



The Florida Senate

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Committee on Ethics and Elections

Senator Posey, Chair

SURVEY OF LOBBYING FEES AND COMPENSATION REGULATION

SUMMARY

A majority of states, 28 in all, require the reporting of legislative lobbyist compensation (i.e., salaries, fees). The three largest states by population, California, Texas, and New York, have extensive legislative lobbying reporting systems that mandate the reporting of lobbyist compensation.

Florida is the most populous state without a lobbyist compensation reporting requirement. Although Florida law requires legislative lobbyists (and principals through their designated lobbyists) to register and semi-annually report lobbying "expenditures," salaries are not considered "expenditures" under Florida law. Thus, compensation for lobbying services is not reported.

BACKGROUND

... [I]n order to preserve and maintain the integrity of the process and to better inform the citizens of the efforts to influence legislative branch action, the Legislature finds it necessary to require the public disclosure of the identity, expenditures, and activities of certain persons who attempt to influence the actions of the legislative branch. – Section 11.044, F.S.

The forerunner of Florida's current legislative lobbying reporting system was adopted in 1978.¹ That legislation required lobbyists to register and file semi-annual expenditure statements.

Much of the original framework survives today, though it has been refined and expanded significantly through the years. Some practices, though, have completely disappeared. For example, the requirement that lobbyist registrations include each lobbyist's "general and specific areas of legislative interest" has been modified

to require only a general description of legislative interests that serves little practical purpose.²

Florida's legislative reporting scheme has *never* required lobbyists to report compensation in the form of salaries, fees, reimbursement for expenses, and other compensation provided by principals. In fact, amendments to the 1993 legislative reporting act expressly clarified that various forms of lobbyist compensation are not "expenditures," thereby ensuring that these items are not reported.³

In 2004, the Legislature enacted the Florida Advertising Campaign Exposure Act⁴ ("FACE") aimed at, among other things, enhancing disclosure requirements for certain "shadow" political groups that engage in non-ballot issue advocacy during the election cycle. FACE should result in a more transparent campaign finance system, providing the public with timely and complete information about special interest money seeking to influence the outcome of Florida elections. There is, however, no complete public reporting of money expended by special interests (a.k.a. "principals") for the purpose of influencing Florida legislation.

METHODOLOGY

Committee staff reviewed the statutes, administrative rules and regulations, legislative rules, and/or filing forms for all 50 states and Congress. Committee staff also interviewed personnel in Florida's Division of Legislative Information to obtain a better

² Florida Senate & Florida House of Representatives, Joint Rule 1.2(1).

³ "Lobbying expenditures do not include a lobbyist's or principal's salary, office expenses, and personal expenses for lodging, meals, and travel." Ch. 93-121, sec. 2, L.O.F. (codified at Section 11.045(3)(a), F.S.)

⁴ CS/SB 2346 & 516 (2004) (by Senators Lee & Constantine) (Ch 04-252, L.O.F.)

¹ Ch. 78-268, L.O.F.

understanding of the history and current process of legislative lobbyist registration and reporting.

FINDINGS

FLORIDA

In 2003, Florida's roughly 2,000 lobbyists filed 7,400 registrations and 14,800 expenditure reports.⁵

Registration

Legislative lobbyists⁶ in Florida must register annually with the Lobbyist Registration Office in the Office of Legislative Services' Division of Legislative Information Services ("the Division").

Lobbyists must register to represent each principal separately. The first lobbyist to register for a principal is known as the principal's "designated" lobbyist.

Each lobbyist registration must include a free-form, general description of the lobbyist's area of legislative interest on behalf of the principal. No categories of interest are prescribed for the lobbyist to select from. As a result, descriptions tend to be generic (i.e., issues pertaining to clients, regulatory, judicial, general government) and mostly without any practical value in providing the public notice of the general lobbying interests of each principal. In the rare instance where a general description does provide some meaningful insight into a principal's lobbying interests, the information may not be timely; lobbyists are only updating changes to this information on an annual basis.⁷

⁵ Lobbyist Registration Office, Staff Analysis of Feasibility of Online Filing and Dissemination of Expenditure Reporting Information, p. 1 (April 5, 2004).

⁶ A legislative "lobbyist" in Florida generally means someone who contracts for remuneration with a principal for the purpose of influencing legislative action, or who is principally employed for governmental affairs and receives compensation. The term "lobbyist" as used throughout this report in discussing regulatory schemes in other states has a similar meaning. Persons who are not compensated for providing lobbying services are generally not subject to registration and reporting requirements.

⁷ Although Joint Rule 1.2(1) of the Florida Legislature provides that "any changes to the information provided in the registration form must be reported to the Lobbyist Information Office in writing *within 15 days on forms furnished by the Lobbyist Registration Office*," the current form does not provide an area to designate changes to the "Area of Legislative Interest."

Periodic Reporting

In addition to registering, legislative lobbyists must file semi-annual expenditure reports for each principal they register to represent. For a "designated" lobbyist, the semi-annual reporting must detail expenditures incurred *directly* by the principal on the lobbyist's report.

An "expenditure" is a payment, distribution, loan, or essentially anything of value made or controlled by a lobbyist or principal for the purpose of lobbying.⁸ Lobbying "expenditures" ***do not include a lobbyist's salary or principal's salary***, office expenses, and personal expenses for lodging, meals, or travel.⁹

Each semi-annual expenditure report must include certain information including the lobbyist's name, principal represented, whether or not there were lobbying expenditures for the covered period, and the source of funds and category of expense¹⁰ --- if expenses were incurred. Dollar amounts are reported in the aggregate for the reporting period in each category.

A lobbyist or principal is not required to disclose or report their salary, fee or other similar compensation paid or received for lobbying services on either their registration or their semi-annual expenditure report.

When Are Reports Due?

Reports are due 45 days after the end of each semi-annual reporting period.¹¹

Electronic Filing

Florida does not have electronic filing for registration or semi-annual expenditure reports; paper registration and reports are required.

As a result, the Division manually aggregates: the expenditures for each reporting period, for each

⁸ Section 11.045(1)(c), F.S.; Joint Legislative Rule 1.4(4)(a)1.

⁹ Sec. 11.045(3)(c), F.S.

¹⁰ Categories of expenditures on the report are: (1) Food & Beverage; (2) Entertainment; (3) Research; (4) Communication; (5) Media Advertising; (6) Publications; (7) Travel; (8) Lodging; (9) Special Events; (10) Other.

¹¹ Reporting for the period January 1 through June 30 is due no later than August 14; reporting for the period July 1 through December 31 is due no later than February 14.

principal with multiple lobbyists; and, each principal's total annual lobbying expenditures.¹²

This aggregate expenditure information, as well as monetary information contained in the expenditure reports, are available from the Division in hard-copy form upon request but are not currently available online. The only tangible online information (from the standpoint of providing public notice of special interest activities) is the name and address of principals and lobbyists, along with the affiliation between lobbyists and principals.¹³

The Office of Legislative Information Technology Services ("OLITS") estimates that it would take 90 working days to develop an online expenditure reporting and dissemination application, with a total hardware and software cost of approximately \$17,200.¹⁴ The Division believes it could administer the system with no increase in current staffing levels.

THE "BIG 3" STATES

According to 2000 U.S. Census Bureau population figures, Florida ranks as the fourth largest state in the country. Only California, Texas, and New York are bigger. All of these states require the periodic reporting of legislative compensation. Florida is the most populous state without such a requirement.

CALIFORNIA

California has a comprehensive legislative lobbying registration and reporting system¹⁵ administered by the

California Fair Political Practices Commission ("the FPPC").¹⁶ Detailed reporting of lobbying compensation is required.

Registration (Principal and Lobbying Firm¹⁷)

Each lobbyist employer (a.k.a. "principal") and each lobbying firm are required to register separately on a biennial basis with the California Secretary of State. Individual contract lobbyists making less than \$2,000 per month are not required to register and report.

The registration must include the following information for each principal represented:

- A list of the lobbyists employed by the principal (principal registration only).
- The effective date and period of the lobbying contract (lobbying firm registration only).
- A general description of the principal's lobbying interests (i.e., tax legislation, child care regulations).
- Information sufficient to identify the nature and interests of the principal, including:
 - *Where the principal is an individual*, a general description of the business activity in which the individual (self-employed) or the individual's employer are engaged.
 - *Where the principal is a business entity*, a general description of the business in which it is engaged.
 - *Where the principal is an industry, trade, or professional association*, a general description of the industry, trade or association which it represents and a specific description of any portion or faction of the industry, trade or association which the association exclusively or primarily represents and, if the association has 50 members or less, the names of the members.
 - *Where the principal is some other group or entity*, a general statement of the group's nature and purposes, including a description of any industry, trade, profession, or other

¹² Florida law directs the Division to perform these calculations. Section 11.045(3)(c), F.S.

¹³ The web site also contains instructional materials such as forms, guides to filing, applicable laws and rules, etc. (<http://www.flsenate.gov/Lobbyist/index.cfm?Submenu=1&Tab=lobbyist>).

¹⁴ Lobbyist Registration Office, Staff Analysis of Feasibility of Online Filing and Dissemination of Expenditure Reporting Information, p. 4-5 (April 5, 2004). Outsourcing the job would be considerably more expensive, costing anywhere from \$115K to \$173K (average expected price of \$144K). *Id.*

¹⁵ "California's Political Reform Act (Gov. Code Sections 81000-91015) requires registration and reporting by individuals and entities that make or receive payments for the purpose of influencing decisions of the State Legislature and state administrative agencies (i.e., lobbying legislative bills and state agency regulations). (The Act's lobbying provisions are contained in sections 86100-86300 and section 85702.)" California FPPC web

site (<http://www.fppc.ca.gov/index.html?id=4>).

¹⁶ Administrative lobbying is regulated in the same manner.

¹⁷ Includes individual contract lobbyists who receive or are entitled to receive \$2,000 in a calendar month for direct communication with any legislative, agency, or elected state official (includes nonministerial/nonclerical employees).

group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

- *For all principals*, the industry group classification that **most accurately describes** the principal's business interests chosen from a number of prescribed categories (i.e., Agriculture, Education, Health, etc.).¹⁸

Registration information must be updated within 20 days of any change, including changes to the foregoing registration information. In contrast to Florida's practice, the California registration amendment form requires a detailed explanation of the foregoing types of changes.¹⁹

Periodic Reporting

Both the lobbying firm and the principal must file quarterly disclosure reports. The lobbying firm report²⁰ must indicate, among other things:

- Gross payments received for the period (from *all* principals).
- Name and address of *each* principal making a payment to the firm, along with dollar amounts reported in the following categories:
 - Fees and Retainers for Lobbying Services.²¹
 - Reimbursement of Expenses.
 - Advances or Other Payments (attach explanation) [i.e., receipt of goods, services, facilities from the principal].
 - Total Amount This Quarter.
 - Cumulative Total Year-to-Date.
 - Legislative bill number or state agency administrative regulation actively lobbied on behalf of the principal.²²

¹⁸ A space for "OTHER: _____ (describe)" is provided for industries which do not fit into one of the defined categories (i.e., funeral homes, publishers, waste management companies).

¹⁹ See "Amendment to Registration Statement" California FPPC Form 605.

²⁰ "Report of Lobbying Firm" California FPPC Form 625.

²¹ Lobbying services include, but are not limited to: engaging in direct communication; researching, monitoring, analyzing, or drafting statutes, regulations, or pending or proposed legislative or administrative actions; and, providing advice or recommending strategy concerning pending or proposed legislative or administrative actions.

²² In lieu of bill numbers and regulation numbers, a

The FPPC has promulgated administrative regulations further detailing what must be reported pursuant to the above requirements.

Principals are required to independently file essentially the same information for payments to in-house and contract lobbyists.²³

When Are Reports Due?

Quarterly disclosure reports of each lobbying firms and each principal are due on the last day of the month following the end of the reporting period (30 or 31 days later).²⁴

Electronic Reporting

Lobbying firms and principals reporting more than \$5,000 in any category of reportable payments or expenses during any calendar quarter are required to file the report (and all subsequent disclosure reports) *both* electronically and on paper.

TEXAS

Texas' legislative lobbying compensation reporting scheme²⁵ is not quite as far-reaching as California's. Lobbying compensation is reported as part of the *registration process only*, and is updated annually or when changes occur. There is no other routine, periodic reporting of lobbying compensation.

Registration

Each lobbyist must register annually with the Texas Ethics Commission. Contract lobbyists who receive \$1,000 or less per year calendar quarter (the "compensation and reimbursement" threshold)²⁶ **and** who make total lobbying expenditures of \$500 or less

specific description of each legislative or administrative action may be provided.

²³ "Report of Lobbyist Employer" California FPPC Form 635.

²⁴ The reporting deadlines are: April 30 (reporting period January-March); July 31 (reporting period April-June); October 31 (reporting period July-September); and, January 31 (reporting period October-December).

²⁵ Also applies to administrative lobbying.

²⁶ Contract lobbyists will be deemed *not* to meet the compensation and reimbursement threshold even if they receive over \$1,000 in a calendar quarter *if* lobbying comprises no more than 5% of the person's compensated time during the calendar quarter.

per calendar quarter (the “expenditure” threshold) are not required to register.

In addition to naming their principals, each lobbyist must identify:

- The **subject areas** lobbied on behalf of the principal, selected from 84 prescribed categories [CHECK BOX format – registrant must *check all that apply*].²⁷
- The **total compensation** from each principal, either in exact amount or in one of eight separate dollar categories [CHECK BOX format].²⁸
- The **type of compensation** being reported, either “Paid,” “Earned (but not received),” or “Prospective.”²⁹

Although Texas does not generally require the registration to include a description of the principal’s business, additional information is required if the principal is an unincorporated entity or a private corporation.³⁰

²⁷ Includes a catch-all check box for “OTHER: _____.”

²⁸ The eight dollar categories are:

- \$0
- Less than \$10,000
- \$10K - \$24,999.99
- \$25K - \$49,999.99
- \$50K - \$99,999.99
- \$100K - \$149,999.99
- \$150K - \$199,999.99
- \$200K or more

²⁹ The classifications are cumulative and a little confusing. “EARNED (but not received)” *includes compensation paid* plus compensation that has been earned but not yet received. “PROSPECTIVE” *includes compensation paid, compensation earned (but not received),* plus compensation anticipated pursuant to the terms of a contract or other agreement. These two options allow the lobbyist to avoid the necessity of filing an amended registration when he or she actually receives pending or anticipated compensation. Texas Ethics Commission Lobby Registration Form (FORM REG), Instructions, p.8 (Revised May 3, 2004).

³⁰ For unincorporated entities, the lobbyist must provide: the number of members; names of persons who determine lobbying policy; a description of policy-making methods; and, the names of all contributors over \$250. Texas Ethics Commission Lobby Registration Form (FORM REG), Schedule A, Part 3(a) (Revised 11/19/2003). For private corporations, the lobbyist must provide: the number of corporate shareholders; names and addresses of corporate officers and board members; and, the names of persons owning 10% or more of the corporation. Texas Ethics Commission Lobby Registration Form (FORM REG),

Lobbyist registrations must be amended by the 10th day of the month following the month in which any change occurs. Lobbying compensation received and not previously reported as either “Earned (but not received)” or “Prospective” compensation would necessitate the filing of an amended registration.

Periodic Reporting

Periodic reporting is required only for *expenditures*. Like Florida, lobbying compensation is not deemed a reportable *expenditure* for purposes of periodic (typically monthly) reporting.

When Are Reports Due?

Not applicable to lobbying compensation, which is reported annually as part of the lobbying registration process.

Electronic Filing

Texas currently requires paper registration, but will be moving to electronic registration at the end of 2004.³¹

NEW YORK

New York’s legislative lobbyist registration and reporting system³² provides for extensive reporting of compensation paid to lobbyists by each principal. New York requires the lobbyist to provide compensation information for each principal both at the time of registration and with each bi-monthly activity report. New York also requires principals to file semi-annual reporting statements that include compensation paid or owed to each lobbyist.

Registration

Each legislative lobbyist anticipating expending, incurring, or receiving more than \$2,000 of combined reportable compensation³³ and expenses in a calendar

Schedule A, Part 3(b) (Revised 11/19/2003).

³¹ Tex. Gov’t Code Ann., sec. 305.0064 (2003).

³² New York’s lobbying registration and reporting system also applies to *administrative* lobbying.

³³ “Reportable compensation” includes salaries, fees, payments, or essentially anything of value paid, owed, given, or promised to the lobbyist by a principal for lobbying. NYTSCS Guidelines to the Lobbying Act, sec. 5.A.1. (revised July 2004).

year must register with the New York State Temporary³⁴ Commission on Lobbying.³⁵

A separate registration statement is required for each client. In addition to names, addresses, phone numbers and the like, the lobbyist must attach a copy of their written agreement or retainer of employment with the principal.³⁶ If the agreement is oral, the lobbyist must include a statement of the substance of the lobbying agreement. Regardless of whether the agreement is written or verbal, the actual compensation must be reported by all lobbyists retained by the organization.

The lobbyist must also provide the following information on the registration form:

- The *best description* of the principal's business, selected from 18 prescribed categories (check box format – no “catch-all” OTHER category).³⁷
- A general description of: the subjects the lobbyist expects to lobby; the persons, state agencies, or legislative body to be lobbied; and, the bill number, rule, or regulation to be lobbied.

If any of the registration information changes, including the lobbying agreement, the lobbyist must file a Lobbyist Registration Amendment within 10 days of the change.³⁸

Periodic Reporting

Both lobbyists and principals are required to file periodic activity reports that detail lobbyist compensation for the reporting period. Lobbyists file bi-monthly reports;³⁹ principals file semi-annually.⁴⁰

³⁴ The phrase “Temporary” is a misnomer; the forerunner of the current Commission was created in 1977.

³⁵ Public corporations employing in-house lobbyists meeting the same \$2,000/yr. threshold must also register.

³⁶ New York State Lobbying Act, sec. 1-e(c)(3).

³⁷ The prescribed categories are: Banking & Financial Services; Communications; Education; Environment & Natural Resources; Health & Mental Hygiene; Insurance; Labor; Law; Marketing & Sales; Manufacturing; Public, Community Interest; Public Utilities; Racing & Wagering; Real Estate & Construction; State & Local Government; Trade Associations; Travel & Tourism; Transportation.

³⁸ NYTSCS online registration instructions to lobbyists. (Reprinted at <http://www.nylobby.state.ny.us/2003lobinstruct.html>).

³⁹ Public corporations required to register must also file bi-monthly reports.

⁴⁰ Public corporations that are also principals may file their bi-monthly report in lieu of the semi-annual report,

Both semi-annual and bi-monthly reports must provide the following information:

- The entire fee, salary or other compensation paid or owed by each principal to each lobbyist (gross total).
- A general description of the subjects lobbied, persons and/or agencies and legislative bodies lobbied.
- The number of the legislative bill, rule, regulation or rate lobbied.

When Are Reports Due?

Semi-annual and bi-monthly reports are due 15 days after each reporting period, with reporting periods commencing on January 1 of the calendar year.

Electronic Filing

In 2003, New York implemented an optional, web-based electronic registration and reporting system. Paper registration and reporting is still permitted.

OTHER STATES/U.S. CONGRESS

In addition to California, New York, and Texas, 25 other states and the U.S. Congress require the reporting of lobbyist compensation by the principal, the lobbyist, or both.⁴¹ *See* infra Table A (States Requiring Reporting of Lobbyist Compensation).

Reporting of lobbyist compensation may be required at the time the principal or lobbyist registers (typically with a mandatory updating requirement as changes occur), when periodic activity reports are filed, or at both times.

Other typical components of the registration/ reporting schemes include:

- A *de minimus* threshold for reporting, thereby exempting principals and lobbyists expending or

provided all bi-monthly reports for the reporting period have been filed. NYTSCS, *Guidelines to the Lobbying Act*, sec. 7.E. (reprinted at www.nylobby.state.ny.us/guidelin.html).

⁴¹ Most of the states require this reporting in the form of compensation paid to, or received by, individual lobbyists; a minority of states allows the principal to report lobbying compensation in the aggregate.

receiving less than a certain amount from reporting compensation.⁴²

- Reporting a **general description** of the issues lobbied, sometimes from a list of **prescribed issue categories** (i.e., Banking/Finance, Chemical/Pharmaceutical, Insurance, and Telecommunications).⁴³ Some systems also required the reporting of the **specific issues** lobbied within each designated category.
- Reporting the **nature of the principal's interest**, frequently from **prescribed categories** that may or may not include a catch-all category. The most stringent schemes do not allow for the designation of multiple interests by checking more than one box.
- Reporting the legislative **bill numbers** lobbied on behalf of each principal.
- Reporting the **fundamental terms of any contract, promise or agreement** made in furtherance of lobbying, including such items as:
 - Hourly, monthly, and/or annual fees for each lobbyist.
 - Time period/length of the contract or agreement.
 - Salaried employee-lobbyists' hourly wage.
- Reporting total lobbyist compensation in dollar categories, as opposed to specific dollar amounts.

RECOMMENDATIONS

A legislative lobbying compensation reporting system should:

1. Provide the public with **relevant, timely information** about the compensation paid and legislative lobbying activities of all special interests/lobbyists.
2. Integrate into the structure of Florida's **current lobbying registration/reporting system**, to utilize familiar reporting dates, forms, and processes.
3. Seek to **minimize the recordkeeping and reporting burden** on principals and lobbyists, insofar as is practicable.

If the Legislature makes a policy decision to require the reporting of legislative lobbying compensation, staff recommends the following approach:

- **Maintain the current timetables for registration and reporting**, in order to implement the proposed changes with the least amount of disruption to current reporting practices.
- **Define lobbyist compensation broadly to include: salaries, fees, retainers, advances, reimbursements, and any other payment or compensation for the purpose of lobbying.** This will help insure that the public's right to reliable information is not frustrated by "creatively structured" contracts between principals and their lobbyists designed to circumvent the reporting requirement.
- **Require all lobbyists to report compensation earned on each semi-annual activity report.** This current 6-month reporting schedule has worked well for reporting lobbying *expenditures*, providing the public with timely notice without overburdening lobbyists. This time frame should work equally well in a *compensation* context. Also, the 6-month reporting cycle is short enough to serve as a *de facto* method of reporting changes to compensation information (i.e., principal's area of lobbying interest changes) without the need for separate amendment forms.
- **Return to a modified version of the 1978 requirement that the lobbyist provide both a general description⁴⁴ and a specific description⁴⁵ of their area of legislative lobbying interest on behalf of each principal (registration form and each semi-annual activity report).** The reporting system must identify the principal's area of legislative interest with enough specificity to

⁴⁴ Require that the **general description**: be selected from a check-box list of prescribed categories (i.e., Agriculture, Telecommunications, Pari-mutuel, Natural Resources, etc.); and, for semi-annual activity reports, indicate what percentage of the lobbying time was spent on each designated category.

⁴⁵ For each designated area of interest, the lobbyist must also describe the **specific issue(s)** lobbied. (For example, a lobbyist for a concrete manufacturer company might identify "Environmental" as the sole category of interest, with the specific issue lobbied being "water quality discharge standards.")

⁴² *De minimus* thresholds vary widely, from a low of about \$100 to as much as several thousand dollars per calendar year in lobbying expenditures/receipts.

⁴³ Some regulatory schemes include a catch-all category entitled "Other – Specify."

make the compensation numbers meaningful. Otherwise, the public cannot trace the issues that the special interest sought to influence.

- **Require the *designated* lobbyist of each principal to provide a specific description of the industry group classification that *most accurately describes* the principal's business, again chosen from a number of prescribed categories (i.e., Agriculture, Education, Health, etc.).** Information about the principal's main business is essential to placing the lobbying compensation picture in context. If Acme, Inc., spent \$35,000 last year to lobby on elections issues involving touch screen voting machines, it's going to matter that Acme is a voting systems manufacturer trying to get one of their machines certified for use as opposed to a citizens group encouraging the use of paper receipts.
- **For each reporting period and calendar year, require the Division to aggregate total compensation paid/received for each principal with multiple lobbyists and for each lobbyist with multiple principals.** Compiling information about multiple lobbyists/principals facilitates more *relevant* information, allowing the public a sharper insight into the *overall* legislative reach of a particular lobbyist/principal.
- **Require the Division to develop and maintain an online database with information on compensation, expenditures, industry group classifications, and areas of lobbying interests.** Placing compensation information online will afford the public greater access with far more timely disclosure than the current paper-based system.
- **Require the Division to develop and implement an online reporting system for filing semi-annual activity reports, to further facilitate the new public information system (the searchable online database).** Reducing mailing delays and data entry delays should provide the public with more timely information. Also, it may be more convenient for many lobbyists to file electronically.

TABLE A.

STATES REQUIRING REPORTING OF LOBBYIST COMPENSATION

1. ALASKA
2. CALIFORNIA
3. COLORADO
4. CONNECTICUT
5. HAWAII
6. INDIANA
7. IOWA
8. KENTUCKY
9. MAINE
10. MARYLAND
11. MASSACHUSETTS
12. MICHIGAN
13. MINNESOTA
14. MISSISSIPPI
15. MONTANA
16. NEBRASKA
17. NEW HAMPSHIRE
18. NEW JERSEY
19. NEW YORK
20. NORTH CAROLINA
21. OREGON
22. RHODE ISLAND
23. SOUTH CAROLINA
24. TEXAS
25. VERMONT
26. VIRGINIA
27. WASHINGTON
28. WISCONSIN