

1 S.93

2 Senator White moves that the bill be amended as follows:

3 First: By striking out in its entirety Sec. 1 (findings) and inserting in lieu
4 thereof a new Sec. 1 to read:

5 Sec. 1. FINDINGS

6 (a) The effective public disclosure of the identity and extent of the efforts
7 of registered lobbyists, lobbying firms, and lobbyist employers to influence
8 Vermont’s legislators during the legislative session will increase public
9 confidence in the integrity of the governmental process.

10 (b) Responsible representative government requires public awareness of the
11 efforts of registered lobbyists, lobbying firms, and lobbyist employers to
12 influence the public decision-making process in the Legislative Branch of
13 Vermont’s government.

14 (c) Requiring registered lobbyists, lobbying firms, and lobbyist employers
15 to report significant advertising campaigns that are intended, designed, or
16 calculated, to directly or indirectly influence legislative enables the public and
17 legislators to evaluate better the pressures and content of the message when
18 considering that action.

19 (d) The lack of detail in current required lobbying disclosure filings does
20 not provide the public and legislators with enough relevant information about
21 who is attempting to influence the legislative process through advertising, and

1 the timing of current required lobbying disclosure filings prevents the public
2 and legislators from evaluating the pressures and content of lobbying
3 advertising at the time public policy is being debated.

4 (e) Requiring registered lobbyists, lobbying firms, and lobbyist employers
5 to designate clearly the name of the lobbyist, lobbying firm, or lobbyist
6 employer paying for an advertisement within the advertisement allows the
7 public and legislators to determine who is attempting to influence the
8 legislative process through advertising, to evaluate the pressures and content of
9 lobbying advertising at the time when public policy is being debated, to trace
10 coordinated advertising buys, and to track such spending over time.

11 Second: By striking out in its entirety Sec. 2, 2 V.S.A. § 264c
12 (identification in and report of certain lobbying advertisements), and inserting in
13 lieu thereof the following:

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

15 § 264c. IDENTIFICATION IN AND REPORT OF CERTAIN LOBBYING

16 ADVERTISEMENTS

17 (a) Identification.

18 (1) An advertisement that is intended, designed, or calculated to directly
19 or indirectly influence legislative action and made at any time prior to final
20 adjournment of a biennial or adjourned legislative session shall contain the
21 name of any lobbyist, lobbying firm, or lobbyist employer that made an

1 expenditure for the advertisement and language that the advertisement was
2 paid for, or paid in part, by the lobbyist, lobbying firm, or lobbyist employer;
3 provided, however:

4 (A) if there are more than three such names, only the three lobbyists,
5 lobbying firms, or lobbyist employers that made the largest expenditures for
6 the advertisement shall be required to be identified; and

7 (B) if a lobbyist or lobbying firm made the expenditure on behalf of a
8 lobbyist employer, the identification information set forth in subdivision (1) of
9 this subsection shall be in the name of that lobbyist employer.

10 (2) This identification information shall appear prominently and in a
11 manner such that a reasonable person would clearly understand by whom the
12 expenditure has been made.

13 (b) Report.

14 (1) In addition to any other reports required to be filed under this
15 chapter, a lobbyist, lobbying firm, or lobbyist employer shall file an
16 advertisement report with the Secretary of State if he, she, or it makes an
17 expenditure or expenditures:

18 (A) for any advertisement that is described in subsection (a) of this
19 section and that has a cost totaling \$1,000.00 or more; or

1 (B) for any advertising campaign that contains advertisements
2 described in subsection (a) of this section and that has a cost totaling \$1,000.00
3 or more.

4 (2) The report shall be made for each advertisement or advertising
5 campaign described in subdivision (1) of this subsection and shall identify the
6 lobbyist, lobbying firm, or lobbyist employer that made the expenditure; the
7 amount and date of the expenditure and to whom it was paid; and a brief
8 description of the advertisement or advertising campaign.

9 (3) The report shall be filed within 48 hours of the expenditure or the
10 advertisement or advertising campaign, whichever occurs first.

11 (4) If a lobbyist or lobbying firm made an expenditure described in
12 subdivision (1) of this subsection on behalf of a lobbyist employer and that
13 lobbyist or lobbying firm filed the report required by this subsection, the report
14 shall specifically identify the employer on whose behalf the expenditure was
15 made.

16 (c) Definitions. As used in this section:

17 (1) “Advertisement” means any form of advertising, including
18 television, radio, print, and electronic media.

19 (2) “Advertising campaign” means advertisements substantially similar
20 in nature, regardless of the media in which they are placed.

1 Third: By striking out in its entirety Sec. 3, 2 V.S.A. § 264 (reports of
2 expenditures, compensation, and gifts; employers; lobbyists) and inserting in
3 lieu thereof a new Sec. 3 to read:

4 Sec. 3. 2 V.S.A. § 264 is amended to read:

5 § 264. REPORTS OF EXPENDITURES, COMPENSATION, AND GIFTS;
6 EMPLOYERS; LOBBYISTS

7 (a) Every employer and every lobbyist registered or required to be
8 registered under this chapter shall file disclosure reports with the Secretary of
9 State as follows:

10 (1) on or before January 5, for the preceding period beginning on July 1
11 and ending with December 31;

12 (2) on or before February 5, for the preceding period beginning on
13 January 1 and ending with January 31;

14 (3) on or before March 5, for the preceding period beginning on
15 February 1 and ending with the last day of February;

16 (4) on or before April 25 5, for the preceding period beginning on
17 January 1 March 1 and ending with March 31;

18 (2)(5) on or before May 5, for the preceding period beginning on April 1
19 and ending with April 30; and

20 (6) on or before July 25 5, for the preceding period beginning on April
21 May 1 and ending with June 30;

