

Changes in the States

September 2004

Connecticut

New Governor Adds to State Ethics Law

Immediately upon becoming Governor of Connecticut, Jodi Rell issued Executive Order No. 1 (dated July 1, 2004), which contained a variety of ethics provisions. Most of these provisions relate to matters internal to state government, although these orders may spur future ethics changes affecting private entities.

One change, however, amends the requirements of Public Act No. 04-245 (June 1, 2004) and, therefore directly affects all persons, corporations and firms bidding on, or proposing, contracts with state agencies or quasi-public agencies if the contracts are "large state contracts." For more information on Public Act No. 04-245, see the July 2004 issue of *Election Law News*, available at www.wrf.com.

Effective immediately and per Governor Rell's Executive Order No. 1, persons bidding on proposing contracts must, in addition to other required information, "disclose in [the required] affidavits all contributions made to campaigns of candidates for state-wide public office or the General Assembly." Moreover, a contractor who is awarded a "large state contract" now must update the affidavit on an annual basis, including the parts required by the Public Act and the parts required by the Executive Order.

Louisiana

Campaign Finance and Lobbying Laws Amended

The Louisiana legislature recently amended the state's campaign finance and lobbying laws. First, effective August 15, 2004, legislators may not accept any contributions for legislative campaigns during a regular session of the legislature. Second, and also effective August

Authors

D. Mark Renaud
Partner
202.719.7405
mrenaud@wiley.law

15, 2004, the governor may not accept contributions for gubernatorial campaigns during a regular session of the legislature and for 30 days after a regular session of the legislature adjourns.

Importantly, neither of these new restrictions applies if the applicable election occurs during the regular session of the legislature or within 60 days of the adjournment of the regular sessions of the legislature. Also, by their terms, the new restrictions do not apply to special sessions of the legislature.

Third, effective August 15, 2004, Louisiana increased to \$500 per calendar year (from \$200) the threshold expenditure safe-harbor amount applicable before a person becomes a lobbyist.

Fourth, and effective as of June 2, 2004, Louisiana requires that a lobbyist report any expenditures "by a lobbyist's principal or employer made in the presence of the lobbyist." Also, a lobbyist principal or employer that makes reportable expenditures must provide all of the necessary information for compliance to the lobbyist "no later than two business days after the close of each reporting period."

Finally, the Louisiana legislature also recently enacted executive branch lobbying registration and reporting requirements. These requirements are not effective until January 1, 2005, and we will provide additional information in future issues of *Election Law News*.

Pennsylvania

Philadelphia Mayor Enacts Ethics Rules

On August 12, 2004, Mayor John Street of Philadelphia issued two Executive Orders relating to ethics rules. First, in Executive Order 0001-04, Mayor Street established the Philadelphia Board of Ethics for the city and gave the Board many powers revolving around, among other things, conflicts of interest, gift and gratuity rules and financial disclosure.

In Executive Order 0002-04, Mayor Street enacted municipal gift rules for city officers and employees. With exceptions, the gift ban applies to gifts from the following:

- Persons seeking to obtain business from, or having financial relations with, the city.
- Persons whose operations or activities are regulated or inspected by any city agency.
- Persons engaged, either as principals or attorneys, in proceedings before any city agency or in court proceedings adverse to the city.
- Persons seeking legislative or administrative action by the city.
- Persons whose interests may be substantially affected by the performance or nonperformance of a city official's or employee's official duties.