.S. House of Representatives. But these days I am also extremely concerned about the Congress and its ability to govern effectively. My concern does not stem from the magnitude or complexity of the issues that confront Congress. During my 34 years there, my colleagues and I with some success addressed a number of the most difficult and deep-rooted problems this country has known, such as civil rights and poverty, education and health care; and, of course, none of these jobs is ever completed. Today's problems may be difficult, but they certainly will and can be faced and dealt with.

Rather, I am concerned because one basic problem is undermining the ability of Congress to address any other issues effectively. That problem is the corrosive, pervasive and too often invisible influence of special interest money. Most damaging to the Congress is the recent explosion in campaign contributions from political action committees, or "PACs," which are formed by

corporations, unions, trade associations and ideological groups in order to exercise influence by contributing money to election campaigns. But there are other forms of special interest money that are also increasingly corroding the integrity of Congress, such as speaking fees, known as "honoraria," and the undisclosed, multi-million dollar lobbying efforts of various industries and interest groups.

Of course, I am not the only one concerned about money in politics. Over the last year, there has been a tremendous increase in public and media attention to the problem. Time magazine ran a cover story last year that bluntly posed the PAC problem -- its title was, "The PAC Men: Turning Cash into Votes." In the last year similar stories about the corrupting influence of PAC contributions, honoraria or undisclosed lobbying have appeared in Reader's Digest, Business Week, the Wall Street Journal, U.S. News and World Report and the New York Times. Elizabeth Drew has also written a remarkable series of New Yorker articles which now have emerged as an even better book; Politics and Money is a must reading for those who care deeply about our democracy. And Common Cause, the citizen's lobby on whose Governing Board I serve, has launched a campaign for the month of October called "People versus PACs."

Tonight, I would like to discuss where this problem came from, how severe it is, and what we, collectively, can do about it.

The Source of the Problem

Why has special interest money become such a threat to the Congress? There are two developments that I witnessed during my years in politics that I believe combined to produce the current crisis.

The first was the exponential growth in campaign costs. When I was first elected to Congress in 1948, I could raise only \$2,500. Money was hard to

find but campaigns were cheap. Some radio -- really no television was used. The average campaign cost for the House was probably less than \$10,000. This last election, candidates for the House of Representatives on average spent \$158,000. In other words, while the cost of living has increased four fold since I first ran for Congress, the cost of staying alive in politics has increased, on average, by much more than ten times.

It is important to put these sums in perspective. Those of you who are students or parents are no doubt alarmed that it now costs as much as \$10,000 each year to go to college. Consider that on average it costs more than 16 times that amount every two years to go to Congress. And consider that in some races in 1982, it would have cost more than 100 times as much.

The second development I witnessed that has contributed to the current crisis was that, as congressmen increasingly needed campaign money, interest groups increasingly wanted congressmen. Over the last ten or fifteen years, as the public demanded government protection and regulation in more areas, such as the environment, consumer products and job safety, labor and corporate interest groups increased their efforts to shape the resulting laws. Thus, as the regulatory budget of the federal government increased by five fold since the early 1970s, so did the number of corporate and labor PACs.

Interest groups also began seeking more influence over Congress perhaps because that became the easiest and most productive place to seek it at the federal level. In 1974, Congress passed major amendments to the Federal Election Campaign Act, which had been passed three years earlier. Those amendments established that presidential elections would be primarily financed with public funds, to be provided through a one dollar check-off on each year's tax forms. The new public financing system prohibited private contributions in presidential general elections, and reduced the role of private

money in the presidential nominating process. [Ms. Drew makes it clear in Politics and Money that large sums of money are being spent that clearly evade the intent, if not the letter, of that law.] Unfortunately, however, Congress declined to adopt that reform for itself. With the role of special interest campaign contributions somewhat curtailed in presidential campaigns, and no public financing for congressional races, many special interest groups turned their attention -- and much of their money -- to Congress.

And, over the years, as interest groups developed a greater desire to use their money to influence congressional policymaking, they also became dangerously sophisticated in how to do it. They learned to target their contributions to reach the chairmen and members of the congressional committees and subcommittees with jurisdiction over highly-prized tax breaks or subsidies or contracts. And, ironically, the same technologies that made campaigns so expensive -- such as polling and direct mail -- allowed these groups to target their contributions, their honoraria and their lobbying efforts to produce the maximum influence.

At this point I would like to make it clear that to corrupt or greatly influence outcomes in congressional committees or subcommittees usually does not require obtaining the services of many members. Congressional committees are often narrowly divided to begin with, and one or two subservient individuals may make a great difference in the outcome on very important legislation. The system is so fragile and vulnerable that real purity is essential to consistent success for the public interest.

The Extent of the Problem

As congressmen needed more campaign funds and interest groups desired more influence in Congress, the result was an alarming growth in special interest money, and it only requires a few figures and examples to see how alarming that growth has been. Consider the most corrosive source of special interest money, PACs. In 1974, there were 608 such committees. Today there are over 3,400. In 1974 PACs gave \$12.5 million to congressional candidates. By the 1982 elections their contributions exceeded \$80 million, a six-fold increase in just eight years. Most disturbing, the dependence of congressmen on PAC funds has increased steadily. In 1974 PAC money accounted for only about 14 percent of the funds for an average campaign in the House of Representatives. But by last year, House candidates on average were receiving a full third of their funding from PACs; some committee chairs and House leaders got more than half of their campaign funds from these interest groups. And in 1982, two Senate candidates received over \$1 million each from political action committees.

Interest groups are pouring increasing sums of money into Congress through other channels as well, such as honoraria. In the Senate alone, honoraria payments increased from \$1.7 million in 1981 to about \$2.5 million in 1982. Last year, in fact, ten senators added over \$40,000 to their government salaries through honoraria. Undoubtedly, some honoraria are modest payments for bona fide speaking engagements. But in other cases, congressmen are receiving one or two thousand dollars for merely having coffee with a handful of an interest group's executives. And in many cases, the interest groups that are paying these honoraria are the same groups that are making substantial PAC contributions; the financial industry, for example, gave over a quarter of a million dollars in Senate honoraria and over \$5 million in PAC

contributions in 1982. But unlike campaign contributions, honoraria are going directly into congressmen's pockets. There are limits: 30 percent of salary currently in the House and prospectively in the Senate.

Special interest groups are also buying influence through undisclosed grass-roots lobbying efforts. Certainly there is nothing objectionable about grass-roots lobbying itself. But a number of interest groups are currently spending millions to influence legislation, while disclosing few of these expenditures under federal lobbying regulations. For example, earlier this year, the banking industry mounted a multi-million dollar campaign to repeal one of the most needed parts of the 1982 tax act, withholding on interest and dividends. Banks ran scores of newspaper advertisements and enclosed millions of mini-harangues and pre-printed congressional letters in their customers' monthly statements. Within weeks, Congress was inundated with letters urging repeal of withholding. Yet, because few of the trade associations and none of the banks had disclosed their massive expenditures, the withholding provision was all but repealed before Congress knew how much the uproar had been purchased by the industry. And it appears now that a similar multi-million dollar campaign by the insurance industry to block gender-neutral insurance rates is also not being fully disclosed.

The Damage Done by Special Interest Money

All this special interest money is, in a number of ways, threatening Congress's ability to govern. First, in many cases, the money is distorting or blocking legislation. Last year, for example, the Federal Trade Commission proposed something known as "the used car rule," which would have required used car dealers to tell customers about any known defects in the cars they were about to buy. But the used car dealers opposed the rule and, with their PAC money, persuaded Congress to veto it. The 69 senators who voted to kill

the used car rule received, on average, twice as much in PAC contributions from the automobile dealers as those who voted against the auto dealers. In the House, the ratio was five-to-one. A recent study presented to the American Political Science Association concluded that, even accounting for party affiliation and ideology, the more than one million dollars contributed by the auto dealers' PAC made a significant -- and in some cases, decisive -- difference in congressmen's votes on the rule. And there is an embarrassment of similar cases. Whether it is agricultural subsidies or health care costs or environmental protection or tax loopholes, special interest money is buying too much -- and at the public's expense.

The influence of special interest money in these cases is rarely in the form of an explicit quid pro quo. Rather, this money -- and especially PAC money -- distorts legislation through a more subtle and on-going process. PACs know that most congressmen run for re-election and will be periodically in need of their money. PACs also know that they will have the power to keep that money flowing to a congressman or to cut it off depending on his votes in the years between elections. Because congressmen know they will need that money, they are hesitant to vote in ways that might offend the PACs. And in many cases, they vote in certain ways specifically to curry their favor. For example, Elizabeth Drew concluded in her New Yorker articles that both the 1981 and 1982 tax bills strongly reflected PAC contributions that key members had received in the past, as well as the desire to attract the PAC funds of certain interest groups in the future.

Second, the torrent of special interest money is drowning out representation. Our representative democracy is founded on the principle that elected officials will freely vote their consciences while earnestly working for their constituents' best interests and actively listening to what those interests

are. But a Member of Congress may not feel free to vote his conscience when he must depend on special interest groups to provide a third or half of his campaign funds. And he cannot even know what his constituents' interests are when their letters are being prompted -- and in some cases, printed, stamped and mailed -- by some interest group's undisclosed lobbying efforts. The result is that some congressmen are voting for legislation that bears less relation to their constituents' interests than to the special interest money they have been receiving. In other cases, special interest money simply throws Congress into deadlock, and legislation that would have been in almost everybody's interest fails to pass.

Of course, some dispute that all this special interest money erodes representation. They cite James Madison's arguments about pluralism from the Federalist and argue that the pressures from the PAC funds of competing groups will cancel each other out. But this argument assumes that there will always be a PAC for each of the countervailing interests. In fact, as Senator Robert Dole of Kansas has observed, "poor people don't make campaign contributions. You might get a different result if there were a Poor-PAC up here." Just look at the used car rule: the only interest not represented by PAC funds in that fight were the interests of consumers and the general public. At a time like this, when the Congress is deciding crucial questions about the course of the economy, about social equity and about the proper role of government, we cannot afford to have policies that represent only one side -- the side with the money and the PACs.

Finally, the explosion in PAC funds and other forms of special interest money is undermining public confidence in the institution of Congress, and for good reason. It may sound idealistic, but I know from experience that Congress must have and must appear to have integrity in order to retain the

public's confidence. But the public increasingly suspects that at least a portion of Congress is no longer pure. Because, increasingly, what the public sees is legislation that looks like special interest wish lists. What the public increasingly discovers is that interest groups are buying the sort of access that they as voters could never dream of. And what the public increasingly hears is Members of Congress and former Members like myself sounding the alarm.

The public justifiably loses faith in the Congress when it hears my colleague from Missouri, Senator Thomas Eagleton, saying the the present campaign financing system "virtually forces Members of Congress to go hat in hand, begging for money from special interests whose sole purpose for existing is to seek a quid pro quo. The scandal is taking place every day and will continue to do so while the present system is in place."

The public justifiably loses faith in the Congress when it hears Representative James Shannon of this state saying that, "the problem of money in politics hasn't been an obsession of mine, but it's becoming one now... What's bothering me is when you start seeing guys acting against what you know are their philosophies and constituencies and instincts... There are some here who say that PACs don't influence public policy. That's baloney."

And the public justifiably loses faith in the Congress when it hears Senator Dole saying that, "when these political action committees give money they expect something in return other than good government. It is making it much more difficult to legislate. We may reach a point where everybody is buying something with PAC money. We cannot get anything done."

In sum, during my service in Congress, I witnessed congressmen's needs for funds and interest groups' desire for influence increase and combine in a way that steadily began to undermine policy, undermine representation, and

undermine the institution of Congress. I remember that as we moved through the sixties and through the Johnson administration, there developed an indefinable feeling on Capitol Hill and in Washington -- an odor, if you will -- that the amount of money flowing in was becoming enormous, and that there were some situations developing very rapidly that were just ripe for corruption. During the Nixon administration, as the Watergate scandal broke open, that odor became a stench. And by the time I retired, the corruption of special interest money had infected the legislative branch, and, partly as a result, I found myself serving in the most gutless Congress I'd ever seen. What I fear today is that special interest money is damaging Congress to the same scandalous degree as it damaged the executive branch during Watergate; the only difference is that the means now being used are legal.

The Framework for a Solution

I believe that there is way out of this problem, and I think an examination of how we have dealt with special interest money in the past gives some guidance for where we should go in the future. Basically, it seems that in the past we have tried, in varying degrees, to reduce the undue influence of special interest money by making it visible, reasonable and resistible.

The first reaction to special interest money typically has been to make it visible. Thus, the key provisions of the first major piece of campaign finance legislation to pass Congress in recent times, the Federal Election Campaign Act of 1971, required disclosure of contributions to federal campaigns, and required political action committees to register with the government. Similarly, Congress first attempted to make lobbying more visible by requiring that interest groups report such expenditures, and the Senate initially tried to cope with honoraria by requiring them to be disclosed.

Effective disclosure laws are essential to curbing the excessive influence of special interest money. In the area of campaign finance, for example, disclosure has enabled the press and groups like Common Cause to become effective watchdogs over PAC spending. Of course, the fact that PAC contributions continue to corrupt Congress demonstrates that visibility is not always enough. But in other areas, such as lobbying, effective disclosure is likely all that is necessary or warranted.

The second step toward curbing special interest influence has been to make interest money reasonable. By this I mean that special interest money must be limited to amounts that are reasonable relative to other sources. That was the step that Congress took following Watergate: as it limited the allowable size of contributions from individuals and political parties, it also limited the allowable size of PAC contributions. That was also the step that Congress ultimately took with regard to honoraria. House Members limited outside earned income like honoraria to 30 percent of their salaries; and -- after a tough fight that the late Senator Henry Jackson led with courage and wisdom -- the Senate ultimately followed suit.

Finally, to make special interest money less corrosive, we have tried to make it resistible. That is, we have tried to wean candidates and elected officials from their dependency on fat cat donors and interest group money by providing them with alternative means of support. This was the philosophy behind the provisions in the 1974 amendments that established public financing for presidential campaigns. By providing an alternative source of campaign funds, the law at least partially freed presidential candidates from the sort of influence-seeking funds that led to Watergate. Originally, those amendments also specified expenditure limits for presidential and congressional candidates. These limits sought to make special interest money more

resistible by making campaigns less expensive. Unfortunately, in the 1976 case of Buckley v. Valeo, the Supreme Court struck down the congressional expenditure limits by ruling that such limits could exist only in conjunction with public financing. The desire to make special interest money resistible has also been evident in past efforts to control honoraria. Common Cause, for example, has repeatedly argued for adequate congressional salaries in conjunction with limits on honoraria. The reasoning is clear: it is preferable to make Congress beholden to the public than to narrow monied interests.

But if the solution lies in making special interest money visible, reasonable and resistible, then there is still much to be done. Lobbying expenditures, for example, are still not visible. The only lobby disclosure law on the books -- the 1946 Federal Regulation of Lobbying Act -- is weak, loophole-ridden and unenforced. Few corporations or trade associations disclose their grass-roots lobbying expenditures. And, in flagrant disregard of the existing law, many fail to file any disclosure reports whatsoever.

A great deal also needs to be done to keep the flow of special interest money reasonable. In the area of campaign finance, one urgently needed remedy is a limit on the total amount of PAC money that a congressman may accept during a campaign. It is clearly not reasonable to expect that candidates will accept over \$1 million from PACs and not be influenced by that money. It is clearly not reasonable to expect that some candidates will accept over half of their campaign money from PACs and still hold the interests of their constituents foremost. Wisconsin Representative David Obey and over 125 co-sponsors have introduced legislation that would limit a candidate's aggregate PAC receipts to \$90,000 in House campaigns. Such legislation deserves our active support.

And, last, we must continue efforts to make special interest money more resistible. I believe that the overwhelming majority of representatives and senators would more faithfully represent the interests of their constituents if they could afford to do so. Therefore we must look for ways to make it easier for them to say no to PACs, to say no to the interest groups offering honoraria, and to say no to hidden lobbying pressures. The best way we can help congressmen say no is to provide some form of public financing of congressional campaigns. Although public financing of presidential campaigns has not been trouble free, and it also needs improvement, it has been undeniably successful in helping presidential candidates resist special interest money. Watergate demonstrated that in 1972, the presidency was on the special interest auction block. By contrast, PAC money now accounts for less than two percent of presidential campaign funds. In fact, in the current presidential contest, three candidates have declared that they will not accept any PAC funds. We need to provide that kind of flexibility to congressmen, and public financing is the best way to provide it.

Now, I know that some people will hear me making recommendations like this and conclude that I really have become a professor in mind as well as in title. They will say that after 34 years in Congress it is awfully naive and idealistic for me to expect that we can control the pernicious influence of money in politics.

But I don't think it is naive or idealistic. I know that it is practical. I know that it is essential to the survival of our democracy. I remember what people said about some of the legislation we successfully ushered through Congress in those 34 years I served. They said there was no way you could pass a Civil Rights Act, but we passed not one but several. They said there was no way to pass a Budget Act, but we passed it. If they say there's no way to pass lobby disclosure or PAC limits or public financing of congress-

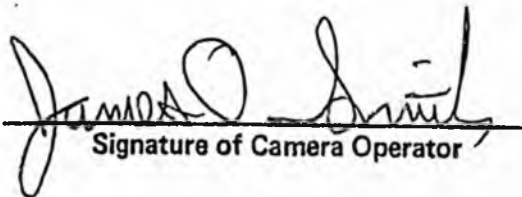
sional campaigns, then I say let them be wrong again. I also remember that when I ran for re-election in 1964, I had every party organization and many special interest groups in my district rallying against me in the primary. But I was able to prevail, and part of the reason was that I had a phrase that turned out the volunteers and stirred up the voters. I said it's going to be "the Folks against the Factions." Now that may sound like naive corn pone, but it was true, and it took, and it's why we won.

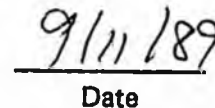
So, now, when I hear groups like Common Cause declaring that it's going to be "the People versus the PACs," and that these reforms are needed, I don't think it's naive. And I don't think it's idealistic. Rather, I understand the way special interest money is hobbling the Congress that I served in for many years, and I am worried. I see that we are not getting the legislation and the representation we deserve, and I am angered. And I hear the public asking if we can make those solutions a reality. I answer not only that we can, but that we must.



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OTHER STATES

LAWS IN

CONTRIBUTION

SOURCE: The Martin Haley Companies, Inc., The State Services Group, Campaign Contributions and Lobbying Laws, Washington, D.C., 1984.

ALABAMA

CAMPAIGN CONTRIBUTION LAWS

(Code of Alabama, Title 17, Sections 17-22-1 through 17-22-15; 10-2A-70 and 10-2A-70.1)

WHERE to File Statements and Obtain Forms

For statewide offices:

Secretary of State
State Capitol
Montgomery, Alabama 36130
(205) 832-3570

For others: file in the office of the county probate judge where the candidate resides.

WHO Must File Statements

Every committee appointed by a candidate and every political committee. Any person may act as his own candidate. (Sections 17-22-9, 17-22-6)

WHEN to File Statements

Within 15 days after a primary and within 30 days after any other election. (Section 17-22-10)

Rules Governing Contributions and Expenditures

- (1) A person, directly or indirectly, may only contribute for particular matters and services at their reasonable bona fide and customary value. (Section 17-22-4)
- (2) No candidate or other person may expend any funds except by contributing to the designated committee. (Sections 17-22-5, 17-22-8)
- (3) The failure of a political committee to file required statements is a corrupt practice. (Section 17-22-12)

Contribution Limits

Corporations - \$500 per candidate or party, per election.
PACS - No limit.
Labor - No limit.
Individuals - No limit..

It shall be legal for any corporation, other than a public utility that is regulated by the Public Service Commission, incorporated under the laws of or doing business in this state, to directly contribute any money or other valuable thing in any amount up to \$500 to any one candidate, political party or political committee. In the case of a group of parent-subsidiary corporations, the \$500 limitation shall apply to the entire group. (Section 10-2A-70.1)

Please Return To:
Senator Vic Fischer
1024 W. 6th
Anchorage

278-3654

Establishment of PACS

For reporting and other statutory purposes, a PAC is deemed a "political committee", as defined. (Section 17-22-1)

Corporations may pay, spend or contribute anything of value to establish, administer or solicit voluntary contributions to a separate segregated fund to aid or promote a candidate for political or party office, or to promote or oppose a political party or proposition.

- (1) A business corporation may solicit only from stockholders, employees, and families.
- (2) A non-profit corporation may only solicit its members and their employers.
- (3) Such funds may accept voluntary contributions from any individuals or other segregated fund.
- (4) The person solicited must be informed of the political purposes of the fund, and the right of refusal, at time of contribution.
- (5) It is unlawful to solicit for the fund with threats of physical force, job discrimination or financial reprisals, with dues or fees required as a condition of employment or with monies obtained in any commercial transaction.
- (6) No corporate funds may be a part of such separate segregated fund.
- (7) In-kind contributions from such fund are permitted. (Section 17-22-3)

Contents of Disclosure Statements

Every committee files a report containing:

- (1) The names of all contributors of amounts in excess of \$10.
- (2) The amount of each contribution in excess of \$10.
- (3) A list of all gifts, contributions or loans made.
- (4) All monies expended over \$5, giving the names of the persons to whom the money was paid and the purpose for which it was paid.
(Section 17-22-10)

Every committee and every political committee must file itemized statements of all expenditures made. (Section 17-22-9)

State Tax Provision: None..

Political Advertising

- (1) Every poster, pamphlet, advertisement, cartoon, or other printed matter, having reference to an election or candidate shall bear upon its face the name and address of the person or committee responsible for its publication. (Section 17-22-13)
- (2) Paid political advertisements shall be marked as such.
(Section 17-22-14)

Penalties

Violation of a defined corrupt practice or a willful refusal of a required act can result in a fine of up to \$500 or imprisonment up to six months.
(Section 17-22-15)

ALASKA

CAMPAIGN CONTRIBUTION LAWS

(Alaska Statutes, Sections 15.13.010 through 15.13.130)

WHERE To File Statements and Obtain Forms

Alaska Public Office Commission
610 "C" Street, Suite 209
Anchorage, Alaska 99501
(907) 274-0321

WHO Must File Statements

Candidates, individuals and groups contributing or expending in excess of \$100 per year. (Section 15.13.040)

A person or group contributing over \$250 must file, within 10 days of the contribution, a statement itemizing the contributions, along with a statement that the contributor is not prohibited by law from doing so, and that the property belongs to the contributor and has not been furnished by anyone else. (Section 15.13.080)

WHEN to File Statements

Thirty days before the election, one week before the election, 10 days after the election and December 31 of each year. Each contribution or expenditure in excess of \$250 which is made within one week of the election shall be reported within 24 hours of its receipt or expenditure, giving the date, amount and the name of the contributor or recipient. (Section 15.13.110)

Rules Governing Contributions and Expenditures

- (1) Persons or groups may contribute in excess of \$1,000 per year to support a ballot question or proposition or to a group not controlled by a candidate, provided they report such contributions in accordance with this chapter. (Section 15.13.070)
- (2) Political parties may contribute in excess of \$1,000 to support a candidate for an elective office, provided they report such contributions in accordance with this chapter. (Section 15.13.070)
- (3) A candidate may contribute in excess of \$1,000 to his own campaign. (Section 15.13.070)
- (4) No contribution in excess of \$100 shall be made in cash. (Section 15.13.070)
- (5) No contribution or expenditure to influence an election shall be made anonymously, in a fictitious name, or in the name of another. (Section 15.13.070)
- (6) A "contribution" includes volunteered professional services for which individuals would ordinarily be paid, but does not include services provided to prepare reports or statements. (Section 15.13.130)

Contribution Limits

Corporations - \$1,000 per year per candidate.
PACS - \$1,000 per year per candidate.
Labor - \$1,000 per year per candidate.
Individuals - \$1,000 per year per candidate.

No person or group, including but not limited to all political committees, businesses, corporations, and labor unions, may contribute more than \$1,000 a year on behalf of or in opposition to the competing candidates for each elective office. This limitation does not apply to ballot questions. (Section 15.13.070)

Establishment of PACS

A PAC is subject to the provisions governing a "group", including the requirement that it register with the commission before making an expenditure. (Sections 15.13.130, 15.13.050)

Contents of Disclosure Statements

Each candidate's report shall contain:

- (1) The date and amount of all expenditures made.
- (2) The total amount of all contributions.
- (3) The name, address, principal occupation, and employer of each person who contributed in excess of \$100 in the aggregate per year, giving the date and amount of the contribution.

Each group's report shall contain:

- (1) The name and address of each officer and director.
- (2) The aggregate amount of all contributions received by it.
- (3) The name, address, principal occupation, and employer of each person who contributed in excess of \$100 giving the date and amount of the contribution.
- (4) The date and amount of all contributions made by it and all expenditures made, authorized, or incurred by it. |

Each individual's report shall contain:

- (1) Any contribution of cash, goods, or services valued at more than \$250 a year.
- (2) Any expenditure for printed or broadcast advertisements or for publication or distribution of campaign material concerning a candidate, ballot question, or ballot proposition.
- (3) The name, address, principal occupation, and employer of the individual filing a report of contributions over \$100 a year.

During each year in which an election occurs all businesses, persons, or groups which furnish certain services or supplies to a candidate (newspapers, radio, television, advertising, advertising agency services, accounting, billboards, printing, secretarial, public opinion polls, research and professional campaign consultant, media

production or preparation, or computer services) shall maintain a record of each transaction. Within thirty days after the election the supplier shall file a report of the complete record of each transaction with the candidate or group which costs \$250 in the aggregate. (Section 15.13.040)

State Tax Provision

A natural person residing in Alaska may claim an income tax credit not to exceed \$100 for the amount of specified political campaign contributions made during the tax year, in lieu of a federal credit. (Section 43.20.031(f))

Political Advertising

All printed or broadcast communications intended to influence an election or the outcome of a ballot question or proposition must contain the words "Paid For By" followed by the name and address of the candidate, group, or individual paying for the advertising. In the case of candidates or groups the campaign chairman's name shall also be given. (Section 15.13.090)

Penalties

Willful violation is a misdemeanor punishable by a fine not to exceed \$5,000 or by imprisonment not to exceed one year. Failure to file may also be penalized by a daily fine. (Section 15.13.120)

ALASKA

LOBBYING LAWS

(Alaska Statutes, Sections 24.45.001 through 24.45.181)

WHO is a "Lobbyist"

A person who is employed and receives payments, or who contracts for economic consideration, including reimbursement for reasonable travel and living expenses, to communicate directly or through his agents with any public official, for the purpose of influencing legislative or administrative action, if a regular or substantial portion of the activities for which he receives compensation is for that purpose; or who represents himself as engaging in influencing legislative or administrative action as a business. (Section 24.45.171)

Excludes:

- (1) An individual who receives no more than reasonable travel expenses, who makes no expenditure on behalf of a public official to influence legislation, and who limits lobbying activities to public session. .

ARIZONA

CAMPAIGN CONTRIBUTION LAWS

(Arizona Revised Statutes, Sections 16-901 through 16-923; 16-1019)

WHERE to File Statements and Obtain Forms

For state candidates, and for statewide initiatives and referenda file with:

Secretary of State
State Capitol
West Wing
Phoenix, Arizona 85007
(602) 255-4286

For county candidates, and for county initiatives and referenda, file with clerk of board of supervisors.

For municipal candidates, and for municipal initiatives and referenda, file with city or town clerk.

WHO Must File Statements

Each candidate and campaign committee. Each campaign committee which collects or expends money in political activity in support of or in opposition to an initiative or referendum shall file such a report with the Secretary of State (if statewide initiatives or referenda) or with the officer with whom nomination petitions of candidates are filed (if local initiatives or referenda). (Section 16-909)

WHEN to File Statements

15 to 10 days before a primary, general, or special election, 20 days after a primary election, and 30 days after a general or special election. (Sections 16-907, 16-909)

Rules Governing Contributions and Expenditures

- (1) The treasurer of a campaign committee shall record, within 5 days after receipt of a contribution, the name and address of the person from whom a contribution was received. (Section 16-904)
- (2) A person may not unlawfully promote the election of himself or any other person by furnishing certain goods or services at his expense. (Section 16-922)
- (3) A person may not volunteer his services and expect compensation without having been solicited for such assistance. (Section 16-923)

Contribution Limits

Corporations - Prohibited.
PACS - None.
Labor - Prohibited.
Individuals - None.

It is unlawful for a corporation or labor organization organized or doing business in Arizona to make any contribution of money or anything of value for the purpose of influencing an election. (Section 16-919)

Expenditures for the following purposes are not prohibited:

- (1) Communications by a corporation to its stockholders and executive or administrative personnel and their families, on any subject.
- (2) Non-partisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families or by a labor organization aimed at its members and their families. (Section 16-920)

Establishment of PACS

The establishment, administration and solicitation of voluntary contributions to a separate segregated fund is not considered a political contribution prohibited by law, and is thus permitted. (Section 16-920)

The establishment, administration and solicitation of voluntary contributions to a separate segregated fund (PAC) to be utilized for political purposes by a corporation, labor organization, membership organization, trade association, cooperative or corporation without capital stock shall not be construed to be a political contribution prohibited by law.

- (1) Physical force, threat of force, or any other kind of reprisal or condition may not be used by a fund to secure a contribution.
- (2) An employee solicited for a contribution to a fund must be informed of the political purposes of such fund at the time of such solicitation.
- (3) Any person soliciting an employee for a contribution to such a fund must inform such employee, at the time of such solicitation of his right to refuse to contribute without any reprisal.

It is unlawful for a corporation, or a separate segregated fund established by a corporation, to solicit contributions to such a fund from any person other than its stockholders and their families and for a labor organization, or a separate segregated fund established by a labor organization, to solicit contributions to such a fund from any person other than its members and their families except that:

- (1) A corporation or a PAC established by such corporation may make no more than two written solicitations by mail for contributions during the calendar year from any employee who is not a stockholder, executive or administrative personnel of such corporation, or the

families of such persons. Such a solicitation shall be so designed that the corporation or separate segregated fund cannot determine who makes a contribution of \$25 or less as a result of such solicitation, and who does not make such a contribution.

- (2) A labor organization, or a PAC established by such labor organization, may make no more than two written solicitations by mail for contributions during the calendar year from any stockholder, executive or administrative personnel or employee of a corporation who is not a union member, or the families of such persons, if such labor organization represents members working for such corporation; and shall be so designed that the labor organization or separate segregated fund conducting such solicitation cannot determine who makes a contribution of \$25 or less as a result of such solicitation, and who does not make such a contribution.

A membership organization, cooperative or corporation without capital stock, or a PAC established by such a group, is not prevented from soliciting contributions to such a fund from members of such group. Nor is a trade association, or a PAC established by a trade association, prevented from soliciting contributions from the stockholders and executive or administrative personnel of the member corporations of such trade association and the families of such stockholders or personnel.

Any method of soliciting voluntary contributions or of facilitating the making of voluntary contributions to a corporate PAC, permitted by law to corporations with regard to stockholders and executive or administrative personnel, shall also be permitted to labor organizations with regard to their members.

Any corporation, including its subsidiaries, branches, divisions and affiliates, that utilizes a method of soliciting voluntary contributions or facilitating the making of voluntary contributions shall make available such method, on written request and at a cost sufficient only to reimburse the corporation for the expenses incurred thereby, to a labor organization representing any members working for such corporation, its subsidiaries, branches, divisions, and affiliates. (Section 16-921)

Contents of Disclosure Statements

- (1) Each itemized contribution in excess of \$25 including promises to pay which are received by the candidate or those authorized by him.
- (2) The names and addresses of each contributor.
- (3) The aggregate sum contributed in amounts less than \$25.
- (4) The total sum of contributions.
- (5) A standard financial statement with contributions, promises, expenditures, loans, and advances grouped and summarized by category.
- (6) The total sum of expenditures. (Section 16-907)

State Tax Provision

A tax deduction of \$100 per individual for political contributions is permitted. (Section 43-1058)

Political Advertising

No person may remove or deface a political sign during the period commencing 45 days before the primary election and ending 7 days after the general election. (Section 16-1019)

Penalties

Failure to file a report, or filing a false report, is punishable as a misdemeanor. An illegal contribution by a corporation or labor union is a misdemeanor; the person through whom the violation is effected is guilty of a felony. (Section 16-919)

ARIZONA

. LOBBYING LAWS

(Arizona Revised Statutes, Sections 41-1231 through 41-1239)

WHO is a "Lobbyist"

A lobbyist is any person employed, retained, or representing a person other than himself, with or without compensation for the purpose of attempting to influence the passage or defeat of any legislation by communicating or attempting to communicate with any legislator, or for the purpose of attempting to influence any official action by communicating with or attempting to communicate with any officer or member of any state agency, board, commission or council. (Section 41-1231)

Excludes:

- (1) A person appearing on his own behalf before a committee of the legislature or before any state officer, to testify in support of or in opposition to legislation or official action.
- (2) A public official acting in his official capacity.
- (3) A person performing professional services in drafting bills or advising clients upon the construction and effect of proposed legislation.
- (4) An attorney representing clients before a court or quasi-judicial body.
- (5) A person contacting a legislator or public official for the purpose of acquiring information. (Section 41-1232)

ARKANSAS

CAMPAIGN CONTRIBUTION LAWS

(Arkansas Statutes, Sections 3-1102 through 3-1118)

WHERE to File Statements and Obtain Forms

Secretary of State
256 State Capitol
Little Rock, Arkansas 72201
(501) 371-1010

Pre-election reports must also be filed with the appropriate County Clerk.

Local candidates: File only with the appropriate County Clerk.

WHO Must File Statements

A candidate or person acting on such candidate's behalf.
(Section 3-1111, ff.)

WHEN to File Statements

A candidate for public office, other than in a school district, township municipal or county office, or a person acting in such candidate's behalf, receiving contributions in excess of \$250 per election from any person shall file contribution reports 25 days before, seven days before and 30 days after the election. A candidate for school district, township, or municipal office, or one acting on his behalf, receiving contributions in excess of \$100 per election from any person shall file contribution reports seven days before and 30 days after an election. A candidate for county office receiving over \$250 per election from any person must file seven days before and 30 days after each election. Supplemental reports shall be filed within 30 days of receipt of a contribution in excess of \$250 by state and county candidates or in excess of \$100 by city, township, or school district candidates, and shall contain the name, address and place of business of the person making such contribution.

A candidate for public office shall file a separate expenditure report with his final contribution report 30 days after the election. Supplemental reports shall be filed as necessary. (Section 3-1111)

Rules Governing Contributions and Expenditures

- (1) No person shall make an anonymous contribution totaling \$50 or more in a calendar year. (Section 3-1117)
- (2) No contribution shall be made by any person in the name of another. (Section 3-1117)

- (3) No contribution in excess of \$100 or expenditure in excess of \$50 shall be made in cash. (Section 3-1116)
- (4) A state political party may contribute up to \$2,500 to the campaign of its respective candidates per election. (Section 3-1110)
- (5) "Contribution" includes the purchase of tickets for fund-raising events, and the granting of discounts or rebates by media not extended on an equal basis to other candidates for the same office. Does not include: get-out-the-vote nonpartisan activities communications by an organization to its members or stockholders if such organization is not organized primarily for the purpose of influencing the election of a candidate. (Section 3-1109(B))

Contribution Limits

Corporations - \$1,500 per candidate per election.
PACS - \$1,500 per candidate per election.
Labor - \$1,500 per candidate per election.
Individuals - \$1,500 per candidate per election.

All of the above are considered "persons", and are subject to the limitations imposed upon "persons." (Section 3-1110)

Establishment of PACS

There is no specific statutory authority for the existence of PACS. A PAC is subject to the provisions governing a "person." (Section 3-1110)

Contents of Disclosure Statements

- (1) A list of all contributions.
- (2) The total amount of contributions.
- (3) A listing by contributor of each contribution in excess of \$100 for school district, township, and municipal candidates and a listing by contributor of each contribution in excess of \$250 for other state and county candidates.
- (4) Any personal loan made to the candidate by a financial institution which is applied toward the candidate's campaign.
- (5) A list of expenditures by categories including but not limited to television, radio, print, advertising, direct mail, office supplies, rent, travel, expenses, entertainment and telephone.
- (6) The names of all paid campaign workers and the amounts paid.
(Sections 3-1111, 1112)

State Tax Provision

An individual taxpayer is allowed a \$25 deduction for political contributions in computing his state income tax. (Section 84-2016.5)

Political Advertising

- (1) No statement, communication, or advertisement of a political nature may be published unless it plainly bears the names and addresses of those sponsoring and paying the cost of it. If the sponsors are organizations, then the names and addresses of the three officers shall also appear.
- (2) Every paid political advertisement appearing in a newspaper must be conspicuously marked "Advertisement". (Section 3-1104)

Penalties

Violation is punishable by a fine not to exceed \$1,000 or by imprisonment not to exceed one year, or both. (Section 3-1118)

ARKANSAS

LOBBYING LAWS

(Arkansas Statutes, Sections 4-801 through 4-804)

WHO is a "Lobbyist"

Any person, other than a member of the General Assembly, who, by his acts, as a representative of any recognized group or organization, or who for compensation, seeks to influence in any manner, the vote of any member or members of the House or Senate, or the actions of any of the Committees of the House or Senate, upon any bill, resolution or other measure pending before the House or Senate or any of the Committees thereof. (Section 4-801)

WHO Registers

- (1) Principal - NO
- (2) Lobbyist/Employee - YES

WHERE to Register

With the Chief Clerk of the House or Secretary of the Senate or with a committee chairman at the time of lobbying if not previously registered.

WHEN to Register

Prior to the time of lobbying. Registration is required once for every biennial session. (Section 4-803)

CALIFORNIA

CAMPAIGN CONTRIBUTION LAWS

California Government Code, Sections 81000 through 84309; 91000 through 91014; Election Code, Sections 11700 through 11802)

WHERE to File Statements and Obtain Forms

For statewide candidates and committees:

Secretary of State
925 L Street, Suite 605
Sacramento, California 95814
(916) 322-4880

Also file with the Registrar Recorder of Los Angeles County, with the Registrar of Voters of the City and County of San Francisco, and, if there is a California address, with the county of domicile.

For non-statewide office: file with the Secretary of State and/or the appropriate local officer.

WHO Must File Statements

All candidates and all committees if they have made or received contributions or made expenditures during the six calendar months before the closing date of such statements.
(Section 84200)

WHEN to File Statements

Not later than July 31 and January 31. When expenditures or contributions of \$500 or more have been made during specified threshold periods, candidates and committees file campaign statements: (a) no later than March 22; b) no later than 12 days before the first Tuesday after the first Monday in June; c) September 22; d) 12 days before the first Tuesday after the first Monday in November.

If an election is held on a date other than the first Tuesday after the first Monday in June, or the first Tuesday after the first Monday in November, statements shall be filed 40 days before the election; 12 days before the election; and 65 days after the election. (Sections 84200, 84205)

Each late contribution of \$1000 or more and each late independent expenditure made or accepted by a candidate or committee must be reported within 48 hours of the time it is made or received.
(Sections 82036, 8203.5, 84206, 84207)

Rules Governing Contributions and Expenditures

- (1) No contribution or expenditure of \$100 or more shall be made in cash. (Section 84301)
- (2) No contribution shall be made directly or indirectly by any person in a name other than the name by which such person is identified for legal purposes. (Section 84301)
- (3) No person shall make a contribution on behalf of another without disclosing to the recipient both his full name, occupation and address, and those of his principal. (Section 84302)
- (4) No expenditure shall be made, other than overhead or normal operating expenses, by an agent or independent contractor, including but not limited to an advertising agency, on behalf of any candidate or committee unless the expenditure is reported by the candidate or committee or in a campaign statement filed by the agent or independent contractor. (Section 84303)
- (5) No person shall make an anonymous contribution to a candidate, committee, or any other person totalling \$100 or more in a calendar year. (Section 84304)
- (6) No person shall make an expenditure for the purpose of mass mailing unless the sender shows his name and address on the outside of each piece of mail and on at least one insert included within each piece. (Section 84305)
- (7) "Contribution" includes an expenditure made at the behest of a candidate; committee or elected officer unless consideration is received for the expenditure. The term also includes the purchase of tickets for fund-raisers, the granting of discounts or rebates not granted to the general public, and rebates or discounts offered by news media not extended equally to all candidates for the same office. "Contribution" does not include up to \$500 of costs incurred for any meeting or fund-raising event held in an occupant's home or office. (Section 820125)
- (8) A loan received by a candidate or committee is a "contribution" unless the loan is received from a commercial lending institution in the ordinary course of business or it is clear from the surrounding circumstances that it is not made for political purposes. (Section 84216)

Contribution Limits

Corporations - None.
PACS - None.
Labor - None.
Individuals - None.

"Person" is defined as an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, corporation, association, committee or any other organization or group of persons acting in concert. (Section 82047)

Establishment of PACS

A PAC is, in the majority of cases, deemed a "recipient committee," one which receives \$500 or more in contributions during a calendar year. Filing obligations are determined by further classifying a

PAC as a "general purpose committee," in most cases. A "general purpose committee" is one which is involved in campaigns in more than one jurisdiction. (Section 82013)

Every recipient committee shall file with the Secretary of State a statement of organization within 10 days after it has qualified as a committee. Any change in the statement shall be filed within 10 days of the change. The statement of organization shall include:

- (1) The name, address and telephone number of the committee, of its treasurer and other principal officers, and of each person with which the committee is connected.
- (2) The office sought by a candidate or an identification of any ballot measure which the committee supports or opposes as its primary activity. If such support or opposition is not its primary activity, a committee shall briefly describe its political activities.
- (3) A statement of whether the committee is independent or controlled, and the name of each candidate or committee which controls the filing committee.
- (4) The disposition of surplus funds which will be made in the event of dissolution. (Sections 84102, 84103)

A recipient committee shall terminate upon filing a necessary termination statement, once it is shown that the committee has no further activity which must be disclosed. (Section 84214)

Contents of Disclosure Statements

- (1) The total amount of contributions received during the period from persons who have contributed a cumulative amount of \$100 or more.
- (2) The total amount of contributions received during the period from persons who have given a cumulative amount less than \$100.
- (3) The total amount of expenditures made during the period to persons who have received \$100 or more.
- (4) The total amount of expenditures made during the period to persons who have received less than \$100.
- (5) The balance of cash on hand at the beginning and end of the period.
- (6) The total amount of contributions received during the covered period and the total cumulative amount received.
- (7) The total amount of expenditures made during the covered period and the total cumulative amount made.
- (8) The name of each person who has contributed \$100 or more, together with his street address, occupation, the name of his principal or his place of business, the date and amount of each contribution, and the cumulative amount he contributed. If the contributor is a committee, the number assigned the committee by the secretary of state shall be included.
- (9) The name of each person who is directly or indirectly liable on a loan, together with his or her street address, occupation, the name of his or her principal or place of business, and the amount of his or her maximum liability.
- (10) The full name and street address of each person to whom an expenditure totaling \$100 or more has been made, together with the amount of each separate expenditure, a description of the

consideration for the expenditure, the name and address of the person providing consideration if different than the payee.

- (11) In a statement filed by a committee supporting or opposing more than one candidate or measure, the amount of expenditures totalling \$100 or more. (Section 84211)

A committee shall file independent expenditure reports according to the schedule governing campaign statements if it has made independent expenditures totalling \$500 or more in a calendar year. (Section 84208)

A committee that makes contributions of \$15,000 or more in support of or in opposition to candidates or state measures voted on at a special election shall file reports according to the schedule that measures governing campaign statements. (Section 84210)

Tax Provision

An income tax deduction not to exceed \$100 per year is allowed to an individual for political contributions, and up to \$200 for a married couple filing jointly. (Revenue and Taxation Code, Sections 17214, 17215)

Political Advertising

- (1) Every advertisement or other printed material having reference to an election, candidate or measure and containing an endorsement must state whether the endorsement is official or not. (Election Code, Sections 11703, 11704)
- (2) Paid political announcements in newspapers must be represented as such. (Election Code, Section 11708)
- (3) Any notice required to be printed must be read if an advertisement is broadcast or telecast. (Election Code, Section 11705)
- (4) No candidate or committee shall misrepresent that he has the support of a committee or organization when that is not the case. (Election Code, Section 11707)
- (5) No newsletter or mass mailing shall be sent by a candidate at public expense. (Election Code, Section 11800)

Penalties

A person who makes or receives an illegal contribution can be civilly liable for \$500 or for three times the amount of contribution, whichever is greater. Where no civil penalty is provided by law a violator can be found civilly liable for an amount up to \$2,000. (Sections 91005, 9100.5)

A person who knowingly or willfully violates the provisions of the statute is guilty of a misdemeanor punishable by a fine of up to the greater of \$10,000, or three times the amount the person failed to report properly or unlawfully contributed or received. (Section 91000)

For late filing of a statement or report, a fine of \$10 per day, \$100 maximum is imposed. (Section 91013)

CAMPAIGN CONTRIBUTION LAWS

(Colorado Revised Statutes, Sections 1-45-101 through 1-45-121)

WHERE to File Statements and Obtain Forms

For statewide or multi-county office:

Secretary of State
 1575 Sherman Street, Room 211
 Denver, Colorado 80203
 (303) 866-2041

All others: With the appropriate County Clerk.

WHO Must File Statements

Any candidate, and any political committee which receives more than \$250 in contributions in a calendar year in the aggregate. (Sections 1-45-104, 105)

WHEN to File Statements

Eleven days before and 30 days after an election, with annual updates. Supplemental reports will be filed one year after the election and every year thereafter until no unexpended balance and no deficit is shown. Contributions in excess of \$500 received within 16 days before the election shall be reported within 48 hours of receipt.

Rules Governing Contributions and Expenditures

- (1) No person shall make any contribution in cash exceeding \$100 in support of or opposition to any candidate, political committee, or issue. (Section 1-45-111)
- (2) No candidate or political committee shall make any expenditure in cash exceeding \$100 for any purpose related to a candidate's campaign or the passage or defeat of an issue. (Section 1-45-112)
- (3) No agency, department, board, or commission of the state or its subdivisions may make a contribution or contribution-in-kind in a campaign involving nomination, retention or election of any person to a public office, unless the campaign involves issues in which they have an official concern. (Sections 1-45-116)
- (4) "Contribution" excludes "in-kind" transfers of items of real or personal property other than money. (Section 1-45-103)

Contribution Limits

Corporations - None. (the statute does not address the issue directly)

PACS - None.
Labor - None.
Individuals - None.

House Bill 1153 (1983) eliminated the prohibition against using funds or property of insurance companies or associations for political purposes. (Formerly Section 10-3-11)

Corporations are considered "persons" and are subject to the provisions governing "persons". (Section 1-45-103(9))

Establishment of PACS

A PAC is considered a "political committee", whose definition includes a separate political education or political action fund or committee which is associated with an organization or association formed principally for some other purpose. (Section 1-45-103(10))

Contents of Disclosure Statement

- (1) The amount of funds on hand at the beginning of the reporting period.
- (2) The name and address of a person who contributes an aggregate in excess of \$25 or a contribution in excess of \$100, giving the amount and date of each contribution.
- (3) The total sum of all contributions or contributions-in-kind made.
- (4) The name and address of each person to whom expenditures have been made in excess of \$25, giving the amount, date, and purpose of each expenditure and the name and office sought by each candidate on whose behalf the expenditure was made.
- (5) The total sum of all expenditures made by the political committee during the reporting period.
- (6) The name and address of the depository for the funds.

Any association, political party, political organization, corporation, labor organization, or any other group of persons which receives contributions or contributions-in-kind from any person through events such as dinners, luncheons, rallies, or other fund-raising events and intends to give the contributions to another organization or group of persons which will in turn distribute or contribute the amount to one or more political candidates or political committees needs to report only the name and address of each person who contributes an aggregate in excess of \$25 or a contribution-in-kind in excess of \$100, giving the amount and date of each contribution. These filing requirements shall not apply to the part of the organization structure of a political party which is responsible for day-to-day operations at the national level if reports required by federal law are filed with the Secretary of State and include the same information. (Section 1-45-108)

State Tax Provision: None.

Political Advertising

No candidate shall pay any radio, television, newspaper or periodical a higher charge for political advertisements than is

CONNECTICUT

CAMPAIGN CONTRIBUTION LAWS

(Connecticut General Statutes, Chapter 150, Sections 9-335 through 9-348)

WHERE to File Statements and Obtain Forms

For multi-county candidate committees:

Secretary of State
State Capitol
Hartford, Connecticut 06115
(203) 566-4135

For other candidates: file with appropriate town clerk.

WHO Must File Statements

Each individual, each principal campaign treasurer, and each campaign treasurer of a political committee expending or receiving \$500, and each political committee formed solely to promote the success or defeat of a constitutional amendment or other ballot question, expending the lesser of 10 cents per resident of the voting district, or \$1000, shall file campaign statements. (Section 9-348h)

WHEN to File Statements

The statements shall be filed the second Thursday in the months of January, April, July, October; 7 days before an election or primary; 45 days after an election; and 30 days after a primary. Supplementary reports are filed every 90 days until the deficit or surplus is eliminated. (Section 9-348h)

Statements by state central committees and committees established by an organization, organized for ongoing political activity shall file January 30, April 10, July 10, and 12 days prior to election. A continuing political committee, regardless of the amount it has received or expended, must file the statements due in January and 7 days preceding any election. (Section 9-348p)

Rules Governing Contributions and Expenditures

- (1) Each anonymous contribution in excess of \$15 received by a committee shall immediately be remitted to the state treasurer. (Section 9-348d)
- (2) A person is prohibited from making a contribution in a name other than the name of the actual contributor. (Section 9-348k)
- (3) A cash contribution in excess of \$50 is prohibited. (Section 9-348k)

- (4) A testimonial affair may be held in the calendar year before the election of the person or within 90 days after the election, unless a deficit exists. If a deficit exists, testimonial affairs may be held until the deficit is eliminated. (Section 9-348m)
- (5) A contribution on a joint bank account is attributed to the signer of the check. If more than one person signs the check, the contribution is divided among them. (Section 9-348q)
- (6) An organization may make contributions or expenditures only after it forms its own political committee. The political committee shall then be authorized to receive funds exclusively from such organization's treasury, from another political committee or a candidate committee and to make political contributions or expenditures. An organization may form only one political committee. (Section 9-336c)
- (7) No political committee established by an organization shall make contributions for statewide offices which exceed \$50,000 for any single election and its primary. (Section 9-336d)
- (8) Individual contributions or contributions by a political committee established by an organization to committees in any calendar year shall not exceed \$5000 to a state central committee, \$1000 to any party committee or, \$500 to any other political committee (except to a ballot question or constitutional amendment committee). (Sections 9-336e, 9-348s)
- (9) No political committee established by an organization shall make contributions to the committees listed in (8) which aggregate in excess of \$15,000 in one calendar year. (Section 9-336e)
- (10) No individual may make contributions to a candidate committee and a political committee formed solely to support one candidate in an amount exceeding the maximum amount which may be contributed to the candidate. (Section 9-348s)
- (11) Any stock corporation, other business organization or other organization which spends or contributes more than \$1000 where a constitutional amendment or a ballot question is to be voted on, shall file reports and comply with requirements which apply to political committees. (Section 9-336f)
- (12) A political committee shall not receive contributions from, nor make contributions to a national committee or a committee of a candidate for federal or out-of-state office. (Section 9-336i)
- (13) "Contribution" does not include any communication or non-partisan voter registration or get-out-the-vote campaigns by any corporation, labor organization or other membership organization aimed at its members, owners, stockholders, executive personnel, and their families. (Section 9-335)
- (14) Any person who solicits, makes or receives a contribution otherwise prohibited in this chapter is guilty of corrupt practices. (Section 9-348k)

Contribution Limits

Corporations - Prohibited.

- PACS - (a) Established by 2 or more individuals: No limit.
(b) Established by labor organizations: The limits are the same as that for individuals. (\$50,000 aggregate per election).
(c) Established by a stock corporation or other business organization: The limits are twice the limits on individuals.

Labor - Prohibited.

Individuals - Between \$2,500 and \$250 per candidate. (see below)

Individual contributions or contributions by a political committee established by a labor organization to candidates shall not exceed \$2,500 for the office of Governor; \$1,500 for Lt. Governor, Secretary of State, Treasurer, Comptroller, Attorney General; \$1,000 for sheriff or other chief executive officer of a municipality; \$500 for senator or probate judge; \$250 for State Representative or any other municipal office not covered elsewhere. No individual shall make contributions of more than \$1,000 to a municipal candidate. There is an aggregate limit for individual contributions of \$15,000 per election. (Sections 9-336d, 9-348r)

A political committee organized by a stock corporation or other business organization may not make contributions to the candidates designated above which in the aggregate exceed \$100,000 for any single election and its primary. (Section 9-336g)

An individual may make unlimited expenditures to aid or promote the success or defeat of any ballot question or may make unlimited expenditures to any political committee formed solely to defeat or promote such ballot question. But an individual or a stock corporate or other organization which spends in excess of the lesser of 10 cents per person residing in the affected voting district or political subdivision or \$1000 to aid or defeat any constitutional amendment, referendum question or question to be voted on in an election shall file a financial report similar to the one that political committees file. (Section 9-336f)

No stock corporation, or other business organization or other organization shall make any contributions or expenditures to or for the benefit of, any candidate's campaign for election to any public office or for nomination at any primary for such offices, or to promote the defeat of any candidate for any political office, or to promote the success or defeat of any political party, except it may make a contribution to a political committee established to support or defeat a ballot question in an amount not to exceed 10 cents per person residing in the state or political subdivision thereof in which a constitutional amendment, referendum question, or question to be voted at any election is held. (Section 9-336b)

An ongoing political committee, or one formed for a single election may not contribute more than \$2,000 per election to another

committee. A PAC may contribute to another PAC without limit.
(Section 9-336i)

Establishment of PACS

A PAC is a "political committee" which may be established three different ways:

- (1) By 2 or more individuals.
 - (2) By labor organizations.
 - (3) By a stock corporation or other business organization.
- (Section 9-335)

A stock corporation or other business organization may make reasonable and necessary contributions to a political committee established by such stock corporation or other business organization for the administration or solicitation of contributions to such political committee except that non-monetary contributions by a stock corporation or other business organization which are incidental in nature and are directly attributable to the administration of such a political committee shall be exempt from the reporting requirements of this statute. Non-partisan voter registration and get-out-the-vote campaigns, and other communications, aimed by corporations and other organizations at members and families, are not considered "contributions" or "expenditures." (Section 9-336b)

Corporations or business organizations which have established Federal Political Action Committees are not barred from contributing to Connecticut campaigns, but they must file as a Connecticut committee and meet all obligations required of the particular kind of committee established. (State Elections Commission, Advisory Opinion, No. 76-20.)

Contents of Disclosure Statements

- (1) The name and address of each contributor and an itemized account of each contribution.
- (2) The total amount received and the denomination of bills for each anonymous contribution.
- (3) The name and address of each payee of an expenditure, giving the amount and purpose of the expenditure.
- (4) The sum of all individual contributions totalling \$30 or less.
- (5) The receipts and expenditures relative to any testimonial affair or any other fund-raising affair.
- (6) The balance or deficit on hand.
- (7) Name and address of any loan guarantor or co-signor of a note. (Sections 9-348h, 9-348p)

State Tax Provision: None.

Political Advertising

All campaign material, except campaign pins, buttons, bumper stickers and the like, must identify the person or group responsible for the material. The chief officer of a committee,

corporation or other organization must be identified.
(Section 9-348dd)

Penalties

Failure to file timely reports is punishable by a late filing fee of \$50 in addition to a fine not to exceed \$1,000 or imprisonment not to exceed one year, or both.

Knowing and willful violation of the campaign statutes is punishable by a fine not to exceed \$5,000 or imprisonment not to exceed 5 years, or both. (Section 9-3481)

CONNECTICUT

LOBBYING LAWS

(Connecticut General Statutes, Chapter 10, Sections 1-91 through 1-103)

WHO is a "Lobbyist"

A person who communicates directly, or solicits others to communicate with, any official or his staff in the Legislative or Executive Branch of government for the purpose of influencing legislative or administrative action, or in furtherance of such action makes or agrees to make expenditures, or receives or agrees to receive compensation, reimbursement, or both and such compensation, reimbursement or expenditures are \$500 or more in any calendar year or the combined amount thereof is \$500 or more in any calendar year.

Excludes:

- (1) Public official including a Senator or Representative in Congress or government employee acting within the scope of his authority.
- (2) Newsperson.
- (3) An individual representing himself or another for a purpose other than influencing administrative or legislative action.
- (4) An uncompensated individual who limits himself to formal appearances before public sessions to give testimony and who registers his appearances in the committee's or agency's records.
- (5) Member of an advisory board acting within the scope of the authority.
- (6) Any person who receives no compensation or reimbursement specifically for lobbying and who spends five hours or less in furtherance of lobbying, and such person receives no more than \$500 aggregate in any calendar year for lobbying exclusive of salary nor expends more than \$50 for the benefit of a public official or his family or staff. (Section 1-91)

DELAWARE

CAMPAIGN CONTRIBUTION LAWS

(Delaware Code, Title 15, Chapter 80, Sections 8001 through 8013)

WHERE to File Statements and Obtain Forms

State Election Commissioner
101 Court Street
Dover, Delaware 19901
(302) 736-4277

WHO Must File Statements

Each candidate and each political committee treasurer. (Section 8007)

WHEN to File Statements

Twenty days prior to the date of an election, by December 31 of the year following the election, and by December 31 of each year thereafter until the fund is closed. (Section 8007)

Rules Governing Contributions and Expenditures

- (1) The candidate and his immediate family may not contribute in excess of \$5,000 to the candidate or the political committees supporting the candidate in any single election.
- (2) It shall be unlawful for any person to contribute in excess of \$50 in cash to a candidate or political committee.
- (3) It shall be unlawful for a person to make a contribution anonymously, in a fictitious name, or in the name of another.
- (4) It shall be unlawful for any person (other than a political committee or candidate) to make a contribution or expenditure other than a contribution to a candidate or political committee in an aggregate amount in excess of \$100 in connection with any primary, general, or specific election campaign without having the written approval of the candidate. (Section 9004)

Contribution Limits

Corporations - \$1000 per statewide candidate per election; \$500 per non-statewide candidate.

PACS - \$1000 per statewide candidate per election; \$500 per non-statewide candidate.

Labor - \$1000 per statewide candidate per election; \$500 per non-statewide candidate.

Individuals - \$1000 per statewide candidate per election; \$500 per non-statewide candidate.

A "person" is defined as any individual, corporation, company, association, firm, partnership, society, or joint stock company. (Section 8001(9))

Establishment of PACS

A PAC is considered a "political committee". A "political committee", in turn, means an "organization or association..." which, in turn, makes it a "person" and makes a PAC subject to provisions governing "persons." (Section 8001)

Contents of Disclosure Statements

- (1) The amount of cash on hand at the beginning of the reporting period.
- (2) The name and address of each person who has contributed an aggregate amount in excess of \$100, giving the date and amount of such contributions.
- (3) The total sum of individual contributions which were less than \$100.
- (4) The name and address of each candidate or political committee from which or to which funds were transferred, giving the date and amount of the transfer.
- (5) Each loan from any person within the calendar year with an aggregate value in excess of \$100, giving the names and addresses of the lenders or endorsers and the date and amount of the loans.
- (6) The amount collected from sales and collections at fund-raising events.
- (7) Any receipt in excess of \$100.
- (8) The total sum of all receipts by a political committee for a candidate during the reporting period.
- (9) The name and address of each person to whom expenditures have been made on behalf of the candidate in an aggregate amount in excess of \$100, giving the amount, date, the purpose of each expenditure, and the office sought by the candidate on whose behalf the expenditure was made.
- (10) The total sum of expenditures made by the candidate or committee in connection with the campaign.
- (11) The amount and nature of debts and obligations owed by or to the political committee. (Section 8007)

State Tax Provision: None.

Political Advertising

All campaign material, except campaign buttons and bumper stickers, must bear the words "Paid For By" and the name of the person or group responsible for the material. (Section 8005)

Penalties

Any person who makes or accepts an unlawful contribution or who makes an unlawful expenditure shall be guilty of a misdemeanor.

Any candidate whose expenditures exceed expenditure limits shall be fined an amount not less than twice the amount by which the expenditure limit was exceeded nor more than ten times the amount by which the expenditure limit was exceeded.

Any candidate or campaign treasurer who knowingly files a false report or fails to file a report shall be guilty of a misdemeanor:
(Section 8011)

DELAWARE
LOBBYING LAWS

(Delaware Code, Title 29, Chapter 16, Sections 1601 through 1607)

WHO is a "Lobbyist"

Any individual who acts to promote, advocate, influence, or ~~organize~~ any matter pending before the General Assembly by direct communication and who in connection therewith:

- (1) Has received or is to receive compensation in whole or part from any person.
- (2) Is authorized to act as a representative of any person who has as a substantial purpose the influencing of legislative action.
- (3) Expends any funds during the calendar year for food, entertainment, lodging, travel, gifts, or contributions (excluding political contributions) to influence legislation.

Excludes:

- (1) Persons performing professional services drafting bills.
- (2) Persons testifying publicly before the General Assembly who do not otherwise act as legislative agents.
- (3) Elected officials acting pursuant to their duties.
- (4) Persons who in relation to their employment communicate with the General Assembly, if the communication is isolated, exceptional or infrequent.
- (5) Persons communicating with the General Assembly on a matter of personal interest.
- (6) Persons appearing on behalf of a religious organization.
(Section 1601)

WHO Registers

- (1) Principal - NO
- (2) Lobbyist/Employee - YES

WHERE to Register and File Reports

Legislative Council
Legislative Hall
Dover, Delaware 19901
(302) 678-4114

FLORIDA

CAMPAIGN CONTRIBUTION LAWS

(Florida Statutes, Sections 106.011 through 106.29)

WHERE to File Statements and Obtain Forms

For multi-county elections:

Secretary of State
Division of Elections
The Capitol, Room 1801
Tallahassee, Florida 32301
(904) 488-7690

For other elections: file with the local supervisor of elections in the county where the candidate resides.

WHO Must File Statements

Each campaign treasurer designated by a candidate or by a political committee, and each political party. (Sections 106.07, 106.29)

On the tenth day following the end of each calendar quarter from the time a campaign treasurer is appointed. Following the last day of qualifying for office, reports are filed:

- (1) On the Friday preceding the election, by a candidate who is unopposed.
- (2) On the Friday immediately preceding the general election, by a candidate who is unopposed in the general election.
- (3) On the 4th, 18th and 32nd days immediately preceding each election, by a candidate who is opposed in any election, by a political committee or by a committee of continuous existence.
- (4) 45 days after the last election in a given election period in which a political committee participates, 90 days after a primary election in which a candidate is eliminated for nomination or election to office, or 90 days after a general election by all participating candidates.

Supplemental reports on the first Monday of each calendar quarter until no expended balance or deficit remains. (Section 106.07)

Rules Governing Contributions and Expenditures

- (1) No person shall make or accept a contribution in cash in excess of \$100. (Section 106.09)
- (2) No person shall make a contribution in the name of another. (Section 106.08)
- (3) No person may make a contribution in excess of \$1000 to any

other person, to be used by such other person to make an independent expenditure.

- (4) No candidate shall hold a testimonial for fund-raising purposes unless written notice is first filed with the appropriate officer. Detailed accounts of contributions made must be maintained and reported. No person may purchase more than \$1000 worth of tickets or donate more than \$1000 to such testimonial. (Section 106.025)
- (5) Any contribution received by a candidate or political committee less than 5 days prior to an election, or after withdrawal or election, shall be returned to the contributor. (Section 106.08)
- (6) Each person who makes an independent expenditure which, in the aggregate, totals \$100 or more with respect to any candidate or issue shall file periodic reports of such expenditures in the same manner and at the same time as a political committee supporting or opposing such candidate or issue. (Section 106.071)
- (7) No committee of continuous existence shall contribute to any candidate or political committee an amount in excess of the contribution limits set out in the statute. (Section 106.04)
- (8) A "committee of continuous existence" means any group, organization, association, or other such entity which is certified as such, is organized according to a charter or bylaws, and derives at least 25% of its income from regular dues or assessments of its members. (Section 106.04)

Contribution Limits

Corporations - \$3000 per statewide candidate, per election, \$1000 to others.

PACS - \$3000 per statewide candidate, per election, \$1000 to others.

Labor - \$3000 per statewide candidate, per election, \$1000 to others.

Individuals - \$3000 per statewide candidate, per election, \$1000 to others.

No person or political party (except a state or county executive committee of a political party, or a candidate) may contribute in a single election, whether it is a primary or general election, in excess of:

- (1) \$1000 to a candidate for county-wide office or a lesser office.
- (2) \$1000 to a candidate for legislative or multi-county office.
- (3) \$3000 to a candidate for statewide office.
- (4) \$3000 to a political party supporting or opposing a statewide issue.
- (5) \$1000 to a political party supporting or opposing an issue to be voted on in a district-wide, county-wide, or less than county-wide election.
- (6) \$1000 to a political committee supporting or opposing one or more candidates.
- (7) \$1000 to \$3000 to judicial candidates. (Section 106.08)

A "person" is defined as an individual, corporation, association, firm, partnership, joint venture, joint stock company, club, organization, estate, trust, business trust, syndicate or other

combination of individuals having collective capacity.
(Section 106.011)

Establishment of PACS

A PAC is a "political committee", defined as a combination of two or more individuals, or a person other than an individual, whose primary or incidental purpose is to support or oppose any candidate, issue or political party and which accepts contributions or make expenditures during a calendar year in an aggregate amount in excess of \$100. Corporations are not political committees if their political activities are limited to contributions from corporate funds to candidates or political committees or expenditures in support or opposition of an issue, and if no contributions are received by such corporations. (Section 106.011)

Contents of Disclosure Statements

- (1) The name and address of each person who contributes to the candidate during the reporting period and the date and amount of the contribution. If the contribution is \$100 or more, the occupation and principal place of business shall be given.
- (2) The name and address of each political committee from which, or to which, the reporter transferred any funds.
- (3) Each loan, giving the names, addresses, occupations and principal places of business of the lenders and endorsers and the amount of the loans.
- (4) The total amount of proceeds from each campaign fund raiser, and from the sales of campaign items.
- (5) The total sum of all receipts during the reporting period.
- (6) The name, address, and principal place of business of each person to whom expenditures were made, giving the amount, date, and purpose of each expenditure. Expenditures from petty cash need not be individually reported.
- (7) The total amount withdrawn and the total amount spent for petty cash.
- (8) The total sum of expenditures during the reporting period.
- (9) The amount and nature of debts owed by or to the committee.

Any committee which deposits all contributions received in a national depository from which the political committee receives funds to contribute to state and local candidates may file with the Secretary of State a list of contributions required by the federal law in lieu of any report required by the Florida statute. However, any contribution or expenditure not required to be reported under the federal law shall be reported in accordance with state law. (Section 106.07)

A committee of continuous existence shall also file an annual report every January containing a complete financial statement of income expenses from the preceding 12 months, a copy of the charter or bylaws and a copy of the dues or assessment formula or schedule, and identifying the chief officer of the committee. Further reports are filed according to the schedule for candidates and political committees. (Section 106.04)

State Tax Provision: None.

Political Advertising

- (1) Broadcast and publication rates for political advertising for one candidate shall not exceed the rates charged other political candidates. (Section 106.16)
- (2) Any political advertisement endorsing a candidate must state whether or not written permission was obtained to advertise such endorsement. Section 106.143)
- (3) Any political advertisement shall state prominently "Paid political advertisement paid for by..." The payor shall insert his name and address in the space. (Section 106.143)
- (4) Any political advertisement paid for by an independent expenditure shall state prominently "Paid political advertisement paid for by....independently of any candidate." The payor shall insert his name and address in the space. (Section 106.071)
- (5) Every group or organization, except one affiliated with a political party, which intends to endorse a candidate, or to endorse or oppose any referendum, by means of political advertisement, shall file a statement prior to publication, broadcast or distribution, describing the organization and the sources of its funds. (Section 106.144)

Penalties

A corporation which knowingly and willfully violates the contribution restrictions shall be guilty of a misdemeanor and shall be fined between \$1000 and \$10,000 and shall be forced to dissolve or forfeit its right to do business. (Section 106.08)

Any person who knowingly violates the contribution restrictions and reporting provisions, in addition to other penalties imposed, shall pay the state a civil penalty equal to three times the amount involved in the illegal act. (Section 106.19)

FLORIDA

LOBBYING LAWS

(Florida Statutes, Sections 11.045 through 11.061)

WHO is a "Lobbyist"

Any person who seeks to encourage the passage, defeat or modification of any legislation in the House or Senate or any committee thereof. (Section 11.045(2))

GEORGIA

CAMPAIGN CONTRIBUTION LAWS

(Code of Georgia, Sections 21-5-1 through 21-5-14; Section 14-5-6)

WHERE to File Statements and Obtain Forms

For state candidates:

Secretary of State
State Capitol
Atlanta, Georgia 30334
(404) 656-2871

For county candidates: file with the appropriate county probate judge.

For municipal candidates: file with the appropriate town clerk.

State candidates must also file copies of statements with the appropriate probate judge, in county of residence.

WHO Must File Statements

The candidate or the chairman or treasurer of each candidate campaign committee; and the chairman or treasurer of every recall or ballot question campaign committee that receives or expends more than \$500. (Section 21-5-5)

WHEN to File Statements

Each candidate's campaign committee shall file a financial report 45 days and 15 days before a primary election and 10 days after a primary election. A recall or ballot question campaign committee shall file 15 days before the election and shall file a final report by December 31, of the election year. Candidates shall file 15 days before the election and shall file a final report by December 31, of the election year. Candidates shall make reports 15 days before a general or special election; December 31, of an election year; and December 31, of each year thereafter for supplemental reports. (Section 21-5-5)

A member of the General Assembly or his or her campaign committee who accepts a reportable campaign contribution during a legislative session shall report it to the proper authority on the first day of the month following the month in which the contribution was accepted. The person who makes such contribution shall also report it. (Section 21-5-10.1)

Rules Governing Contributions and Expenditures

- (1) No anonymous contributions may be made. (Section 21-5-6)
- (2) Except as provided otherwise, no contributions to bring about the nomination or election of a candidate shall be made except directly to the candidate or his campaign committee. (Section 21-5-6)
- (3) "Contribution" includes not only the transfer of personal funds to a candidate's campaign committee for its expenditure on behalf of the candidate's campaign but also a candidate's expenditure of said funds toward the same end. (Section 21-5-3)
- (4) Any person who accepts contributions for, makes contributions to, or makes expenditures on behalf of the candidate is subject to the same reporting requirements as the candidate unless the contributions or expenditures 1) are made directly to the candidate or his committee, 2) are made only to one candidate, or 3) do not exceed \$500 in the aggregate. When such a person gives a contribution to a member of the General Assembly or that member's campaign committee during a legislative session, the contributor shall report it to the proper authority on the first day of the month following the month in which the contribution was given. (Section 21-5-4)
- (5) When a contribution consists of the proceeds of a loan, advance or other extension of credit, the report shall contain the name of the lending institution or party, the names, addresses and occupations of all persons liable on the loan and their fiduciary relationships with the lending institution, if any. (Section 21-5-4)

Contribution Limits

Corporations - Prohibited under certain circumstances.

PACS - No Limit.

Labor - No Limit.

Individuals - No Limit.

A person acting on behalf of a public utility corporation regulated by the Public Service Commission shall not make, directly or indirectly, any contribution to a political campaign. (Section 21-5-10)

It is illegal for a corporation incorporated in or doing business in Georgia to contribute to an incumbent state officer of the legislative, executive or judicial branch, in order to influence official action. This does not prohibit a corporate contribution to the election or reelection campaign of an incumbent candidate for state office. (Section 14-5-6); 1975 opinion attorney general. number 75-143.

Establishment of PACS

A PAC is subject to the provisions governing a "person," which include a committee, corporation, labor union or any organization or group of persons. (Section 21-5-3)

Contents of Disclosure Statements

- (1) The amount, name and address of each person contributing \$101 or more, including amounts for the purchase of tickets for fund-raising events.
- (2) The name, address and occupation of any person to whom an expenditure of \$101 or more is made and the amount and purpose of the expenditure.
- (3) The names, addresses, occupations and any fiduciary relationships to the lending institutions of those liable on a loan, when a loan, advance or extension of credit has been made. (Section 21-5-5)

State Tax Provision: None.

Political Advertising

- (1) No person shall publish or distribute campaign literature without the names and addresses of the persons responsible appearing on the literature. If an organization is responsible, the names and addresses of three of its officers shall appear on the literature. If the candidate is responsible, his name and address and the office for which he is running shall appear on the literature.
- (2) No person shall use the name of an existing person or any colorable imitation thereof as an endorsement without the authorization of the person. (Section 21-2-415)

Penalties

A person's first violation of the Campaign and Financial Disclosure Act is a misdemeanor. A person's second violation of the Campaign and Financial Disclosure Act is a felony punishable by one to five years imprisonment or by a fine not to exceed \$5000, or both. (Section 21-5-14)

A corporation that violates the provisions concerning illegal contributions, if convicted, may be punished by a fine which is the lesser of \$1000 or ten times the amount of the illegal contribution, or by imprisonment from one to four years, or both. (Section 14-5-6)

GEORGIA

LOBBYING LAWS

(Code of Georgia, Sections 28-7-1 through 28-7-5)

WHO is a "Lobbyist"

Anyone who personally solicits a member of the General Assembly during a session to favor or oppose legislation. Anyone who misrepresents the nature of his interest in the matter to such

HAWAII

CAMPAIGN CONTRIBUTION LAWS

(Hawaii Revised Statutes, Chapter 11, Sections 11-191 through 11-229)

WHERE to File Statements and Obtain Forms

Campaign Spending Commission
State Capitol, Room 008
Honolulu, Hawaii 96813
(808) 548-5411

In counties having less than 200,000 voters, file with either the Commission or the clerk of the county where the candidate resides.

WHO Must File Statements

Each committee which spends more than \$1000 aggregate per election, each candidate and each party. (Sections 11-194, 11-191(6))

WHEN to File Statements

A preliminary report not later than the 10th working day prior to each election and a final primary report not later than the 20th calendar day after a primary or special primary election. A final general report not later than the 30th day after a general, special general, or special election.

In the event of a deficit over \$250, the candidate shall file supplemental reports every six months until the deficit is eliminated. In the event of a surplus over \$250 the candidate shall file supplemental reports every six months until he becomes a candidate again. The first supplemental report shall be filed by the 30th day after the last day of the election year. The campaign treasurer for a candidate who withdraws shall file a report on the disposition of funds. (Sections 11-212, 11-213)

Rules Governing Contributions and Expenditures

- (1) Contributions in the name of a person other than the true or established name of the actual owner of the money or property are prohibited. (Section 11-202)
- (2) Anonymous contributions are prohibited unless they aggregate less than \$500 and are collected from 10 or more people at a single event. (Section 11-201)
- (3) "Contribution" includes the financing by any person of publication or distribution of campaign materials. (Section 11-207)
- (4) A testimonial affair for which the cost of attending is \$25 or more per person may be held only once before an election that is not statewide. An additional testimonial affair may be held within six months after a general, special or special general election in the case of a candidate having a deficit. No

- testimonial affair may be held unless prior notice is filed with the campaign spending commission. (Section 11-203)
- (5) No candidate, committee or party may accept a contribution of more than \$100 in cash from a single person without issuing a receipt. (Section 11-199)
 - (6) The candidate or his immediate family shall be limited to contributing \$50,000 in an aggregate amount. (Section 11-204)
 - (7) No political party may make contributions greater than the following percentages of the expenditure limit for each respective office: a) 20% of expenditure limit--for office of Governor, Lt. Governor, mayor and prosecuting attorney; b) 30%--offices of state senator and county councilman; c) 40%--offices of state representative, Board of Education and all other offices. (Section 11-205)
 - (8) The total expenditures of candidates who voluntarily limit their campaign expenditures from January 1, of an election year through the day of the general election, shall not exceed the following amounts multiplied by the number of voters in the last preceding general election registered to vote for the respective class of offices: a) for Governor--\$1.25; b) for Lt. Governor--\$.70; c) for mayor--\$1.00; d) for state senator, state representative, county councilman and prosecuting attorney--\$.70; e) for Board of Education and all others--\$.10.

An increase of 10% shall be added to the above amounts from 1979 and each year thereafter. (Section 11-209)

- (9) Each party or committee shall disclose the donor, recipient and designated use of any funds that were earmarked or contributed on the condition that they be used for a designated purpose. (Section 11-199)

Contribution Limits

Corporations - \$2000 aggregate per election.
PACS - \$2000 aggregate per election.
Labor - \$2000 aggregate per election.
Individuals - \$2000 aggregate per election.

No person or any other entity other than a political party shall make contributions to a candidate in an aggregate amount greater than \$2000 in any election. Corporations and labor unions who spend more than \$1000 per election are deemed "committees" for purposes of reporting requirements. (Section 11-204)

Establishment of PACS

A PAC is considered a "committee" and must file required reports if it makes expenditures in aggregate more than \$1000 per election to influence the nomination and election of individuals to public office or the outcome of ballot questions of issues. (Section 11-119)

Contents of Disclosure Statements

The preliminary report shall contain:

- (1) The aggregate sum of contributions received.
- (2) The names and addresses of all identifiable persons or groups contributing in the aggregate more than \$100, giving the date and amount of each contribution.
- (3) All expenditures made, incurred or authorized for a candidate, giving the name and address of each payee and the amount and purpose of each expenditure.
- (4) A current statement of the balance on hand or the deficit.
(Section 11-212)

A final primary report and a final general report shall contain, in addition to items contained in the preliminary report, a statement of the total contributions received, and a statement indicating the cash balance. A candidate who is unsuccessful in a primary or special primary election need not file a final general report. (Section 11-213)

A candidate, party or committee (1) whose expenditures total \$500 or less, (2) who makes no expenditures, or (3) who has a deficit or surplus of \$250 or less in any reporting period, may file short form reports.
(Sections 11-212, 11-213)

State Tax Provision

- (1) Any taxpayer may deduct up to \$100 per year for political contributions made to a central or county committee of a political party whose candidates shall have qualified to be voted for at the immediately previous general election.
- (2) An individual may deduct up to \$500 per year for aggregate political contributions (but not more than \$100 to any single candidate is deductible).

A tax deduction may be taken by an individual for a contribution to a candidate for statewide or county office only if such candidate has filed an affidavit with the Commission stating that he shall not exceed the expenditure limit for his respective office. A receipt, such as cancelled check or copy of the same, must be attached to the individual's state income tax return.
(Sections 235-7(g)(2), 11-226)

Political Advertising

- (1) All campaign material must contain the names and addresses of those responsible for it.
- (2) Any political advertisement or literature must contain a notice that it has been authorized or not authorized by the candidate, except where the advertisement or literature is paid for by a candidate or a committee directly associated with the candidate. (Section 11-215)

Penalties

Violation of the campaign statutes by a natural person constitutes a petty misdemeanor. Violation by a corporation, association or organization shall be punishable by a fine not to exceed \$1000. In addition, a violation by a corporation, association or organization shall be deemed a violation by the individual directors, officers or agents who have knowingly authorized the acts constituting the violation. (Section 11-228)

HAWAII

LOBBYING LAWS

(Hawaii Revised Statutes, Chapter 97, Sections 97-1 through 97-7)

WHO is a "Lobbyist"

Any individual who for the purpose of attempting to influence legislative or administrative action or a ballot issue by communicating or urging others to communicate with public officials, is engaged for pay or other consideration, and spends more than 5 hours in any month or \$275 in any 6-month period. (Section 97-1)

Excludes:

- (1) Any uncompensated individual representing himself who must nevertheless file a statement of expenditures.
- (2) Any public official or employee acting in his official capacity.
- (3) Any newspaperman.
- (4) Any attorney advising his client upon the effect of proposed legislation.
- (5) Any person who possesses special skills and knowledge relevant to certain areas of legislation, whose skills may be helpful to the legislative and executive branches of state government, and who makes an occasional appearance at the request of the legislature, an administrative agency, or the lobbyist while receiving reimbursement or other payment for the appearance. (Section 97-2)

WHO Registers

- (1) Principal - YES
- (2) Lobbyist/Employee - YES

IDAHO

CAMPAIGN CONTRIBUTION LAWS

(Idaho Code, Sections 67-6601 through 67-6616)

WHERE to File Statements and Obtain Forms

Secretary of State
State House
Boise, Idaho 83701
(208) 334-2300

WHO Must File Statements

The political treasurer for each candidate and the political treasurer for each political committee. (Section 67-6604)

WHEN to File Statement

Fourteen to seven days before each election and thirty days after an election. Supplemental reports are filed annually on January 31, until no unexpended balances remain. (Section 67-6607)

Rules Governing Contributions and Expenditures

- (1) Contributions made anonymously or through an agent so as to conceal the identity of the source are prohibited. (Section 67-6614)
- (2) A contribution of more than \$50 from a political committee not domiciled in Idaho, and therefore not required to report its contribution, must be accompanied by a written statement giving the name and address of each person who contributed more than \$50. (Section 67-6605)
- (3) A contribution of more than \$50 from a non-business entity which is not a political committee must be accompanied by a signed statement of an officer of the non-business entity listing the names and addresses of each person who contributed (including membership fees) in excess of \$500. (Section 67-6606)
- (4) Any person who contributes more than \$50, including one or more smaller contributions which aggregate more than \$50 in one calendar year, to a candidate or political committee shall submit his full name and address with the contribution. (Section 67-6610)
- (5) Ordinary home hospitality, part-time personal services and incidental volunteers' expenses of \$25 or less are not considered "contributions". "Contributions" do include personal and professional services for less than full consideration. (Section 67-6602(c))

Contribution Limits

Corporations - None. (The statute does not address the issue directly)

Corporations are considered "persons" and are subject to the provisions governing "persons." (Section 67-6602(1))

PACS - None.

Labor - None.

Individuals - None.

Establishment of PACS

The statute does not address the issue directly. A PAC is considered a "person", except that if it receives and makes expenditures over \$500 in any calendar year, it will be deemed a "political committee". (Section 67-6602(m))

Contents of Disclosure Statements

- (1) All expenditures and encumbrances are made by or on behalf of the candidate or political committee, giving the name and address of each person upon whom \$25 or more was expended and the date, amount and purpose of each such expenditure. Expenditures of less than \$25 may be listed as a single total.
- (2) All contributions made, giving the name and address of each person who contributed over \$50 and the amount contributed. Contributions of less than \$50 may be listed as a single total. (Section 67-6612)

State Tax Provision

A resident individual is allowed a tax credit equal to one-half of all political contributions, but the credit shall not exceed \$5 per individual return or \$10 per joint return. (Section 63-3024B)

Political Advertising

- (1) Whenever an expenditure is made for the purpose of financing communications expressly advocating the election or defeat of a candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, the person responsible for such communication shall be clearly indicated on such communication. (Section 67-6614A)
- (2) Each newspaper, periodical, broadcasting station, direct mailing company printer and advertising agency which accepts expenditures from a political treasurer shall keep a current record, available to the public, listing the amounts paid and the obligations incurred by each candidate, political committee, or political treasurer. (Section 67-6613)

Penalties

Violation is a misdemeanor punishable by a fine of \$250 for an individual and \$2,500 for a person other than an individual, or by imprisonment for not more than six months, or both. (Section 67-6625)

ILLINOIS

CAMPAIGN CONTRIBUTION LAWS

(Illinois Revised Statutes, Article 9, Chapter 46, Sections 9-1 through 9-27)

WHERE to File Statements and Obtain Forms

State political committees:

State Board of Elections
1020 South Spring
Springfield, Illinois 62706
(217) 782-4141

Local political committees: file with the county clerk.

WHO Must File Statements

The treasurer of every state or local political committee shall file reports of campaign contributions and annual reports of campaign contributions and expenditures. (Section 9-10)

WHEN to File Statements

Reports of campaign contributions shall be filed no later than the 15th day before each election including a primary election, and the 90th day after each election other than a primary election. A contribution of \$500 or more received after the last report but before the election shall be reported within two business days after its receipt. A continuing political committee that neither accepts nor expends funds with regard to a candidate or ballot question may file a statement in lieu of the reports prescribed.

An annual report of campaign contributions and expenditures shall be filed no later than July 31, for the year ending June 30. A state or county central committee shall file its annual report within 30 days following the close of the fiscal year. (Section 9-10)

Rules Governing Contributions and Expenditures

- (1) No person shall make an anonymous contribution or a contribution in the name of another person. (Section 9-25)
- (2) No later than five days after receiving a contribution in excess of \$20 on behalf of a political committee, the recipient must inform the treasurer of the beneficiary political committee of the date and amount of the contribution and the name and address of the contributor. (Section 9-6)
- (3) "Contribution" includes services of an employee donated by an employer, in which case the contribution shall be listed in the name of the employer. The term does not include up to

\$150 value of voluntary personal services rendered on an individual's residential premises for candidate-related activities. (Section 9-1.4)

Contribution Limits

Corporations - None.

PACS - None.

Labor - None.

Individuals - None.

"Person" is defined as an individual, trust, partnership, committee, association, corporation, or any other organization or group of persons. (Section 9-1.6)

Establishment of PACS

A PAC is a "person," but will be deemed a "political committee" if it accepts contributions or makes expenditures exceeding \$1000 in support of or opposition to a candidate or to a ballot question within one county or \$3000, when the ballot question is one encompassing more than one county. (Section 9-1.9)

Contents of Disclosure Statements

Each report of campaign contributions shall contain:

- (1) The name and address of the political committee.
- (2) The scope, area of activity, party affiliation, candidate affiliation, and purpose of the political committee.
- (3) The amount of funds on hand at the beginning of the reporting period.
- (4) The full name and mailing address of each person who has contributed an aggregate in excess of \$150 within the previous 12 months, giving the amount and date of the contributions.
- (5) The total sum of contributions of \$150 or less made during the reporting period.
- (6) The name and address of each political committee from which or to which funds were transferred, giving the amounts and dates of the transfers.
- (7) Each loan in excess of \$150 to or from any person within the previous 12 months, giving the dates and amounts of such loans.
- (8) The total amount of proceeds received by the committee from fund-raising events, mass collections, and sales of campaign items.
- (9) Each contribution, rebate, refund, or other receipt in excess of \$150 not listed.
- (10) The total sum of all receipts by or for such committee or candidate during the reporting period.

The reports of campaign contributions shall be cumulative during the fiscal year to which they relate, but where there has been no change in an item reported, only the amount need be carried forward. (Section 9-11)

Each annual report of campaign contributions and expenditures shall contain:

- (1) All the information contained in the report of campaign contributions listed above in items 1-10.
- (2) The full name and mailing address of each person to whom expenditures for personal services, salaries and reimbursed expenses have been made by such committee or candidate within the previous 12 months in an aggregate amount in excess of \$150, giving the amount, date, and purpose of each expenditure and the question of public policy or the name and address of, and the office sought by, each candidate on whose behalf the expenditure was made.
- (3) The total sum of expenditures made by the committee during the reporting period.
- (4) The full name and mailing address of each person to whom the committee owes debts or obligations in excess of \$150, giving the amount of each debt or obligation. (Section 9-13)

State Tax Provision: None

Political Advertising

- (1) All campaign material and any advertisement produced by a committee not authorized to represent the candidate shall bear on its face or front page a statement to that effect. (Section 9-8)
- (2) All campaign material and any advertisement soliciting funds for a state or local committee must include a notice that a committee report is on file and available for purchase from the appropriate office. (Section 9-9)

Penalties

Willfully filing a false or incomplete statement is a misdemeanor, punishable by a fine not to exceed \$500 or by imprisonment not to exceed six months, or both. (Section 9-20)

To correct any violation, the Board of Elections may report such violation to the Attorney General and the appropriate State's Attorney, or, after giving notice and opportunity for a public hearing, may impose a civil penalty on a violator not to exceed \$1000, or both. (Section 9-23)

ILLINOIS

LOBBYING LAWS

(Illinois Revised Statutes, Sections 63-171 through 63-182)

INDIANA

CAMPAIGN CONTRIBUTION LAWS

(Indiana Code, Sections 3-4-1-1 through 3-4-4-3; 3-4-6-1 through 3-4-7-7)

WHERE to File Statements and Obtain Forms

For state elections:

State Election Board
100A State Office Building
Indianapolis, Indiana 46204
(317) 232-3939

For local elections: file with county election board of each county contained in the district.

WHO Must File Statements

The treasurer of each political committee and each candidate.
(Section 3-4-6-3)

WHEN to File Statements

Eight days before (10 days before, if mailed) and 47 days after each election or convention; in addition, a political committee must file an annual report no later than January 15 of the following year, but a political party committee may file its annual report anytime before March 2. (Section 3-4-6-3)

Rules Governing Contributions and Expenditures

- (1) No person may make a contribution in the name of another person. (Section 3-4-3-6)
- (2) It is lawful for the state, district, county, city or town committees of a political party to receive contributions from the national committee or the national congressional committee of a political party. (Section 3-4-3-5)
- (3) No contribution may be made except to a political committee or to a person authorized by law or authorized by a political committee to receive contributions on its behalf. (Section 3-4-3-2)
- (4) Every person who receives a contribution for a political committee shall, within 30 days after the receipt, render a report to the treasurer of the actual contribution, giving the date, the value, the name and address of the person making the contribution. (Section 3-4-3-7)
- (5) Every political committee which determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$100 shall file a statement to that effect. (Section 3-4-2-9)

- (6) Every person other than a political committee who makes an expenditure to influence an election must file a report with the appropriate board on the dates on which reports by political committees are filed. (Section 3-4-6-12)
- (7) An individual who makes contributions to a candidate or to a political committee shall not be considered to be a political committee. (Section 3-4-1-16)
"Contribution" includes funds received by one political committee from another, but does not include administrative costs of PACS. (Section 3-4-1-5)
- (8) All persons, except individuals, are deemed "political committees" if they receive or expend more than \$100 in the aggregate in a calendar year. (Section 3-4-1-16)

Contribution Limits

Corporations - \$5,000 to statewide candidates and committees, \$2,000 to others; \$14,000 aggregate limit per calendar year.
PACS - No limit.
Labor - \$5,000 to statewide candidates and committees, \$2,000 to others; \$14,000 aggregate limit per calendar year.
Individuals - No limit.

During a calendar year, no corporation or labor organization may make political contributions in the aggregate, in excess of:

- (1) 5,000 among candidates for which all state voters may vote;
- (2) 5,000 among all state central committees of political parties;
- (3) \$2,000 among all candidates for legislative district, county and local offices; and
- (4) \$2,000 among all political parties other than state committees.

A contribution to any political committee by a corporation or labor organization, designated by such contributor for disbursement to a specific candidate or political party committee, is subject to these monetary limitations.

These limitations do not apply to non-partisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and employers, or by a trade association or labor organization aimed at its members. (Section 3-4-3-3)

Establishment of PACS

A PAC is a "political committee" when it accepts contributions or makes expenditures exceeding \$100 aggregate in a calendar year. (Section 3-4-1-16)

Contents of Disclosure Statements

- (1) The amount of cash on hand at the beginning of the reporting period.
- (2) The total sum of individual contributions made to or for such committee during its reporting period.
- (3) The name and address of each person who has made contributions in a calendar year which in aggregate exceed \$100 in actual value or in the case of a political party committee, in

excess of \$200 aggregate, giving the date and amount of the contribution.

- (4) The name and address of each political committee from which the reporting committee received or to which it made a transfer of funds, giving the date and amount of the transfer.
- (5) Each loan, giving the names and addresses of the lenders and endorsers and the date and amount of the loan.
- (6) The total sum of receipts during the reporting period.
- (7) The name, address, occupation, and principal place of business of each person to whom an expenditure was made by the committee or on behalf of the committee within the calendar year in an aggregate amount in excess of \$100 or in the case of a political party committee, in excess of \$200 aggregate, giving the amount, date, and purpose of each such expenditure and the name, address, and office sought by the candidate on whose behalf the expenditure was made.
- (8) The name, address, occupation, and principal place of business of each person to whom an expenditure for personal services or reimbursed expenses was made during the calendar year in an aggregate amount or value in excess of \$100, or in the case of a political party committee, in excess of \$200 aggregate, giving the date, amount, and purpose of the expenditure.
- (9) The total sum of expenditures made by the committee during the reporting period.
- (10) The amount and nature of the debts and obligations owed by or to the committee.
- (11) A list of books, pamphlets, or circulars containing political matter donated to the committee. (Section 3-4-6-9)

The treasurer of a political committee shall keep an account of:

- (1) All contributions made to or for such committee.
- (2) The full name and address of every person making an aggregate contribution in excess of \$25, and the date and amount.
- (3) All expenditures made by or on behalf of the committee.
- (4) The name, address, occupation and the place of business of every person to whom any expenditure was made within the calendar year in an aggregate amount in excess of \$100, the date and amount thereof and the name, address of, and office sought by the candidate on whose behalf such expenditure was made, and a statement identifying the question on which behalf such expenditure was made. (Section 3-4-2-20)

The treasurer of a political committee shall keep detailed receipts for every expenditure made by or on behalf of a political committee in excess of \$25 and the aggregate amount of expenditures under \$25 if the aggregate exceeded \$25. (Section 3-4-2-21)

State Tax Provision: None.

Political Advertising

- (1) Any political advertisement must be marked or declared to be such, and must indicate the name of the chairman or treasurer of the sponsoring political committee. Political information published as news and provided by a political committee need not indicate its source if the publisher or

broadcaster receives no compensation for publishing or broadcasting.

- (2) If advertisement time or space is purchased in support of a political candidate by any person, organization, or political committee other than the candidate or his political committee, the advertisement must contain a statement indicating the approving candidate. However, this does not apply to any political party which purchases advertisement time or space on behalf of that party's nominees for any office. (Section 3-4-4-2)

Penalties

A person who files a fraudulent report or willfully fails to file a required report commits a Class D felony. It is a Class A infraction to fail to file a report after receiving notice. It is a Class B misdemeanor to violate a provision for which a specific penalty is not provided. (Section 3-4-6-17)

INDIANA

LOBBYING LAWS

(Indiana Code, Title 2, Article 7, Section 2-7-1-1 through 2-7-6-4)

WHO is a "Lobbyist"

Any individual, corporation, partnership, association, firm or educational institution who:

- (1) Communicate by any means, or pays others to communicate by any means, with any legislative official with the purpose of influencing any legislative action, and
- (2) Receives or expends an aggregate of \$500 for lobbying in any registration year, whether the compensation or expenditure is solely for lobbying or the lobbying is incidental to that person's regular employment.
(Section 2-7-1-10)

Excludes:

- (1) Any individual who has been convicted of a felony while employed with a state or local government.
- (2) Any person convicted of a felony related to lobbying.
- (3) Any felon who is in prison or on probation, or has been in prison or on probation within the immediate past one year.
- (4) Any full-time or part-time public official acting in his official capacity.
- (5) Any full-time or part-time public state employee acting within the scope of his employment.
- (6) News reporting services, who engage in no further urging than to appear before a legislative committee.

IOWA

CAMPAIGN CONTRIBUTION LAWS

(Iowa Code, Sections 56.1 through 56.30)

WHERE to File Statements and Obtain Forms

Campaign Finance Disclosure Commission
State Capitol Building
Des Moines, Iowa 50319
(515) 281-4411

WHO Must File Statements

The treasurer of a committee receiving contributions or making expenditures in excess of \$250 in a calendar year in support of or in opposition to a candidate or ballot issue. (Sections 56.6; 565.28)

WHEN to File Statements

January 20 (an annual report for the preceding calendar year), May 20, July 20, and October 20; or if mailed, bearing a postmark dated on or before the 24th day of these months. Committees for municipal offices and local ballot issues file 30 days prior to any election in which their candidates or issues appear, and 30 days following the final such election. (Section 56.6)

Rules Governing Contributions and Expenditures

- (1) A person shall not make a contribution or expenditure in the name of another. (Section 56.12)
- (2) Every person who receives contributions in excess of \$100 for a committee shall render, not later than 15 days from the date of receipt, an account to the treasurer, giving the name and address of each person making a contribution in excess of \$10, the amount of the contribution, and the date. (Section 56.3)
- (3) The expenditure of funds from an unknown or unidentified source received by a candidate or committee is prohibited. (Section 56.27)
- (4) Persons requested to make a contribution at a fund-raising event shall be advised that it is illegal to contribute more than \$10 unless the contributor also provides his name and address. (Section 56.27)
- (5) "Contribution" does not include volunteered services provided by individuals on behalf of a candidate's committee or political committee or a state or county statutory political committee except when organized or provided on a collective basis by a business, trade association, labor union, or any other organized group or association. The term also does not include refreshments served at a

campaign function up to \$50 in value, or transportation up to \$100 in value, in any one reporting period.
(Section 56.2)

Contribution Limits

Corporations - Prohibited for certain corporations.
PACS - No limit.
Labor - No limit.
Individuals - No limit.

It is unlawful for any insurance company, savings and loan association, bank or corporation organized pursuant to the laws of this state, another state or foreign country or any officer or agent thereof acting for such entity to contribute any money, property, labor or thing of value, directly or indirectly to any committee, or for the purpose of influencing the vote of any elector. However, expenditures in connection with a utility franchise election or a ballot issue shall be lawful and shall be subject to disclosure requirements.

The restrictions relative to making, soliciting or receiving contributions shall not apply to a non-profit corporation or organization which uses those contributions to encourage registration of voters, participation in the political process or publication of issues, without using contributions to endorse or oppose any candidate or ballot issues. (Section 56.29)

Establishment of PACS

A PAC is a "political committee" which is a committee, but not a candidate's committee, receiving or spending more than \$250 in a calendar year to support or oppose a candidate or ballot issue, or association, cooperative union or organization... which makes contributions in the aggregate of more than \$250 in any one calendar year. (Section 56.2)

It shall be lawful for any insurance company, savings and loan association, bank or corporation organized pursuant to the laws of this state or any other state, and for the officers and agents thereof, to use the money, property, labor or any other thing of value of such entity for the purposes of soliciting its stockholders, administrative officers, and members for contributions to a committee sponsored by that entity. The employees to whom the foregoing authority does not extend may voluntarily contribute to such a committee but shall not be solicited for contributions.
(Section 56.29)

Contents of Disclosure Statements

- (1) The amount of cash on hand at the beginning of the reporting period.
- (2) The name and address of each person who has contributed \$25 for a ballot issue or city, county, school or township office; \$50 for a general assembly candidate or county statutory political committee; \$100 for a U. S. Congress candidate or state office; \$200 for a national political party or state statutory political committee; and \$50 for any other political

committee.

- (3) The total amount of contributions made to the committee not reported under (2).
- (4) Each loan to any person or committee within the calendar year in an aggregate amount in excess of the amount specified in (2) above shall be reported as a contribution, giving the names and addresses of the lenders and endorsers and the date and amount of the loans.
- (5) The name and address of each person who has made in-kind contributions to the committee when their aggregate market values exceed the amounts in (2) above.
- 6) The total amount of proceeds from a fund-raising event, the amount received from contributions and sales at fund-raising events reported with the name and address of the donor, a description of the product, the market value of the product, the sales price of the product, and the name and address of the purchaser.
- (7) The name and address of each person to whom disbursements or loan re-payments have been made by the committee during the reporting period, giving the amount and date of each disbursement over \$5. Disbursements under \$5 may be reported as one total, provided that the aggregate disbursements to any one person does not exceed \$100.
- (8) The amount and nature of debts and obligations owed in excess of those amounts listed in (2) above.
- (9) The aggregate amount received by a candidate or officerholder in any form of honorarium in excess of the amounts listed in (2) above. (Section 56.6)

Tax Provision:

An individual may deduct up to \$100 donated as a political contribution, or \$200 in the case of a married couple filing jointly. (Section 422.09)

Political Advertising

Any printed or broadcast political advertisement shall state the name of the person who financed and authorized it.

Penalties

A violation of corporate contribution provisions is punishable by one year imprisonment and up to \$1000 fine. (Section 56.29)

A violation of the campaign finance disclosure statute shall be punishable by a fine not to exceed \$1000 or imprisonment not to exceed 30 days. (Section 36.16)

IOWA

LOBBYING LAWS

(Iowa Senate and House Rules Governing Lobbyists)

KANSAS

CAMPAIGN CONTRIBUTION LAWS

(Kansas Statutes, Sections 25-4142 through 25-4201; 25-1709 and 25-1710)

WHERE to File Statements and Obtain Forms

Kansas Public Disclosure Commission
Secretary of State
Capitol Building
Topeka, Kansas 66612
(913) 296-4219

WHO Must File Statements

Every state office candidate and committee treasurer who spends in excess of or receives more than \$500 for either the primary or general election shall file a campaign statement. (Sections 25-4148, 25-4173 through 25-4176)

A committee treasurer who receives contributions from any one contributor in excess of \$50 must file a report. (Section 25-4175)

Every person other than a candidate, a candidate committee, party committee, or political committee, who makes contributions or expenditures, other than by a contribution to a candidate, a candidate committee, party committee, or political committee, in an aggregate amount of \$100 or more within a calendar year shall file financial statements with the Secretary of State containing the same information filed by the candidate and political committees. (Section 25-4150)

WHEN to File Statements

Six days before the primary, six days before the general election and on December 10th of each election year. (Section 25-4148)

Rules Governing Contributions and Expenditures

- (1) Contributions in the name of another are prohibited.
(Section 25-4154)
- (2) The aggregate amount contributed to a candidate by any person, except the candidate, his spouse, and a party committee, shall not exceed a) \$3000 per primary plus \$3000 per election for Governor, Lt. Governor, and statewide offices; b) \$750 per primary plus \$750 per election for State Senator, State Representative, judges, and members of Board of Education.
(Section 25-4153)

- (3) Anonymous contributions over \$10 are prohibited. Anonymous contributions under \$10 each from one individual may not aggregate to exceed 50 percent of the amount one individual may contribute to or for a candidate's campaign. (Section 25-4154)

Contribution Limits

Corporations - Prohibited for certain corporations; otherwise, \$3000 to statewide candidates, \$750 to others per election.

PACS - \$3000 to statewide candidates, \$750 to others, per election.

Labor - \$3000 to statewide candidates, \$750 to others, per election.

Individuals - \$3000 to statewide candidates, \$750 to others, per election.

No corporation carrying on the business of a bank, trust, surety, indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, or water company, or any company having the right to take or condemn land or to exercise franchises in public ways granted by the state, county, or city, and no trustee owning or holding the majority of stock of any such corporation shall pay or contribute in order to aid or prevent the nomination or election of any person to public office or the interests of any party. (Section 25-1709)

Establishment of PACS

Any combination of three or more individuals or a person other than an individual, not domiciled in this state, which makes or intends to make a contribution to a candidate or committee in Kansas shall either:

- (1) Submit a statement to any treasurer receiving such contributions, indicating a) names and addresses of the responsible individuals; b) the name and address of each person who has contributed more than \$50 aggregate within the past 12 months to such out-of-state combination of individuals or other person; and c) the aggregate amount of all other contributions to such out-of-state combination of individuals or other persons in the past 12 months.
- (2) File a statement of organization, establish a separate fund for the purpose of receiving contributions and making expenditures relating to any election for state office, and file statements and reports involving such fund in the manner provided for political and party committees.

Each combination of individuals or person other than an individual subject to these requirements shall maintain, in its own records, the name and address of any person who has made a contribution to such combination or person, together with the amount and date of such contribution, regardless of whether such information is required to be reported. (Section 25-4172)

Contents of Disclosure Statements

- (1) The cash on hand at the beginning of the reporting period.
- (2) The name and address of each contributor of an aggregate amount in excess of \$50 giving the amount and date of such contributions, including the name and address of every lender, endorser, or guarantor if contribution is in the form of an advance or loan.
- (3) The aggregate amount from sales of political materials.
- (4) The aggregate amount of anonymous contributions.
- (5) Each rebate or contribution not otherwise listed.
- (6) The total of all receipts.
- (7) The name and address of each person to whom expenditures in an aggregate amount in excess of \$50 were paid, giving the amount, date, and purpose of each, the name and address of each person who received a loan, and the vendor and purpose of each advertising expenditure.
- (8) The name and address of each in-kind contribution in excess of \$40.
- (9) The aggregate of expenditures not otherwise reported.
- (10) The total expenditures.

In addition a statement shall be filed setting forth the amount and nature of debts and obligations owed by or to the candidate or candidate committee, party committee or political committee after each election, continuing until such debts or obligations are fully paid or discharged. (Section 25-4148).

State Tax provision

Permit an individual deduction up to \$100 (\$200 joint return) from state income tax for political contributions. (Section 79-32, 120(A))

Political Advertising

- (1) Any paid matter which appears in print or on a broadcast and tends to injure or defeat a candidate or proposition must be followed by the word "Advertisement" together with the name of the person responsible for it. (Section 25-2407)
- (2) The charge for political advertisements in a newspaper or periodical shall not exceed the charges made for comparable use of such space. (Section 25-4155)

Penalties

Violation of the reporting and campaign finance statutes is a Class A misdemeanor. A penalty of \$10 per day (maximum \$300) shall be imposed for failure to file a report within five days of receipt of notice. (Section 25-4152)

A corporation convicted of violating the contribution provision shall be punished by a fine of not more than \$10,000, and any officer, director or agent of such corporation who aids or abets the violation shall be subject to a fine of not more than \$1000. (Section 25-1710)

KENTUCKY

CAMPAIGN CONTRIBUTION LAWS

(Kentucky Revised Statutes, Sections 121.015 through 121.990)

WHERE to File Statements and Obtain Forms

Registry of Election Finance
1604 Louisville Road
Frankfort, Kentucky 40601
(502) 564-2226

A copy is also filed with the county court clerk of the candidate's residence.

WHO Must File Statements

Each campaign treasurer of a candidate, campaign committee or political issues committee, each state and county executive committee and each permanent committee. (Section 121.180)

In addition, any person making an "independent expenditure" exceeding \$100 per calendar year must report these expenditures. (Section 121.150)

WHEN to File Statements

Candidates and campaign committees: 32 days before, 12 days before, and 30 days after the election. Those registering in the year before an election shall file reports at the end of the first calendar quarter after the person becomes a candidate or following committee registration and each subsequent calendar quarter up to the first pre-primary election.

Permanent committees: at the end of every quarter after registration until termination of the committee.

State and county executive committees: within 30 days after regular primary or general elections.

Supplemental reports of a deficit or surplus shall be filed 30 days after the deadline for filing the final statement and semi-annually thereafter, on June 30 and December 31, until no deficit or surplus remains. (Section 121.180)

Rules Governing Contributions and Expenditures

- (1) Anonymous contributions in excess of \$50 are prohibited. (Section 121.150)
- (2) Cash contributions to candidates or committees in excess of \$100 are prohibited. (Section 121.150)
- (3) No person shall make a contribution in the name of another person. (Section 121.150)

- (4) A candidate need not personally report receipts and expenditures if he surrenders possession of contributions within 5 days of personal receipt. (Section 121.180)
- (5) "Contribution" includes any form of security where the risk of non-payment rests with the surety, guarantor, or endorser, as well as with a political committee, candidate or other primary obligor. The term does not include a loan made by a financial institution in accordance with banking laws and in the ordinary course of business. (Section 121.015)
- (6) No candidate shall pay or promise to pay anything of value, directly or indirectly to any person in consideration of a vote or financial or moral support of that person. (Section 121.055)
- (7) An "independent expenditure" is made for a communication expressly advocating the election or defeat of a clearly identified candidate without any consent or cooperation of a candidate or his committee. Such expenditure need not be made through the campaign treasurer or manager. (Section 121.150)
- (8) Political committees registered in another jurisdiction, which contribute to Kentucky candidates, must submit copies of their registration statements to the Kentucky Registry of Election Finance and copies of reports filed with other jurisdictions. (Section 121.170)

Contribution Limits

Corporations - Prohibited.

PACS - No limit.

Labor - No limit.

Individuals - \$3,000 per candidate per election.

No corporation and no officer or agent of a corporation on its behalf shall contribute, directly or indirectly, any money, service, or other thing of value toward the nomination or election of any state, county, city, or district officer, or pay, promise, loan, or become pecuniarily liable in any way for money on behalf of any candidate. No attorney or person shall accept employment with a corporation with the understanding that he will contribute to any such candidate or on any candidate's behalf all or any part of his compensation. (Section 121.025)

No corporation organized or authorized to do business in Kentucky shall itself or through an agent subscribe, give, or afterwards reimburse a person who has subscribed or given money, privilege, or thing of value to a political or quasi-political organization, or any officer or member thereof to be used by such organization for the purpose of aiding, assisting or advocating any candidate for public office in any way whatever. A corporation is not prohibited from making contributions in support of a position on an issue of public importance. (Section 121.035)

Establishment of PACS

A PAC is subject to provisions governing a "permanent committee." (Section 121.015) It may also be known as a corporate special interest group committee.

Since corporations may not contribute directly or indirectly to a candidate, a PAC must reimburse the corporation for administering and soliciting contributions to state candidates.

Contents of Disclosure Statements

Each permanent committee and each campaign treasurer of a candidate, campaign committee, or political issues committee shall report:

- (1) Name, address, occupation of any person or group who contributes over \$100.
- (2) Amount and date of the contribution.
- (3) Complete statement of all expenditures authorized, incurred or made, other than "independent expenditures." (Section 121.180)

Each state and county executive committee shall report:

- (1) An account of all money, loans, and things of value received since the last report, giving the name, address, and occupation of each person contributing in excess of \$100 and the amount and date of the contribution.
- (2) A statement of all expenditures authorized, incurred or made other than "independent expenditures" giving the name and address of each expenditure exceeding \$50 and the amount, date and purpose of the expenditure.
- (3) The total from each category for the sale of campaign items and tickets.
- (4) The name, address, occupation, and amount of purchase of any individual who purchases in excess of \$100 worth of campaign items.
- (5) The name, address, occupation, and amount of purchase of each purchaser at a fund-raising event that has net proceeds in excess of \$1,500. (Section 121.180)

State Tax Provision: None.

Political Advertising

- (1) All newspaper, magazine, television, radio, or print advertisements intended to support or defeat a candidate shall be identified by the words "paid for by" followed by the name and address of the payer or the committee and its treasurer (Section 121.190)
- (2) Fees for political advertising may not be in excess of those charged other advertisers (Section 121.065)

Penalties

Any corporation who willfully makes a contribution to a candidate shall be fined a maximum of \$10,000 and individual officers or agents may also be imprisoned between 30 days and one year. Any corporation who willfully contributes to a political committee shall be fined \$500 to \$5,000 for each offense and shall forfeit its charter. (Section 121.990)

Any person who willfully violates the reporting or contribution statutes shall be fined a maximum of \$1,000 or imprisoned one year, or both. (Section 121.990)

LOUISIANA

CAMPAIGN CONTRIBUTION LAWS

(Louisiana Revised Statutes, Sections 18:1463 through 18:1511.11; 18:1531 through 18:1533)

WHERE to File Statements and Obtain Forms

The Supervisory Committee, Campaign Finance Disclosure Act, composed of the Secretary of the Senate, House Clerk, Secretary of State and the Attorney General.

WHO Must File Statements

Each candidate and political committee that spends more than \$5,000 or that receives a contribution in excess of the reporting amount; and any person other than a candidate or political committee, who spends or receives more than \$500, other than to or from a candidate or political committee. (Sections 1484, 1491.3, 1495.6, 1501.1)

WHEN to File Statements

30 days before and 10 days before a primary election; 10 days before a general election; and 40 days after a general election (if the candidate or committee participated). In addition, a candidate or committee for a major office must also file 180 days before, and 90 days before a primary election.

Annual reports shall be filed by January 15 for the preceding year, unless another report was filed between the preceding December 10 and January 15. Supplemental reports are filed annually by July 10 until any remaining deficit has been fully paid.

During the 20-day period immediately preceding a primary or general election, a candidate and committee shall report, within 48 hours:

- (1) The name and address of any contributor who gave in excess of \$2,000 to committees working for any major candidate, \$1,000 to district office committees or \$500 to committees working for any other candidates or,
- (2) Any expenditure over \$200 to anyone who makes endorsements. (Sections 1491.6, 1495.4)

Rules Governing Contributions and Expenditures

- (1) No person shall contribute any thing of value to a candidate or political committee, through or in the name of another, directly or indirectly. However, this prohibition does not apply to dues or membership fees of any membership organization or corporation made by its members or stockholders, if such organization or corporation is not organized primarily for the purpose of supporting or opposing the nomination or the election

- of any candidate. (Section 1505.2)
- (2) No candidate, political committee, or other person required to file reports shall make any expenditure with funds from an anonymous source. A single transaction involving the sale of campaign items not exceeding \$25 in value to an unidentified person shall not be deemed an anonymous contribution. A single transaction involving the sale of tickets not exceeding \$100 to a testimonial or similar fund-raising event to an unidentified person shall not constitute an anonymous contribution. (Section 1505.2)
 - (3) Any contribution in excess of \$300, other than an in-kind contribution, shall be made by a written instrument containing the name of the donor and the name of the payee. (Section 1505.2)
 - (4) No person shall solicit or receive funds nor anything of value from a candidate or political committee, and no candidate or political committee or other person shall pay any funds or anything of value to any person to endorse, support or oppose any candidate, except in return for conducting a political social function. (Section 1468)
 - (5) No person shall sell or buy campaign paraphernalia or tickets to a fund-raising event in successive single transactions for amounts below those for which records are required, as a subterfuge to avoid statutory reporting requirements. (Section 1505.3)
 - (6) "Reporting amount" means: \$1000 for any major office; \$500 for any district office; and \$250 for all other offices. (Section 1483(17))
 - (7) "Contribution" includes the right to use any item of tangible property when the value exceeds the reporting amount (or when the aggregate value of more than one item exceeds the reporting amount). The term also includes a payment to purchase campaign paraphernalia and tickets to a fund-raising event. It does not include dues or membership fees of any organization whose primary purpose is not the support or defeat of a candidate. Nevertheless, if such funds are used for campaign contributions or expenditures, they shall be reported in accordance with the statute. (Section 1483(6))
 - (3) Any person, other than a candidate or political committee, who makes any expenditure or who accepts a contribution other than to or from a candidate or a political committee, shall file reports of all contributions received and all expenditures made by such person, if either expenditures or contributions exceed \$500 in the aggregate during the reporting periods. These reports shall be filed with the Supervisory Committee at the same time and shall contain the same information as reports required of political committees. (Section 1501.1)

Contribution Limits

Corporations - None.

PACS - None.

Labor - None.

Individuals - None.

A profit or nonprofit corporation, labor organization, or trade, business or professional association shall not make any campaign contribution or expenditure unless specifically authorized to do so:

- (1) By the vote of the board of directors of the corporation, of the executive board of directors of the labor organization or of the trade, business or professional association;
- (2) By a designated officer of a corporation or labor organization; or
- (3) By a vote of the membership of the labor organization.

No profit or nonprofit corporation, labor organization or trade, business or professional association shall make a cash contribution or expenditure. (Section 1505.2)

Establishment of PACS

A PAC is subject to the provisions governing a "political committee" or "committee" which means two or more persons, other than a husband and wife, or any corporation that is organized for the primary purpose of supporting or opposing any candidate or political party, and which accepts contributions or makes expenditures in excess of \$500 in any calendar year. (Section 1483(14))

An entity is not a "political committee" if it:

- (1) Has supported candidates in other states during the reporting period;
- (2) Has received less than half its total receipts from Louisiana candidates. (Section 1483(14))

Contents of Disclosure Statements

- (1) The identification of the candidate or political committee for whom a report is filed, the treasurer and committee chairman and the office sought.
- (2) The amount of cash and cash investments on hand at the end of the prior and current reporting periods.
- (3) The total sum of contributions received in the reporting and aggregating periods.
- (4) Cash income from investments.
- (5) The name and address of each person who has contributed more than the reporting amount during the aggregating period, the amount and date of such contribution, and a description of in-kind contributions.
- (6) Gross proceeds from the sale of political campaign materials, including single transactions of \$25 or less.
- (7) Gross proceeds from the sale of tickets to testimonials or fund-raising events, including single transactions of \$100 or less.
- (8) The name and address of any political committee to whom or from whom funds were transferred and the amount transferred.
- (9) The total of all receipts, including non-contribution cash receipts, and the total of all expenditures made, including totals for categorized expenditures.
- (10) The date, amount and terms of any loan made by or to the reporting candidate or committee, and the total of all loans made.
- (11) The name and address of each person to whom an expenditure over the reporting amount has been made, the amount and purpose of such expenditure, and a description of in-kind expenditures.
- (12) The amount and nature of debts and obligations owed by or to the

candidate or committee, relating to a political campaign, including loans.

- (13) All payments made to repay loans, the amount date and source thereof.
- (14) The name and address of anyone to whom expenditures over \$200 are made in return for endorsements.
- (15) The total amount of expenditures from the petty cash fund.
- (16) The date and amount of each anonymous contribution received, and the total amount received.
- (17) All other disbursements, not expenditures. (Sections 1491.7, 1495.5)

State Tax Provision

A credit is allowed for contributions to candidates for public office, not to exceed an amount equal to 10% of the same credits allowed on the federal income tax return for the same taxable period. (Section 47:297)

Political Advertising

- (1) All political material concerning any candidate for election or nomination shall contain the name of the person responsible for its production; and if a committee or corporation is responsible, it shall contain the names and addresses of its officers, members, and shareholders. (Section 1463)
- (2) The rates charged political advertisers shall not exceed the rates charged commercial advertisers. (Section 1464)
- (3) No person shall print or distribute any material which falsely alleges that any candidate is supported by or affiliated with another candidate, person, party or political faction. (Section 1463)

Penalties

For knowing and willful failure to file a report, the penalty shall be no more than \$500 daily, not to exceed \$10,000 for major office candidates or committees; no more than \$300 daily, not to exceed \$5,000 for district offices; and no more than \$100 daily, not to exceed \$3,000 for all other offices. (Section 1505.4)

For violation of contribution provisions, the penalties shall be limited to \$500 for major offices, \$300 for district offices and \$100 for other offices. (Section 1505.5)

Knowing and willful violation of the statute may also result in 6 months imprisonment or up to \$500 fine, or both. (Section 1505.6)

Bribery of a candidate is punishable by 5 years imprisonment or by a fine of up to \$1,000, or both. (Section 1469)

MAINE

CAMPAIGN CONTRIBUTION LAWS

(Maine Revised Statutes, Title 21, Chapter 35, Sections 1391 through 1402; Chapter 35-A, Sections 1411 through 1420; Chapter 38, Sections 1551 through 1566)

WHERE to File Statements and Obtain Forms

Commission on Governmental Ethics and Election Practices
State House
Augusta, Maine 04333
(207) 289-3501

WHO Must File Statements

Each candidate and each treasurer of a campaign or political committee and any person who receives more than \$50 or expends more than \$50 in a referendum campaign. (Section 1396, 1397, 1413)

Any PAC that spends more than \$50 on any one or more campaigns for the office of governor, state or county office or ballot question. (Section 1555)

WHEN to File Statements

Candidates for Governor file January 15 of a non-election year in which \$1,000 was received, 42 days before and after an election, 7 days before an election, within 48 hours of a \$1,000 contribution made after the last report but before the election, and on the first day of each state fiscal quarter until no surplus or deficit remains. Candidates for other state and county offices file 7 days before and 42 days after an election, 48 hours after a \$1,000 contribution made after the last report but before the election, and the first day of each state fiscal quarter until no surplus or deficit remains. A candidate for nomination or a nominee chosen to fill a vacancy shall file within 15 days after his appointment and thereafter according to prescribed schedule. (Sections 1397, 1413)

In addition to filing on the traditional dates required of candidates, PACS must also file:

- (a) General election quarterly reports (293 days, 205 days 120 days and 30 days preceding general election.
- (b) Primary election reports (145 days, 35 days, and 25 days preceding, and 30 days following a primary).
- (c) Referendum quarterly reports (January 10, April 5, July 10, October 5, and December 20). (Sections 1556, 1557)

Rules Governing Contributions and Expenditures

- (1) Every person who receives a contribution in excess of \$10 for a candidate or political committee shall report it to the campaign treasurer within five days of its receipt.
(Sections 1396, 1414)
- (2) Contributions in the name of another are prohibited.
(Section 1401)
- (3) "Contribution" includes the transfer of funds from one committee to another and the payment of compensation for the personal services of other persons which are rendered to a candidate.

The term does not include:

- (a) The use of real or personal property and the cost of invitations, food and beverages voluntarily provided, valued up to \$50 per election;
- (b) Any unreimbursed payment for volunteered travel expenses, valued up to \$50 per election. (Section 1392)
- (4) Each person, other than the candidate or his political committee, who makes contributions or expenditures expressly advocating the election or defeat of a clearly identified candidate, other than by contribution to the candidate or his political committee, in an aggregate amount exceeding \$50, shall file a report with the Commission.
(Section 1397)
- (5) Contributions which are made by a person through an intermediary or conduit and are earmarked in any way are deemed to originate with such person. The intermediary or conduit shall report the original source and intended recipient. (Section 1395)
- (6) No PAC may make more than \$50 in total expenditures in a calendar year unless it is registered. (Section 1559)
- (7) The term "expenditure" includes the transfer of funds by a PAC to another candidate or committee but does not include communications by a PAC not made to influence an election or a news story, commentary or editorial, unless the facilities through which the item was distributed are owned or controlled by any party, committee or candidate. (Section 1552)
- (8) A PAC shall identify upon registration, each contributor of more than \$50 in the calendar year. (Section 1553)

Contribution Limits

Corporations - \$5,000 per candidate, per election.
PACS - \$5,000 per candidate, per election.
Labor - \$5,000 per candidate, per election.
Individuals - \$1,000 in the aggregate, per candidate, per election;
\$25,000 in the aggregate per calendar year. (Section 1395)

Establishment of PACS

A PAC is a separate or segregated fund established by a corporation, membership, organization, cooperative or labor union, to influence the outcome of an election. The term also includes any individual, committee, firm, partnership, corporation or association which serves as a funding and transfer

mechanism and by which moneys are expended to influence an election. (Section 1552)

Any membership organization or corporation which makes a communication to its members or stockholders expressly advocating the election or defeat of a clearly identified candidate shall report any expenditures in an aggregate amount in excess of \$50 for such communication in any election. (Section 1397)

Contents of Disclosure Statements

The reports of candidates and committees shall contain:

- (1) Itemized accounts of contributions received, giving the name, address, occupation, and principal place of business of any person who contributes an aggregate amount in excess of \$50 for that report filing period.
- (2) Itemized expenditures made or authorized, giving the purpose, the name of each payee, and the name of each creditor.
- (3) Total contributions of less than \$500.
- (4) Any loan of \$500 or more from a financial institution.

The report of any other person contributing over \$50 shall contain:

- (1) An itemized account of each contribution in excess of \$50, giving the name, address, occupation and principal place of business of each contributor.
- (2) A statement of whether the contribution is in support of or opposition to the candidate.
- (3) A statement of whether the contribution was made at the suggestion of or in cooperation with any candidate.

The aforementioned reports will be filed at the times required for filing reports with respect to the office of the Governor and other state and county offices. (Sections 1397, 1414)

The reports shall contain:

- (1) The names and addresses of any candidate to be supported or opposed.
- (2) The names and addresses of any committee supported in any way by the registrant.
- (3) The referendum or initiative petition supported or opposed and the names and addresses of the organizations to which expenditures were made.
- (4) An itemization of expenditures.
- (5) Aggregate expenditures.
- (6) Names and addresses of contributors to the PAC, the amount given by each donor and the date. (Section 1558)

State Tax Provision: None.

Political Advertising

Communications expressly advocating the election or defeat of a clearly identified candidate through broadcasts, print, outdoor facilities, or mail shall clearly and conspicuously state whether the communication has been authorized by the candidate or

his committee and shall clearly state the name and address of the person that made the expenditure for the communication.

(Sections 1394, 1416)

Penalties

There is a \$10 per day fine for each business day a report is delinquent. Other violations are Class E crimes with fines up to \$5,000. A ten day grace period for filing reports is allowed (Sections 1398, 1563)

A penalty of \$10 for each business day that a report is filed late for a referendum campaign. (Section 1417)

MAINE

LOBBYING LAWS

(Maine Revised Statutes, Title 3, Chapter 15, Sections 311 through 326)

WHO is a "Lobbyist"

Any person who is specifically employed by another to communicate directly with an official of the legislative branch in order to influence legislative action or any person who as a regular employee spends in excess of eight hours per calendar month in such communication.

Excludes:

- (1) A person appearing before a legislative committee in connection with a measure before that committee.
- (2) A person responding to a request for information made by an official in the legislative branch.
- (3) An individual who is a partner, associate, member or employee of a firm, corporation or professional association which has been employed for lobbying, when that individual is acting for the lobbyist in representing the employer.
(Section 312-A)

WHO Registers

- (1) Principal - YES
- (2) Lobbyist/Employer - YES

The lobbyist and principal shall file a joint statement signed by both. (Section 313).

MARYLAND

CAMPAIGN CONTRIBUTION LAWS

(Code of Maryland, Article 33, Sections 26-1 through 26-21)

WHERE to File Statements and Obtain Forms

Candidates: With the board at which he filed his certificate of candidacy.

Political committees:

State Administrative Board of Election Laws
210 Main Street
Annapolis, Maryland 21401
(301) 269-3711

WHO Must File Statements

Each candidate who expects to receive contributions or make expenditures in excess of \$300, and his designated treasurer, and any committee including a political club, that directly or indirectly expends \$51.00 or more to aid or oppose the nomination or election of any candidate (regardless of the purpose for which the committee is formed). (Section 26-11)

WHEN to File Statements

No later than the fourth Tuesday immediately preceding any primary election, no later than the second Friday immediately preceding any election and no later than the third Tuesday after the general election. Reports on any funds or obligations remaining after the general election are due six months after the general election, twelve months after the general election and annually on the anniversary of the general elections until no cash balance, unpaid balance or deficit remains. Central committees and political committees, in non-election years, file on the anniversary of the date of the last general election. (Section 26-11)

Rules Governing Contributions and Expenditures

- (1) Any money or other thing of value received from any unknown person or source by any treasurer shall not be used for any political purpose whatsoever. (Section 26-7)
- (2) A person shall not, directly or indirectly, make a payment or promise of payment, in a name other than his own. (Section 26-16)
- (3) The \$100 and \$2500 campaign limitations do not apply to transfers of funds from one political candidate's treasurer to another's treasurer. (Section 26-9)
- (4) Federal candidates need only file a copy of federal statements

with the State Board. (Section 26-12)

- (5) Contributions in excess of \$100 must be made by check.
(Section 26-9)

Contribution Limits

Corporations - \$1000 per candidate, \$2500 per election.

PACS - Out-of-state PACS: \$1000 per candidate, \$2500 per election.

Labor - \$1000 per candidate, \$2500 per election.

Individuals - \$1000 per candidate, \$2500 per election.

It shall be unlawful for any individual, association, unincorporated association, corporation, or any other entity either directly or indirectly to contribute any money or thing of value greater than \$1000 to any candidate, or greater than \$2500 in any primary or general election. (Section 26-9)

A contribution made by an officer, director, or partner of a business entity, and a contribution made by an employee, agent, or other person at the suggestion or direction of a business entity, shall be attributed to the business entity so that it may be included in the statement filed by the business entity as though made directly by it.

Business done with the state, county, incorporated municipality, or other political subdivision of the state by a subsidiary business entity shall be attributed to the parent and shall be included in the statement filed by the parent. Contributions made by, caused to be made by, or attributed to a subsidiary shall be attributed to the parent and shall be included in the statement filed by the parent. (Section 30-3)

Establishment of PACS

A PAC is subject to provisions governing a "political committee".
(Section 1-1)

An out-of-state PAC making expenditures within Maryland is subject to the state reporting requirements, and, according to an interpretation by the state Attorney General, is subject to the contribution limits. Whereas, a committee (or PAC) registered in Maryland is exempt from the monetary limits on contributions.
(Sections 26-4, 26-9)

Contents of Disclosure Statements

The report by a candidate or committee shall contain:

- (1) All contributions received or expenditures made in furtherance of a candidacy by a candidate or any person or group of persons.
- (2) A statement that no contributions or expenditures have been made, if that is the case.

The treasurer of a committee shall report to the treasurer of the candidate being aided, which report shall be included in the statement of contributions and expenditures reported by the treasurer of the candidate. (Section 26-11)

Every person who has done business with the state, county, incorporated municipality, or other political subdivision of the state involving cumulative consideration of \$10,000 or more in a 12-month period, shall file a statement with the Secretary of State if the person made contributions to a state or local candidate during the reporting period.

- (1) The names of all candidates to whom contributions were made and the offices sought.
 - (2) The amount of the aggregate contributions to each candidate.
 - (3) The name of each governmental agency with which the person did business.
 - (4) The nature and amount of business done with each agency.
 - (5) If the business was done or the contribution was made by another person and if it was attributed to the person filing the statement, the name of the person who did the business or made the contribution, and the relationship of that person to the person filing the statement.
- (Section 30-2)

State Tax Provision: None.

Political Advertising

- (1) Every person who publishes or distributes campaign literature must include the name and address of the person responsible for the publication or distribution. (Section 26-16)
- (2) Every political advertisement must contain a statement that it is a paid political advertisement and name the person who has authorized its production. (Section 26-17)
- (3) No person or corporation publishing a newspaper or periodical shall charge a higher rate for political advertisements than it charges for commercial advertisements. (Section 26-17)
- (4) Every candidate and every person who publishes or distributes political matter shall maintain for one year following each election a complete file of sample copies of all such material published or distributed by his authority. A "distributor" does not include salaried employees or agents, or volunteers of a person or corporation. A person need not maintain copies of billboards and placards. (Section 26-17.1)

Penalties

For the first six days a report is delinquent, there is a fine of \$20 per day; thereafter, the fine is \$10 per day, up to a maximum of \$250. (Section 26-13)

A knowing and willful violation constitutes a misdemeanor punishable by a fine not to exceed \$1000 or imprisonment not to exceed one year, or both. Violators shall be ineligible for public or party office for four years. (Section 26-18)