

1 rendering of "part-time" personal services of the sort commonly performed
2 by volunteer campaign workers or advisors or incidental expenses not in ex-
3 cess of twenty-five dollars (\$25.00) personally paid for by any volunteer
4 campaign worker. "Part-time" services, for the purposes of this definition,
5 means services in addition to regular full-time employment, or, in the case
6 of an unemployed person or persons engaged in part-time employment, services
7 rendered without compensation or reimbursement of expenses from any source
8 other than the candidate or political committee for whom such services are
9 rendered. For the purposes of this act, contributions, other than money or
10 its equivalent shall be deemed to have a money value equivalent to the fair
11 market value of the contribution.

12 (d4) "Election" means any general, special or primary election.

13 (e5) "Election campaign" means any campaign in support of or in opposi-
14 tion to a candidate for election to public office and any campaign in support
15 of, or in opposition to, a measure.

16 (f6) (1a) "Electioneering communication" means any communication
17 broadcast by television or radio, printed in a newspaper or on a bill-
18 board, directly mailed or delivered by hand to personal residences, or
19 telephone calls made to personal residences, or otherwise distributed
20 that:

- 21 (i) Unambiguously refers to any candidate; and
- 22 (ii) Is broadcasted, printed, mailed, delivered, made or dis-
23 tributed within thirty (30) days before a primary election or
24 sixty (60) days before a general election; and
- 25 (iii) Is broadcasted to, printed in a newspaper, distributed to,
26 mailed to or delivered by hand to, telephone calls made to, or
27 otherwise distributed to an audience that includes members of the
28 electorate for such public office.

29 (2b) "Electioneering communication" does not include:

- 30 (i) Any news articles, editorial endorsements, opinion or com-
31 mentary, writings, or letter to the editor printed in a newspaper,
32 magazine, or other periodical not owned or controlled by a candi-
33 date, political committee, or political party;
- 34 (ii) Any editorial endorsements or opinions aired by a broadcast
35 facility not owned or controlled by a candidate, political commit-
36 tee, or political party;
- 37 (iii) Any communication by persons made in the regular course and
38 scope of their business or any communication made by a membership
39 organization solely to members of such organization and their fam-
40 ilies;
- 41 (iv) Any communication which refers to any candidate only as part
42 of the popular name of a bill or statute;
- 43 (v) A communication which constitutes an expenditure or an inde-
44 pendent expenditure under this chapter.

45 (g7) "Executive official" means:

46 (1a) The governor, lieutenant governor, secretary of state, state con-
47 troller, state treasurer, attorney general, superintendent of public
48 instruction and any deputy or staff member of one (1) of those individ-
49 uals who, within the course and scope of his or her employment, is di-
50 rectly involved in major policy influencing decisions for the office;

1 (2b) A state department or agency director, deputy director, division
2 administrator or bureau chief as established and enumerated in sections
3 67-2402 and 67-2406, Idaho Code;
4 (3c) The membership and the executive or chief administrative officer
5 of any board or commission that is authorized to make rules or conduct
6 rulemaking activities pursuant to section 67-5201, Idaho Code;
7 (4d) The membership and the executive or chief administrative officer
8 of any board or commission that governs any of the state departments
9 enumerated in section 67-2402, Idaho Code, not including public school
10 districts;
11 (5e) The membership and the executive or chief administrative officer
12 of the Idaho public utilities commission, the Idaho industrial commis-
13 sion, and the Idaho state tax commission; and
14 (6f) The members of the governing board of the state insurance fund, and
15 the members of the governing board and the executive or chief adminis-
16 trative officer of the Idaho housing and finance association, the Idaho
17 energy resources authority, and the Idaho state building authority.
18 (8) "Expenditure" includes any payment, contribution, subscription,
19 distribution, loan, advance, deposit, or gift of money or anything of value,
20 and includes a contract, promise, or agreement, whether or not legally en-
21 forceable, to make an expenditure. The term "expenditure" also includes a
22 promise to pay, a payment or a transfer of anything of value in exchange for
23 goods, services, property, facilities or anything of value for the purpose
24 of assisting, benefiting or honoring any public official or candidate, or
25 assisting in furthering or opposing any election campaign.
26 (9) "Independent expenditure" means any expenditure by a person for
27 a communication expressly advocating the election, passage or defeat of a
28 clearly identified candidate or measure that is not made with the coopera-
29 tion or with the prior consent of, or in consultation with, or at the consent
30 of, or in consultation with, or at the request of a suggestion of, a candidate
31 or any agent or authorized committee of the candidate or political committee
32 supporting or opposing a measure. As used in this subsection, "expressly ad-
33 vocating" means any communication containing a message advocating election,
34 passage or defeat including, but not limited to, the name of the candidate
35 or measure, or expression such as "vote for," "elect," "support," "cast your
36 ballot for," "vote against," "defeat" or "reject."
37 (10) "Lobby" and "lobbying" each means attempting through contacts
38 with, or causing others to make contact with, members of the legislature or
39 legislative committees or an executive official, to influence the approval,
40 modification or rejection of any legislation by the legislature of the state
41 of Idaho or any committee thereof or by the governor or to develop or main-
42 tain relationships with, promote goodwill with, or entertain members of the
43 legislature or executive officials. "Lobby" and "lobbying" shall also mean
44 communicating with an executive official for the purpose of influencing the
45 consideration, amendment, adoption or rejection of any rule or rulemaking as
46 defined in section 67-5201, Idaho Code, or any ratemaking decision, procure-
47 ment, contract, bid or bid process, financial services agreement, or bond
48 issue. Neither "lobby" nor "lobbying" includes an association's or other
49 organization's act of communicating with the members of that association
50 or organization; and provided that neither "lobby" nor "lobbying" includes

1 communicating with an executive official for the purpose of carrying out
2 ongoing negotiations following the award of a bid or a contract, communica-
3 tions involving ongoing legal work and negotiations conducted by and with
4 attorneys for executive agencies, interactions between parties in litiga-
5 tion or other contested matters, or communications among and between members
6 of the legislature and executive officials and their employees, or by state
7 employees while acting in their official capacity or within the course and
8 scope of their employment.

9 (~~11~~) "Lobbyist" includes any person who lobbies.

10 (~~12~~) "Lobbyist's employer" means the person or persons by whom a lob-
11 byist is employed, directly or indirectly, and all persons by whom he is com-
12 pensated for acting as a lobbyist.

13 (~~13~~) "Measure" means any proposal, to be voted statewide, submitted
14 to the people for their approval or rejection at an election, including any
15 initiative, referendum, recall election for statewide or legislative dis-
16 trict offices, or revision of or amendment to the state constitution. An
17 initiative or referendum proposal shall be deemed a measure when the attor-
18 ney general reviews it and gives it a ballot title. A recall shall be deemed
19 a measure upon approval of the recall petition as to form pursuant to section
20 34-1704, Idaho Code.

21 (~~14~~) "Nonbusiness entity" means any group of two (2) or more individu-
22 als, corporation, association, firm, partnership, committee, club or other
23 organization which:

24 (~~1a~~) Does not have as its principal purpose the conduct of business ac-
25 tivities for profit; and

26 (~~2b~~) Received during the preceding or current calendar year contribu-
27 tions, gifts or membership fees, which in the aggregate exceeded ten
28 percent (10%) of its total receipts for such year.

29 (~~15~~) "Person" means an individual, corporation, association, firm,
30 partnership, committee, political party, club or other organization or
31 group of persons.

32 (~~16~~) "Political committee" means:

33 (~~1a~~) Any person specifically designated to support or oppose any candi-
34 date or measure; or

35 (~~2b~~) Any person who receives contributions and makes expenditures in
36 an amount exceeding five hundred dollars (\$500) in any calendar year
37 for the purpose of supporting or opposing one (1) or more candidates or
38 measures. Any entity registered with the federal election commission
39 shall not be considered a political committee for purposes of this chap-
40 ter.

41 (~~3c~~) A county, district or regional committee of a recognized politi-
42 cal party shall not be considered a political committee for the purposes
43 of this chapter unless such party committee has expenditures exceeding
44 five thousand dollars (\$5,000) in a calendar year.

45 (~~17~~) "Political treasurer" means an individual appointed by a candi-
46 date or political committee as provided in section 67-6603, Idaho Code.

47 (~~18~~) "Public office" means any state office or position, state sena-
48 tor, state representative, and judge of the district court that is filled by
49 election.