

VI. LOBBYING: DISCLOSURES AND RESTRICTIONS ON LEGISLATORS

Lobbyist disclosures

Under Vermont's Lobbying Act set forth in [2 V.S.A. chapter 11](#), lobbyists, lobbying firms, and lobbyist employers must disclose in detail the amount spent to influence legislative action. These entities must disclose, in part, the following information in seven annual reports due on the 15th of January, February, March, April, May, June, and September:

(1) A total of all lobbying expenditures made by the lobbyist, lobbying firm, or employer in each of the following categories:

(A) advertising;

(B) telemarketing, polling, or similar activities;

(C) contractual agreements in excess of \$100.00 per year or direct business relationships between the lobbyist, lobbying firm, or employer and a legislator or the legislator's spouse or dependent household member; and

(D) the total amount of any other lobbying expenditures.

(2) The total amount of compensation paid to a lobbyist or lobbying firm for lobbying.

(3) Gifts with a value greater than \$15.00 made to or at the request of a legislator or his or her immediate family.

In addition, a lobbyist, lobbying firm, or lobbyist employer that pays for an advertisement meant to influence legislative action that is made during session must include in that advertisement information identifying the lobbyist, firm, or employer that paid for it. Moreover, if that advertisement or an advertising campaign cost \$1,000.00 or more, the lobbyist, firm, or employer must file within 48 hours an advertisement report.

The disclosure reports of lobbyists, lobbying firms, and lobbyist employers are filed online on the website of the Secretary of State and are publicly available and searchable on that website as soon as they are filed.

Gifts from lobbyists

The law contains several provisions regarding gifts to legislators from lobbyists, lobbying firms, and lobbyist employers:

- A legislator is prohibited from soliciting a gift, other than a campaign contribution, from a lobbyist, firm, or employer, except for a gift to a charitable organization.
- Aside from campaign contributions, lobbyists, firms, and employers are prohibited from giving monetary gifts to legislators.
- As referenced above, lobbyists, firms, and employers must itemize and report publicly gifts with a value greater than \$15.00 that are given to legislators.

Campaign contributions from lobbyists

The law also prohibits a legislator, a legislator's candidate's committee, or a legislative leadership political committee from soliciting or receiving campaign contributions from a lobbyist, lobbying firm, or lobbyist employer while the General Assembly is in session, until adjournment *sine die*. For the purpose of this law, the General Assembly is considered to be in session from the day it organizes in the first year of the biennium until the day it adjourns at the end of the second year of the biennium, which is normally a period of approximately 17 months.

Definitions

Definitions for the lobbying law are set forth in [2 V.S.A. § 261](#), except that the definitions of "candidate's committee," "contribution," and "legislative leadership political committee" are as defined in [17 V.S.A. § 2901](#). For reference:

- "Legislator" refers to both members and members-elect.
- "Gift" is defined to include:
 - (i) a contribution; (ii) anything of value, tangible or intangible, that is bestowed for less than adequate consideration, including travel expenses such as travel fare, room and board, and other expenses associated with travel; (iii) a meal or alcoholic beverage; (iv) a ticket, fee, or expenses for, or to, any sporting, recreational, or entertainment events; (v) a speaking fee or honorarium, except actual and reasonable travel expenses; (vi) a loan made on terms more favorable than those made generally available to the public in the normal course of business.
- "Gift" is defined not to include:
 - (i) anything given between immediate family members; (ii) printed educational material such as books, reports, pamphlets, or periodicals;
 - (iii) a gift that is not used and that, within 30 days after receipt, is returned to the donor or for which the donor is reimbursed for its fair market value; and (iv) a devise or inheritance.

Lobbyist information

The Secretary of State publishes a list of lobbyists, lobbying firms, and lobbyist employers. These listings include lobbyist photos, business addresses, telephone and fax numbers, and client lists, as well as a subject matter index. This information can be found in a photobook that is printed biennially or online in listings that are regularly updated.

Separation between serving as a legislator and lobbyist

The Vermont Constitution prohibits a member of the General Assembly from simultaneously being paid to influence legislative action. Statute further requires a legislator to wait at least one year after leaving office before becoming a paid lobbyist.