

LDIR#092

LOBBYING

1958-1959

REPRESENTATION BEFORE STATE AGENCIES

CHAPTER 12¹⁰

H. B. No. 4

An Act requiring the registration of persons who represent others before State Agencies; defining certain terms; requiring all State Agencies to report certain information to the Secretary of State; requiring the Secretary of State to index and file reports made by State Agencies; containing certain exceptions; and providing penalties for the violation of this Act.

Be it enacted by the Legislature of the State of Texas:

Definitions

Section 1. In this Act, unless the context otherwise requires:

- (a) "state agency" means any office, department, commission or board of the executive department of government;
- (b) "person" means any individual including a member of the Legislature, legislative employee, state officer or state employee.

Registration

Sec. 2. Except as herein provided, every person appearing before a state agency or contacting in person any officer or employee thereof on behalf of any other person, firm, partnership, corporation or association in relation to any case, proceeding, application, or other matter before such agency, shall register in an appropriate record, which shall be maintained by the agency for such purpose, the following information:

- (a) the name and address of the registrant;
- (b) the name and address of the person, firm, partnership, corporation, or association on whose behalf the appearance or contact is made;
- (c) a statement as to whether or not the registrant has received or expects to receive any money, thing of value or financial benefit in return for the services rendered in making the appearance or contact.

This Act shall not apply to officers or employees of a state agency when appearing before or contacting officers or employees of another state agency on official inter-agency matters.

10. Vernon's Ann.P.C. art. 183-2.

Comment

VOL. IV, NO. 3

INSTITUTE OF PUBLIC AFFAIRS, THE UNIVERSITY OF TEXAS

MAY, 1958

LOBBY REGULATION IN TEXAS

James R. Soukup*

GROUP REPRESENTATION by lobbyists is an essential part of the democratic process. United States Congressmen and state legislators are elected from geographic units. But on many political issues common interests are determined by occupation, social status, and other factors that transcend territorial boundaries. If these interest groups are to participate in policy determination they must maintain close contact with public officials. There is, however, a need to regulate certain aspects of lobbying. Selfish interests with little concern for the majority have sometimes exerted undue influence. In a few instances, lobbyists have sought to sway public officials by a combination of social parties, favors, and bribery.

In Texas, the first serious attempt to regulate such activities was the Lobby Control Act of 1907.¹ It forbade attempts to influence legislation "by means other than appeal to reason" and provided that persons guilty of lobbying should be fined and, if necessary, imprisoned. Obviously, the philosophy was that lobbying should be prohibited rather than regulated. However, because of their unrealistic nature, the provisions of the law were never enforced.

Since 1907, attempts have been made to move from "prohibition" to "publicity" of lobbying activities. Scandals involving a few insurance company executives,

naturopaths, legislators, and state officials led to the inclusion of lobby regulation in Governor Daniel's call for a Special Session of the Legislature in October, 1957. After considerable debate, a new lobby control act was passed in November.

The objectives of this article are to reveal the nature of the controversy over lobby regulation in Texas, to explain the provisions of the 1957 lobby law, and to evaluate the probable political impact of this legislation. The analysis is based primarily upon information derived from personal interviews with key legislators and lobbyists.²

Legislators' Attitudes

Texas lawmakers agree that lobbyists provide valuable information and perform the essential task of functional representation. Furthermore, they are aware that the United States and Texas Constitutions guarantee every person the right to petition his elected representatives. Consequently, the consensus is that the abuses of lobbying—and not lobbying *per se*—should be controlled. Beyond this point, however, there is considerable conflict.

During the Special Sessions of October 14–November 12, 1957 a small but vocal group of legislators, generally though not exclusively composed of so-called "liberals," stressed the need for a new approach to lobby regulation. They advocated the repeal of the 1907 law on the grounds that it was based on the mistaken

view that lobbying is evil and maintained that a new law designed to "publicize" the activities of lobbyists should be passed. They argued that wide publicity would make it difficult for unscrupulous persons to operate and enable the public to vote more intelligently.

In contrast, the majority of legislators felt that the bribery statute and other existing laws would be sufficient to cope with corruption if properly enforced. Frequent remarks were made to the effect that "you cannot legislate honesty." In other words, most legislators thought that the problem was one of ethics and administration of old laws rather than the question of new legislation. Some were angered by attempts to pass a new lobby law because they believed such moves implied that members of the Legislature are corruptible. A number of lawmakers accused the Governor of pushing through such legislation in order to enhance his position in the forthcoming election. Most of these legislators agreed, however, that some form of lobby law had to be passed in order to bolster public confidence in the integrity of the Legislature and to prevent unjustified attacks upon incumbent legislators by rival candidates.

In conjunction with this division over the need for new lobby legislation, a number of other issues developed. Specifically, controversies arose concerning the questions of who should be required to register and report and the content of reports.

Legislators who were critical of changing the old lobby law contended that, if others insisted upon such changes, there

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¹ *Vernon's Texas Statutes, 1948*, Penal Code, arts. 179–183.

² These interviews were conducted by the writer from October 13, 1957–March 1, 1958.

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REPRESENTATION BEFORE THE LEGISLATURE ACT

CHAPTER 97

S. B. No. 2

An Act to be known as the Representation Before the Legislature Act; defining terms; providing for the registration of persons who undertake by direct communication, to promote or oppose the passage of any legislation by the Legislature or the approval or veto thereof by the Governor; providing certain exceptions to application of the Act; providing for the information reports; providing for the filing of reports by registrants, supplemental reports; providing for the filing of reports by registrants, the information to be contained therein and the time of filing; providing for filing of termination of employment; providing that the provisions of this Act shall not be construed as repealing Chapter 14 of the Election Code of 1951; providing for the duties of the Chief Clerk of the House of Representatives; prohibiting contingent fees; prohibiting unauthorized persons from going on the floor of either House of the Legislature; prohibiting the attempt to influence a member of the Legislature, the Lieutenant Governor or the Governor except by an appeal to reason; prohibiting spurious communications; and providing for penalty; fixing venue; providing that the provisions of this Act shall be cumulative of certain Articles of the Penal Code; repealing certain Articles of the Penal Code; providing a severability clause and declaration of legislative intent; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Short Title

Section 1. This Act shall be known as the Representation Before the Legislature Act.

Definitions

Sec. 2. As used in this Act, unless the context otherwise requires:

(a) The term "person" means any individual, firm, partnership, committee, association, corporation, or any other organization or group of persons, except that "personal" in Section 2(e) and "persons" required to register in Section 3 refer only to natural persons.

(b) The term "expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or gift of money or any thing of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(c) The term "legislation" means bills, resolutions, amendments, nominations, and other matters pending in either House of the Legislature, or any other matter which may be the subject of action by either House, including the consideration, passage, defeat, approval or veto of same.

(d) The term "compensation" means any money, service, facility, thing of value or financial benefit received or to be received in return for or in connection with services rendered or to be rendered.

(e) The term "direct communication" means any personal appearance before a legislative committee, or any personal contact with any member of the Legislature, the Governor or Lieutenant Governor, during a session of the Legislature, to argue for or against pending legislation, or any action thereon by the Legislature, the Governor, or the Lieutenant Governor.

CONNECTICUT GENERAL STATUTES

REVISION OF 1958

SEC. 2-45. LEGISLATIVE APPEARANCES. Each person retained or employed for compensation to promote or oppose, directly or indirectly, the passage of any legislation or to promote or oppose executive approval of any legislation, shall, before any service shall be performed in promoting or opposing such legislation, sign and file in the office of the secretary of the state a statement or statements setting forth the name or names of the employer or principal by whom or on whose behalf he is so retained or employed, together with a brief description of the legislation in reference to which such service is to be rendered and shall pay for such filing a fee of five dollars. No notice so filed shall be valid for more than thirty days after the adjournment of each session of the general assembly. The secretary of the state shall provide a docket to be known as the "docket of legislative appearances", with appropriate blanks and indices, and forthwith enter therein the names of such persons and the employers or principals retaining or employing them, together with a brief description of the legislation in reference to which the service is to be rendered, which docket shall be open to public inspection. Upon the termination of such employment, the fact of such termination, with the date thereof, may be entered by written direction either of such person or the employer or principal. No person, firm, corporation or association shall retain or employ any person to promote or oppose legislation for compensation contingent in whole or in part upon the passage or defeat of any legislative measure. No person shall, for compensation, in behalf of another, engage in promoting or opposing legislation unless he shall have entered an appearance in accordance with the provisions of this section, nor shall any person accept any such employment or render any such service for compensation contingent upon the passage or defeat of any legislative measure. Each person, firm, corporation or association in whose behalf a person shall have been employed or authorized to promote or oppose legislation shall file, within two months after the adjournment of the general assembly, in the office of the secretary of the state, an itemized verified statement showing in detail all items paid, incurred or promised, directly or indirectly, in connection with the legislation pending at the last previous session, with the names of the payees and the amount paid to each, or, in the event that no compensation has been paid or promised for the services rendered, such statement shall so indicate, and shall specify the person or persons who have rendered such services in connection with legislation pending at the last previous session. A fee of five dollars shall be paid for the filing of each such statement. The provisions of this section shall not apply to municipal corporations, public boards and institutions, and their duly accredited counsel or agents, nor shall any provision hereof be construed as affecting professional services in drafting bills or in advising clients or in rendering opinions as to the construction and effect of proposed or pending legislation. Any person violating any provision of this section shall be fined not more than one thousand dollars or imprisoned not more than one year or both. In addition to such penalties, any person failing to file the statement of legislative services and expenses within the time required shall forfeit to the state the sum of five dollars per day for each day after the expiration of the two months within which such statement is required to be filed, to be recovered in an action to be brought by the attorney general. The secretary of the state shall promptly notify the attorney general of any violation of this section of which he may have knowledge.

journals of the senate and of the house of representatives, and the notice published and affidavit of publication thereof shall accompany the bill throughout the legislature and be preserved as a part thereof in the office of the secretary of state.

History.—§2, ch. 3708, 1887; RS 67; GS 68; RGS 79; CGL 95; §1, ch. 13791, 1929; am. §1, ch. 21635, 1943. cf.—§21, Art. III, Const., 1885.

11.031 Official census.—

(1) All acts of the state legislature based upon population and all constitutional apportionments shall be based upon the last decennial statewide census.

(2) No special county or district census shall be effective for any purposes other than to ascertain the population for the purpose of interpreting an existing law relating to additional judges of the circuit court but no existing population or apportionment act shall be affected by a special census.

History.—Comp. §§1, 2, ch. 57-126.

11.04 Notices declared to be sufficient.—Any notice heretofore published, now being published, or hereafter published which conforms to the requirements of §11.02 shall be sufficient in manner, form and substance; provided, however, any notice by posting in the manner provided by this chapter, which has heretofore been posted in any county or counties having a newspaper, is sufficient in manner, form and substance.

History.—§2, ch. 13791, 1929; CGL 1936 Supp. 95(1).

11.05 Oath by lobbyist; penalty for false swearing.—Whenever any person shall appear before any committee of the legislature of the state for the purpose of advocating or opposing, proposed changes or amendments, or in any wise discussing a measure or matter being considered by such committee, such committee, or any member thereof, may require such person to state upon oath in writing whether or not he appears in his own individual interest or in the interest of some other person and if so the name of such person and if he has been or is to be paid a fee or any compensation, directly or indirectly, for such service, or as expenses or otherwise to so appear before such committee, and when such oath is required by a committee or any member thereof the chairman of the committee shall file the written oath with the secretary of the senate and the chief clerk of the house, and said oath shall at once be spread upon the journal of each house for the information of the members of the legislature.

Any person who shall swear falsely as to any material fact in such oath shall be deemed and held guilty of false swearing and shall be imprisoned in the state prison not exceeding twenty years.

History.—§§1, 2, ch. 5712, 1907; RGS 80, 5342; CGL 96, 7475.

11.06 Member of committee may administer oath.—For the purpose of §11.05 the chairman

or any member of the committee before whom such person may appear, may administer the oath herein provided for.

History.—§3, ch. 5712, 1907; RGS 81; CGL 97. cf.—§11.05, Penalty for false statement.

11.07 Method of enrolling bills, etc.—All bills and joint resolutions passed by the senate and house of representatives shall be duly enrolled in black record by typewriting machines or by photographing, on paper, by the enrolling clerk of the senate or the enrolling clerk of the house, accordingly as the bill or joint resolution may have originated in the senate or house, before they shall be presented to the governor or filed in the office of the secretary of state.

The size, style and quality of the paper to be used shall be prescribed by the secretary of state and furnished by him, in sufficient quantities, to the enrolling clerks of the senate and house, the cost of said enrolling paper shall be paid for from the appropriation for legislative expense.

History.—§§1, 2, ch. 7346, 1917; RGS 82; CGL 98; §1, ch. 25005, 1949; §1, ch. 29741, 1955.

11.08 Subpoena of witnesses; sheriff's costs; penalty for false swearing.—Whenever required by any committee duly constituted by the senate, or the house of representatives, or by the senate and house of representatives of the legislature of Florida, the chairman thereof, shall issue subpoena and other necessary process to compel the attendance of witnesses before such committee, and the chairman, or any other member of such committee, may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who shall appear before such committee for the purpose of testifying in any matter about which such committee may desire evidence, and the sheriffs in the several counties in this state shall make such service and execute all process, or orders, when required by such committee, said sheriffs to be paid the same fees as are allowed them by law for similar services.

Whoever wilfully affirms or swears falsely in regard to any material matter or thing before any such committee of the legislature shall be deemed guilty of false swearing and shall be imprisoned in the state prison not exceeding twenty years.

History.—§§1, 2, ch. 8399, 1921; CGL 99, 7476. cf.—§§9, 10, Art. III, Const., 1885.

§30.23, Fees and mileage of sheriff.

11.09 Pay of witnesses.—All witnesses summoned before any committee mentioned in §11.08, shall receive two dollars for each day's actual attendance and also five cents per mile for actual distance traveled to and from the place required to appear and give such testimony.

History.—§3, ch. 8399, 1921; CGL 100. cf.—§10, Art. III, Const., 1885.

11.10 Subpoena duces tecum.—Any committee mentioned in §11.08 may compel by duces tecum the production of any books, letters, or

ACT TO REGULATE LOBBYING

State of Indiana
Acts 1915, page 5.

AN ACT regulating lobbying; requiring the registration of legislative counsel and agents and regulating their activity; and prohibiting improper and corrupt lobbying.

Lobbying - Filing of Statement.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, That any person, firm, corporation, or association, or any officer or employe of a corporation or association acting for or on behalf of such corporation or association, who directly or indirectly employs any person or persons, firm, corporation or association to promote, advocate, or oppose in any manner, any matter pending, or that might legally come before the general assembly or either house thereof, shall within one week from the date of such employment, or within one week from the going into effect of this act, furnish in a signed statement to the secretary of state the following information, to wit:

1. If an individual, his full name, place of residence, and place of business.
2. If a firm, the correct firm name, place of business and the full name and place of residence of each partner.
3. If a corporation or association, its full name, the location of its principal place of business, whether a domestic or foreign corporation, and the names and the places of residence of each of its officers.
4. The nature and kind of their business, occupation or employment.

Revised

TITLE II

LEGISLATIVE BRANCH

CHAPTER 6

THE GENERAL ASSEMBLY [1956]

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CROSS REFERENCES

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Bills and resolutions, how approved or vetoed, Const. 88, 89	Legislative powers, separated from executive and judicial, Const. 27, 28
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Constitutional provisions as to General Assembly: Const. 15, 20, 27 to 68, 80, 83, 85, 88 to 91, 109, 152, 165, 171, 197, 256	Offices incompatible with membership in General Assembly, Const. 165
Contest of election of Governor or Lieutenant-Governor, Const. 90, KRS 122.120	President pro tem of Senate, Const. 85
Contest of election of member, KRS 122.110	Printing ordered by General Assembly, rate of payment for, KRS 57.230, 57.240
Convening and adjournment of General Assembly by Governor, Const. 80	Public Service Commission, Senate to approve appointees to, KRS 278.050
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Laws, power to suspend, Const. 15	Taxing power; referendum to classify property for tax purposes, Const. 171
Legislative Research Commission, KRS 7.090 to 7.110	Vacancies, how filled, Const. 52; KRS 121.030
Legislative Research Commission to assist Gen-	

LOUISIANA LEGISLATIVE COUNCIL

July 29, 1959

The Louisiana Constitution contains no specific provision on lobbying. Article XIV, Section 12, however, is pertinent since the definition of bribery therein contained includes the offering or giving of any money, bribe, present, reward, promise, or thing of value to members or officers of the Legislature "with the intent to induce or influence such officers, or members of the Legislature". Conviction of bribery on these grounds renders the legislator or legislative officer forever ineligible to a seat in the Legislature. This section also authorizes the Legislature to enact additional penalties.

Rule No. 20 of the House of Representatives further restricts lobbying by declaring: "Lobbying will not be permitted on the floor of the House nor shall lobbyist be permitted to summon or signal members or attempt to call the members from their desks. Persons guilty of this will be expelled from the House Chamber and upon a second offense shall be denied entrance into the House for the balance of the Session."

The Senate has no specific rules governing lobbying.

Statutes governing lobbying are attached.

shall report to the governor within 15 days after the convening of each regular legislative session, which report shall be transmitted by the governor to the legislature, and it may report to the governor at such other times as it deems appropriate. Its members and the members of all delegations and committees which it establishes shall serve without compensation for such service. (R. S. c. 9, § 39.)

Legislative Counsel and Agents.

Sec. 34. Registration of legislative counsel and agents and of employers of same.—Any person or persons accepting employment to act as legislative counsel or agent to promote or oppose, directly or indirectly, legislation by the legislature shall within 48 hours after such employment cause his or their name or names to be entered upon a docket as hereinafter provided, and all employers of such legislative counsel or agents shall also within the same time cause their names to be entered upon the same docket as hereinafter provided. (R. S. c. 9, § 40.)

Sec. 35. Registration docket; kept by secretary of state; open to public inspection.—The secretary of state shall prepare and keep a docket for the registration of legislative counsel or agents and of their employers, which docket shall be open to public inspection during the office hours of said secretary of state and shall contain the names of legislative counsel and agents and of their employers, the addresses of each, the date and subject matter of the employment, and, by appropriate words, a designation of whether such employment is as counsel or agent or both. Such docket shall be so arranged and indexed that under the name of each employer shall appear the names of all legislative counsel or agents employed by him and that the name or names of each employer represented by any counsel or agent shall appear under the name of such counsel or agent. (R. S. c. 9, § 41.)

Sec. 36. Compensation not to be contingent.—No person shall be employed as a legislative counsel or agent for compensation dependent upon a contingency. (R. S. c. 9, § 42.)

Sec. 37. "Legislative counsel" and "legislative agent" defined.—The term "legislative counsel" as used in sections 34 to 39, inclusive, shall be construed to mean any person who for compensation appears at any public hearing before committees of the legislature in regard to proposed legislation. The term "legislative agent" as used in said sections shall be construed to mean any person, firm, association or corporation that for hire or reward does any act to promote or oppose proposed legislation except to appear at public hearings before committees of the legislature, and shall include all persons who for compensation shall approach individual members, of the legislature or members-elect thereof with the intent in any manner, directly or indirectly, to influence their action upon proposed legislation. (R. S. c. 9, § 43.)

Sec. 38. Application of terms.—The provisions of sections 34 to 39, inclusive, shall not apply to state, county, municipal or quasi-municipal officials, or their regularly elected or appointed subordinates, who act for no compensation other than their ordinary salary or compensation as such public officials or subordinates. (R. S. c. 9, § 44.)

Sec. 39. Penalties for violation. — Whoever violates any provision of sections 34 to 37, inclusive, shall be punished by a fine of not less than \$100, nor more than \$500, and the attorney general shall cause prosecutions to be instituted for the violation of any of the provisions of said sections. Any person, firm or corporation who shall falsely enter upon the docket aforesaid the name or names of any person or firm as his or their legislative counsel or agent shall be punished by a fine of \$100 and shall be answerable in damages to the person or firm whose name or names has been so falsely entered. (R. S. c. 9, § 45.)

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sum of Thirty-six Dollars; those from Charles County, the sum of Forty-eight Dollars; those from Dorchester County, the sum of Ninety Dollars; those from Frederick County, the sum of Thirty-three Dollars; those from Garrett County, the sum of One Hundred and Ten Dollars; those from Harford County, the sum of Twenty-seven Dollars; those from Howard County, the sum of Eighteen Dollars; those from Kent County, the sum of Sixty-four Dollars; those from Montgomery County, the sum of Twenty-six Dollars; those from Prince George's County, the sum of Twenty-five Dollars; those from Queen Anne's County, the sum of Sixty-eight Dollars; those from St. Mary's County, the sum of Seventy-one Dollars; those from Somerset County, the sum of Ninety-two Dollars; those from Talbot County, the sum of Eighty-six Dollars; those from Washington County, the sum of Forty-nine Dollars; those from Wicomico County, the sum of Eighty-six Dollars; and those from Worcester County, the sum of Ninety-four Dollars.

1947 Supp. sec. 1A. 1943, ch. 2.

2. The State Comptroller is hereby authorized and directed to pay to each member of the General Assembly, in accordance with the provisions of Section 15 of Article 3 of the Constitution of Maryland, on the first day of January, April, July and October each year, beginning with January, 1943, the sum of Two Hundred and Fifty Dollars (\$250.00) each, except that the presiding officer of each House shall be paid the sum of Three Hundred and Twelve Dollars and Fifty Cents (\$312.50) on each of said days, provided, however, that the first quarterly payment to any newly elected or appointed member or to any re-elected member of the General Assembly shall be made only after such newly elected, appointed or re-elected member has qualified and taken the oath of office.

The presiding officer of each House shall file with the State Comptroller a certified list of the members of the respective Houses who have been elected and qualified, which certificate shall be the authority to said Comptroller to make the above specified payments. Where any deductions are to be made for unexcused absences from any session of the General Assembly, such deductions shall be made from the next succeeding payment or payments. In case of a vacancy in the membership of either House of the General Assembly, the presiding officer thereof shall notify the State Comptroller of such vacancy as soon as he is informed thereof.

An. Code, 1939, sec. 2. 1924, sec. 2. 1912, sec. 2. 1904, sec. 2. 1888, sec. 2.
1868, ch. 70. 1890, ch. 486.

3. It shall be lawful for the state librarian to furnish each member of the general assembly, the chief clerk of the house of delegates, secretary of the senate, reading clerk of each house, journal clerk of each house, the sergeant-at-arms of each house and the chief engrossing clerk of each house an amount of stationery not exceeding in value Twenty-five Dollars; any member or officer above named may at his election take such amount either in stationery or money, or both, to said amount.

An. Code, 1939, sec. 3. 1924, sec. 3. 1912, sec. 3. 1904, sec. 3. 1888, sec. 3.
1868, ch. 61. 1884, ch. 400.

4. Whenever the general assembly shall meet it shall not be necessary



The Commonwealth of Massachusetts

Office of the Sergeant-at-Arms
STATE HOUSE

Instructions for Registration as Legislative Counsel or Agents.

Tercentenary Edition of The General Laws, Chapter 4.

SECTION 7. In construing statutes the following words shall have the meanings herein given, unless a contrary intention clearly appears:

Twenty-third, "Person" or "whoever" shall include corporations, societies, associations and partnerships.

Every name registered as an employer must be the name of a **person** or of a legally established **corporation, society, association, or partnership.**

The full name and business address of each and every person, corporation, society, association, or partnership so registered (and of all the persons and corporations, societies, associations, or partnerships concerned), also the name, residence, business address and occupation of the person employed must be given in each case; the signature, "John Doe, *et al.*," is not sufficient.

The registration of subjects of legislation engaged upon must give the special title and number of each bill.

Sergeant-at-Arms.

Arthur P. Driscoll
(SEE INSIDE.)

Michigan

LEGISLATIVE AGENTS

AN ACT to license legislative agents, and to regulate their activities; to prescribe the powers and duties of certain state officials with respect thereto; and to prescribe penalties for violations of the provisions of this act.

(Act 214, Public Acts, 1947, as amended by
Act 187, Public Acts, 1958. Being Sections
4.401 to 4.410, Inclusive, Compiled Laws of 1948.)

Section 1. The term "legislative agent" as used in this act shall be construed to mean a person who is employed by a person, firm, association, or corporation; or by any board, department, or agency of the state of Michigan, or any political subdivision thereof, to engage in promoting, advocating, or opposing any matter pending before either house of the legislature or any committee thereof, or who is employed expressly for the purpose of promoting, advocating, or opposing any matter which might legally come before either house of the legislature or any committee thereof.

Sec. 2. The terms "advocating," "promoting," and "opposing" shall be construed to mean any act or acts, performed directly with a member of the legislature, for the purpose of influencing him to vote or to use his influence for or against any matter pending before either house of the legislature or any committee thereof.

Sec. 3. Any person who shall confine his activities in promoting, advocating or opposing any matter pending before either house of the legislature or any committee thereof, to written communications or to formal appearances before any legislative committee or committees to which such matter has been duly referred, and who in writing clearly identifies himself to the committee together with each and every person, firm, association, corporation, or other interest represented by him, shall not be deemed to be a legislative agent within the meaning of this act; neither shall such term include any person whose contact with the legislature is limited to furnishing information at the request of any legislator or legislative committee regarding any matter pending before either house of the legislature or any committee thereof.

Sec. 4. Every person retained or employed as a legislative agent by any person, firm, corporation or association to promote or oppose the passage of bills or resolutions in each and every year, before any service is entered upon in promoting or opposing such legislation, shall file with the secretary of state on forms provided by that office, a sworn statement containing the following information:

1. Full name of applicant, place of residence and place of business.
2. Name of firm, corporation, association or governmental agency of which he is an employee, partner or owner, together with the position held, business address and principal occupation of the firm of which applicant is an employee.
3. If the applicant mentioned in (2) is employed by more than 1 person, firm, corporation, association, or agency, the names of such persons, firms, corporations, associations or agencies, business addresses, and principal occupation or occupations.
4. The name and address of the person, firm, corporation, association or agency who will keep the custody and control of the accounts and records required to be kept by section 3 of this act.

Mississippi

3367. Secretary of state to keep record of all lobbyists, registration by the secretary of state.
3368. Certificate of all persons or firms employed required.
3369. No person or firm employed on a contingent fee.
3370. Not applicable to certain persons, services or institutions and not applicable to municipalities or counties, to levee boards or officers.
3371. Fee to be paid to the secretary of state.
3372. Itemized statements of amounts paid employers required and itemized statement of employees showing amounts of expenditures required.
3373. Penalty for violation.

§ 3366. Employers to furnish statement of information for registration by the secretary of state and registration book to be kept by the secretary of state.

Any person, firm, corporation, or association, or any officer or employee, or a corporation or association who or which, directly or indirectly, employs any person, or firm, to attempt at any time to influence in any manner, the act or vote of any member of the legislature of this state during any session thereof, upon any legislative measure, or to promote, advocate, amend or oppose in any manner, any matter pending or that might legally come before the legislature of this state or either house thereof, or a committee of the legislature of this state, or of either house thereof, shall within five days from the date of such employment furnish a signed statement to the secretary of state the following information, to wit:

1. If an individual, his full name, place of residence, and place of business.
2. If a firm, its full firm name, place of business, and the full name and place of residence of each partner.
3. If a corporation, or association, its full name and the location of its principal place of business, whether a domestic or foreign corporation, the names and places of residence of each of its officers, including directors of corporations and members and officers of association.
4. The nature and the kind of his, their or its business, occupation or employment.
5. The full name, place of residence and occupation of each person or firm so employed, together with the full period of employment.
6. The exact subject-matter pending, or that might legally come before the legislature of this state, or either house thereof, or before any committee thereof, or before any committee of either house thereof, with respect to which such person or firm is so employed.
7. When any change, modification or addition to such employment or the subject-matter of the employment is made, the employer shall, within five days of such change or modification or addition, furnish in a signed statement information regarding the same to the secretary of state.

SOURCES: Codes, Hemingway's 1917, § 5540; 1930, § 5477; Laws, 1916, ch. 105.

CROSS REFERENCES: Crimes and Misdemeanors §§ 2262 et seq.

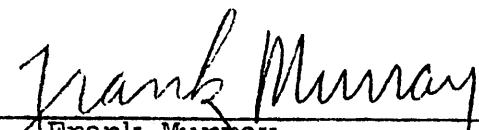
REFERENCES: 12 Am Jur 703; Contracts §§ 202-208; 8 Am Jur 885, Bribery generally.

UNITED STATES OF AMERICA, }
State of Montana } ss.

I, FRANK MURRAY, Secretary of State of the State of Montana, do hereby certify that the following is a true and correct copy of Senate Bill No. 26, Chapter No. 157, Montana Session Laws of 1959, enacted by the Thirty-sixth Session of the Legislative Assembly of the State of Montana, and approved by J. Hugo Aronson, Governor of said State on the seventh day of March, 1959.

IN TESTIMONY WHEREOF, I have here-
unto set my hand and affixed the
Great Seal of said State.

Done at the City of Helena, the
Capital of said State, this third
day of April, 1959.



Frank Murray
Secretary of State

.....

CHAPTER NO. 157
MONTANA SESSION LAWS 1959
SENATE BILL NO. 26

AN ACT TO REGULATE AND CONTROL LOBBYING BEFORE THE STATE LEGISLATURE
AND DURING SESSIONS THEREOF; PROVIDING FOR LICENSING AND REGISTRATION
OF LOBBYISTS; PROVIDING PENALTIES AND ENFORCEMENT.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. The purpose of this act is to promote a high standard
of ethics in the practice of lobbying, to prevent unfair and unethi-
cal practices of lobbyists

STATE OF



NEBRASKA

Department of State

Frank Marsh, Secretary of State of the
State of Nebraska does hereby certify that

the attached is a true and correct copy of Sections
50-301, 50-303, 50-305, and 506, Revised Statutes of
Nebraska, 1943 (Reissue of 1952), and Sections 50-302,
50-304, and 50-307, Revised Statutes of Nebraska, 1943
(1957 Cumulative Supplement), relating to Lobbying in
the State of Nebraska

CRIMES AGAINST EXECUTIVE POWER 197.110

~~197.090 Interfering with public officer. Every person who, by means of any threat, force or violence, shall attempt to deter or prevent any executive or administrative officer from performing any duty imposed upon him by law, or who shall knowingly resist by force or violence any executive or administrative officer in the performance of his duty, shall be guilty of a gross misdemeanor.~~
[1911 C&P § 64; RL § 6329; NCL § 10013]

197.100 Influencing public officers.

1. Every person who shall ask or receive any compensation, gratuity or reward, or any promise thereof:

(a) Upon the representation that he can, directly or indirectly, in consideration that he shall, or shall attempt to, directly or indirectly, influence any public officer, whether executive, administrative, judicial or legislative, to refuse, neglect, or defer the performance of any official duty; or

(b) The right to retain or receive which shall be conditioned that such person shall, directly or indirectly, successfully influence by any means whatever any executive, administrative or legislative officer, in respect to any act, decision, vote, opinion or other proceeding, as such officer; or

(c) Upon the representation that he can, directly or indirectly, or in consideration that he shall, or shall attempt to, directly or indirectly, influence any public officer, whether executive, administrative, judicial or legislative, in respect to any act, decision, vote, opinion or other proceeding, as such officer, unless it be clearly understood and agreed in good faith between the parties thereto, on both sides, that no means or influence shall be employed except explanation and argument upon the merits,

shall be guilty of a gross misdemeanor.

2. In any prosecution under paragraph (c) of subsection 1, evidence of the means actually employed to influence such officer shall be admitted as proof of the means originally contemplated by the defendant.

[1911 C&P § 65; RL § 6330; NCL § 10014]

STATE OF ~~NEW HAMPSHIRE~~
REVISED STATUTES ANNOTATED

Chapter 15
Lobbyists (Legislative Counsel)

15:1 Registration. Any person who shall be employed for a consideration by any other person in a representative capacity to promote or oppose directly or indirectly any legislation pending or proposed before the general court shall first enter his appearance with the secretary of state in a book to be kept for that purpose which book shall be open to public inspection. Such entry shall show the full names of employer and employed, their respective residences, the usual occupation of each, the date and character of the employment or agreement therefor, the duration of the employment if it can be determined, and the special subjects of legislation, if any, to which the employment relates; and, if said employment shall vary from time to time, such entries shall be varied accordingly.

15:2 ___ Fee for Registration. The fee for registration as legislative counsel, for any one legislative session, in accordance with the provisions of section 1 of this chapter, shall be ten dollars.

15:3 Statements. Within thirty days after the prorogation of the legislature, every such legislative counsel, agent, or employee shall file with the secretary of state an itemized statement under oath of his fees and expenditures in connection with such legislative employment and by whom paid or to whom charged. Such statements shall be in such form as the secretary of state may prescribe and shall be open to public inspection.

15:4 Blanks. The secretary of state shall provide suitable books and blanks to carry out the requirements of this subdivision and shall preserve all books and blanks used pursuant hereto.

15:5 Penalty. Whoever violates any provision of this subdivision shall be fined not more than one thousand dollars, and whoever shall make and file any statement under this subdivision which is to his knowledge false shall be deemed guilty of perjury and punished accordingly.

15:6 Prosecutions. The attorney-general shall cause prosecutions to be instituted for the violation of any of the foregoing provisions.

15:7 ___ Testimonial Privilege. No person shall be excused from testifying in a proceeding instituted against another person under the foregoing sections for the reason that he might thereby incriminate himself; but no testimony so given by him shall be used directly or indirectly as evidence against him in any prosecution, nor shall he be prosecuted for any offenses so disclosed by him.

New York

LEGISLATIVE LAW, ARTICLE 4, SECTION 66

§ 66. LEGISLATIVE APPEARANCES. Every person retained or employed for compensation as counsel or agent by any person, firm, corporation or association to promote or oppose directly or indirectly the passage of bills or resolutions by either house or to promote or oppose executive approval of such bills or resolutions, shall, in each and every year, before any service is entered upon in promoting or opposing such legislation, file in the office of the secretary of state a writing subscribed by such counsel or agent stating the name or names of the person or persons, firm or firms, corporation or corporations, association or associations, by whom or on whose behalf he is retained or employed, together with a brief description of the legislation in reference to which such service is to be rendered. No notice so filed shall be valid for more than thirty days after the adjournment of the session of the legislature held in the year in which the same is filed. It shall be the duty of the secretary of state to provide a docket to be known as the docket of legislative appearances, with appropriate blanks and indices, and to forthwith enter therein the names of the counsel and agents so retained or employed and of the persons, firms, corporations or associations retaining or employing them, together with a brief description of the legislation in reference to which the service is to be rendered, which docket shall be open to public inspection. Upon the termination of such employment the fact of such termination, with the date thereof, may be entered by direction of either such counsel or agent or of the employer. No person, firm, corporation or association shall retain or employ any person to promote or oppose legislation for compensation contingent in whole or in part upon the passage or defeat of any legislative measure or measures. No person shall for compensation engage in promoting or opposing legislation except upon appearance entered in accordance with the foregoing provisions of this section. And no person shall accept any such employment or render any such service for compensation contingent upon the passage or defeat of any legislative measure or measures. It shall be the duty of every person, firm, corporation or association within two months after the adjournment of the legislature to file in the office of the secretary of state an itemized statement verified by the oath of such person, or in case of a firm of a member thereof, or in the case of a domestic corporation or association of an officer thereof, or in case of a foreign corporation or association of an officer or agent thereof, showing in detail all expenses paid, incurred or promised directly or indirectly in connection with legislation pending at the last previous session, with the names of the payees and the amount paid to each, including all disbursements made to counsel or agents, and also specifying the name of the corporation or

mileage at the rate of ten cents per mile from their homes to Raleigh and return. The journal clerks, calendar clerks, chief engrossing clerks, reading clerks, sergeants-at-arms, and one assistant calendar clerk in each house shall be allowed the sum of eight dollars per day during the session of the general assembly, and mileage at the rate of ten cents per mile from their homes to Raleigh and return. The secretary to the speaker of the house of representatives, the secretary to the lieutenant-governor, the clerks to the finance and appropriation committees of both houses, (the assistants to the engrossing clerks), the assistant clerks to the principal clerks and the assistant sergeant-at-arms, of the general assembly, and the assistants appointed by the secretary of state to supervise the enrollment of bills and resolutions, shall receive the sum of six dollars per day, and mileage at the rate of ten cents per mile from their homes to Raleigh and return. The clerks to all committees which by the rules of either house of the general assembly are entitled to clerks, except as hereinabove provided, shall each receive five dollars per day during the session of the general assembly, and mileage at the rate of ten cents per mile from their homes to Raleigh and return. The chief pages of the house of representatives and the senate shall receive four dollars per day during the session of the general assembly and mileage at the rate of five cents a mile from their homes to Raleigh and return. All other pages authorized by either of the two houses shall receive three dollars per day during the session of the general assembly and mileage at the rate of five cents a mile from their homes to Raleigh and return. All laborers of the first-class authorized by law or the rules of either the house of representatives or the senate shall receive three dollars and one-half per day during the session of the general assembly and all mileage at the rate of five cents per mile from their homes to Raleigh and return, and laborers of the second class the sum of three dollars per day and mileage at the rate of five cents per mile from their homes to Raleigh and return. The chaplain of each house shall receive four dollars and fifty cents per day. (1925, c. 72, s. 1; 1929, c. 3, s. 1; 1933, c. 6, s. 1; 1937, cc. 1, 272; 1943, c. 393.)

Editor's Note.—The first 1937 amendment added the clerks to the committees on appropriations and finance to the list named in the third sentence. It also inserted the words "except as herein above provided" in the fourth sentence. The second 1937 amendment repealed the 1933 amendment and re-enacted the 1929 amendment, except as to pay of such clerks, which was raised to \$6.00 per day, and pay of ordinary pages which was raised from \$2.50 to \$3.00 per day. The 1943 amendment increased the salaries of the principal clerks and the chief enrolling clerk to \$10.00; and the salaries of the journal clerks, calendar clerks, chief engrossing clerks, reading clerks, sergeants-at-arms, and one assistant calendar clerk in each house to \$8.00. It also provided for paying the chaplain \$4.50 per day.

§ 120-34. Classification of laborers.—The chairman of the committee on rules of the House of Representatives and the chairman of the committee on rules of the Senate are hereby authorized, empowered and directed to classify the laborers of the General Assembly and certify to the chief clerk of the House of Representatives and the chief clerk of the Senate the names of all laborers of the first class and all laborers of the second class, to the end that proper warrants may be is-

sued in payment of services rendered in accordance with § 120-33 and the list when certified shall be the classification of such laborers and they shall be paid accordingly. (1925, c. 116.)

Editor's Note.—This section was re-enacted by Public Laws 1933, c. 6, without change.

§ 120-35. Principal clerks; extra compensation.—The principal clerks of the general assembly shall be allowed four hundred dollars as a compensation for indexing the journals of their respective houses, and five hundred dollars each for extra work and for services required to be performed by them after the adjournment of each session of the general assembly, including the transcribing of a copy of their respective journals, which shall be filed in the office of the secretary of state. (Rev., s. 2732; Code, s. 2868; 1866-7, c. 71; 1881, c. 492; 1911, c. 116; 1919, c. 170; 1921, c. 160; C. S. 3855.)

§ 120-36. Compensation of principal clerks for services in organizing senate and house.—The principal clerks of the senate and house of representatives, together with such assistants as may be necessary in arranging the halls of the senate and house and completing the organization of the two branches of the general assembly before the days for convening thereof, and such services as are rendered after adjournment in the completion of the records, shall receive the same per diem as shall be allowed by law to the said clerks and their assistants during the session. The state auditor is directed to issue his warrants for such clerks and for such time as is certified to by the president of the senate and the speaker of the house, upon vouchers signed by them. (1923, c. 130; C. S. 3855(a).)

Art. 8. Preservation and Protection of Furniture and Fixtures.

§ 120-37. Principal clerks to take and publish inventory.—At the end of each and every session of the general assembly, the principal clerks of each house shall take an inventory of the furniture, desks, fixtures, chairs, and other property belonging to their respective houses, and publish said inventory in the appendix of their respective journals. (1921, c. 219, s. 1; C. S. 6116(a).)

§ 120-38. Duty and responsibility of Board of Public Buildings and Grounds.—The Board of Public Buildings and Grounds shall have charge and care of the said furniture and fixtures during the vacations of the general assembly, and it shall be its duty to see that said furniture remains in the offices and halls of the two houses from session to session, and it shall be responsible for the safe-keeping of said furniture and fixtures. (1921, c. 219, s. 2; C. S. 6116(b).)

§ 120-39. Removal of furniture and fixtures a misdemeanor.—It shall be a misdemeanor for any person or persons to remove any of said furniture and fixtures from the halls of the general assembly between sessions of the legislature for any purpose whatever. (1921, c. 219, s. 3; C. S. 6116(c).)

Art. 9. Lobbying.

§ 120-40. Lobbying defined; registration of lobbyists.—Every person, corporation or associa-

W. BRUTON
LAUDE L. LOVE
ARRY W. MCGALLIARD
EYTON B. ABBOTT
ALPH MOODY
KENT BURNS
ASIL L. SHERRILL
ASSISTANT ATTORNEYS GENERAL

of State,
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tteries,

the above
this or

CHAPTER 218

S. B. No. 63—(Stucke, Braun and Brant)

LEGISLATIVE LOBBYING

An Act to regulate the practice of lobbying requiring certain information to be filed relative to lobbyists and providing penalty for the violation thereof.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. CORRUPT MEANS TO INFLUENCE LEGISLATION: DISCLOSURE OF INTEREST.] Any person who shall, directly or indirectly, give or agree or offer to give any money or property or valuable thing or any security therefor to any person, for the service of such person or of any other person in procuring the passage or defeat of any measure before the legislature or before either house or any committee thereof, upon the contingency or condition of the passage or defeat of such measure, or who shall receive, directly or indirectly, or agree to receive any such money, property, thing of value or security therefor for such service, upon any such contingency or condition, or who, having a pecuniary or other interest, or acting as the agent or attorney of any person in procuring or attempting to procure the passage or defeat of any measure before the legislature or before either house or any committee thereof, shall attempt in any manner to influence any member of such legislature for or against such measure, without first making known to such member the real and true interest he has in such measure, either personally or as such agent or attorney, shall be punished by imprisonment in the county jail not more than one year or by fine not exceeding two hundred dollars.

§ 2. LOBBY REGISTRY.] Every person, corporation or association which employs, for any valuable consideration, any person to act as counsel or agent to promote or oppose in any manner, the passage by the legislature of any legislation affecting the pecuniary interest of any individual, association or corporation as distinct from those of the whole people of the state, or to act in any manner as a legislative counsel or agent in connection with any such legislation, shall, within one week after the date of such employment, cause the name of the person so employed or agreed to be employed, to be entered upon a legislative docket as hereinafter provided. It shall also be the duty of the person so employed to enter or cause to be entered his name upon such docket. Upon the termination of such employment such fact may be entered opposite the name of any person so employed either by the employer or employee.

§ 3. LEGISLATIVE DOCKET.] The secretary of state shall prepare and keep a legislative docket in conformity with the provisions of this act. In such docket shall be entered the names of all counsel

54-05, N.D.R.C. 1943,
: STATE OF NORTH DAKOTA
ATION FOR ANY OF THE
IE NAME AND BUSINESS ADDRESS

EMPLOYED IS:

OCCUPATION

ATION:

TE, WITHIN TEN DAYS,
BY SECTION 54-0508,

ND/OR AGENT

NOTE: ONE COPY OF THIS REGISTRATION IS TO BE FILED WITH THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND ONE WITH THE SECRETARY OF THE SENATE.

Ohio

- - - Issued by TED W. BROWN, Secretary of State - - -

LOBBYISTS

Sec. 101.71 (6256-1). Employer of lobbyist must register. Any person, firm, corporation, or association, or any officer or employee of a corporation or association acting for or on behalf of such corporation or association, who or which directly or indirectly employs any person, firm, corporation, or association to promote, advocate, amend, or oppose any matter pending or that might legally come before the general assembly or either house thereof, or a committee of the general assembly or of either house thereof, shall within one week from the date of such employment furnish in a signed statement to the secretary of state the following information:

- (A) If an individual, his full name, place of residence, and place of business;
- (B) If a firm, its correct firm name, place of business and the full name and place of residence of each partner;
- (C) If a corporation or association, its full name, the location of its principal place of business, whether a corporation or voluntary association, whether a domestic or foreign corporation, and the names and places of residence of each of its officers;
- (D) The nature and kind of business, occupation, or employment;
- (E) The full name, place of residence, and occupation of each person, firm, corporation, or association so employed, together with the full period of employment;
- (F) The exact subject matter pending or that might legally come before the general assembly or either house thereof or before any committee thereof with respect to which such person, firm, corporation, or association is so employed;
- (G) When any change in such employment or the subject matter of the employment is made, the employer shall, within one week of such change furnish in writing full information regarding the change to the secretary of state.

The secretary of state shall immediately enter all such information, appropriately indexed so as to show all employers, employees and the subject matter of such employment, in a separate book to be kept for that purpose in his office, which book at all times shall be open to public inspection.

Upon the payment of the fee provided for in section 101.73 of the Revised Code, the secretary of state shall issue to each person or to the representative

to escape is guilty of aiding and assisting in the escape and shall be punished upon conviction in the manner provided in ORS 162.330.

162.430 Punishment of officer whose negligence causes escape; refusal to take custody. Any sheriff, jailer or other officer who through negligence suffers any person or prisoner committed to or in his custody to escape, or who wilfully refuses to receive into his custody any person or prisoner lawfully committed thereto, shall be punished upon conviction by imprisonment in the county jail for not less than six months nor more than one year, or by a fine of not less than \$200 nor more than \$1,000.

162.440 Punishment of officer who fails to execute process. Any officer authorized to serve process who wilfully and wrongfully refuses, omits or delays to execute any lawful process directed and delivered to him and requiring him to arrest or confine any person, whereby such person escapes and goes at large, shall be punished upon conviction by imprisonment in the county jail not less than three months nor more than one year, or by fine not less than \$50 nor more than \$500.

162.450 to 162.500 [Reserved for expansion]

CRIMES INVOLVING PUBLIC OFFICES AND OFFICERS

162.510 Unlawful act or omission by public officer. Any officer of this state, or of any county, town, or other municipal or public corporation therein, other than the Governor, judges of the Supreme Court or members of the Legislative Assembly, who wilfully and knowingly charges, takes or receives any fee or compensation other than that authorized or permitted by law, for any official service or duty performed by such officer, or who wilfully neglects or refuses to perform any duty or service pertaining to his office, with intent to injure or defraud anyone, to the injury of anyone, or the manifest hindrance or obstruction of public justice or business, whether such injury, hindrance, or obstruction was particularly intended or not, shall be punished upon conviction by imprisonment in the penitentiary for not more than one year, or by imprisonment in the county jail for not less than three months nor more than one year, or by

fine of not less than \$50 nor more than \$500, or by dismissal from office with or without either or any of such punishments.

162.520 Lobbying without disclosing interest to legislators. Any person having any interest in the passage or defeat of any measure before, or which shall come before, either house of the Legislative Assembly of this state, or any agent of such person, who converses with, explains to, or in any manner attempts to influence any member of the assembly in relation to such measure without first truly and completely disclosing to the member his interest therein, or that of his principal and his own agency therein, shall be punished upon conviction by imprisonment in the county jail for not less than three months nor more than one year, or by fine of not less than \$50 nor more than \$500.

162.530 Punishment of person refusing to assist officer. (1) Any person who wilfully refuses to assist an officer in the lawful discharge of any duty pertaining to his office when requested to do so by the officer, shall be punished upon conviction by imprisonment in the county jail for not less than 10 days nor more than 30 days, or by fine of not less than \$10 nor more than \$500, or both.

(2) Any person who is required by any peace officer or magistrate to assist him in the execution of his office, in the preservation of the peace, the arrest of any person for a breach of the peace or the service of any process, and who neglects or refuses to render such assistance, shall be punished upon conviction by imprisonment in the county jail for not less than one month nor more than six months, or by fine of not less than \$25 nor more than \$500.

162.540 Assuming to be magistrate or peace officer and requiring assistance. Any person who falsely assumes to be a magistrate or peace officer, and takes it upon himself to act as such by requiring a person to aid or assist him in any matter pertaining to the duty thereof, shall be punished upon conviction by imprisonment in the county jail for not less than three months nor more than one year, or by fine of not less than \$50 nor more than \$500.

162.550 Disguising oneself with intent to obstruct execution of law or hinder officer. Any person who in any manner dis-

LOBBYISTS

LEGISLATIVE COUNCIL

PHONE 6-1434
BOX 2199
FAIRBANKS, ALASKA

JOHN C. DOYLE, EXECUTIVE DIRECTOR

REPRESENTATIVES

ROBERT GIERSDORF, FAIRBANKS
AXEL C. JOHNSON, KWIGUK
JOHN E. LONGWORTH, PETERSBURG
WARREN A. TAYLOR, FAIRBANKS

55.0701 Registration of legislative counsel or agents required when: employer and employee participate in registration; term of such employment may be registered by either. Every person, corporation, or association which employs any person to act as counsel or agent to promote or oppose in any manner the passage by the Legislature of any legislation affecting the pecuniary interests of any individual, association, or corporation, as distinct from those of the whole people of the state, or to act in any manner as a legislative counsel or agent in connection with any such legislation, shall, within one week after the date of such employment, cause the name of the person so employed or agreed to be employed, to be entered upon a legislative docket as hereinafter provided. It shall also be the duty of the person so employed to enter or cause to be entered his name upon such docket. Upon the termination of such employment, such fact may be entered opposite the name of any person so employed, either by the employer or employee.

July 21, 1959

55.0702 Dockets: legislative counsel; legislative agents; Secretary of State keeps separately; content of docket; public inspection permitted.

The Secretary of State shall prepare and keep two legislative dockets, in conformity with the provisions of this chapter, one of which shall be known as the docket of legislative counsel before committees, and the other as the docket of legislative agents. In the docket of legislative counsel shall be entered the names of counsel or persons employed to appear at public hearings before committees of the Legislature for the purpose of making arguments or examining witnesses, and also the names of any regular legal counsel of any person, corporation, or association who act or advise in relation to legislation; in the docket of legislative agents shall be entered the names of all agents employed for any purpose in connection with any legislation included within the terms of this chapter. In such dockets shall be entered the name and business address of the employer, the name, residence, and occupation of the person employed, the date of the employment or agreement therefor, the len-

of State

Legislative Council has been directed to review legislation on two subjects which are similar to laws of other states on those subjects, if necessary. It would, therefore, be necessary for your office to provide us with a list of the present laws of your state on the

regarding lobbying before the legislative and administrative agencies of the state, and

regarding the prohibition of lotteries, if there are any state laws relating to

regarding hearing from you at your earliest convenience in advance for your cooperation.

Sincerely,

John C. Doyle
Executive Director

JCD/mh

SOUTH DAKOTA
LEGISLATIVE RESEARCH COUNCIL
PIERRE JUL 27 1959
Thank you for your recent inquiry. A photocopy of your letter is returned with our answer handwritten on it. This simplified procedure enables us to provide return-mail service for more of our correspondence. We trust you will approve of it.
Yours very truly
DEAN E. CLABAUGH
Director of Legislative Research

Enclosed are the requested South Dakota statutes.
Dean E. Clabaugh

Vermont

§ 204. Expenses

The members of the commission shall not receive compensation for their services, but each shall receive his necessary expenses incurred in the performance of his duties. Annually, on the requisition of the commission, the auditor of accounts shall issue his warrant in favor of the national conference of commissioners on uniformity of state laws for a sum not exceeding \$300.00 of the amount annually available to meet the proper appropriation to be paid by this state for the expense of the work of such conference.

Source. 1957, No. 111. 1949, No. 6. V.S. 1947, § 418. P.L. § 880. G.L. § 825. 1917, No. 58. 1912, No. 256, §§ 4, 5.

Chapter 11. Registration of Lobbyists

SECTION

- 251. Definitions.
- 252. Registration.
- 253. Docket.
- 254. Prohibition of contingent pay.
- 255. Penalty.

§ 251. Definitions

The term "legislative counsel," as used herein, shall be construed to mean any person who for compensation appears at any public hearing before committees of the legislature in regard to proposed legislation.

The term "legislative agent," as used herein, shall be construed to mean any person, firm, association or corporation that for hire or reward does any act to promote or oppose proposed legislation, except to appear at public hearings before committees of the legislature, and shall include all persons who for compensation shall approach individual members of the legislature or members-elect thereof with the intent in any manner, directly or indirectly, to influence their action upon proposed legislation.

HISTORY

Source. V.S. 1947, § 419. 1939, No. 240, § 4.
Cross references. Federal regulation of lobbying, see 2 U.S.C. § 261 et seq.

§ 252. Registration

Any person or persons accepting employment to act as legislative counsel or agent to promote or oppose, directly or indirectly,

[1 V 8]

LEGISLATIVE COUNSEL OR AGENT

... compensation appears at any public hearing before committees of the legislature of the state in regard to proposed legislation, to influence their action upon proposed legislation.

(Date)

Vermont Statutes, Revision of 1947,

both, as appears by the following

sembly")

SUBJECT MATTER OF EMPLOYMENT

(Here state, if possible, kind of business, or service, or interests being promoted, or protected, or served)

Law
66

F
540
ALI

THE REGULATION OF LOBBYING

A report to the Legislative Council of Alabama showing the extent to which other states regulate lobbying and the arguments pro and con for a state regulation of lobbying act.

STATE OF ALABAMA
Legislative Reference Service
Montgomery

LOBBYING

Sec. 30-20. Definitions.--As used in this chapter, the terms "legislative counsel" and "legislative agent" shall mean any person employed to promote or oppose in any manner the passage by the General Assembly of any legislation.

Sec. 30-21. Registration of legislative counsel or agent.--Every person, corporation or association which employs any legislative counsel or legislative agent shall, within one week after the date of such employment, cause the name of the person so employed to be entered upon a legislative docket as hereinafter provided. It shall also be the duty of the person so employed to enter or cause to be entered his name upon such docket. Upon termination of such employment such fact may be entered opposite the name of any person so employed either by the employer or such employee.

Sec. 30-22. Legislative docket for registration.--The Secretary of the Commonwealth shall prepare and keep the legislative docket for the uses provided in this chapter. Upon such docket shall be entered the name, occupation or business, and business address of the employer, the name, residence and terms of employment and occupation of the person employed, the date of employment or agreement therefor, the length of time that the employment is to continue, if such time can be determined, and the subject or subjects of legislation to which the employment relates. Such docket shall be a public record and open to the inspection of any citizen at any time during the regular business hours of the office of the Secretary of the Commonwealth.

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