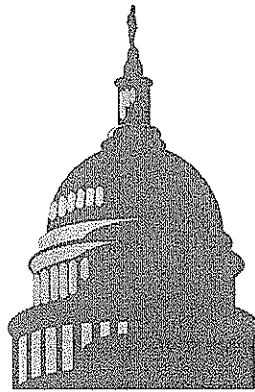
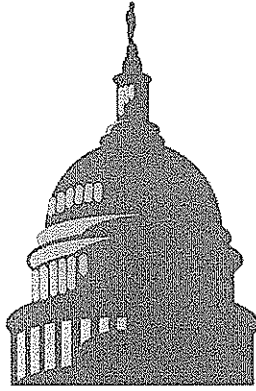


Kentucky Legislative Ethics Commission

ANNUAL REPORT



FY 2006-2007



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

22 Mill Creek Park

Frankfort, Kentucky 40601

Telephone: (502) 573-2863

Fax: (502) 573-2929

Web Address: <http://klec.ky.gov>

FOREWORD

On behalf of the Kentucky Legislative Ethics Commission and its staff, I am pleased to submit our 13th 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.

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 include 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

2007

During this past year the Commission and its staff have continued to work with those covered by the Code of Legislative Ethics to promote understanding of and compliance with the Code. The continued spirit of cooperation by those subject to the Code, as well as their willingness to comply with its provisions, has been evident and gratifying.

The number of requests for informal advice from staff reflects both a respect for the Code and the good 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 – Counsel. 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 2006-2007

07/24/06	Anthony Wilhoit and John Schaaf Panel, Southern Legislative Conference in Louisville
09/14/06	Anthony Wilhoit, Presentation Lobbyist Retreat at General Butler State Park
12/2-5/06	John Schaaf attended the Council on Governmental Ethics Laws Conference in New Orleans, LA.
12/14/06	Anthony Wilhoit and John Schaaf Freshman Orientation for Newly Elected Ky. Legislators
1/3-4/07	Current Issues Seminar Speaker, Norman J. Ornstein, Resident Scholar at the American Enterprise Institute for Public Policy Research. Training conducted by LEC Staff
1/4/07	Donnita Crittenden and John Schaaf Employer and Legislative Agent Training Session
3/5/07	John Schaaf, Presentation Bluegrass Community Technical College
3/29/07	Anthony Wilhoit, Testimony in Washington, DC in support of creating an Independent Ethics Commission in Congress
3/27/07	John Schaaf, Presentation Ky. Assn. of Sexual Assault Programs Meeting
6/6/07	Anthony Wilhoit, Presentation Ky. Jailers Association Meeting
6/26/07	Anthony Wilhoit, Presentation Non-Profit Leadership Institute Meeting

During the fiscal year, we provided various in-house training as requested, issued four formal opinions and 46 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: 637

Number of Legislative Agents: 638

Reports were filed on September 15, 2006, January 15, 2007, February 15, 2007, March 15, 2007, April 15, 2007, and May 15, 2007.

The Kentucky Legislative Ethics Commission (KLEC) has enhanced 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 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 2006-2007

Complaints:

Three complaints filed. Two against members of the General Assembly and one against an individual for failure to register as a legislative agent. Both complaints against General Assembly members dismissed due to lack of probable cause. Also, complaint against individual dismissed due to no finding that the individual had actually lobbied.

Administrative Fines Levied by the Commission:

Legislative Agents	\$1200
Employers	\$7700
Total Fines Assessed	\$8900

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

22 Mill Creek Park
Frankfort, KY 40601

Phone 502-573-2863

Fax 502-573-2929

OPINION

(OLEC 06-02)

September 26, 2006

QUESTIONS PRESENTED:

1. Under the Kentucky Code of Legislative Ethics (the "Code"), are caucus campaign committees considered "civic entities"?
2. If not, what is the status of caucus campaign committees under the Code?
3. Is a legislator who is reported to the Registry of Election Finance as a chairperson, treasurer, or custodian of records of a caucus campaign committee in violation of the Code by holding such a position?
4. May legislators solicit contributions for caucus campaign committees from any person other than a legislative agent?
5. Can a person covered by the Code receive cash or in-kind contributions from a caucus campaign committee, and if so, are there limitations on such contributions?
6. What involvement by legislators related to caucus campaign committees violates the Code?

DISCUSSION:

In OLEC 05-01, the Commission determined that the caucus campaign committees authorized under the 2005 amendment to KRS 121.015 are not "civic entities" as that term is used in KRS 6.626(1). As a consequence, legislative agents (lobbyists) are prohibited from contributing to these committees under KRS 6.811(6), and the committees are prohibited from accepting contributions from lobbyists. It was noted that the caucus campaign committees are

different in important respects from political parties, which earlier were found to be "civic entities". See OLEC 95-10. We are still of the opinion that caucus campaign committees are not "civic entities".

The Commission found in OLEC 05-01 that the primary purpose of the caucus campaign committees is "to raise money for legislative races". The Commission observed that while non-legislators might be employed to perform certain functions for the committees, each committee consists of the members of the respective legislative chamber party caucus and it is the members of the caucus campaign committees who determine "what is to be spent and on which campaigns it will be spent". Insofar as the Ethics Code is concerned, the Commission concluded that the caucus campaign committees are to be treated the same as the individual campaign committees of legislative candidates.

The Ethics Code specifically exempts from the definition of "anything of value" a campaign contribution which is properly received and reported as required by the campaign finance laws. See KRS 6.611(2)(b)1. It does not prohibit a legislator or legislative candidate from soliciting contributions for his own campaign or that of another candidate, so long as a lobbyist is not involved in the solicitation or does not exercise any control over the contribution. See e.g. OLEC 01-01 and 98-2.

Of course, in soliciting or accepting campaign contributions, a legislator should use common sense and be cautious that "such solicitations do not create an appearance of impropriety". When contributions are sought or received during a regular or special session of the General Assembly from those who have a clear and direct interest in legislation, "the greatest danger for the appearance of impropriety exists." See OLEC 98-2. For that reason, legislators as well as the Commission ought to give a high level of scrutiny to such contributions.

There is nothing in the Ethics Code which forbids a legislator from acting as the chairperson, treasurer, or custodian of records of a caucus campaign committee. This is subject to the proviso that he or she carries out those duties in conformity with the standards of conduct required by the Code.

The Ethics Code, likewise, does not regulate directly or indirectly the total amount of contributions which a legislator or candidate for the Legislature may receive from a caucus campaign committee. To the extent that such a restriction might be found in the laws regulating campaign finance, that is a matter which addresses itself to the officials charged with enforcing those laws.

The broad and general question concerning what involvement by legislators related to caucus campaign committees violates the Code is best answered broadly and generally since a myriad of fact specific situations can arise. Membership in a caucus campaign committee does not relieve a legislator from fully complying with the Ethics Code in general, as well as its

particular provisions governing campaign conduct. We have alluded to some of these provisions as well as the Commission's interpretation of them in the foregoing discussion. As always, when specific situations arise in which the application of the Code is unclear, the guidance of the Commission may be sought by request for an opinion.

OPINION:

1. Caucus campaign committees are not "civic entities" as that term is used in KRS 6.626(1).
2. For purposes of the Code of Legislative Ethics, a caucus campaign committee shall be treated as a campaign committee permitted by statute to be formed by legislators for the primary purpose of raising funds for the election of legislative candidates.
3. The Code does not prohibit a legislator from serving as a chairperson, treasurer, or custodian of records of a caucus campaign committee.
4. The Code does not preclude a legislator from soliciting a campaign contribution for a caucus campaign committee, so long as the legislator complies with the same standards governing the solicitation of campaign contributions for his or her own election campaign.
5. The Code contains no provision governing whether a legislator or legislative candidate may receive a cash or in-kind contribution from a caucus campaign committee.
6. In his or her involvement with a caucus campaign committee, a legislator is bound to fully comply with the Code as it relates to a legislator's conduct in general, and to a legislator's fundraising and other campaign activities, just as if the legislator's efforts on behalf of the committee are being made on behalf of his or her own campaign committee.



KENTUCKY LEGISLATIVE ETHICS COMMISSION

22 Mill Creek Park
Frankfort, KY 40601

Phone 502-573-2863

Fax 502-573-2929

OPINION

OLEC 06-03

NOVEMBER 14, 2006

FACTUAL SUMMARY:

In the last few years, political parties in Kentucky have held campaign fundraising events for the benefit of a "trust" or a "victory fund" maintained by each of the parties, specifically for party candidates for legislative offices. Legislative agents (lobbyists) are sometimes involved in these fundraisers by selling or buying tickets or by acting as sponsors or hosts of the events.

In a recent example, 18 lobbyists and four employers of lobbyists co-sponsored a party's fundraising event with nine members of the General Assembly, and several other government officials and private citizens.

QUESTION PRESENTED:

May a lobbyist contribute to or co-host with legislators an event to raise contributions for a political party fund if the fund's primary purpose is to make contributions to legislative election campaigns?

DISCUSSION:

Since the Legislative Ethics Commission was created in 1993, it has opined several times on the involvement of lobbyists in legislative election campaigns. In its first two years, the Commission established that the Code of Legislative Ethics allowed lobbyists to voluntarily engage in a wide range of campaign-related activities. *See OLEC 93-67, 95-8, and 95-14.*

At the same time, the Commission recognized that the General Assembly enacted KRS 6.767, and KRS 6.811(5) and (6) to establish a "firewall" between lobbyists and the financing of legislative campaigns. *See OLEC 93-44, 93-54, 93-55, 94-41.*

In OLEC 93-55, the Commission held that a legislator is prohibited from seeking help from a lobbyist in obtaining a campaign contribution. Two years later, in OLEC 95-8, the Commission advised that a legislative agent is prohibited from controlling, directing, or delivering a contribution to a legislator, legislative candidate, or committee.

In OLEC 95-10, the Commission held that legislators may work with a political party to solicit contributions for a fundraising event if the contributions go into the party's general funds and are not earmarked for a specific legislative race. The opinion stated that the legislators who participated in the party fundraising could not exercise any control over the contribution of a lobbyist or direct such contributions to a selected legislator.

Additionally, solicitations for a party fundraiser may be directed to lobbyists, but those solicitations must be broad-based and not directed solely or primarily at lobbyists.

In OLEC 95-14, the Commission said a lobbyist may voluntarily seek campaign contributions for legislators and legislative candidates, so long as the agent is not acting at the direction and control of his employer, the legislator or the legislative candidate. The Commission re-emphasized that it is improper for a legislator to ask for help from a lobbyist in soliciting or obtaining funds for a campaign. *See KRS 6.731(3); OLEC 93-54, 01-01, and 05-01.*

In OLEC 01-01, the Commission held that a legislator may not solicit a campaign contribution from a legislative agent for the campaign of another legislator. The Commission said that kind of solicitation by a legislator "takes on the strong appearance of a legislator's using his official position as a legislator to secure an advantage or treatment of another in direct contravention of the public interest at large as expressed in KRS 6.731."

In OLEC 05-01, the Commission held that a lobbyist may not make a campaign contribution to any of the four caucus campaign committees, and that a legislator may not solicit a campaign contribution from a lobbyist for any of the caucus campaign committees. However, the caucus campaign committees are distinguishable from political party fundraisers if contributions go into the party's general funds and are not earmarked for a specific legislative race.

OPINION:

1. A member of the General Assembly may not ask or direct a lobbyist to solicit campaign contributions for a political party or a legislative campaign.
2. An employer of a lobbyist may not ask, direct, or pay a lobbyist to solicit campaign contributions for legislative campaigns.
3. Members of the General Assembly who participate in political party fundraising may not exercise any control over the contribution of a lobbyist or direct such contributions to particular legislative campaigns.
4. Lobbyists may voluntarily contribute to or co-host with legislators an event to raise contributions for a political party if the contributions are deposited in the party's general funds and are not earmarked for a specific legislative race, provided the lobbyist is not requested by a legislator to do so.



KENTUCKY LEGISLATIVE ETHICS COMMISSION

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OPINION

OLEC 07-01

FEBRUARY 19, 2007

QUESTION PRESENTED:

May a legislative agent (lobbyist) serve as a co-sponsor or co-host of a fundraising event for the campaign of a legislator who is seeking election to a state constitutional office?

DISCUSSION:

The Code of Legislative Ethics forbids a legislative agent (lobbyist) from making a campaign contribution to a legislator or his campaign committee. KRS 6.811(6). A lobbyist is also forbidden from serving as a campaign treasurer or "fundraiser" as that term is used in KRS 121.170(2). KRS 6.811(5). These prohibitions apply even if the legislator is seeking election to a local or state office rather than to the General Assembly. See OLEC 93-55 AND 95-8.

In OLEC 95-8 and 95-14, we stated that a lobbyist may voluntarily solicit a campaign contribution for a member of the General Assembly as long as the lobbyist exercises no control over any money given to the campaign. The lobbyist may not receive any such contribution or deliver it to the legislator or his campaign committee.

In OLEC 06-03, we held that a lobbyist could voluntarily participate as a co-host of an event to raise funds for a political party to be used in legislative races. It was pointed out in that opinion that a lobbyist might even make a contribution to the event if the contributions were designated to go to the general funds of the party for use as it determined, rather than being earmarked for use in specific legislative races.

In light of the previous rulings of the Commission, it seems clear that a lobbyist may lend his or her name as a co-sponsor or co-host of an event to raise campaign funds for a legislator. The lobbyist also may solicit others to attend the event. Such activity by the lobbyist must be purely voluntary and not done at the direction of his or her employer or the request of the legislator, and the lobbyist can exercise no control whatsoever over any funds raised at the event.

It should also be noted that a lobbyist acting as a co-sponsor or co-host should not make a contribution either in cash or in kind to the costs of the event, since that would constitute a prohibited campaign contribution to the legislator.

OPINION:

Although a lobbyist may not make a contribution, a lobbyist may serve as a co-sponsor or co-host of a fund raising event for the campaign of a legislator who is seeking election to a state constitutional office, provided the lobbyist is acting voluntarily and not at the direction of his or her employer, or at the request of the legislator. The lobbyist may not exercise any control whatsoever over any funds raised at the event and the lobbyist may not contribute anything to the costs of the event.



KENTUCKY LEGISLATIVE ETHICS COMMISSION

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OPINION

OLEC 07-02

MARCH 20, 2007

QUESTION PRESENTED:

May a non-legislator member of a gubernatorial slate (consisting of a non-legislator and a legislator) seek the assistance of a legislative agent (lobbyist) to help solicit campaign contributions for the slate?

DISCUSSION:

The Code of Legislative Ethics has no direct application to a non-legislator member of a gubernatorial slate. However, KRS 121.015(9) provides that “[u]nless the context requires otherwise, any provision of law that applies to a candidate shall also apply to a slate of candidates.” That statute is found in the statutory chapter governing campaign finance regulation.

Reading KRS 121.015(9), together with KRS 6.811(6) which forbids a lobbyist from making a campaign contribution to a legislator or his campaign committee, we have concluded that a lobbyist may not make a campaign contribution to a gubernatorial slate which includes a legislator. The legislator’s campaign committee and the slate’s campaign committee are one and the same.

The Commission has long held that it is improper for a legislator to solicit help from a lobbyist in obtaining funds for a campaign. *See* OLEC 95-14. A legislator who is a member of a gubernatorial slate may not seek the assistance of a lobbyist to help solicit campaign contributions for the slate.

KRS 6.731(3) forbids a legislator from using his or her official position to secure advantages or treatment for himself or others in direct contravention of the public interest at large. The “public interest” is set forth at KRS 6.606, which provides that the purpose of the Code of Legislative Ethics is “that a public official not use public office to obtain private benefits” and “that a public official avoid action which creates the appearance of using public office to obtain a benefit.”

Because of the unique nature of the relationship between a legislator and a lobbyist, it is inevitable that a legislator seeking campaign fund-raising assistance from a lobbyist would be perceived as violating KRS 6.731(3) by using his official position to secure advantages for himself or others in direct contravention of the public interest at large.

Likewise, because of the legislator/lobbyist relationship, it seems inevitable that a lobbyist would consider the official position of the legislator in responding to the legislator's request for campaign assistance.

KRS 6.731 also forbids a legislator from acting "by himself or through others" (emphasis added) to secure advantages or treatment for himself or others. With respect to a non-legislator member of a gubernatorial slate, there is not the same kind of relationship as exists between a legislator and a lobbyist. Nevertheless, the legal connection between the slate members, as set forth in KRS 121.015(9), raises similar issues, even if it is the non-legislator member who requests campaign fund-raising assistance from a lobbyist.

For example, is the non-legislator acting at the behest or instigation of the legislator so that in reality the legislator is acting through the non-legislator? With a legislator on the slate, will the lobbyist's response be affected, even if the request is made by the non-legislator slate member? Would the legislator's mere acquiescence in such campaign activities on behalf of his slate indicate intent that his official position be used for the benefit of slate?

Taking into account the public policy which the General Assembly has expressed in the Code of Legislative Ethics, and considering that expressed in KRS 121.015(9), we believe that it would be contrary to public policy for the non-legislator member of a slate consisting of the non-legislator and a legislator to seek the assistance of a lobbyist to solicit campaign contributions for the slate.

OPINION:

The non-legislator member of a gubernatorial slate (consisting of a non-legislator and a legislator) may not seek the assistance of a legislative agent to help solicit campaign contributions for the slate.

LOBBYING EXPENSES AS REPORTED 1994 - 2007

YEAR	EMP FB	EMP RME	EMP EXP	LA FB	LA RME	LA EXP	LA COMP	TOTALS
2007*	\$133.00	\$130,179	\$384,987	\$0	\$13,577	0*	\$8,735,733	\$9,264,609
2006	\$423.00	\$227,190	\$803,103	\$157	\$18,535	0*	\$13,362,476	\$14,411,884
2005	\$420.00	\$214,397	\$615,303	\$268	\$24,663	0*	\$10,808,709	\$11,663,760
2004	\$561.00	\$204,701	\$819,692	\$150	\$10,003	0*	\$10,836,866	\$11,871,973
2003	\$542.00	\$193,663	\$848,670	\$0	\$4,639	0*	\$8,141,073	\$9,188,587
2002	\$262.00	\$188,446	\$1,008,768	\$20	\$8,248	0*	\$9,088,595	\$10,294,339
2001	\$160.00	\$136,819	\$608,853	\$73	\$4,201	0*	\$6,132,887	\$6,882,993
2000	\$95.00	\$136,032	\$857,075	0	\$13,424	0*	\$8,295,998	\$9,302,624
1999	\$248.00	\$30,082	\$411,981	0	\$1,562	0*	\$3,989,617	\$4,433,490
1998	\$20.00	\$82,741	\$939,643	\$10	\$4,500	0*	\$7,086,054	\$8,112,968
1997	\$14.00	\$22,072	\$420,529	0	\$4,019	0*	\$3,137,175	\$3,583,809
1996	\$589.00	\$40,822	\$880,518	\$301	\$3,939	\$341,893	\$6,037,002	\$7,305,064
1995	\$177.00	\$15,692	\$318,105	\$107	\$534	\$144,098	\$2,254,114	\$2,732,827
1994	\$852.00	\$34,117	\$1,356,719	\$350	\$2,305	\$514,701	\$4,557,014	\$6,466,058
TOTALS	\$4,496.00	\$1,656,953	\$10,273,946	\$1,436	\$114,149	\$1,000,692	\$102,463,313	\$115,514,985

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.

**Not all reporting periods for 2007 (9-1 to 12-31) are included in these figures.

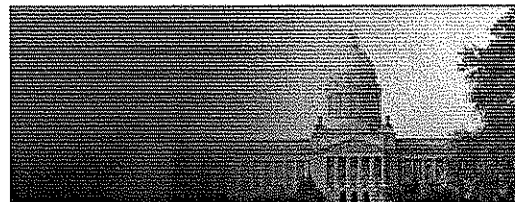
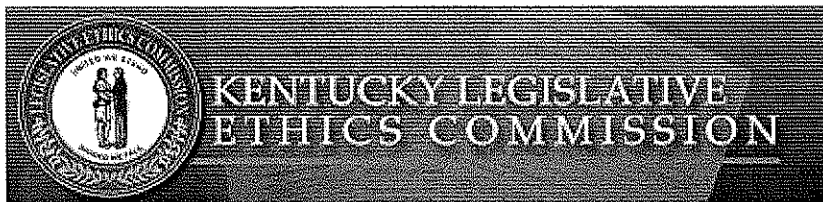
NOTE: Numbers have been rounded up to next dollar for convenience.

**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*	\$133	\$143,756	\$9,264,609

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

From 1994 to September 2007, \$115,514,985 was reported. Of that figure, \$102,463,313 was attributed to salaries of legislative agents and \$13,051,672 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.

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.

Lobbyist & Employer Lists

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\(text file\)](#)

SEARCHABLE REGISTER

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](#)

[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](#)

See Also...

[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.

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: 

CONTACT US

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

Legal Counsel: john.schaaf@lrc.ky.gov

Principal Assistant: donnita.crittenden@lrc.ky.gov

Staff Assistant: connie.evans@lrc.ky.gov

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THE ETHICS REPORTER

Kentucky Legislative Ethics Commission

December 2006

COMMISSION DEVELOPS E-MAIL LIST

The Legislative Ethics Commission is developing a list of e-mail addresses for all lobbyists and employer contacts. This will enable the Commission to significantly upgrade its service to the lobbying community. With these addresses, we will provide access to Commission opinions and updates in a quick and comprehensive manner.

We also hope to send e-mail reminders prior to the dates on which forms are required to be filed. This will be very helpful to lobbyists and employer contacts who might otherwise forget that a form is due in the coming weeks. If you are interested in receiving these occasional updates and reminders, e-mail your name and contact information to: Donnita.Crittenden@LRC.ky.gov

UPDATED REGISTRATION STATEMENTS

Thank you to all those legislative agents and employers who timely filed their updated registration statements for 2006. The next reporting period covers September 1 - December 31, 2006. These predated forms are enclosed for your convenience and will be due in our office by January 16, 2007. **Monday, January 15th is a state holiday.**

NOTE: The Commission has taken an active role in collecting delinquent forms and has fined those employers and legislative agents who failed to timely file updated registration statements. As of September of this year, the Commission has imposed \$4,150 in fines for failure to timely file the 2006 updated registration statements.

Please keep in mind the Commission's procedures regarding delinquent filers as outlined in the cover letter attached to the September 1 - December 31, 2006 reporting forms.

Failure to comply may result in a complaint being filed with the Commission. This procedure can result in the imposition of an additional civil penalty or revocation of the registration of a legislative agent or employer for up to five years.

TRAINING FOR EMPLOYERS & LEGISLATIVE AGENTS

For more information about this training, contact Commission staff at 502-573-2863

When: Wednesday, January 3, 2007

Where: Capitol Annex, Room 171, Frankfort

Time: 11 a.m. - Noon

OPINION UPDATE

OLEC 06-02:

Questions Presented:

Under the Kentucky Code of Legislative Ethics (the “Code”), are caucus campaign committees considered “civic entities”? If not, what is the status of caucus campaign committees under the Code? Is a legislator who is reported to the Registry of Election Finance as a chairperson, treasurer, or custodian of records of a caucus campaign committee in violation of the Code by holding such a position? May legislators solicit contributions for caucus campaign committees from any person other than a legislative agent? Can a person covered by the Code receive cash or in-kind contributions from a caucus campaign committee, and if so, are there limitations on such contributions? What involvement by legislators related to caucus campaign committees violates the Code?

Opinion:

A legislator may solicit campaign contributions for a caucus campaign committee so long as the legislator complies with the standards governing solicitation for his or her own campaign committee (e.g. may not solicit a lobbyist), and may serve as an official of a caucus campaign committee. The Code contains no provision governing receipt by a legislator or candidate of contributions from a caucus campaign committee.

WHAT IS LEGISLATIVE LOBBYING?

A Refresher

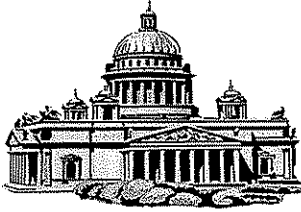
Legislative Lobbying Is:

Promoting, advocating, or opposing the passage, modification, defeat, or executive approval or veto of any legislation by direct communication with:

- ◆ Any member of the General Assembly or legislative staff; or
- ◆ The Governor, Cabinet Secretaries or any member of their staffs.

Legislative Lobbying does not include:

- ◆ Appearances before public meetings of the committees, subcommittees, task forces, and interim committees of the General Assembly;
- ◆ News, editorial, and advertising statements published in newspapers, journals, or magazines, or broadcast over radio or television;
- ◆ The action of any person not engaged by an employer who has a direct interest in legislation, if, acting under Section 1 of the Kentucky Constitution, the person assembles together with other persons for their common good, petitions any official for the redress of grievances, or other proper purposes.



THE ETHICS REPORTER

Kentucky Legislative Ethics Commission

MAY 2007

*Important
DATE!*

UPDATED REGISTRATION STATEMENTS

Thank you to all those legislative agents and employers who timely filed their updated registration statements for 2007. We have three reports remaining for 2007: April 1 – 30, 2007 due May 15th, May 1-August 31, 2007 due September 15th and September 1 – December 31, 2007 due January 15, 2008.

NOTE: The Commission has taken an active role in collecting delinquent forms and has fined those employers and legislative agents who failed to timely file updated registration statements. As of April 1st of this year, the Commission has imposed \$2,050 in fines for failure to timely file the 2007 updated registration statements.

OPINION UPDATE

OLEC 07-01:

Question Presented:

May a legislative agent (lobbyist) serve as a co-sponsor or co-host of a fundraising event for the campaign of a legislator who is seeking election to a state constitutional office?

Opinion:

Although a lobbyist may not make a contribution, a lobbyist may serve as a co-sponsor or co-host of a fund raising event for the campaign of a legislator who is seeking election to a state constitutional office, provided the lobbyist is acting voluntarily and not at the direction of his or her employer, or at the request of the legislator. The lobbyist may not exercise any control whatsoever over any funds raised at the event and the lobbyist may not contribute anything to the costs of the event.

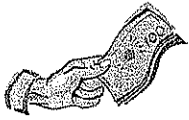
OLEC 07-02:

Question Presented:

May a non-legislator member of a gubernatorial slate (consisting of a non-legislator and a legislator) seek the assistance of a legislative agent (lobbyist) to help solicit campaign contributions for the slate?

Opinion:

The non-legislator member of a gubernatorial slate (consisting of a non-legislator and a legislator) may not seek the assistance of a legislative agent to help solicit campaign contributions for the slate.



CAN YOU SPARE A MEAL OR MAYBE A BUNCH OF MEALS?

Is it proper under the Legislative Ethics Code for a legislator or group of legislators to ask a legislative agent or his or her employer to buy a meal for a legislator or group of legislators? The simple answer is NO!

Because of the nature of the relationship between legislators and legislative agents and their employers, such requests from legislators unavoidably are clothed with the legislators' official position. It is a Class A misdemeanor for a legislator to use his or her official position to secure advantages or treatment for himself or others in contravention of the public interest at large. See KRS 6.731(3).

The public interest involved in this kind of request is that legislators "not use public office to obtain private benefits". See KRS 6.606.

Also, legislators may not use their staff or others to make such requests. See KRS 6.731.



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LEC SITE IS A SIGHT!

Check out our web site for information about the Code, summaries of the latest opinions, an index of opinions, a list of registered agents and employers and downloading of blank forms for initial registration, updated registration reports and termination forms. See <http://klec.ky.gov>



REAPPOINTED!

The Commission is pleased that Rebecca Tomblinson and Norma Scott were reappointed to four-year terms on the Commission. Rebecca Tomblinson was appointed by Speaker of the House Jody Richards and Norma Scott was appointed by President of the Senate David Williams.