



Capitol Journal

THE KYLE GROUP

Serving the Public and Government Affairs Needs of Business and Associations

The Capitol Journal would like to extend our deepest appreciation to all those who have provided us with valuable feedback and continued support throughout the year!

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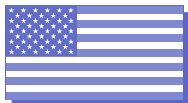
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Published by
The Kyle Group
1301 Pennsylvania
Street
Suite 250
Denver, Colorado
80203
Phone: 303-302-1109
Fax: 303-853-4909
ckyle@thekylegroup.com

www.TheKyleGroup.com

LEGISLATIVE SESSION 2003

It's 9:00 AM: Do You Know Where Your Legislators Are?

That's right, it's 9:00 on a weekday morning. Do you now where your legislators are? You will find them on the floor of their respective houses conducting the business of the Senate and the House. They are acting on issues that affect each and every one of our lives, businesses, our associations and us.

Have you taken time to know who your legislators are? Do they know who you are and the association you are affiliated with? Do they know what your association stands for and the members it represents? If your answer is no to these questions, it's time you got to know the two most important people in your business life.

Like it or not, the political process is an integral part of our lives. The 100 legislators that meet at the Capitol from January through May 7 will review and act on more than 700 individual pieces of legislation that will affect the way in which your members conduct their business or manage their nonprofit activities.

Given the perimeters of this process you will want to become involved, and the best way to become involved, is by building a relationship with your state representative and state senator. Don't know who your legislative representatives are; call your county clerk or go on line to www.vote-smart.org. Either way you will get the information you need.

After determining who your legislators are, call them up, introduce yourself and ask them to come visit your association. Begin inviting them to your association's functions. Immerse them in materials and activities. Ask them to let you be their resource for issues affecting your legislation. They will become your new best friend. You have a relationship with your insurance agent, doctor, or lawyer. Shouldn't you have a relationship with your legislators?

Building relationships takes time. But by taking these first few steps you will be well on your way to building a relationship that will last a very long time. One that will become very valuable to you and your association over time. And when someone asks you, "do you know who your legislators are?" you can look them in the eye and say "You bet I do!"

To download your free copy of the 2003 Legislative Directory, just point your internet browser to www.thekylegroup.com and click on the Download Legislative Directory link.

The Kyle Group is Growing!

We at The Kyle Group are pleased to announce a great new addition to our little "family": New associate **Julie Chapin** joined us last December and has done an outstanding job with helping to manage the incredible amount of activity during this year's Legislative Session. Julie brings with her extensive experience in corporation management and has a strong interest in association management. Please join us in welcoming Julie to The Kyle Group team!



Tallying the Benefits of Online Elections

The printing, mailing and tallying of ballots during an election consume valuable time and staff resources. And who can ignore the fallibility of humans counting votes?

But there is a better way: Opt to enable your association's elections on the Web. The District of Columbia Bar in Washington, D.C., held its first Web-based election in 2002. Because the association's bylaws mandate that a ballot be mailed to each voter, a hybrid application was developed. All voters were mailed a ballot with the choice to either cast their vote online or by mail. Of the 9,098 ballots cast during this election, 1,547 of them were cast online. The paper ballots were sent to an outside tabulating firm, whose data entry clerks logged into the Web ballot and cast votes on behalf of members. Obviously, paying an outside firm to do what the member could just as easily have done is not the end goal, and efforts are now under way to phase out the paper ballot and move the bar's elections entirely to the Web.

Though only about 15 percent of members voted online, the ballot held up flawlessly and confirmed that Web-based voting - when properly executed - is a viable and cost-effective voting solution.

Advantages of Online Voting

Consider these reasons for moving your association's elections to the Web:

Ballot scrubbing: Ballot scrubbing eliminates the possibility of an over-vote. Consider a slate of 10 candidates running for four board positions. On a traditional ballot, voters could, even if they aren't supposed to, vote for more than the allowable maximum. Over-voting in this manner means the entire ballot must be thrown out. However, a properly constructed Web ballot can be *scrubbed* at the moment of submission to ensure that it is clean and complies with all voting rules. If voters select more than one candidate on a Web ballot, they would be notified immediately that the ballot violates the voting rules and instructed on how to cast it properly.

Ballot shuffling: There has long been a concern that the candidate whose name is near the top of the ballot has an advantage. To alleviate this, ballot engineers have taken the design of the ballot and the ordering of candidates' names very seriously and tried to ensure that the ballot does not play a major role in the election's outcome. Move to the Web and the order in which the candidates' names appear may be controlled by random placement technology. This ensures that all candidates receive equal billing in all locations on the ballot. This does not simply alleviate the problem; it eliminates it entirely. A well-designed Web ballot also gives voters the ability to double-check their choices before final submission.

E-mail reminders: In a case where an association has members' e-mail addresses, the option exists to send e-mail reminders only to those who've not yet cast their ballot. This e-mail can be personalized with the member's name in the heading; to make things quick and simple, it can contain a link direct to the online ballot.

Automated tallying: Humans make mistakes. Sometimes these are honest mistakes and sometimes they are not. But a database can retrieve and calculate the results of an election in seconds, not hours or even days, as is the case with traditional tallying methods. Unlike humans, computers don't get fatigued and start making mistakes after having counted 1,000-plus ballots, so there's virtually no chance for a miscount.

Disadvantages of Online Voting

So what are the drawbacks to Web-based voting? There really aren't any, but I am asked several frequent questions about conducting elections online:

How do we ensure that the person voting is an authorized voter? Voter-specific login data ensure that only eligible voters access the ballot. If a member attempts to log in after having already voted, he will be notified that he cannot cast multiple ballots.

How do we ensure that authorized voters cast only one ballot? Attempts to refresh the ballot submit page will be rejected. Even inadvertently clicking the submit button on the ballot more than once will not result in more than one ballot per voter.

How is the anonymity of the voter preserved once the ballot is submitted? The ballot is submitted across an encrypted connection to ensure that it cannot be tampered with during transmittal, and voter-identifying information is separated from the ballot at the moment of submission to preserve the voter's anonymity.

Some associations may think that going digital with their elections is an unnecessary expense. But the timing is right. Where only a small percentage of your members were online 10 years ago, today it is entirely reasonable to expect all of your members to have access to the Web and the ability to cast a ballot on it. Fortunately, the falling prices of technology have trickled into enabling elections online, and the service can now be made affordable to organizations with even the most modest budgets.

Association Health Plan Legislation Introduced

At a press conference Tuesday, sponsors of **The Small Business Health Fairness Act** (H.R. 660) were joined by Labor Secretary **Elaine Chao** and others to introduce Legislation that would allow for federally regulated association health plans (AHPs). Co-sponsored by Reps. **Ernie Fletcher** (R-KY), **Cal Dooley** (D-CA), **Sam Johnson** (R-TX) and **Nydia Velazquez** (D-NY), the bill has more than 70 co-sponsors in the House. Similar legislation is expected to be introduced in the Senate in the future.

ASAE has long advocated allowing association-sponsored insurance programs to operate under one set of governing regulations instead of complying with the many different state mandates that have historically discouraged AHP participation.

The Bush Administration has also endorsed AHPs. Labor Secretary Chao voiced her support of the legislation at the press conference, after the Department of Labor released a report September 12 highlighting the positive impact association health plans could have on providing more affordable and accessible health care coverage to small busi-

ness owners and employees, many of whom are unable to afford health care under current conditions.

ASAE is a member of The Coalition Supporting Access & Choice through Association Health Plans. For more information, please visit the Coalition's new Web site at: www.AHPsNow.com.

"Do Not Call List" Legislation Passes

Although exact registry funding details won't be spelled out until a final passage of an appropriations bill, the House passed "Do Not Call" legislation yesterday by a 418-7 vote. This legislation calls for the establishment of a national registry, where consumers who do not wish to be contacted by telemarketers may register online or by calling a number, and their name will be placed on the registry. Telemarketers will be required to access the list every three months to cleanse their call lists of consumers who have registered. Charitable and political calls are exempt from the new rule. The Federal Trade Commission (FTC) released final regulations on the issue in December 2002.

In state news, a bill was introduced in Ohio, which, if passed, could join 24 other states with a state "Do Not Call" registry that would work similarly to the national registry, according to a story in National Journal's Congress Daily publications. State "Do Not Call" lists cover calls made within the state, while the newly established federal registry deals with calls made between states.



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Senate Finance Committee Passes Charitable Giving Bill

The **Senate Finance Committee** recently passed a charitable giving bill, the CARE Act of 2003, aiming to offer incentives for charitable giving. The bill carries a price tag of \$10.2 billion and will rely on corporate tax shelters to help offset this cost. Included in the bill is an ASAE-backed provision allowing non-itemizers to deduct charitable contributions. President Bush has strongly supported a charitable giving incentive package.

It is important to note that the bill also includes measures aimed to ensure better oversight of 501(c) organizations, including increased fines for inaccurate reporting on Form 990s, and a provision that would require CEOs to sign the organization's corporate tax returns. In addition, some organizations that are exempt from filing the Form 990 would be required to file an annual notice with the Secretary of the Treasury.

The sponsors of the legislation will now work with the Senate leadership to bring this bill to the floor, which could happen as early as late February.

Just Say NO!

We all do it, take on another project or activity when we know deep down that we simply don't have time. This is one of those time traps that get all of us, one time or another. Here is what Mark H. McCormack; author of *Getting Results For Dummies* has to say about the problem:

The best answer to the question "When should I say no?" is "often." If you try to accommodate everyone, you end up pleasing no one and losing control of your time, space and personal agenda.

Ask yourself a few basic questions when faced with a request:

- ◆ *Am I capable and qualified to do what's being asked of me?*
- ◆ *Do I have time for this task or activity?*
- ◆ *Do I want to do this activity?*
- ◆ *What are the ramifications of saying "no?"*

If you want to say "no" but can't bring yourself to utter the syllable, here are some polite yet effective ways to do so:

"I'm sorry, but I simply can't right now." Opening with an apology is a wonderfully disarming tactic, and this statement also implies that far-reaching circumstances well beyond your control are preventing you from complying.

"I'm going to have to pass on that one." More forceful, plus this statement also connotes deferral, as if you are deferring the opportunity to someone else or until another time.

"Thank you for asking, but I'll be unable to help you." Hard to argue with that one! And in addition, this also helps remind the person that he or she was the one requesting your help in the first place.

By keeping these simple rules in mind, you can maintain better control over your workload, your business relationships and your peace of mind!

(Source: *Getting Results for Dummies* by Mark H. McCormack)

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