

1 S.93

2 Introduced by Senators Pollina, Benning, Bray, Collamore, and White

3 Referred to Committee on

4 Date:

5 Subject: Lobbying; advertisements; disclosure

6 Statement of purpose of bill as introduced: This bill proposes to require
7 lobbyists, lobbying firms, and lobbyist employers to provide identification
8 information in advertisements that are in regard to administrative or legislative
9 action and made during the legislative session, and to require those persons to
10 file within 48 hours a report on any such advertisement totaling \$1,000.00 or
11 more.

12 An act relating to disclosure of lobbying advertisements

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. FINDINGS

15 (a) The effective public disclosure of the identity and extent of the efforts
16 of registered lobbyists, lobbying firms, and lobbyist employers to influence
17 Vermont's legislators and administration officials during the legislative session
18 will increase public confidence in the integrity of government.

19 (b) Responsible representative government requires public awareness of the
20 efforts of registered lobbyists, lobbying firms, and lobbyist employers to

1 influence the public decision making process in both the Legislative and
2 Executive Branches of Vermont's government.

3 (c) Just as requiring a person to contemporaneously report large mass
4 media activities within 45 days before an election allows the electorate to
5 better evaluate the content of the message, requiring registered lobbyists,
6 lobbying firms, and lobbyist employers to similarly report significant
7 advertising campaigns regarding legislative or administrative action gives the
8 public, legislators, and administrative officials information necessary for
9 evaluating the content of the message when considering that action.

10 (d) The lack of detail in current lobbying disclosure filings do not provide
11 the public, legislators, and administrative officials with enough relevant
12 information about who is attempting to influence the legislative and
13 administrative process through advertising, and the timing of current required
14 filings prevents people from evaluating the content of lobbying advertising at
15 the time policy is being debated.

16 (e) Requiring registered lobbyists, lobbying firms, and lobbyist employers
17 to clearly designate the name of the lobbyist, lobbying firm, or lobbyist
18 employer paying for the advertisement within the advertisement allows the
19 public, legislators, and administrative officials to trace coordinated advertising
20 buys and track spending over time.

1 Sec. 2. 2 V.S.A. § 264c is added to read:

2 § 264c. IDENTIFICATION IN AND REPORT OF CERTAIN LOBBYING

3 ADVERTISEMENTS

4 (a) Identification. An advertisement that is in regard to legislative or
5 administrative action and made at any time prior to final adjournment of a
6 biennial or adjourned legislative session shall contain the name of any lobbyist,
7 lobbying firm, or lobbyist employer that made an expenditure for the
8 advertisement and language that the advertisement was paid for, or paid in
9 part, by the lobbyist, lobbying firm, or lobbyist employer. This identification
10 information shall appear prominently and in a manner such that a reasonable
11 person would clearly understand by whom the expenditure has been made.

12 (b) Report.

13 (1) In addition to any other reports required to be filed under this
14 chapter, a lobbyist, lobbying firm, or lobbyist employer that makes an
15 expenditure for any advertisement described in subsection (a) of this section
16 that totals \$1,000.00 or more shall, for each advertisement, file an
17 advertisement report with the Secretary of State.

18 (2) The report shall identify the lobbyist, lobbying firm, or lobbyist
19 employer that made the expenditure; the name of any legislator or
20 administrative official whose name or likeness was included in the activity; the

1 amount and date of the expenditure and to whom it was paid; and the purpose
2 of the expenditure.

3 (3)(A) The lobbyist, lobbying firm, or lobbyist employer shall file the
4 report digitally on the Secretary's online lobbying database in a form the
5 Secretary shall provide for the purpose.

6 (B) The report shall be filed within 48 hours of the expenditure or
7 activity, whichever occurs first.

8 (c) Definition. As used in this section, "advertisement" means any form of
9 advertising, including television, radio, print, and electronic media.

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on July 1, 2015.