

The Next Steps Disclosure Working Group's Final Recommendations

The Next Steps Disclosure Working Group, given the U.S. Supreme Court's approval of major provisions in the Bipartisan Campaign Finance Reform Act of 2003 (also known as "McCain-Feingold"), and in light of recent campaign finance scandals, recommends the following:

Disclosure of Funds involved in "Electioneering Communications."

Using the definition of electioneering communications upheld by the U.S. Supreme Court in *McConnell v. FEC*, we agree that contributions and expenses for these communications should be publicly disclosed. Disclosure of individual contributors should include the name, full address including zip code and the employer or, if self-employed, the name of his/her business. This information should be reported electronically and available before elections.

Enhanced Employer Disclosure. For disclosure to be meaningful, Ohioans need to be able to see the economic and policy interests behind the dollars. During 2002, statewide, legislative and local candidate committees contributed \$83,202 to candidates for justice of the Ohio Supreme Court. Also during 2002, statewide and local political party committees contributed \$773,179 to the justice candidates. Because of their active role in judicial election all candidate and political party committees should disclose the identity of individual contributors' employers (not occupation) if the contributors give more than \$100. In the case of attorneys, this would be the name of the firm with which they are associated. If self-employed, the identity of the individual's business should be required.

Enhanced County Party Disclosure. County political party committees are active in judicial elections. For example in 2002, the Hamilton County Republican Judicial Campaign Fund contributed \$46,000 to candidates for justice of the Ohio Supreme Court. The Cuyahoga County Democratic Party State Candidate Fund gave \$10,500 to the 2002 candidates for the Ohio Supreme Court and Party. So far this year, the Cuyahoga County Republican Party Judicial Fund gave three candidates a combined \$22,500. All contributions to the 88 county parties should be reported to the Ohio Secretary of State. If any of the county party committees generate more than \$10,000 per reporting period, the committees should be required to file electronically and this information should be posted by the Ohio Secretary of State's office and available on their site. County party committees should provide the full names and full addresses of individual contributors. County parties should also provide the identity of the employer of those individuals who give more than \$100.

Disclosure of the Operating Accounts. Currently, state and county political party operating accounts are used for staff salaries, maintenance of party headquarters and "party-building" activities and are not subject to disclosure under Ohio law. Any contribution to political parties should be disclosed so that parties and candidates are not tempted to disguise donations. The identity of the employer of individual contributors

who give over \$100 should be required. Political parties are active in Ohio Supreme Court elections and this type of expanded disclosure will give a fuller picture of party activity.

Signatories to the Majority Report

Terry McCoy, Chair of the Committee representing the League of Women Voters-Ohio
Nancy Brown, League of Women Voters-Metro Columbus & Attorney
Edward "Ned" Foley, The Moritz College of Law at the Ohio State University
Ron Malone, American Federation of State County and Municipal Employees
Ray Miller, Ohio Senate
Catherine Turcer, Ohio Citizen Action
Dana Walch, Ohio Secretary of State