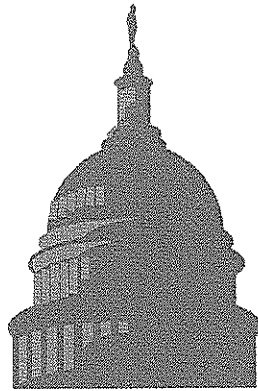
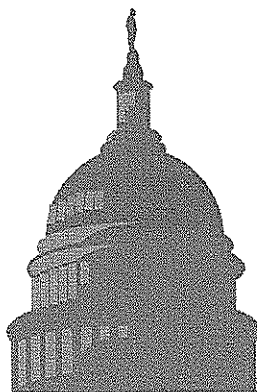


# Kentucky Legislative Ethics Commission

## ANNUAL REPORT



FY 2001-2002



**Kentucky Legislative Ethics**

**Commission Members**

George C. Troutman, Chair

Rebecca P. Tomblinson, Vice Chair

Pat Freibert

Ann B. Henn

Judge Charles B. Lester

Dr. Douglas D. Moseley

Judge Paul Gudgel

John Shepherd

Lloyd E. Clapp

**Commission Staff**

Anthony M. Wilhoit, Executive Director

Peggy J. Williams, Principal Assistant

Donnita B. Crittenden, Staff Assistant

Connie Y. Evans, Administrative Assistant

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## Foreword

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

We have been able to make the transition from biennial sessions to yearly sessions while providing the same level of service to the public.

It is our opinion that the level of trust between the General Assembly members, employers and their legislative agents has increased with each passing year. The number of requests for formal opinions has declined but the amount of phone calls and informal requests for guidance or advice has increased tremendously. Education will continue to be the role of the Commission in implementing the legislative code of ethics.

We are currently working on an enhancement to our web site that will make information more readily available to the public.

We respectfully submit the report of activities of the Legislative Ethics Commission as required by KRS 6.666 (16). We look forward to 2003 marking the 10<sup>th</sup> anniversary of the Legislative Code of Ethics.



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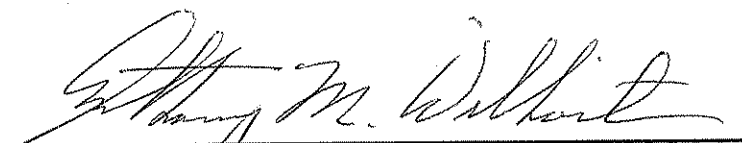
George C. Troutman, Chair

# Legislative Ethics Commission

2002

During the past year, the Commission and its staff have continued to work with those covered by the Code of Legislative Ethics to ensure understanding of and compliance with the Code. We continue to be gratified by the spirit of cooperation that has been shown by those covered by the Code as well as their willingness to comply with its provisions.

The number of requests for informal advice from staff continues to rise. This is evidence of both a desire to abide by the Code and the good working relationship which has been established by our staff with legislators, legislative agents and their employers.



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Anthony M. Wilhoit, Executive Director

## Commission Member Profile

**George C. Troutman** - Mr. Troutman is in his second year as Chairman of the Commission after serving five years as the Vice-Chairman. Mr. Troutman was recently re-appointed to the Commission by Speaker Jody Richards. Mr. Troutman graduated from St. Xavier High School and Bellarmine University where he majored in accounting. He is a Certified Public Accountant, a member of the American and Kentucky Society of CPAs and is currently self-employed. Mr. Troutman served on the Registry of Election Finance from 1992 to April of 1994. He has been appointed to the American Board of Forensic Accounting. He is married, has four children and three grandchildren.

**Rebecca Parker Tomblinson** - Mrs. Tomblinson is in her second term with the Commission and is currently serving her second year as Vice-Chairman. Mrs. Tomblinson was appointed by Speaker Jody Richards. Mrs. Tomblinson graduated from Madisonville High School and attended Western KY University. She is a member of First Baptist Church in Bowling Green. She is a former member and Chairman of the Board of the Bowling Green City Schools. She works with her husband, Ben, in a privately owned business in Bowling Green, where she resides. She has two children and three grandchildren.

**Lloyd Clapp** - Mr. Clapp was appointed to the Commission by the Legislative Research Commission to fill the remainder of the term vacated by Senator Georgia Powers. He has since been reappointed to a four-year term. He is a former member of the House of Representatives having served one term as Speaker Pro Tem. Mr. Clapp also served as Legislative Liaison for Governor Jones. He has been asked by the Chairman to serve as the Commissioner who monitors Personnel activities. Mr. Clapp is retired and lives in Wingo.

**Judge Charles B. Lester** - Judge Lester served as Chairman of the Commission for five years. He was appointed to the Commission by Speaker Jody Richards to fill the one-year unexpired term resulting from the resignation of Judge Charles Luker. Judge Lester retired from the KY Court of Appeals where he served for 20 years, the last five and one-half of which he was Chief Judge. Judge Lester earned an A.B. and B.C.L. degrees at the College of William and Mary, Williamsburg, Virginia and continued his legal and judicial education at Harvard Law School in 1989 and University of Edinburgh, Scotland, and Oxford University, The United Kingdom, in 1990. He is member of the KY and Virginia Bar Associations, as well as the National Council of Chief Judges. Judge Lester is married to Jackie L. Lester and has two children and three grandchildren.

**Ann B. Henn** - Mrs. Henn was appointed to the Commission in May 1997 by Senate President Larry Saunders and reappointed by President David Williams. Mrs. Henn was an attorney at the Court of Appeals for nine years. She received a B.S. from Northern Kentucky University in 1984 and graduated from the University of Kentucky College of Law in 1987. 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, have two sons, and reside in Edgewood.

**John Shepherd** - Mr. Shepherd was originally appointed to a four-year term by President of the Senate John "Eck" Rose and reappointed by President David Williams. He is Executive Vice President of HNB Bank in Irvine and is the Chairman of Irvine Municipal Utilities, Chairman of the Estill County Literacy Council and a member of the Irvine Kiwanis Club. He resides in Irvine with his wife and two daughters.

**Pat Freibert**- Mrs. Freibert is a former member of the House of Representatives and was appointed to the Commission for a four-year term by President of the Senate, David Williams. Mrs. Freibert has a long record of involvement in political, civic, educational, and charitable affairs for which she has received local, state and national recognition. She lives in Lexington with her husband and is a free lance writer for several publications.

**Dr. Douglas D. Moseley** - Dr. Moseley was appointed to a four-year term on the Commission in November 2001 by President of the Senate David Williams. Dr. Moseley is a United Methodist Minister. He attended Western KY University and graduated with a BA from KY Wesleyan College in 1952. He received a Master of Divinity from Emory University in 1958. He was awarded an honorary Doctor of Divinity from Union College in 1985. Dr. Moseley served as State Senator from 1974 to 1987. He was a Professor at Lindsey Wilson College from 1960-70 and Chairman of the Department of Religion. He has also served on the KY State Personnel Board and the KY State Parole and Probation Board. He is married to Betty Jean Wyant of Glasgow. Both he and Mrs. Moseley are retired and live in Bowling Green, KY.

**Judge Paul D. Gudgel** – Judge Gudgel was appointed by Speaker Richards in November to serve the unexpired term of Commissioner Clarence Jackson, which ends in 2004. 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, as Fayette County Judge, 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 on November 1, 2002. Judge Gudgel earned a Master of Laws degree from the University of Virginia in 1990 and also served as a member of the Judicial Conduct Commission for twenty-two years. He is married to Katherine Gudgel and they have two sons and six grandchildren.



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

Lloyd E. Clapp  
Clarence Jackson  
Charles B. Lester  
Pat Freibert

**GEORGE TROUTMAN, CHAIR**  
**REBECCA TOMBLINSON, VICE CHAIR**  
**ANTHONY M. WILHOIT, EXECUTIVE DIRECTOR**

John Shepherd  
Ann B. Henn  
Doug Moseley

### **OPINION**

**(OLEC 02-01)**

**February 12, 2002**

### **FACTUAL SUMMARY**

An employer of a legislative agent intends to hire a communication firm to do public relations, communications, advertising, consulting, and promotional services for its company. A potential bonus will be paid to the communication firm based on the percentage of increase in gross revenue realized by the company in future years. The legislative agent for the employer has a minority interest in the communication firm and performs services on its behalf. Separate contracts exist for the engagement of the legislative agent to lobby and for the engagement of the communication firm to perform its public relations services.

### **QUESTION PRESENTED**

Does the Code of Ethics prohibit the legislative agent from receiving a percentage of the bonus from the employer based on services performed by the communication firm?

### **DISCUSSION**

KRS 6.811(9) states that:

"No person shall engage any person to lobby in exchange for compensation that is contingent in any way upon the passage, modification, or defeat of any legislation. No person shall accept any engagement to lobby in exchange for compensation that is contingent in any way upon the passage, modification, or defeat of any legislation. Violation of this provision is a Class D felony."



This provision is known as the "contingency fee" or bonus prohibition. The intent is to prohibit an employer from giving a "bonus" to a legislative agent for influencing legislation one way or another. It also prevents a legislative agent from pricing his or her services based on his or her success in having a bill passed, modified, or defeated.

The fact that the legislative agent has a minority interest in the communication firm and performs services for it would not prevent the firm or the legislative agent from receiving a bonus for work that does not include any form of lobbying. So long as the communication firm does not perform any lobbying or government relations services for the employer that would require registration with the Legislative Ethics Commission, the Commission does not find that a contingency fee agreement as contemplated by KRS 6.811(9) exists.

### OPINION

The Code of Ethics would not prohibit a legislative agent from receiving a percentage of a bonus from his employer based on services provided by a communication firm in which the legislative agent has a minority interest and performs some services so long as the firm does not perform any activity that would require registration with the Legislative Ethics Commission.





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

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**ANTHONY M. WILHOIT, EXECUTIVE DIRECTOR**

John Shepherd  
Ann B. Henn  
Doug Moseley

### **OPINION**

**(OLEC 02-02)**

**June 11, 2002**

### **QUESTIONS PRESENTED**

1. May a member of the General Assembly be an employee of an Area Development District?
2. May a member of the General Assembly perform work for an Area Development District as an independent contractor?

### **DISCUSSION**

KRS 6.764(1) forbids a legislator from becoming an employee of the Commonwealth or any "state agency" except as provided in Section 165 of the Kentucky Constitution and subsection (3) of KRS 6.764. KRS 6.737 places certain restrictions on contracts made between a legislator and a "state agency." KRS 6.611(29) defines "state agency" in relevant part to mean "any department, office, commission, board, or authority within the executive department . . ."

Area Development Districts are established and their powers and duties set out in KRS 147A.050 et seq. An Area Development District is deemed to be a "public agency" as that term is defined in the Interlocal Cooperation Act. See KRS147A.080. As we observed in OLEC 93-60, however, an Area Development District does not fall within the definition of "state agency" found in KRS 6.611(29). Such districts have been described in an Attorney General's Opinion,



OLEC 02-02  
June 11, 2002  
Page 2

OAG 76-662, as political subdivisions of the state and at the same units of local governments which do not constitute a city, county or state agency within the meaning of Section 165 of the Constitution of Kentucky and KRS 61.080 relating to incompatible offices.

**OPINION**

The Kentucky Code of Legislative Ethics does not forbid a member of the General Assembly from being an employee of an Area Development District or from performing work for a District as an independent contractor.



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

Lloyd E. Clapp  
Clarence Jackson  
Charles B. Lester  
Pat Freibert

**GEORGE TROUTMAN, CHAIR**  
**REBECCA TOMBLINSON, VICE CHAIR**  
**ANTHONY M. WILHOIT, EXECUTIVE DIRECTOR**

John Shepherd  
Ann B. Henn  
Doug Moseley

### **OPINION**

**(OLEC 02-03)**

**June 11, 2002**

### **QUESTION PRESENTED**

May a legislator who is properly licensed represent a client for compensation before the Kentucky Revenue Cabinet in contesting the amount of income tax, interest or penalty assessed against the client?

### **DISCUSSION**

KRS 6.744(3)(a) permits a legislator who is properly licensed to represent a client for compensation before any state agency in a situation in which the agency is performing a ministerial function and not exercising discretion. Specifically included as an example of ministerial function by this subsection of the statute is the filing of income tax returns. Moreover, subsection (3)(e) of that statute permits a legislator to represent a client before a state agency in "[a]ll other matters unless prohibited by subsections (5) to (7) of this section or the code of professional conduct observed by the profession being practiced," whether or not the agency is performing a ministerial function.

None of the provisions of KRS 6.744(5) to (7) precludes a legislator from representing a client in an income tax matter before the Revenue Cabinet.

In accepting employment to represent a client before a state agency as permitted by the Code of Legislative Ethics, a legislator may not charge a fee "dependent or contingent upon any action by the agency." KRS 6.744(9). The legislator should also consider prior to accepting employment whether the



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June 11, 2002  
Page 2

employment is being brought to him in an attempt to obtain improper influence over the state agency, whether the agency will be unduly influenced by the legislator's participation, and the effect of his or her participation would have on public confidence in the integrity of the legislator.

### **OPINION**

A properly licensed legislator may represent a client for compensation before the Kentucky Revenue Cabinet in contesting the amount of income tax, interest or penalty assessed against a client. No fee contingent upon the outcome of the matter may be charged by the legislator.

## Education and Training

- 1/9-10/02      Current Issues Seminar for GA Members  
Dr. Alan Rosenthal  
Training by LEC Staff
- 2/15/02      GA Candidate Training
- 8/5/02      Staff participated in Lobbyist Conference  
in Mystic, Connecticut
- 8/5/02      Staff attended ethics session in Maine  
featuring Dr. Rushworth Kidder, Ethics  
Institute
- 9/29/02      Staff attended Council on Governmental Ethics  
Laws Conference in Ottawa
- Staff participated in Lobbying Update session

Judge Wilhoit and Staff were asked to participate in panel discussions regarding the legislative code of ethics on several occasions, including Leadership Northern KY, and the Chamber of Commerce Lobbyist Training.

Private training sessions were held for employers/lobbyists who requested assistance.

## Legislative Ethics Commission Registration of Lobbyists and Employers

### Current Registration:

Employers	483
Legislative Agents	600

Reports were filed on January 15, February 15, March 15, April 15, May 15, and September 15<sup>th</sup>.

With Commission approval, staff has begun working with employees of the Legislative Research Commission and the Governor's Office of Technology to enhance the current web site. The project will include the ability to access the list of all registered legislative agents and their employers and the information contained on any forms filed by them that report expenses relating to lobbying.

The information will be updated as the data is entered into the system. This will provide the most current information regarding legislative agents and their employers. It is predicted that the web site enhancement will be valuable to General Assembly members, legislative agents and employers, and to the public. The project completion date is January 1, 2003.

# Employer Reporting Period Statement Totals by Employer

January 01, 2002 - December 31, 2002

11/21/2002	EMP FB	EMP	Emp EXP	LA FB	LA RME	LA EXP	LA COMP	TOTAL
<b>Access to Justice Foundation</b>								
1/1/2002 - 1/31/2002	0.00	300.00	107.52	0.00	0.00	0.00	725.60	1,133.12
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,814.86	2,814.86
3/1/2002 - 3/31/2002	0.00	0.00	304.64	0.00	0.00	0.00	3,128.68	3,433.32
4/1/2002 - 4/30/2002	0.00	0.00	35.84	0.00	0.00	0.00	446.03	481.87
5/1/2002 - 8/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<u>0.00</u>	<u>300.00</u>	<u>448.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>7,115.17</u>	<u>7,863.17</u>
<b>Acordia Employers Service</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5/1/2002 - 8/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Active Services Corporation</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Aetna, Inc.</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	3,533.33	3,533.33
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	3,333.33	3,333.33
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	3,333.34	3,333.34
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	1,666.67	1,666.67
5/1/2002 - 8/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	5,733.33	5,733.33
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>17,600.00</u>	<u>17,600.00</u>
<b>AFLAC</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	750.00	750.00
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	750.00	750.00
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	750.00	750.00

11/21/2002	EMP FB	EMP	Emp EXP	LA FB	LA RME	LA EXP	LA COMP	TOTAL
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	750.00	750.00
5/1/2002 - 8/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	3,000.00	3,000.00
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>6,000.00</u>	<u>6,000.00</u>
<b>AFT - Kentucky</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,063.00	2,063.00
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,063.00	2,063.00
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,063.00	2,063.00
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,063.00	2,063.00
5/1/2002 - 8/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>8,252.00</u>	<u>8,252.00</u>
<b>Aging Resource Center</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>AgriBank FCB</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	1,416.66	1,416.66
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	1,416.66	1,416.66
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	1,416.66	1,416.66
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	1,416.66	1,416.66
5/1/2002 - 8/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	5,666.66	5,666.66
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>11,333.30</u>	<u>11,333.30</u>
<b>AIG VALIC (Variable Annuity Life Insurance Group)</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	6,000.00	6,000.00
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	3,000.00	3,000.00
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	500.00	500.00
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5/1/2002 - 8/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	1,500.00	1,500.00
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>11,000.00</u>	<u>11,000.00</u>
<b>Air Products &amp; Chemicals/KY Division</b>								
1/1/2002 - 1/31/2002	0.00	0.00	118.75	0.00	0.00	0.00	2,500.00	2,618.75
2/1/2002 - 2/28/2002	0.00	0.00	118.75	0.00	0.00	0.00	2,500.00	2,618.75
3/1/2002 - 3/31/2002	0.00	0.00	131.25	0.00	0.00	0.00	2,500.00	2,631.25
4/1/2002 - 4/30/2002	0.00	0.00	381.25	0.00	0.00	0.00	2,500.00	2,881.25
5/1/2002 - 8/31/2002	0.00	0.00	131.25	0.00	0.00	0.00	2,500.00	2,631.25
	<u>0.00</u>	<u>0.00</u>	<u>881.25</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>12,500.00</u>	<u>13,381.25</u>



11/21/2002	EMP FB	EMP	Emp EXP	LA FB	LA RME	LA EXP	LA COMP	TOTAL
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	600.00	600.00
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	400.00	400.00
5/1/2002 - 8/31/2002	0.00	79.80	0.00	0.00	0.00	0.00	1,000.00	1,079.80
	<u>0.00</u>	<u>447.77</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>3,600.00</u>	<u>4,047.77</u>
<b>Yum! Brands, Inc.</b>								
1/1/2002 - 1/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,750.00	2,750.00
2/1/2002 - 2/28/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,750.00	2,750.00
3/1/2002 - 3/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,750.00	2,750.00
4/1/2002 - 4/30/2002	0.00	0.00	0.00	0.00	0.00	0.00	2,750.00	2,750.00
5/1/2002 - 8/31/2002	0.00	79.80	0.00	0.00	0.00	0.00	10,250.00	10,329.80
	<u>0.00</u>	<u>79.80</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>21,250.00</u>	<u>21,329.80</u>
<b>Grand Total:</b>	<u>69.15</u>	<u>174,447.12</u>	<u>866,030.34</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>7,569,936.42</u>	<u>8,610,483.03</u>

Guide to abbreviations:

- EMP FB: Employer Expenditures for Food & Beverage
- EMP RME : Employer Expenditures for Receptions, Meals & Events
- EMP EXP: Employer Expenses
- LA FB: Legislative Agent Expenditures for Food & Beverages
- LA RME: Legislative Agent Expenditures for Receptions, Meals & Events
- LA EXP: Legislative Agent Expenses
- LA COMP: Compensation to Legislative Agent for Lobbying

Employer forms were amended to delete the 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.

Meals for individual food and beverage provided by a trade association, civic, or community organization were exempted from the \$100 limit with passage of HB 585 in 1996.

## Kentucky Legislative Ethics Commission

22 Mill Creek Park  
 Frankfort, Kentucky 40601  
 Telephone: (502) 573-2863  
 Fax: (502) 573-2929

*Updated November 20, 2002*

[Authority](#) · [Members](#) · [Staff](#) · [KRS](#) · [Regulations](#) · [Advisory Opinions](#) · [Forms](#)

<a href="#">Employer Expense Report 2002</a>	<a href="#">Guide to the Code of Ethics - Legislators, Legislative Candidates &amp; Legislative Employees</a>
<a href="#">Guide to the Code of Ethics - Lobbyists &amp; Employers of Lobbyists</a>	<a href="#">Reporting Forms</a>
<a href="#">Summary of Advisory Opinions - 1993-2002</a>	<a href="#">Map to Commission Office</a>
<a href="#">List of Registered Lobbyists</a>	<a href="#">List of Registered Employers of Lobbyists</a>

### Authority

The Kentucky Legislative Ethics Commission (KLEC) is an independent authority established in 1993 to administer and enforce the Kentucky Code of Legislative Ethics.

- [Kentucky Revised Statutes 6.601 to 6.849](#) authorize KLEC and provide the Code of Legislative Ethics.
- [Kentucky Administrative Regulations 2 KAR 2:010 to 2:040](#) specify forms for registration and financial reporting required by the Code.

### ***KLEC has jurisdiction over:***

- "legislative agents" (lobbyists),
- "employers" (individuals or entities who engage legislative lobbyists), 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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## Forms

### Legislators, certain legislative staff and candidates for legislative office are required to file:

- a *Statement of Financial Interests* with the Commission annually.
  - For further information see the Guide to the Code of Ethics - [Legislators, Legislative Candidates & Legislative Employees](#).

### Lobbyists and Employers of Lobbyists are required to file:

- an *Initial Registration Statement*, and
- at specified times, an *Updated Registration Statement*, which includes a *Statement of Expenditures*.
  - An *Updated Registration Statement - Short Form* may be filed for the reporting of no expenditures.
- a *Notice of Termination of Engagement* at the time of termination.
  - For further information see the Guide to the Code of Ethics - [Lobbyists & Employers of Lobbyists](#)

Forms - [download](#) or [print](#).

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## Advisory Opinions

Go to summaries of [Advisory Opinions issued 1993-2002](#)

Go to the index of [Advisory Opinions issued 1993-2002](#)

### Advisory Opinions are issued by the Commission upon request. They may be requested by:

- Persons covered by the Code of Ethics;
- Any person personally or directly involved; or
- The Commission on its own initiative.

### The Code of Legislative Ethics requires a request for an advisory opinion:

- to be submitted to the Commission in writing;
- to state relevant facts; and
- to ask specific questions.

### Confidentiality of requests for an advisory opinion

- The Commission is required to promulgate administrative regulations establishing criteria under which it may issue confidential advisory opinions.
- A request remains confidential unless confidentiality is waived:
  - in writing by the requestor;
  - by majority vote of the Commission, if the person makes public the substance or portion of an advisory opinion requested.

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The Kentucky Legislative Ethics Commission meets on the second Tuesday of every month.

**Meeting Minutes:**

September 10, 2002

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**Members**

George C. Troutman, Chair  
Rebecca P. Tomblinson, Vice Chair  
Judge Charles Bruce Lester  
Lloyd E. Clapp  
Judge Paul D. Gudel  
Ann B. Henn  
Dr. Doug Moseley  
John Shepherd  
Pat Freibert

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If you have questions or comments about the Kentucky Legislative Ethics Commission or this homepage, please contact [peggy.williams@lrc.state.ky.us](mailto:peggy.williams@lrc.state.ky.us)

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## Complaints and Administrative Actions 2002

### Complaints:

Four complaints were filed against General Assembly members, and one complaint was filed against an employer of a legislative agent. Four complaints were dismissed due to lack of probable cause that a violation of the Code of Ethics had occurred. One complaint is still pending.

### Administrative Fines Levied by the Commission:

Legislative Agents	\$ 3,600
Employers	\$ 7,600
<b>Total Fines Assessed</b>	<b>\$11,200</b>

These fines were issued 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.