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COUNCIL ON GOVERNMENTAL ETHICS LAWS (COGEL)

“Pay-to-Play” and Government Contracts: Back on the Ethical Front Burner

By Craig Holman, Ph.D., Senior Policy Analyst, NYU's Brennan Center for Justice

“Pay-to-play” practices can mean different things in different contexts. In the context of governmental ethics, pay-to-play usually signifies the practice of a business entity making campaign contributions to a public official with the hope of gaining a lucrative government contract.

Allegations of Impropriety

Much like the debate that swirls around campaign finance reform, there is rarely conclusive evidence of a business entity making a campaign donation as a quid pro quo for a government contract; that usually requires a taped FBI sting operation to prove bribery. Nevertheless, the *appearance* of corruption – let alone the public cynicism – that arises when the timing between contributions and the issuance of government contracts closely coincides, warrants ethical concern. Consider just a few news stories of pay-to-play allegations that recently were reported:

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COGEL's 2002 Conference Just Around the Corner!

For 2002, COGEL's annual conference is being held in Ottawa – Canada's beautiful capital city – September 29 through October 2, at the Ottawa Marriott. Elections Canada is the host agency for the conference.

As always, the conference will feature an impressive lineup of speakers who will provide up-to-date information on governmental ethics, elections, campaign finance, lobby laws and freedom of information.

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"Who is to guard the Guardians?" - Juvenal

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- A senior official in Governor Gray Davis’ administration in California revealed that in meetings with a lobbyist for the Oracle software company, the lobbyist (who was himself a former elections official forced to resign) said he was planning to make a \$25,000 campaign contribution to the governor while negotiating a state contract worth an estimated \$95 million. After the deal was signed, the two went out to socialize, and the lobbyist handed over an envelope with a \$25,000 check. The Oracle contract has since been criticized by the state auditor as a boondoggle for the state, requiring California to purchase millions of dollars of unneeded software. (Davis returned the check after news broke of the story.) [*San Jose Mercury News*, May 23, 2002]
- In New Jersey, the state awarded a \$400 million, seven-year contract to Parson’s Infrastructure & Technology to manage the state’s vehicle emission inspection program. Delays in inspections, equipment failures, charges for services never provided, and cost over-runs have plagued the inspection program since the Parsons’ takeover. From 1997 – shortly before contract negotiations began – through 2000, the Parson’s company gave \$507,950 in campaign contributions to state candidates and political committees. [*The Record*, May 7, 2002]
- Since 1996, Honolulu Mayor Jeremy Harris raised about \$750,000 in campaign contributions from entities and individuals connected to dozens of construction companies, engineering firms, architectural businesses, and law firms that were awarded city contracts. This amounts to about 25 percent of Harris’ total campaign funds raised over the same time period. Donations of thousands of dollars even came from waitresses and a high school student related to city contractors. [*Honolulu Star Bulletin*, June 24, 2001]

History of Pay-to-Play Regulations

Stories of the appearance of business entities buying government contracts through campaign contributions have been commonplace through much of American history. Efforts to regulate pay-to-play began as early as 1940 at the federal level. When Congress first amended the Hatch Act, a provision was included that prohibited persons who enter into a contract with the federal government from making

campaign contributions. This provision, known as the “Brown Amendment,” was the Democratic response to the Republican provisions in the same bill to prohibit partisan activity by federal employees (presumably, “New Deal” federal employees). Senator Prentiss Brown proposed applying the same test to banks, stockholders and other business interests. A compromise provision was finally accepted to ban contributions from government contractors.

Although the Hatch Act was poorly enforced, the pay-to-play statute itself was weakened in the Federal Election Campaign Act of 1971, as subsequently amended. The pay-to-play restriction was incorporated into the federal campaign finance law and prohibited federal government contractors from contributing money or anything of value to candidates for public office from the “commencement of negotiations” through termination of the contract. However, the Act permits such contractors to establish PACs for the purpose of making campaign contributions.

In the 1970s and early 1980s, several states followed suit. Most of these states have since repealed their laws or amended them into simple anti-bribery laws or “little Hatch Act” provisions which bar non-elected government employees from soliciting contributions.

Ethics regulations against pay-to-play gained renewed momentum over the last decade with the efforts of Securities and Exchange Commission Chair Arthur Levitt. In 1993, making the end of pay-to-play practices a priority, Levitt originally convinced 17 investment banking firms to voluntarily ban contributions by their employees to state and local officials responsible for issuing securities contracts. The following year, the SEC approved Rule G-37, which prohibits brokers, dealers, municipal securities dealers and their PACs from making campaign contributions to issuer officials for two years prior and through termination of the securities contract. In addition, the rule requires regular disclosure of campaign contributions from these business entities to allow public scrutiny.

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William Blount, a securities broker and chair of the Alabama Democratic Party, challenged Rule G-37 on the grounds that the regulation sought to restrict speech based on content by prohibiting contributions to campaigns. The courts did not agree. In *Blount v. SEC*, a federal appellate court determined: (i) that pay-to-play practices in the municipal securities market were a persistent problem that warranted regulation; (ii) that disclosure and record-keeping requirements alone “would not likely cause market forces to erode ‘pay-to-play’”; (iii) that the prohibition on contributions from executives and brokers within a securities firm helped prevent an evasion of the contribution limits; and (iv) that the regulation was closely drawn by constraining relations between underwriters and their employees on the one hand, and officials who might influence the award of the contract on the other. The U.S. Supreme Court declined to review the decision. [*Blount v. SEC*, 61 F.3d 938 (D.C. Cir.), cert. denied 517 U.S. 1119 (1996)].

After his success in banning pay-to-play practices for broker dealers, Levitt encouraged the American Bar Association to follow suit, particularly for bond lawyers. The ABA fiercely debated the issue for years, and finally settled upon a watered-down pay-to-play restriction in 2000. Known as Rule 7.6, the ABA Model Code prohibits a lawyer or law firm from accepting a government contract if that lawyer or firm made a campaign contribution “for the purpose of” obtaining such contract – a caveat that makes the rule closer to an anti-bribery statement than a prohibition on pay-to-play.

Pay-to-Play in the States

Every state, directly or indirectly, prohibits bribery in obtaining government contracts. Only a few states, however, have implemented some form of pay-to-play restriction, though the ranks appear to be growing in light of new contracting scandals.

States with some form of pay-to-play constraints for contracts with government entities *beyond* bribery laws, little Hatch Act restrictions or contribution limits to regulated industries, include South Carolina, West Virginia, Ohio and, most recently, Hawaii (in addition to federal law, the SEC and the ABA). New Jersey may soon be joining this group.

South Carolina prohibits government contractors from making campaign contributions to those responsible for issuing the contract. West Virginia bans campaign contributions to any state candidate, party or political committee from those seeking a government contract beginning at negotiation of the contract through its termination. Until recently, Ohio had the most stringent pay-to-play restriction. In Ohio, persons seeking a government contract – including owners of more than 20 percent of the business, decisionmaking officers of the business, their spouses and dependents – are prohibited from making campaign contributions of \$1,000 or more in the previous two years to officeholders of an executive agency having “ultimate responsibility” for awarding the contract.

Hawaii is the most recent recruit to the pay-to-play policy league. After years of requiring simple disclosure of campaign contributions from government contractors, a spate of corruption allegations in Honolulu prompted a swift toughening of the law by the state legislature. Hawaii now prohibits the state or any county from issuing a government contract to a business entity whose company and partners (of at least 25 percent ownership interest) and their dependents have made a campaign contribution of any amount to the responsible officeholder for two years prior to the notice of availability of the contract. Furthermore, the business entity and its partners are prohibited from making campaign contributions to any candidate or officeholder responsible for the contract through its duration and for two years after completion of the contract.

What plagues all of these state laws, however, is ambiguity regarding enforcement. It is often not clear whether the state ethics agency, elections agency or state contracting agent is responsible for enforcing the law. This also means that the penalty for violating the law is often unclear. Penalties for violating the elections code are often very different from penalties for violating government contracts.

A pay-to-play bill in New Jersey (SB 2536), which appears to be advancing rapidly through the legislature, draws from the experience in other states while adding some unique features. The bill limits campaign contributions from business entities, their decisionmaking officers and spouses and dependents – during the calendar year prior to commencement of

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“Pay-to-Play” and Government Contracts

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negotiations – to \$250 or less to candidates and officeholders ultimately responsible for the contract, and bans such contributions altogether during commencement of negotiations through termination of the contract. Additionally, the business entity and its decisionmaking officers combined are prohibited from making contributions of \$5,000 or more to all public officials responsible for a contract, *in the aggregate*, for the year preceding contract negotiations. If a business entity discovers that its officers have exceeded the aggregate limit, the business entity may “cure” the violation by getting the excess contributions returned. New Jersey’s law would fall under the government contracting statutes, granting enforcement authority to the state contracting agent, and specifying such penalties for violations as the immediate revoking of the contract and suspension of the business entity from any further government contracts for four years.

Though the problems of pay-to-play are at least as old as the New Deal, there appears to be momentum by state and local officials to address the problems head-on. As more and more money pours into the political process, the integrity of government contracting has become particularly suspect. Well-targeted pay-to-play restrictions can be very useful in fostering fair and open competition in the contracting process and in eliminating the appearance of buying government contracts through campaign contributions.

Illinois Government Website Recognized for Excellence

The Illinois State Board of Elections Campaign Disclosure website was named the May 2002 “Government Site of the Month” on GovSpot.com, the award-winning government information portal of the Web. Created to recognize outstanding local and state government websites, the award is presented each month to an innovative site offering a wealth of government services and information online.



To be considered for the award, local or state government initiatives must demonstrate innovative use of technology. GovSpot.com editors look for sites that save citizens’ time, make efficient use of taxpayer dollars and improve access to government information. Check out <http://govspot.com/siteofmonth/0205ilcamfin.htm>, where ISBE’s Campaign was showcased for the month of May as among the very best government sites on the Web.

COGEL’s 2002 Conference - Just Around the Corner!

(Continued from page 1)

The conference dates coincide with the Fall Fantasy Period when the area’s foliage is spectacular. In order to facilitate sightseeing, COGEL has reserved a car on one of Canada’s last remaining steam trains. The deadline for train reservations is July 31st.

Conference registration fees remain unchanged for 2002. To take advantage of discounted “early-bird” fees, registrations must be received by September 1. For more information on the conference and its optional events, see the conference registration brochure on COGEL’s website (www.COGEL.org). For your convenience, a registration form is included in this issue of *The Guardian*.



Parliament Building, Ottawa, Canada

When Exigent Circumstances and Ethics Collide

By Karl J. Sleight, Executive Director of the New York State Ethics Commission

Of the millions, if not billions, of words that will be utilized in describing the events surrounding September 11, 2001, few, if any, will be spent discussing the issues that the members of the Council on Governmental Ethics Laws (COGEL) come into contact with on a daily basis. An Act of War has the effect, rightfully so,



of trumping every other issue. However, in the wake of unimaginable events and in times of crisis, we take comfort in seeing the fundamental principles of the Republic followed. Sometimes the crisis is political. Who can forget the day Richard Nixon left the

White House? Tanks did not roll down Pennsylvania Avenue. The orderly constitutional process of succession as set forth in a document then nearly 200 years old, drafted by men long dead and gone, was followed. In the weeks following that political crisis, a sense of normalcy returned – parents went to work; kids (including me) boarded a bus and went to school.

More than two and one half decades later, when the root of the crisis included the murder of more than two thousand eight hundred people in New York State, we felt a personal sense of helplessness. As a member of the staff of the New York State Ethics Commission, I also felt a sense of professional helplessness.

In the days immediately after 9-11, the telephones were eerily silent. Staff members responded to an appeal from the director of state operations and volunteered to answer the incoming calls at the State Emergency Management Office (SEMO). As the dust began to settle, literally and figuratively, the commission was called upon to offer advice on several issues that were generated by the response to the event.

On September 21, Director Will Pelgrin of the State Office for Technology (OFT), which was an integral part of the SEMO operation, contacted the commission for guidance on whether the state could accept

significant amounts of technical equipment from the private sector to help with the World Trade Center disaster relief effort. Although the state's ethics laws are intended to set minimum standards for the behavior of state employees, the commission had in the past issued a series of advisory opinions describing the circumstances under which a state agency could accept what was, in fact, a "gift." In those opinions, the commission had held that a state agency may accept donations from an individual, business or organization whose activities are subject to its jurisdiction. However, it may not accept donations from individuals or entities under investigation by or in litigation with the agency. Decisions as to the propriety of a donation must be made by the commission on a case-by-case basis, considering its source, timing and amount (see Advisory Opinion No. 95-38.) These parameters offered a basic framework to evaluate the largess of the private sector, and accept personal and corporate generosity, without casting aside the fundamental principles of governmental integrity and appropriate ethical conduct.

With all that was happening in the state and the world during this time period, I found the inquiry both remarkable and reassuring. Ethics in New York was not a casualty of war.

Less than two months after the events of September 11th, following testimony by FEMA Director Joseph Allbaugh, Director Pelgrin of OFT was called to testify before the United States Senate Commerce Committee, Subcommittee on Technology, regarding technology issues that were identified in responding to the events of that day.

Toward the conclusion of Mr. Pelgrin's testimony, the following exchange took place:

Senator Wyden: One last question for you, Mr. Pelgrin. Mr. Allbaugh told the subcommittee that FEMA faces some legal constraints that could prevent it from accepting help from the private sector. Did anybody in New York State or local

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Elections: A Framework for Evaluating Reform Proposals (GAO-02-90 Elections, Oct. 2001)

*Reviewed by Sharon Steward, Assistant Director, Division of Campaign Disclosure,
Illinois State Board of Elections*

In the aftermath of the November 2000 presidential election, the frantic cry for reform was heard nationwide. The integrity of the nation's election systems was in question. Important concerns were raised in most jurisdictions related to each stage of the election process – registration, absentee and early voting, preparing for and conducting election day activities, and vote tabulations. In response, Congress asked the Government Accounting Office (GAO) to review certain aspects of elections throughout the United States. Extensive research resulted in the “capping report,” as well as six other reports, which are summarized at the conclusion of the publication. Findings were divided into three different sections.

First, if required to adopt federal election reform, states and local jurisdictions indicated their desire to have reasonable flexibility and time to implement any changes. Under the broad framework established by the Constitution and federal statutes, each state sets its own requirements for conducting local, state, and federal elections within the state. Consider that there are 51 individual systems administered and principally funded by more than 10,000 counties, cities, townships, and villages.

A great deal of variability exists in the ways various local elections are conducted. The size of local election jurisdictions is one variable. Preparing for and conducting an election in a large jurisdiction is more complex than in a small jurisdiction. Local needs, such as whether or not a particular jurisdiction is wealthy or poor, is another variable. And variability can also be a consequence of a jurisdiction's perceived need to maintain voting traditions that have been in place a long time.

Variability among states and local jurisdictions was evident in each major stage of an election:

- *Who could vote varied.* Due to variations among states, different citizens with the same qualifications would be eligible to vote in some states, but not in others.
- *When people could vote varied.* All states allow for absentee voting, but procedures and requirements could vary.
- *Who conducted the election varied.* States vary in how poll watchers are chosen and trained and how much responsibility they are given.
- *How elections were conducted varied.* Different jurisdictions used different means to determine whether or not a citizen who appeared at the polls was eligible to vote.
- *How votes were cast varied.* Five voting methods were used: hand-counted ballots and lever, punch card, optical scan, and Direct Recording Electronic (DRE) voting equipment. Punch card and optical scan equipment were the most widely used. Election reform must take into account all of these variables.

Second, challenges exist to all parts of election systems: *people, processes, and technology*. A problem in any one of these three broad categories is related in some way to another part of the system.

The first challenge involves *people*, both election workers and voters. Recruiting and training qualified poll workers presents a major challenge for many jurisdictions. An estimated 51 percent of jurisdictions had difficulty recruiting poll workers. Among the reasons given were that poll workers are normally drawn from an aging labor pool who either cannot or will not keep up with changes in technology and

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law. Long hours and low pay may discourage younger workers. And many jurisdictions need poll workers with specialized training, such as specific language skills. Even if enough poll workers can be recruited, many are not adequately trained, so that even within the same jurisdiction, qualifications for voting and methods of determining whether or not a vote should be counted, vary.

Educating voters about particular processes, such as voter registration and how to operate voting equipment, is another people-related challenge. How well voters are educated on the use of voting equipment can affect how easy voters find the equipment to use and the integrity of the vote. Lack of funds is cited as the primary obstacle in educating voters. Officials also face challenges addressing the needs of voters with disabilities.

The second challenge lies in the *processes* for election activities. Election officials confronted process-related challenges including maintaining accurate voter registration lists, completing and processing absentee ballots, and interpreting voter intent. A number of jurisdictions reported that the National Voting Rights Act added to the problem of maintaining accurate voter registration lists, along with the fact that the number of voters at home and abroad voting absentee has steadily increased. More military and overseas citizens' ballots are disqualified than those cast at home, which points out the problem of a lack of assistance for these voters.

Processes for the handling of improperly marked ballots also present a challenge for many election officials, especially when an election is close. It is estimated that about 15 percent of jurisdictions had instructions developed by the jurisdiction and 23 percent had both state and local written guidance. And, of course, jurisdictions vary in how they approach this task.

Technology is the third challenge to be addressed. Technology challenges include assessing why equipment may not meet needs, collecting useful performance data, and updating standards. It is difficult to determine whether or not voting technology meets the needs of a jurisdiction, because the people who interact with the

technology and the processes governing this interaction can also affect the success or failure of a particular voting system. While some voting equipment is easier to use than others, there is no clear choice as to which system is the best. Collecting useful performance data is difficult, because although 96 percent of local jurisdictions report that they are satisfied with their voting equipment, less than 50 percent collect data to substantiate this claim.

Voluntary standards for computer-based systems were set by the Federal Election Commission in 1990. However, these standards have not been maintained, because no one has been assigned the explicit responsibility to do so. Instead, the National Association of State Election Directors has assumed responsibility for implementing the federal voting equipment standards by accrediting independent test authorities.

The **third** section of the GAO report proposes four criteria for Congress to take under consideration as it considers various reform proposals. The first criterion addresses the appropriate role of the federal government in election reform. Congress must strike a balance between its constitutional authority to legislate election administration and some states' laws and traditions that grant autonomy to local jurisdictions as they administer elections. The second criterion addresses the balance that must be achieved between the accessibility and the integrity of the system. The goal of providing citizens broad access to the voting process must be balanced against the public's interest in ensuring the integrity of the election system. The third criterion to be considered is the integration of people, processes, and technology. Congress must consider these three aspects of the election system and not favor one at the expense of the others. The fourth criterion is the cost of the system. Congress must assess the affordability and sustainability of the reform as well as who will be expected to shoulder the costs. These costs include the initial outlay as well as long-term costs.

As this report demonstrates, there is no magical formula. There is no single change that will perfect this somewhat flawed system, because every aspect of the election process is intertwined with every other aspect. Reform in one area might well cause major problems in another. Any attempt at reform by Congress must only be accomplished after careful consideration of all aspects of the election process.

Lessons from the 2001 City Elections

A report by the Los Angeles City Ethics Commission

Reviewed by Kay Williams, Iowa Ethics & Campaign Disclosure Board (Retired)

Reviewer's Note:

The Los Angeles experience has been a good one. Conversely, a number of jurisdictions have implemented public financing laws with varying success and results. In Arizona, an initiative campaign has been launched to repeal that state's "clean money" system. In Massachusetts, the legislature refused to provide funding, leading to unresolved court battles. In Wisconsin, too few tax filers are reportedly checking the box to direct dollars to the system, and it is underfunded. In Kentucky, political science professors and candidates state that public financing has lowered spending, and limits have shortened the gubernatorial campaigns, while requiring debates and closing pre-election windows have served the public interest. However, a lawsuit is pending in Kentucky. These different results appear to convince us that geography and diversity of voters and candidates play a role in the success or failure of a public financing system

The report by the Los Angeles City Ethics Commission is so concise and well written, it is difficult to build upon. Therefore, much of this review will be redundant to those who have read the report, but I hope it is helpful to those who have not had access to it.

Proposition H was approved by the voters and implemented in Los Angeles in 1990. This proposition represented a partial public financing system for elected city officials who voluntarily agreed to limit both their campaign spending and the amount of personal funds filtered into their campaign treasuries. It is now ten years later, and the LA report analyzes the results achieved.

First, one should review the driving forces establishing the initiative's goals. The most obvious was to prevent special interests (whether individuals or groups) from unduly influencing candidates and the outcome of elections. The unfortunate truth determined in Los Angeles was that money did have great impact. Fundraising took a lot of the candidates' time and took the focus from the issues. An earlier LA report (1998) showed that serious candidates were able to raise sufficient money to convey their views to the voters, the competition among candidates for the almighty dollar was reduced, and the value to the candidates of the small contributor was heightened. Now, three years later, the Commission wanted to see if any of these factors or results had changed.

An amazing finding is that 91 percent of all 2001 city candidates were willing to abide by the spending limits and limits on use of their own money. This number included 29 first-time candidates. Although candidates were now relying more upon individual contributions to qualify for matching funds, the average contribution continued to remain well *under* the established contribution limits (the average was about one-half of the limit per individual). The candidates appeared to be more focused on issues. A growing number of candidates were running, many of whom were former officeholders with experience in the public funding process, indicating their satisfaction with how the system worked.

On the flip side, however, expenditures by *other than candidates* hit a new high. Unions, businesses, political parties, etc. topped off at \$3.2 million of expenditures to support their chosen candidates in the 2001 elections (and nearly double that in the two-year cycle). Incredibly, these expenditures amounted to over four times *all non-candidates spending for the preceding decade*. Most of these dollars were spent on the Mayor's race and in two Council races.

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Lessons from the 2001 City Elections

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Some reference to specific races would help in the overall analysis, but time and space do not permit. However, some general observations may be helpful. Disclosure provisions assist the effectiveness of the program. For example, if a council candidate (limited to \$25,000 of personal funds per election) exceeds limits, this fact must be disclosed to the other candidate(s), and the funds must be deposited in the campaign account no later than 30 days prior to the election. The candidate must then raise contributions in excess of the per individual limit for the race until the amounts in excess of the contribution limit equal the amount of personal funds being used. However, the law does not permit unlimited contributions, even under these circumstances, since there is a ceiling on the amount an individual can contribute to all candidates appearing on the ballot.

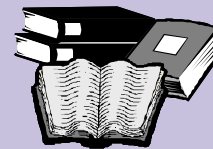
The conclusion reached in the report is that public financing and the matching fund program enabled candidates to conduct effective campaigns and allowed voters more choices. In spite of the limits, candidates conducted competitive races with increased public debates. Incumbents had less advantage, as the timing for fundraising was curtailed, and first-time candidates were able to compete more effectively. The playing field is leveled, and they have more equal resources. The system works well from the candidate side. The exception to this conclusion is the greatly increased non-candidate spending by political parties, unions, and businesses – the special interests the system sought to curtail. Constitutional issues inhibit any obvious or easy solutions to this problem, as free speech rights and rights of association must be maintained.

Los Angeles has gone further than most jurisdictions in addressing the problem of long and costly elections and is to be commended for this effort.

Call for Book Reviews

If you have read a book or report you believe COGEL members would be interested in learning about, or if you have suggestions or requests for future book reviews, please contact Fred Herrmann. Dr. Herrmann is the Book Review Editor and is always open to ideas and comments.

He can be reached by phone at (609) 292-8700, by fax at (609) 777-1457 and by email at frederick.herrmann@elec.state.nj.us.



San Diego Port Commission Adopts Code of Ethics

The San Diego Port Commission adopted a code of ethics in May, described as one of the toughest in the nation. The code, which takes effect June 21, will govern commissioners and the San Diego Unified Port District's 700 employees.

The code is in response to a recent scandal, resulting in the January 2001 resignation of Port Commissioner David Malcolm, who was forced out amid conflict-of-interest allegations involving port tenant Duke Energy. Since that time, Port Commission Chairman Stephen Cushman has advocated an ethics code.

"This port has taken a huge step forward in our fight for public accountability," Cushman stated. "Accountability is demanded of those who serve the public. The city councils that appointed us to the commission expect it. The public we serve demands it. As chairman, I promised reform and as chairman I have delivered just that."

Robert Stern, co-author of California's Political Reform Act, wrote the rules of conduct. Stern, the first general counsel to the state Fair Political Practices Committee, is president of the Center for Governmental Studies in Los Angeles and former staff director of COGEL. He drafted the code after speaking with port commissioners and employees, and after reviewing other government ethics codes and lawsuits filed against the port.

The code specifically outlines what is permissible for commissioners and employees, and calls for the creation of a position of ethics officer. Under the code, financial interests will be reported twice yearly, and commissioners and key staff members will be prohibited from lobbying before the Port Commission for two years after leaving office. The code also places a \$10 limit on gifts, including meals or other tokens of hospitality. It outlines civil and criminal penalties for violations, but does not spell out how complaints of violations would be made, investigated or adjudicated.

Massachusetts Financial Disclosure Forms Filed Online for First Time

The Massachusetts State Ethics Commission's Financial Disclosure Division successfully completed its first year of filing Statements of Financial Interests (SFI) online. 4,336 public



employees were required to file financial disclosure forms by May 1, 2002 for calendar year 2001. 1,844, or 45 percent, voluntarily filed electronically. The

majority who filed electronically indicated that the driving force behind their decision to take the time to file electronically was that it would be much easier in subsequent years. The online software program was designed to repopulate each year all fields of information previously submitted by a filer.

"We're extremely pleased with the results," said Chief Financial Officer Anne Marie Quinlivan. "Overall, feedback on electronic filing was very positive."

Executive Director Peter Sturges attributed the success of the program to the two-member SFI staff's efforts. Filers were offered walk-in or telephone assistance if they wished to file electronically. "In the final week before the filing deadline," Sturges stated, "the staff received from 50 to more than 75 phone calls per day seeking assistance."



The switch to online filing resulted in one full-time employee completing the processing, data entry and filing for all forms; during prior filing seasons, three employees were required to complete these tasks. It also resulted in reduced printing and postage expenses.

Retirement News

Robert A. Patterson, British Columbia Chief Electoral Officer, Retires

Robert Patterson retired as chief electoral officer for the Province of British Columbia on June 6, 2002, when his term expired. After thirty years with government, Mr. Patterson has decided not to seek reappointment.



Since 1972, Mr. Patterson has been involved with administering the democratic process in British Columbia, having held the position as chief electoral officer since 1990. He has been dedicated to ensuring the impartial administration of Provincial electoral events and referendums, recalls and initiatives. He has participated in the administration of eight general elections, and most recently directed the administration of the first province-wide mail-in referendum.

He was also instrumental in implementing major amendments to the Election Act (RSBC 1979), among them lowering the voting age from 19 to 18 years, instituting voter registration at voting places, and inaugurating alternative absentee voting, also known as postal voting, for British Columbians who are away from the Province during an election.

“It has been a career full of challenges, excitement and rewards,” Mr. Patterson said. “One of my most cherished rewards has been the opportunity to work with a team of people who are dedicated to the ideal of delivering democracy to the people of British Columbia.”

Mr. Patterson’s career also includes serving as an election observer in Ethiopia and Georgia (1992), Yemen and Seychelles (1993), Nigeria (1999), Malawi (1992), South Africa (1994) and The Gambia (1996).

Mr. Patterson has been an active member of COGEL, having served on its Steering Committee as treasurer.

Mr. Patterson will be honored with a reception and dinner on July 5 at the Hotel Grand Pacific in Victoria, British Columbia. If you would like to participate in this event, please contact Faith Hoy or Diana Ennals by phone at (250) 387-5305, or by e-mail at either Faith.Hoy@gems8.gov.bc.ca or Diana.Ennals@gems9.gov.bc.ca.

Carolyn Van Noy Retires from Seattle Ethics and Elections Commission

Carolyn M. Van Noy will retire as executive director of the City of Seattle Ethics and Elections Commission, effective July 2, 2002.

Ms. Van Noy has served as executive director since December 1991. Under her leadership, the commission developed the capacity to conduct software audits of candidate and ballot issue committee campaign finance reports, to receive those reports electronically through e-mail, and to post the reports on the commission’s website. In addition, she initiated the city’s efforts to provide candidate information through television broadcast and streaming on the Internet with video voters’ guides. Ms. Van Noy initiated programs to provide ongoing training for employees about ethics and whistleblower issues. She negotiated with Westlaw to carry the commission’s advisory opinions and has posted those opinions on the commission’s website.



The chairperson of the Seattle Ethics and Elections Commission, Paul Dayton, praised Ms. Van Noy’s service, noting that throughout her tenure she had upheld the highest standards in administering and enforcing the city’s Ethics and Elections Codes. He commented that her leadership in training efforts had resulted in well-informed employees and fewer ethics issues. Her prompt and clear answers to inquiries from employees and officials made her a highly valued contributor to the city’s operations. Mr. Dayton stated that the commission very much appreciated Ms. Van Noy’s outstanding contributions to the development of the office.

High praise for Ms. Van Noy also came in the form of a recent editorial in the *Seattle Post-Intelligencer*, entitled, “We Hope for Another Van Noy.” It stated that, “Van Noy has been an exemplary city employee and done her level best to ensure that others are too, along with candidates for public office.” The editorial also thanked her and her staff for uncovering “the most appalling political scandal in modern-day Seattle history,” which involved illegal contributions made by an individual during a 1995 ballot measure.

Ms. Van Noy has been an active member of COGEL, having served on its Steering Committee and as chair of the Site Selection Committee.

Character as the Cornerstone of Citizenship

By Monty Lobb, Assistant Secretary of State, Ohio

Every day is a legacy. I believe that, and I strongly believe that our actions, words and deeds speak volumes to our character.

What was your legacy today? What will your life's legacy be?

Few of us consciously consider what our legacy will be, but many of us hope to be remembered for being something good, e.g., a hard worker, a good parent, a good friend, a loving spouse, a thoughtful child and more. Still, even fewer of us think about our legacy from day to day.

Did you do a good deed today? Did you treat others well? Did you offer care or guidance to a child or another in need? Did you work hard? Did you keep your promises? Did you make life better for someone else? Answer "yes" to those questions and others like them, and your day's legacy would shine brightly.



In this world of known evil and the spoils of crime and hatred, we must insist upon standing up for character. We cannot be afraid to stand up for what is good and right and just.

While none of us is perfect, we must vow to conduct our lives with good character. When we stumble in the game of grace and fairness, we must admit our error and move on to greater good, whether it be in our personal lives, our business dealings or our community responsibilities.

Character is all encompassing. Demonstrating poor character, day in and day out, causes grief in the lives of individuals, many of whom find life difficult or unfair. But I assure you that demonstrating good character and striving for good things every day of your life will result in harmony and success, both professionally and personally.

Does that mean that we risk failing if we make a bad choice? No, of course not. But being of good character will sustain you in times of difficult choice.

It was the great novelist Leo Tolstoy who said, "Everyone thinks about changing the world; but no one thinks about changing himself."

Consider yourself: What are your strengths and weaknesses? How do you treat others? What can you do to become a stronger person, a better person, and one who can positively impact the lives of others? Start with yourself and you can indeed change the world for the better.

The Secretary of State's Ohio Center for Civic Character works with leaders in government, business, academia and faith-based organizations throughout the state to promote character building within their organizations and communities.

In seminars and talks, using identified tools such as UncommonSense, our character-building roadmap, we spark discussion and initiative to support high character and ethics. We offer the tools and an action plan for implementing character building in ways that make sense to participants.

Why is this important? Because businesses and organizations that prize good character will likely find greater harmony, greater success and profit. Communities with leaders of high character and integrity will find greater commitment to community well-being and citizen contentment.

Indeed, our character is revealed with every choice we make, so make your choices in the spirit of good character – and watch your legacy shine!

STAFF NOTES - AGENCY NEWS



Sheehan Named Director of USDA Office of Ethics

The United States Department of Agriculture (USDA) Secretary Ann M. Veneman announced the appointment of Raymond J. Sheehan as the director of the Office of Ethics. This office directs ethics policy throughout USDA, provides ethics training and counseling to employees, and administers personal financial reporting by senior staff.

Sheehan served as a senior ethics specialist at USDA's Office of Ethics since March 1999. In that position, Sheehan advised agency employees and senior officials on Federal conflict of interest statutes, government ethics regulations, the Hatch Act and procurement integrity provisions. He wrote the USDA "Ethics Desk Reference" and drafted the USDA Supplemental Standards of Conduct.

From January through March 2001, Mr. Sheehan served on a detail to the Office of the Counsel to the President where he helped establish and implement procedures for review of public financial disclosure reports of presidential nominees.

Sheehan worked as an attorney-advisor with USDA's Office of the General Counsel (OGC) from 1989-99. As a member of OGC's General Law Division, he provided legal advice on a wide array of administrative law issues, but served as the primary attorney within that division handling ethics issues, including Federal conflict of interest statutes and ethics regulations.

From 1986-89, Sheehan worked as an attorney-advisor with the Office of Counsel, Naval Sea Systems Command. From 1980 to 1986, he headed the Affirmative Claims Office, Office of the Judge Advocate General, Department of Navy. From 1976 to 1979, he served as a Commissioned Officer in the Navy Judge Advocate General's Corps.

Nevada Ethics Panel Director Selected

Nevada Dairy Commission Executive Director Stacy Jennings was selected as the new executive director of the Nevada Ethics Commission.

Her career includes time as a senior research analyst for the Legislative Counsel Bureau in Carson City and with the Arizona governor's office in Phoenix. She also held jobs with the Nevada Hospital Association and with the Department of Indian Gaming in Arizona. For the past three years, she has been executive director of the Dairy Commission, where her duties have included auditing and investigating complaints.

The previous two executive directors were lawyers who remained on the job only a year. Commission Chairman Todd Russell has stated that he backed Jennings because it was "important to have someone with a strong administrative background."

As executive director, Jennings makes a recommendation to a two-member panel of the commission on whether ethics complaints have merit and should be heard by the entire Ethics Commission.

South Carolina Election Commission Loses Chief

James Hendrix, hailed by Republicans and Democrats as an impartial executive director of the South Carolina State Election Commission, died in April 2002 after suffering a heart attack. He was 58. Hendrix served on the commission for 28 years, the last eight as executive director.

“Jim, in my view, was the perfect executive director for an agency like that, a place where all the Republicans think you are a Democrat and all the Democrats think you are a Republican,” said Rusty DePass, who served on the commission for nine years; seven as chairman. “I don’t know to this very day what Jim’s political preference was. I don’t know who he voted for,” he said.

As executive director, Hendrix led an agency charged with overseeing voter registration and state elections. Hendrix put together the first South Carolina Election Summit in 1999. The summit allowed the public to speak out on ways to improve the state’s voter registration and election processes. Hendrix also worked to obtain state funding to develop a modern statewide voter registration system.

Hendrix was always looking for ways to make the election process more efficient. Earlier this year, he testified before a Senate committee dealing with election law changes, urging the senators to consolidate municipal elections to a single date each fall. He believed that the 200+ elections held throughout the year overloaded voters and lowered participation. He also asked the committee to put all local elections under the control of county governments.

House Speaker David Wilkins, R-Greenville, called Hendrix’s death a tragic loss for the state. “He was someone we all relied on. Someone everybody trusted and believed in. So it’s going to be tough to replace him,” he said.

San Francisco Ethics Commission Elects New Officers

On June 10, the San Francisco Ethics Commission elected Paul H. Melbostad as its chair and Robert R. Planthold as vice chair. Both were elected to one-year terms, ending February 28, 2003. The Ethics Commission was reconstituted this spring as required by Proposition E, a Charter amendment approved by the voters in November 2001.

Mr. Melbostad is a partner in the San Francisco law firm Goldstein, Gellman, Melbostad, Gibson & Harris. He was first appointed to the Ethics Commission in March 1996 and has served continuously as vice chair since October 2000. He succeeds Carol Kingsley in the role of commission chair.

Mr. Planthold was appointed to the Ethics Commission in February 2002. He has been an advocate for seniors and those with disabilities, especially in the areas of housing, health care and transportation.

The remaining three appointees to the newly constituted commission include Michele Anglade, Michael L. Garcia and Waukeen Q. McCoy. The biographies of the Ethics commissioners are posted on the commission’s website at www.sfgov.org/ethics/.

New Board Members for Louisiana Board of Ethics

The Louisiana Board of Ethics has five new members:

- Judge Greene is a lawyer and retired judge, having served as the judge for Division “D” of the 22nd Judicial District for St. Tammany and Washington Parishes from 1978 to 2001. He is a gubernatorial appointee.
- Michael J. Kantrow is the VP/GM of Magnolia Marketing Co. in Shreveport, Louisiana and serves as a member of various community organizations. He is a gubernatorial appointee.
- R. L. Hargrove, Jr. is a CPA and retired Executive Vice President of Century Tel, Inc. He is a resident of Calhoun, Louisiana where he serves as a member of various community organizations. He is a Senate appointee.
- Janice Martin Foster is an attorney and partner with Jones, Walker, Waechter, Poitevent, Carrère & Denègre, L.L.P. in New Orleans, where she practices in the areas of successions, wills and estate planning. She is a Senate appointee.
- Ascension Delgado Smith is the former principal of Caddo Parish Magnet High School and is a resident of Shreveport, Louisiana where she serves as a member of various community organizations. She is a House appointee.

NORCOL Conference Returns to Mystic, Connecticut

This year's annual Northeastern Regional Conference on Lobbying (NORCOL) will take place on Friday, August 9th at the Mystic Hilton in Mystic, Connecticut, commencing at noon.

The conference features an address by the co-sponsor of the landmark Shays-Meehan legislation, Congressman Chris Shays. Additionally, we are assembling a panel of experts to discuss the need for municipal lobbying oversight. Finally, as always, each member jurisdiction will have an opportunity to update the conference regarding recent developments.

To facilitate the attendance of out-of-state attendees, we have contracted with the Hilton to reserve a block of rooms for the nights of August 8th, 9th, and 10th at a government rate of \$107 per night. Those wishing to reserve a room should contact the Hilton directly, informing the hotel that you are with the NORCOL Conference being sponsored by the Connecticut Ethics Commission.

Although there is no cost to attend the conference sessions, the Connecticut Ethics Commission needs a confirmation for each attendee to plan for lunch, conference room size, etc. To reserve your place, please contact Cindy Cannata at (860) 566-4472, ext. 303, or e-mail her at cindy.cannata@po.state.ct.us.

Heartland COGEL Conference a Success

By Kay Williams, Iowa (Retired)

April arrived once again, and with it, the 8th Annual Heartland COGEL Conference, held this year in Minneapolis. What surprises would Minnesota Executive Director Jeanne Olson and Office Manager LuAnn Swanson have in store for us? Many memorable ones, one would assume.



By the time all attendees had arrived on Sunday evening, April 28, there were ethics or campaign finance regulators represented from 17 states, two cities and D.C., for a total of 49 registrants. States represented were Arkansas, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Minnesota, Missouri, Montana, Nebraska, New York, Ohio, Pennsylvania, Texas and Wisconsin, as well as New York City and Chicago. President Terry Draver represented D.C. Mary Ann McCoy and I represented the retired COGEL members.

The meeting commenced Monday morning with welcoming remarks from Douglas Kelly, chair of the Minnesota Campaign Finance and Public Disclosure Board, concerning the ever-increasing challenges being met by the Board. Jeff Sigurdson, Minnesota Deputy Director, then presented an online demonstration of the use of Minnesota's campaign finance software, as well as a discussion of marketing techniques. Next was a "Stump the Experts" panel discussion, which included Carol Williams (Kansas), John Contino (Pennsylvania) and Graham Sloan (Arkansas). Carol modified the format to be more of a roundtable discussion of common problems, as we used to do in the early days of the Heartland Conference. Graham reported that his agency is being sued by the Governor in an attempt to stop the agency from enforcing the gift law.

Continued on page 17

Over lunch, we were fortunate to hear the Honorable R. T. Rybak, mayor of Minneapolis. He is a personable and engaging speaker who described his own campaign, and shared frustrations with parts of the system in a humorous presentation. He would like to see more frequent disclosure reporting and bans on certain contributors.

The next session was "Discussion of Problems in Administration of a Regulator Agency," presented by Rupert Borgsmiller (Illinois) and Don Gemberling (Minnesota). This session covered budgets, staffing, and the challenge of doing more with less.

The first day concluded with a bus tour of the cities of Minneapolis/St. Paul. Mary Ann McCoy served as tour guide and demonstrated her knowledge and love of history and architecture. She not only shared expertise, history and legend, but also entertained us with her inimitable sense of humor. A meeting with the Honorable Governor Jesse Ventura and a tour of the state Capitol divided the afternoon. The governor was very friendly and entertaining, taking time to pose for pictures and provide autographs.

Tuesday morning began with a breakfast session in which Kevin Kennedy (Wisconsin) shared some legislative caucus issues from his state, including a scandal about the use of public resources for campaigning. Although the activity was stopped, a criminal suit is pending on this issue.

Following breakfast was a General Session featuring Teddy Lee (Georgia), Charlie Smithson (Iowa) and Mike Sullivan (Massachusetts), who discussed campaign finance issues as they experienced them in their home states. Again, humor was sprinkled with facts to make the session interesting. Mike focused on the lack of funding for his state's Clean Election Campaign Act.

The next session featured Roth Judd (Wisconsin) and an "Eye on Lobbying" in his state. Roth is known for his excellent online lobbyist database, which provides good information to the public, regulators, legislators and the lobbyists themselves. The Wisconsin law requires prompt reporting of any lobbying expenditure. By the way, Roth will give a demonstration of his agency's exemplary website at COGEL's annual conference, being held in Ottawa, Canada, September 29-October 2, 2002.

During lunch, Nicole Gordon (New York City) presented her educational and emotional experiences from September 11 - "Disaster Recovery Revisited: Lessons Learned," - which she first presented last December in Lexington, Kentucky at COGEL's 2001 conference. Even seven months after the fact, the ordeal was very fresh on her mind, and she provided excellent insight as to how to prepare for all kinds of disasters that might befall an agency (fire, flood, storm, power outages), in terms of its records and its employees. This is one of the better sessions COGEL has ever received at either the regional or national level. It is also a tearjerker for both the audience and the presenter.

The conference concluded with the announcement that Arkansas will host the April 2003 Heartland COGEL Conference.

The 2002 Heartland Conference provided each participant with a fresh shot in the arm and many good memories. Many thanks are due to Jeanne Olson, Jeff Sigurdson, LuAnn Swanson and the Minnesota Board and staff for a job well done. The purpose of Heartland COGEL was once again achieved: an enjoyable, no-frills conference that was affordable, and allowed staff - not fortunate enough to travel to national conferences due to budget constraints - to obtain a wealth of good information and camaraderie. We are confident that Graham Sloan will continue this tradition in Arkansas next year.

NYC Campaign Finance Board Online Database Expanded

The New York City Campaign Finance Board's web-based searchable database (<http://www.cfb.nyc.ny.us/money/index.htm>) has been expanded again, this time to include every schedule of information collected from candidates which was previously unavailable in searchable format. In addition to the familiar search options of contributions, expenditures, and intermediaries, visitors to the site may also search by what the CFB terms "other receipts." "Other receipts" include public funds repayments, transfers in/out (of a candidate's committees), loans received/repaid, liabilities/loans forgiven, partners, subcontracts, and affiliated contributions.

"As far as we know, no other jurisdiction in the country provides this level of searchable computerized access to candidates' campaign finance information," said Nicole A. Gordon, executive director of the CFB.

The Campaign Finance Program has been playing a significant role in New York City politics since 1988, and continued its successful campaign to reduce the influence of big money in city politics with a banner year in 2001. Candidates who joined agreed to abide by strict contribution and spending limits and to provide detailed disclosure of their campaign finances. In addition, candidates for citywide office are required to participate in a series of public debates. In return for abiding by the rules of the Program, all qualified candidates who participate may become eligible for public funds that match – at a \$4-for-\$1 rate up to \$250 – contributions from New York City residents. The 2001 election was the first citywide election for which the \$4-for-\$1 matching rate was in effect. (The previous rate had been \$1-for-\$1 up to \$1,000). The new rate, passed into law by the City Council in 1998, was designed to increase the value of small contributions.

Over 350 candidates voluntarily joined the program in 2001, raising and spending record-breaking sums, and the CFB's website, with its daily updates of database and summary information, kept the press and public informed about the "who's, what's, where's, and when's" of campaign finance in New York City.

News from Los Angeles

On April 30, the Los Angeles City Ethics Commission unanimously ruled that Tenth District Councilman Nate Holden and his campaign treasurer committed 31 violations of city campaign finance laws in connection with the Councilman's 1999 reelection campaign. At the conclusion of a public three-day administrative enforcement hearing, the Commission found that the Councilman accepted 11 contributions totaling \$5,150 in excess of the city's contribution limit; and submitted 20 ineligible claims for public matching funds totaling \$2,720. By a vote of three to two, the Commission imposed a \$6,500 penalty. Two dissenting members of the Commission had urged the Commission to levy penalties of \$25,000 to \$30,000 in light of the Councilman's history of violations and to send a message that fines paid for violating campaign laws are not simply a cost of doing business. The Councilman was fined \$27,500 in June 1999 for 48 campaign finance violations that stemmed from his 1995 re-election campaign.

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The Los Angeles City Ethics Commission has published a transcript of *Campaign Finance Reform in Los Angeles: Lessons from Los Angeles*, a daylong forum on public financing and municipal elections jointly sponsored with The USC Annenberg School for Communication. Coinciding with the release of the Commission's third in a series of campaign studies, former candidates, elected officials, and others involved in city elections convened last fall to exchange views and debate policy approaches to ensure that the City of Los Angeles comprehensive campaign finance laws remain strong, workable and enforceable in an era of term limits and rising independent expenditures. The forum and the study (see review on page 9) served as the starting point for the Commission's current reform proposals under consideration. Panelists at the forum included Joshua Rosenkranz, President of the NYU Brennan Center for Justice; Karen Getman, Chair of California's Fair Political Practices Commission; and Lance Olson, Counsel for the California Democratic Party. For a copy of the transcript, call the City Ethics Commission at (213) 978-1960 or visit the Commission's website at <http://ethics.lacity.org>.

When Exigent Circumstances and Ethics Collide

(Continued from page 6)

officials face those kinds of constraints, or was it even considered? I hate to create legal questions after the fact, but I wonder if you had any experience on that?

Mr. Pelgrin: *Yes, actually, we did. Right after the event we looked at whether or not the generosity of the vendor community could be accepted by the state, and we dealt with our ethics commission immediately and requested an opinion from them relative to that issue. They responded that even though individuals may be a disqualified source, that as long as there was not litigation or an investigation involving that vendor, that those services could, in fact, be accepted.*

Senator Wyden: *This was under the city?*

Mr. Pelgrin: *The state.*

Senator Wyden: *This was under the state rules?*

Mr. Pelgrin: *The state ethics law.*

By all accounts, Senator Wyden was pleasantly surprised.

In the days and weeks ahead, there were other issues that arose in the wake of 9-11. Many of them involved the post-employment (revolving door) restrictions of the Public Officers Law. The most common question was whether former state employees could “appear,” “practice” or “render services” before their former state agency relative to the rebuilding efforts in Manhattan. These inquiries spurred the commission to draft the “disaster emergency” exception to the Public Officers Law (currently New York State Senate Bill number 6577) which, if passed by the State Assembly, will create an exception to the post-employment restrictions

in cases where the governor has declared a disaster emergency, and the head of the state agency certifies to the commission that the former state employee’s services are required to respond to the emergency.

To suggest that things are getting back to normal in New York State only nine months after the attack is somewhat inaccurate, because “normal” is not what it used to be. There are still late budgets, and the news is again dominated by issues like health care, the severity of the state’s narcotics laws and the upcoming fall elections.

If you, like me, are someone who fashions himself or herself as dedicated to the principles of ethics in government, but have a nagging inner voice that tells you that your agenda is regularly taking a back seat to most other subjects on the minds of the citizenry of the country, take heart. You will quite probably only read about it here, but when health care, drug laws and elections were on no one’s mind, ethics laws were.

Despite senseless acts of violence that we still struggle to understand, we know the Republic will endure. Principles like concern for ethics are what make this country great, and a return to our regular daily lives is a reaffirmation of freedom. So put the kids on the bus and go to work. I have the same sense of comfort that I had many years ago when I boarded a yellow bus for school in upstate New York. You should too.

Karl J. Sleight has been the Executive Director of the New York State Ethics Commission since March 2001 and is a member of the COGEL Publications Committee. He can be reached at ksleight@dos.state.ny.us.

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September 29 through October 2, 2002

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Phone Number: _____ Fax Number: _____ E-mail: _____
First Time Attendee: Yes No Vegetarian Meals? Yes No
Verification of Continuing Legal Education credits acquired: Yes No. If yes, State: _____ Bar #: _____

Registration Fees

- | | <u>Member</u> | <u>Non-member</u> |
|---|--|------------------------------|
| 1) Full Registration:
On or before 9/1/02 | \$375 (\$585 CAD)
(Includes all sessions, reception and all 7 meals) | \$475 (\$750 CAD) |
| 2) Full Registration:
After 9/1/02 | \$405 (\$635 CAD)
(Includes all sessions, reception and all 7 meals) | \$505 (\$800 CAD) |
| 3) Daily Registration:
Monday or Tuesday | \$175/day (\$280 CAD)
(Includes all daily sessions and 3 meals) | \$200/day (\$315 CAD) |
| 4) Daily Registration:
Wednesday | \$75/day (\$120 CAD)
(Includes all sessions and breakfast) | \$95/day (\$150 CAD) |
| 5) Guest Registration:
(Includes Sunday Reception and Monday and Tuesday night dinners)
Name of Guest: _____
Vegetarian Meals? <input type="checkbox"/> Yes <input type="checkbox"/> No | \$125 (\$200 CAD) | \$125 (\$200 CAD) |

6) Individual meal tickets can be purchased at the Registration Desk

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Additional Registration Information

Cancellation Policy: Registrations cancelled after 9/13/02 will be charged a \$50 USD cancellation fee. Cancellations received after 9/24/02 - and "no shows" - will be charged a cancellation fee equal to half the registration fee. All cancellations must be submitted in writing.

Billing Policy: Prior to attendance, all registrations either must be paid in advance or a purchase order must be received by COGEL, payable following the completion of the conference.

Check COGEL website for updates

www.COGEL.org

Hotel Accommodations

Contact: Ottawa Marriott
100 Kent Street
Ottawa, Ontario, Canada K1P 5R7
Phone: 613-238-1122
800-853-8463 (in Canada)

Room Rates:

Standard: \$179 CAD (appx. \$114 USD)
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Room Block Release: August 29, 2002

MAIL registration form and payment or purchase order to:

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Locust Grove, VA 22508**

**Or ... FAX your registration form to
(540) 972-3693**

**Questions? Call (540) 972-3662
or send e-mail to info@COGEL.org**