

Subject: CAMPAIGN CONTRIBUTIONS REPORTING		Policy No: 31
Original issue: 1/10/20	Last Revised: 1/08/21	Last Reviewed: 1/08/21

**I. OBJECTIVE**

- A. To establish guidelines under which candidates running for election to the Empire Electric Association, Inc. (“EEA”) Board of Directors (“Board”) will disclose monetary and in-kind contributions to the candidate’s campaign in accordance with the requirements set forth in Article III, Section 2 of EEA’s Bylaws.

**II. POLICY**

**A. Disclosure Requirements**

- 1. Any candidate running for a position on EEA’s Board shall disclose all monetary and in-kind contributions, received by the candidate or paid at the request of or through coordination with the candidate, whose individual value is greater than \$20. The candidate shall also include a brief description of all in-kind contributions received.
  - a. For purposes of this Policy, “in-kind contributions” shall mean all nonmonetary contributions, except for time spent by individuals who are volunteering their time on behalf of the candidate and do not receive any compensation for such volunteer services.
  - b. The fair market value of an in-kind contribution shall be used to determine the value of the contribution for the purpose of disclosure. For purposes of this Policy, “fair market value” shall mean the price that a seller is willing to accept, and a buyer is willing to pay on the open market and in an arm’s-length transaction. Goods or services offered for free or at less than the usual charge are in-kind contributions. Similarly, when a person or entity pays for services on the candidate’s behalf, the payment is an in-kind contribution.

**B. Reporting Requirements**

- 1. All candidates shall complete two Campaign Contribution Reports (each a “Report”), utilizing the forms attached to this policy, according to the following timetable:
  - a. An initial Report shall be submitted no sooner than 15 days and no later than 10 days prior to the date of the election. The initial Report shall contain all contributions received up to the time of submittal; and
  - b. A final Report shall be submitted no later than 10 days following the election. The final Report shall contain all contributions received after the initial Report, plus any corrections to the initial Report.
  - c. If a candidate did not receive any contributions, the candidate shall still complete and submit both an initial Report and a final Report as specified above, but just indicate “None” on the Reports.
- 2. Reports shall be signed by the candidate and submitted to EEA. For purposes of this section, the candidate may submit a Report electronically and the candidate’s electronic submission shall be deemed to be his/her signature on the Report. The candidate shall receive instructions on how to submit Reports when the candidate picks up the candidate packet from EEA.
- 3. EEA shall publish the Reports on EEA’s website and make copies of the Reports available for the membership, media, and general public upon request.


4. EEA shall send all candidates a one-week reminder prior to the due date of any Report and shall send the candidate an acknowledgement when a Report is received.

C. Consequences for Failing to File Timely or Accurate Reports

1. The Board shall review the Reports for timeliness and accuracy at its first regular meeting following the due date of the final Report.
2. Any candidate who failed to submit timely and accurate Reports may be subject to disqualification to run for future Board elections. The Board shall be responsible for determining future disqualification and may remove eligibility by a three-fourths vote of disinterested directors present at a validly called meeting of the Board.
3. Any candidate who is elected to the Board, now a director, who failed to submit timely and accurate Reports may no longer be eligible to serve on the Board. The Board shall be responsible for determining whether said director is eligible to continue serving on the Board pursuant to Article III, Section 2 of the Bylaws. That director may be removed by a three-fourths vote of disinterested directors present at a validly called meeting of the Board.

III. RESPONSIBILITY

- A. The General Manager is responsible for ensuring EEA distributes, collects, and publishes Reports.
- B. The Board is responsible for evaluating Reports and determining consequences for candidates who fail to comply with this policy.

	President's Signature	Date: 1/08/2021
---	-----------------------	-----------------



