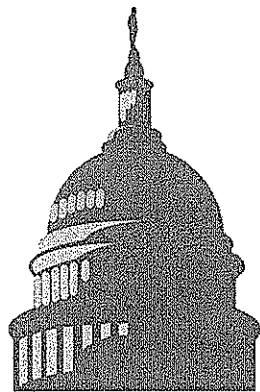
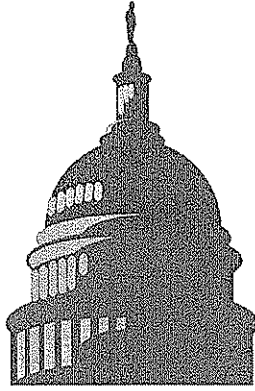


# Kentucky Legislative Ethics Commission

## ANNUAL REPORT



FY 2007-2008



**Kentucky Legislative Ethics**  
**Commission Members**

George Troutman, Chair  
Rebecca Tomblinson, Vice Chair

Bob Fulkerson  
Ann Henn  
Romano Mazzoli

Paul Gudgel  
Norma Scott  
Trib Ball

**Commission Staff**

Anthony Wilhoit, Executive Director

John Schaaf, Legal Counsel  
Donnita Crittenden, Principal Assistant  
Connie Evans, Staff Assistant  
Michael Malone, Enforcement Counsel

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## FOREWORD

On behalf of the Kentucky Legislative Ethics Commission and its staff, I am pleased to submit our 14th Annual Report to the members of the Legislative Research Commission.

In 1993, the Code of Legislative Ethics was enacted to provide ethics guidelines for members of the General Assembly and others involved in the legislative process, to provide for registration of lobbyists and their employers and for reporting of their expenses, and to give the public a full accounting of money spent by special interests in the legislative process.

For several years after its enactment, the Code was proclaimed as one of the strongest laws of its type in the nation, primarily because of its scope and effectiveness. In recent years, other states have followed Kentucky's lead and have even surpassed our state in areas such as financial disclosure.

There is a strong level of trust and cooperation between the Commission, the General Assembly, and others covered by the Code of Ethics. It is our hope to maintain that relationship, while continuing to enforce the Code of Ethics as expected by the public.

We respectfully submit this report of activities of the Legislative Ethics Commission as required by KRS 6.666(16).



George C. Troutman, Chair

## Legislative Ethics Commission Member Profile

**George C. Troutman** - Mr. Troutman is the Chairman of the Commission. The Speaker of the House appointed him to the Commission in 1994. Mr. Troutman graduated from St. Xavier High School and Bellarmine University where he majored in accounting. He is currently self-employed as a Certified Public Accountant, a member of the American and Kentucky Society of CPAs and the American Board of Forensic Accounting. Mr. Troutman served on the Registry of Election Finance from 1992 to April of 1994. He and his wife, Mary, reside in Louisville.

**Rebecca Parker Tomblinson** - Mrs. Tomblinson is the Vice-Chairman of the Commission. The Speaker of the House appointed her in 1996. Mrs. Tomblinson graduated from Madisonville High School and attended Western Kentucky University. She is a former member and Chairman of the Board of the Bowling Green City Schools. She works with her husband in a privately owned business. She and her husband, Ben, reside in Bowling Green.

**Ann B. Henn** - Mrs. Henn was appointed to the Commission by the President of the Senate in 1997. Mrs. Henn was an attorney for the Court of Appeals for nine years. She received a B.S. from Northern Kentucky University and graduated from the University of Kentucky College of Law. She is licensed to practice law in Kentucky and Ohio and is a member of the state and local bar associations. She and her husband, Bob, reside in Edgewood.

**Bob Fulkerson** - Mr. Fulkerson was appointed to the Commission by the President of the Senate in 2004. He is a graduate of Owensboro Senior High School and attended Southwestern College in Dallas, Texas. He is a retired manager from General Electric Appliance Park in Louisville. Currently, he devotes his time to community service and religious activities. In the past, he has been an active participant in politics, both as a candidate for elected office and party official. He and his wife, Edna, reside in Louisville.

**Judge Paul D. Gudgel** - Judge Gudgel was appointed by the Speaker of the House in 2002. Judge Gudgel received both his BA and LLB degrees from the University of Kentucky. After practicing law in Lexington, he entered judicial service in 1970, serving as a trial commissioner in the municipal and quarterly courts, and as Chief District Judge. In 1979, he was appointed to the Court of Appeals and served on that court until 2002 including five years as Chief Judge. He retired from the Court in November 2002. Judge Gudgel earned a Master of Laws degree from the University of Virginia and also served as a member of the Judicial Conduct Commission for 22 years. He and his wife, Katherine, reside in Lexington.

**Trib Ball** - Mrs. Ball was appointed to the Commission by the President of the Senate in 2005. She has been an active community volunteer for many years, including service as president of the Daviess County Medical Alliance and the Ellis Park Foundation. She has served on the Owensboro Civil Service Commission and with the Alma Randolph Charitable Foundation, which raises money to provide school clothes for local children. Mrs. Ball is an active member of the First Baptist Church in Owensboro. She and her husband, Dr. Coy E. Ball, reside in Owensboro. Mrs. Ball died in August 2008.

**Norma Scott** - Mrs. Scott was appointed to the Commission by the President of the Senate in 2005. She graduated from Earlington High School and Western Kentucky University, where she received a B.A. in Elementary Education. A former school teacher, Mrs. Scott is president of Fugate Lumber Co., which has locations in Madisonville, Eddyville, and Powderly. She and her husband, Gerald, reside in Madisonville.

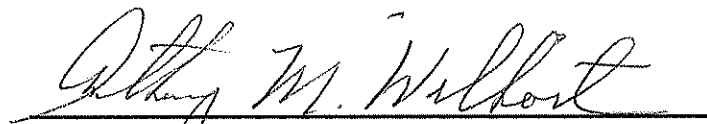
**Congressman Romano Mazzoli** - Congressman Mazzoli was appointed to the Commission by the Speaker of the House in 2005. He is a Magna Cum Laude graduate of the University of Notre Dame and the University of Louisville School of Law. In 2004, he earned a Masters Degree in Public Administration from Harvard University's John F. Kennedy School of Government. He served in the Kentucky State Senate (1968-1970) and in the U. S. House of Representatives (1971-1995). Congressman Mazzoli was Chairman of the Immigration, International Law and Refugees Subcommittee for 12 years. In 1998, following 27 years of service as an elected official, Congressman Mazzoli was named Senior Distinguished Fellow at the University of Louisville's Brandeis School of Law, where his teaching interests included legislation and immigration. Congressman Mazzoli has received Honorary Doctorate degrees from the University of Notre Dame, Bellarmine University, Spalding University, Centre College, and Sullivan University. Congressman Mazzoli served in the U.S. Army from 1954 to 1956. He and his wife, Helen, reside in Louisville.

# Legislative Ethics Commission

2008

The Commission staff again notes the cooperation and willingness of those covered by the Code of Legislative Ethics to assist us in insuring compliance with the Code.

The steady number of requests to staff for informal advice and the compliance with that advice is evidence of the mutual respect and sound professional relationship which exists between our staff and those covered by the Code.

  
Anthony M. Wilhoit, Executive Director

## Legislative Ethics Commission Staff Profile

**Anthony M. Wilhoit** - Executive Director. Judge Wilhoit joined the Legislative Ethics Commission on November 17, 1997. He joined the Court of Appeals in 1976, was appointed Chief Judge in 1996. His other employment experience includes police judge, city attorney, county attorney, state public defender, and deputy justice secretary. He received an AB from Thomas More College, a law degree from the University of Kentucky, and an LLM from the University of Virginia.

**H. John Schaaf** – Assistant Director. Mr. Schaaf joined the Legislative Ethics Commission in June 2004. Prior to that, he was the General Counsel and staff attorney for the Legislative Research Commission for 16 years. His other employment experience includes practicing law in Louisville, and working as editor of a weekly newspaper. He received a journalism degree from the University of Kentucky and a J.D. from the University of Louisville School of Law.

**Donnita B. Crittenden**- Mrs. Crittenden is the Principal Assistant in the Commission office. She is a graduate of Franklin County High School, and has a BA in Public Administration from Kentucky State University. Mrs. Crittenden joined the Commission in August 1993. Her previous experience includes a three-year internship with the Kentucky Department of Education, specifically assigned to the State Board of Education.

**Connie Y. Evans** - Mrs. Evans is the Staff Assistant in the Commission office. She is a graduate of Lebanon High School, Lebanon, Kentucky. Her previous experience includes legal secretary for 15 years, elementary school secretary for 11 years, and judicial secretary for 3 1/2 years in the Court of Appeals. She joined the Commission in January 1998.

**P. Michael Malone** - Mr. Malone is the Enforcement Counsel for the Commission. He was an Assistant Commonwealth's Attorney in Fayette County from 1978 until his retirement in 2006. He was the first Assistant Commonwealth's Attorney beginning in 1987. In addition to trying over 350 felony cases, including approximately 60 murder trials, he worked closely with homicide detectives investigating major violent crimes. Mr. Malone served in the United States Coast Guard before entering the University of Kentucky where he majored in Political Science, and the University of Kentucky School of Law, from which he received a J.D.

**Education and Training**  
**FY 2007-2008**

July, 2007	Donnita Crittenden Attended the Southern Legislative Conference in Williamsburg, VA
September, 2007	Anthony Wilhoit, Ethics Presentation at Non-Profit Organization in Lexington, KY
September, 2007	Anthony Wilhoit, Ethics Presentation at Gateway Community and Technical College
September, 2007	John Schaaf and Donnita Crittenden, Presentation Lobbyist Retreat at General Butler State Park
December, 2007	Judge Paul Gudgel attended the Council on Governmental Ethics Laws Conference in Vancouver, BC
January, 2008	Current Issues Seminar Panel Discussion and Three Hours of Ethics Training for Members of the General Assembly conducted by LEC Staff
January, 2008	Donnita Crittenden and John Schaaf Employer and Legislative Agent Training Session
February, 2008	Anthony Wilhoit and John Schaaf Freshman Orientation for Newly Elected Ky. Legislators
May, 2008	Anthony Wilhoit, Ethics Presentation To Judges and Staff Attorneys at Kentucky Court of Appeals
June, 2008	John Schaaf, Presentation LRC Continuing Education Program

During the fiscal year, we provided various in-house training as requested, issued three formal opinions and forty-three informal advisory opinions, and numerous letters and phone calls answering specific questions, mailed out one Ethics Reporter to all General Assembly members, legislative agents and employers.



**Legislative Ethics Commission  
Registration of Lobbyists and Employers**

**FY 2006-2007**

Number of Employers: 651

Number of Legislative Agents: 623

Reports were filed on September 15, 2007, January 15, 2008, February 15, 2008, March 15, 2008, April 15, 2008, and May 15, 2008.

The Kentucky Legislative Ethics Commission (KLEC) has continued to enhance its database and web site, making more information available to the public regarding legislative agents (lobbyists) and their employers.

By accessing KLEC's web site, citizens can review a variety of reports, including legislator and candidate financial disclosure forms, a list of legislative agents and their employers, legislative agent compensation, employer expenses sorted by the employer's name, and employer expenses sorted by industries, such as "gaming" or "health care."

## Complaints and Administrative Actions

FY 2007-2008

### Complaints:

Four complaints filed, all four were against members of the General Assembly. All complaints against General Assembly members were dismissed due to lack of probable cause.

### Administrative Fines Levied by the Commission:

Legislative Agents	\$1000
Employers	\$7555
<b>Total Fines Assessed</b>	<b>\$8555</b>

These fines were assessed due to failure to file updated registration statements by the designated filing deadlines. Filers are cautioned that chronic late filing of forms results in additional penalties and possible action by the Commission.



## ***KENTUCKY LEGISLATIVE ETHICS COMMISSION***

**George Troutman, Chair**  
**Rebecca Tomblinson, Vice Chair**

**Norma Scott**  
**Romano Mazzoli**  
**Paul Gudgel**

**Anthony M. Wilhoit, Executive Director**

**Ann Henn**  
**Trib Ball**  
**Bob Fulkerson**

### **OPINION**

**OLEC 07 - 03**

**OCTOBER 9, 2007**

#### **QUESTION PRESENTED:**

May a legislator, who is an unpaid director of a non-profit entity furnishing medical care, vote on a state budget if it contains a line item appropriation for the non-profit entity?

#### **DISCUSSION:**

KRS 6.761 provides:

"(1) A legislator shall not intentionally participate in the discussion of a question in committee or on the floor of the General Assembly (or)... vote... on any matter:

(a) In which he... or the legislator's business associate will derive a monetary gain...

(2) A legislator who has a personal interest in a bill... shall be subject to the limitations of Section 57 of the Constitution of Kentucky.

(3) The right of legislators to represent their constituencies, however, is of such major importance that legislators should be barred from voting on matters of direct personal interest only in clear cases and if the matter is particularly personal."

Section 57 of the Kentucky Constitution provides that a member of the General Assembly "who has a personal or private interest in any measure or bill... shall disclose that fact... and shall not vote thereon upon pain of expulsion."

Clearly, voting on an appropriation for the non-profit entity would result in no monetary gain to the legislator who is an unpaid director. Likewise, it does not appear that the non-profit entity is a "business associate" of the legislator.

The Ethics Code defines the term "business" to mean any corporation, partnership, self-employed individual, or other legal entity "through which business is conducted for profit." KRS 6.611(4). The term "business associate" is defined as including a private employer, partner, family owned corporation, or corporation in which the legislator owns more than a five percent interest or an interest valued at more than \$10,000. Also included within this definition are a corporation, business association, "or other business entity in which the legislator serves as an agent or a compensated representative." See KRS 6.611(5).

It seems clear from the language of the statute that a "business associate" of a legislator is any entity with which the legislator engages for profit or from which the legislator derives compensation as an employer, agent or representative.

In the present case, the legislator derives no profit or compensation from the non-profit entity.

Section 57 of the Kentucky Constitution has been held to restrict the right of legislators to vote on a bill only "to those members who have a peculiar interest in legislation which will affect them in a manner differently from the public or a proper classification of members of the public." Stovall v. Gartrell, Ky. 332 SW2d 256, 260 (1960). While it does not seem to us that the present case would fall within that stricture, guidance should be sought from the Attorney General on this aspect of question before us.

**OPINION:**

The Code of Legislative Ethics does not forbid a legislator who is an unpaid director of a non-profit entity furnishing medical care from voting on a state budget which contains a line item appropriation for the non-profit entity. Guidance should be sought from the Attorney General as to the application of Section 57 of the Kentucky Constitution to such a situation.



## ***KENTUCKY LEGISLATIVE ETHICS COMMISSION***

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### **OPINION**

**OLEC 07 - 04**

**OCTOBER 23, 2007**

#### **QUESTION PRESENTED:**

Acting on its own motion, the Commission has decided to revisit the opinion it rendered in OLEC 95-10, which held that political parties are "civic entities" within the meaning of that term as used in KRS 6.626(1).

#### **DISCUSSION:**

Perhaps none of the opinions of the Commission has caused as much confusion among those covered by the Ethics Code as OLEC 95-10. One of the purposes of the Code of Legislative Ethics is to forbid legislators from soliciting things of value or campaign contributions from legislative agents. See e.g., KRS 6.751(2), 6.731, 6.767, OLEC 95-14, 01-01, 05-01, and 06-03.

Nevertheless, in OLEC 95-10, the Commission found an exception for solicitations made by legislators for political parties as opposed, for example, to a solicitation for the campaign of a political candidate. This exception was found in KRS 6.626(1) which permits a legislator to solicit "contributions on behalf of charitable, civic, or educational entities provided the solicitations are broad-based and are not directed solely or primarily at legislative agents." The reasoning behind this finding was that the use of the term "civic entity" in other Kentucky statutes was broad enough to encompass political parties and that its use in the Ethics Code should be interpreted as broadly.

However, there is nothing in the legislative history of KRS 6.626(1) which supports the notion that in 1993, when the Ethics Code was adopted, the General Assembly intended for political parties to be viewed as "civic entities" subject to the same fundraising treatment as charities. It is clear that KRS 6.626(1) was intended only to clarify that legislators' civic and charitable fundraising pursuits would not be impaired by other provisions of the Code, so long as the standard set out in that statute was adhered to.

Prior to issuing OLEC 95-10, the Commission received a legal memorandum in which the state's Consumer Protection Act is cited in support of a broad interpretation of "civic entity." Specifically, the memorandum cites provisions regulating Solicitation for Charitable and Civic Purposes (KRS 367.650 et seq.).

The memorandum states that professional solicitors for "charitable or civic" purposes are required to register with the Attorney General's office. The Consumer Protection Act defined "charitable or civic purpose" as:

[A]ny purpose or activity which holds itself out to be benevolent, educational, philanthropic, humane, patriotic, religious, eleemosynary (charitable) or fraternal, or to be established for a social welfare or advocacy, public health, environmental conservation, or civic purpose, or is designed to serve the welfare of society generally, or any class or group to which society is morally obligated, or a specific community or to preserve or improve the culture thereof or environment enjoyed thereby. KRS 367.650(1)

Based on that definition, the memorandum concludes that: "Considering the broad interpretation lent to the term, the respective political parties certainly seem to be engaged in civic activities."

However, that definition has never been applied to political parties. According to records of the Attorney General's office, political parties have never been required to register fundraisers under the Consumer Protection Act. Rather, fundraisers who raise political contributions are provided for in the campaign finance laws in KRS Chapter 121, so the reference to the broad definition in the Consumer Protection statutes is misplaced.

In fact, there does not appear to be any provision of the Kentucky Revised Statutes in which a "civic entity" would include a political party. In some cases, "civic entity" and "political party" are specifically distinguished. *See e.g.*, KRS 273.167. In the statutes governing campaign finance, political party executive committees are specifically prohibited from soliciting contributions from, or making contributions to civic or other organizations "established primarily for the public good." KRS 121.150(2).

If the 1993 General Assembly intended to allow legislators and legislative candidates to solicit lobbyists for contributions to political parties, it is likely that KRS 6.626 would include language to accomplish that result.

**OPINION:**

Political parties are not "civic entities" within the meaning of that term as used in KRS 6.626(1). A legislator may not solicit a contribution from a legislative agent for a political party. To the extent that OLEC 95-10 is to the contrary, it is hereby Superseded.



## ***KENTUCKY LEGISLATIVE ETHICS COMMISSION***

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**Rebecca Tomblinson, Vice Chair**

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**Paul Gudgel**

**Anthony M. Wilhoit, Executive Director**

**Ann Henn**  
**Trib Ball**  
**Bob Fulkerson**

### **OPINION**

**OLEC 08 - 01**

**JANUARY 14, 2008**

#### **QUESTION PRESENTED:**

The sole question presented is whether it is a conflict of interest for a legislator who is employed by a facility which may become eligible to offer casino gaming to sponsor or support legislation relating to gaming, including a proposed constitutional amendment to allow gaming and legislation to implement gaming, should the proposed constitutional amendment be adopted?

#### **DISCUSSION:**

On potential conflict of interest questions, such as this, the relevant statute in the Kentucky Code of Legislative Ethics is KRS 6.761. That statute forbids a legislator from participating in the discussion of a question in committee or on the floor of the General Assembly or from voting or making any decision in his legislative capacity on any matter in which he, a member of his family, or a "business associate" will derive a direct monetary gain or suffer a direct monetary loss as a result of his vote or decision. KRS 6.611(5) defines "business associate" to include an employer.

KRS 6.761(1) states, however that: *The provisions of this subsection notwithstanding, a legislator may participate in the discussion of the question in committee and on the floor of the General Assembly, vote, or make a decision on a matter if any benefit or detriment which accrues to the member of the General Assembly, as a member of a business, profession, occupation, or other group, or to a member of his family or a business interest specified in subsection (1)(b) of this section is of no greater extent than the benefit or detriment which accrues generally to other members of the business, profession, occupation, or other group . . .*

Subsection (3) of that same statute provides: *The right of legislators to represent their constituencies, however, is of such major importance that legislators should be barred from voting on matters of direct personal interest only in clear cases and if the matter is particularly personal.*

As with any elected legislative body, the law encourages all members to participate and vote on as many matters as possible, so their constituents are properly represented. Only when a potential benefit or detriment is particular to a legislator, a member of his or her family, or a business associate does the law call for the legislator to abstain.

Therefore, it is appropriate for a legislator who is a doctor to vote on matters affecting the medical profession, farmers who are legislators may support or oppose bills affecting agriculture, and teachers who serve in the General Assembly may vote on education issues, including teachers' salaries.

These statutory provisions appear to codify the principle laid out by Kentucky's highest court in Stovall v. Gartrell, Ky., 332 S.W.2d 256 (1960). In that case, the Court considered the proper construction to be given to Section 57 of the Kentucky Constitution. Section 57 prohibits a legislator who has "a personal or private interest in any measure or bill" from voting on the measure or bill.

The Court opined that the restriction applied only to those situations in which a legislator would receive a personal or private benefit which other members of the class affected by the legislation would not. The Court noted that all tax legislation affects the interests of every legislator and that any legislation affecting a legislator's profession affects the legislator, but no differently from other taxpayers in similar circumstances or other members of that profession.

In support of its construction against a more restrictive interpretation, the Court noted that "under almost any act of the legislature, each member of the General Assembly would stand to benefit or suffer a detriment, depending upon whether or not he fell within the class of those persons affected."

In a previous opinion, OLEC 96-7, this Commission noted that in "sponsoring or otherwise supporting legislation in the General Assembly that is part of the legislative agenda of his or her employer, [the legislator] should apply the specific standards of KRS 6.761(1)(a)(b) to that activity."

### **OPINION:**

If the legislation has a similar effect on all facilities forming the class which might become eligible to offer casino gaming, a legislator who is an employee of such a facility may sponsor or support legislation relating to gaming or a proposed constitutional amendment to allow gaming. However, if the legislation applies only to the facility that is the legislator's employer, then the legislator should abstain from voting and disclose his interest in the legislation in accordance with KRS 6.761(2).



## LOBBYING EXPENSES AS REPORTED 1994 – 2007

YEAR	EMP. FB	EMP. RME	EMP EXP	LA FB	LA RME	LA EXP	LA COMP	TOTAL
2007	\$160	\$160,087	\$530,195	\$0	\$16,835	\$0*	\$11,951,309	\$12,658,586
2006	\$423	\$227,190	\$803,103	\$157	\$18,535	\$0*	\$13,362,476	\$14,411,884
2005	\$420	\$214,397	\$615,303	\$268	\$24,663	\$0*	\$10,808,709	\$11,663,760
2004	\$561	\$204,701	\$819,692	\$150	\$10,003	\$0*	\$10,836,866	\$11,871,973
2003	\$542	\$193,663	\$848,670	\$0	\$4,639	\$0*	\$8,141,073	\$9,188,587
2002	\$262	\$188,446	\$1,008,768	\$20	\$8,248	\$0*	\$9,088,595	\$10,294,339
2001	\$160	\$136,819	\$608,853	\$73	\$4,201	\$0*	\$6,132,887	\$6,882,993
2000	\$95	\$136,032	\$857,075	\$0	\$13,424	\$0*	\$8,295,998	\$9,302,624
1999	\$248	\$30,082	\$411,981	\$0	\$1,562	\$0*	\$3,989,617	\$4,433,490
1998	\$20	\$82,741	\$939,643	\$10	\$4,500	\$0*	\$7,086,054	\$8,112,968
1997	\$14	\$22,072	\$420,529	\$0	\$4,019	\$0*	\$3,137,175	\$3,583,809
1996	\$589	\$40,822	\$880,518	\$301	\$3,939	\$341,893	\$6,037,002	\$7,305,064
1995	\$177	\$15,692	\$318,105	\$107	\$534	\$144,098	\$2,254,114	\$2,732,827
1994	\$852	\$34,117	\$1,356,719	\$350	\$2,305	\$514,701	\$4,557,014	\$6,466,058
<b>Totals</b>	<b>\$4,523</b>	<b>\$1,686,861</b>	<b>\$10,419,154</b>	<b>\$1,436</b>	<b>\$117,407</b>	<b>\$1,000,692</b>	<b>\$105,678,889</b>	<b>\$118,908,962</b>

**Guide to Abbreviations:**

EMP.FB (Employer Food and Beverage)

EMP.RME (Employer Reception, Meals & Events)

EMP.EXP (Employer Expenses)

LA.FB (Legislative Agent Food and Beverage)

LA. RME (Legislative Agent Reception, Meals & Events)

LA. EXP (Legislative Agent Expenses)

LA. COMP (Legislative Agent Compensation)

\* Employer forms were amended to delete section dealing with reimbursed expenses to legislative agents. Staff discovered that employers were listing amounts reimbursed to legislative agents for expenses and legislative agents were reporting these figures during the same period. Double reporting resulted.

**NOTE:** Numbers have been rounded up to next dollar for convenience.

**MONEY SPENT ON LEGISLATIVE ACTIVITY SINCE THE ENACTMENT OF  
THE LEGISLATIVE ETHICS CODE - JANUARY 1994**

Legislative Year	Money for food and beverages for legislators and their families.	Money for food and beverages at recognized events.	Total expenses/ expenditures for lobbying. (Includes legislative agent salary.)
1994	\$1,202	\$36,422	\$6,466,058
1995	\$284	\$16,226	\$2,732,827
1996	\$890	\$44,761	\$7,305,064
1997	\$14	\$26,091	\$3,583,809
1998	\$30	\$87,241	\$8,112,968
1999	\$248	\$31,644	\$4,433,490
2000	\$95	\$149,456	\$9,302,624
2001*	\$233	\$141,020	\$6,882,993
2002	\$282	\$196,694	\$10,294,339
2003	\$542	\$198,302	\$9,188,587
2004	\$711	\$214,704	\$11,871,973
2005	\$688	\$239,060	\$11,663,760
2006	\$580	\$245,725	\$14,411,884
2007	\$160	\$160,087	\$12,658,586

\*2001 Reflects totals from the first annual session in an odd-numbered year.

From 1994 to 2007, \$118,908,962 was reported. Of that figure, \$105,678,889 was attributed to salaries of legislative agents and \$13,230,073 was for other lobbying expenses.

Thank you for visiting the Kentucky Legislative Ethics Commission (KLEC) Web site. We hope the information you find here will be helpful.

## Today's Ethics News Stories From Across America (Click Here)

KLEC has jurisdiction over:

- Legislative agents (lobbyists),
- Employers (individuals or entities who engage legislative agents), and
- Members of the General Assembly.

The legislative ethics law covers four broad subject matters:

- Registration of legislative agents and employers;
- Statements by legislative agents and employers of:
  - lobbying expenditures and expenses, and financial transactions;
- Conduct of members of the General Assembly; and
- Financial disclosure statements of the General Assembly, legislative candidates, and key legislative staff.

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### Lobbyist & Employer Lists

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#### **Employers of Legislative Agents (Lobbyists)**

- [pdf format](#)
- [word format](#)
- [text format](#)
- [Active Employers Extract\(text file\)](#)

#### **Legislative Agents (Lobbyists)**

- [pdf format](#)
- [word format](#)
- [text format](#)
- [Active Agents Extract\(text file\)](#)

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### **SEARCHABLE REGISTER**

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**Kentucky Ethics Experience Provides a Lesson for Congress by Chairman George Troutman and Congressman Romano Mazzoli. View a copy of this Courier-Journal Article.**

**Kentucky tops national ethics study. View a copy of Honest Enforcement: What Congress Can Learn From Independent State Ethics Commissions**

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#### **See Also...**

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[Ky. Executive Branch Ethics Commission](#)  
The Executive Branch Code of Ethics establishes the ethical standards that govern the conduct of all executive branch employees.

[Ky. Legislative Research Commission](#)  
A fact finding and service body for the legislature consisting of a 16 member panel of Democrats and Republican leaders from the General Assembly.

[Ky. Registry of Election Finance](#)  
The Kentucky Registry of Election Finance administers and enforces the laws regulating the financing of state and local elections in Kentucky.


You may now search our entire database including expense records for employers and their legislative agents. Records are updated as they are entered into the database. All viewable reports are updated at 5:00 p.m. daily.

### Searchable Register

If you have questions regarding our searchable register, please contact Donnita Crittenden.

#### Link Disclaimer

Some of the links on this site may resolve to non-governmental agencies. The information on these pages is not controlled by the Kentucky Legislative Ethics Commission or the Commonwealth of Kentucky.

External links are identified with the following icon: 

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## CONTACT US

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### US MAIL:

Kentucky Legislative Ethics Commission  
22 Mill Creek Park  
Frankfort, Kentucky 40601

PHONE: (502) 573-2863  
FAX: (502) 573-2929

For directions, see the "About Us" section of this site.

### EMAIL:

Executive Director: [tony.wilhoit@lrc.ky.gov](mailto:tony.wilhoit@lrc.ky.gov)

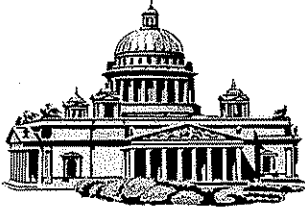
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# THE ETHICS REPORTER

Kentucky Legislative Ethics Commission

[www.klec.ky.gov](http://www.klec.ky.gov)

NOVEMBER 2007

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## OPINION UPDATE

### ***LEGISLATOR'S VOTE NOT A CONFLICT OF INTEREST - OLEC 07-03:***

#### *Question Presented:*

May a legislator who is an unpaid director of a non-profit entity vote on a state budget if it contains a line item appropriation for the non-profit entity?

#### *Opinion:*

The Code of Legislative Ethics does not forbid a legislator who is an unpaid director of a non-profit entity from voting on a state budget which contains a line item appropriation for the non-profit entity. Guidance should be sought from the Attorney General as to the application of Section 57 of the Kentucky Constitution to such a situation.

### ***LEGISLATORS CAN'T SOLICIT LOBBYISTS - OLEC 07-04:***

#### *Question Presented:*

Acting on its own motion, the Commission revisits the opinion it rendered in OLEC 95-10, which held that political parties are "civic entities" within the meaning of that term as used in KRS 6.626(1).

#### *Opinion:*

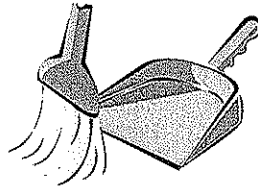
Political parties are not "civic entities" within the meaning of that term as used in KRS 6.626(1). A legislator may not solicit a contribution from a legislative agent for a political party. To the extent that OLEC 95-10 is to the contrary, it is hereby Superseded.

*(Commission opinions are available on the Commission's website: [www.klec.ky.gov](http://www.klec.ky.gov))*

## JULY 2007 RECOMMENDATIONS

On July 1<sup>st</sup> of this year, the Ethics Commission submitted to the Legislative Research Commission its recommendations for changes to the Code of Ethics. This report is required by statute to be submitted each odd-numbered year. Recommendations for change were made in the following areas: registration and reporting, lobbyist spending on food and beverages, contribution limitation during legislative sessions, candidate restrictions, Ethics Commission staff restrictions, current issues seminar for legislators, use of official legislative stationery, complaint procedures, and legislator attendance at in-state events. The Interim Joint Committee on State Government conducted a hearing on the recommended changes on October 23, 2007. If you have any questions about the recommendations or would like a copy of this year's report, please contact our office at (502) 573-2863.

## A Little Housekeeping!



Updated registration statements will be due again on January 15, 2008. These forms will be mailed around December 1<sup>st</sup> and the reporting period covers the months of September, October, November, and December, 2007.

A new two-year reporting period will begin soon, which will require every employer and legislative agent to renew their registration and pay the \$250 registration fee. Packets will be mailed with new initial registration forms and other information in early November. Your registration with this office will end on December 31, 2007. Your new registration will be in effect from January 1, 2008 through December 31, 2009. We will begin accepting these forms on December 1<sup>st</sup>.

Many of you have asked about employer and legislative agent training. A training session will be offered on Thursday, January 10, 2008 from 1:00 p.m. until 2:30 p.m., in conjunction with the Legislative Research Commission's orientation day for legislative agents and others who will be involved with the 2008 Session. Private, individual training is available if requested. Just call the office for an appointment.

The Commission has asked that we conduct periodic audits of the records of employers and their legislative agents. We will be making these random audits in the months following the 2008 Session. We've found that reviewing the records is often a great way to train individuals responsible for completing the updated registration forms.

Don't forget to check out our web site at [www.klec.ky.gov](http://www.klec.ky.gov). Mistakes happen. Check to see if our records are current!

We look forward to working with you in the coming year. We are here to help. If you want advice or information, please call (502) 573-2863, or email us through our website.

### ETHICS COMMISSION MEMBERS

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Rebecca Tomblinson, Bowling Green, Vice-Chair

Trib Ball, Owensboro  
Bob Fulkerson, Louisville  
Paul Gudgel, Lexington  
Ann Henn, Edgewood

Romano Mazzoli, Louisville  
Norma Scott, Madisonville  
LRC Appointee (vacant)

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Anthony Wilhoit, Executive Director  
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Connie Evans, Staff Assistant

Donnita Crittenden, Principal Assistant  
Michael Malone, Enforcement Counsel  
Crofton Bays, Investigator