Chapter 5
E–Disclosure of Campaign Finance Information: Agenda Setting and Policy Change

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ABSTRACT
In the United States, disclosure has long been a primary tool for fighting the corruptive influence of money in politics. Recent scandals have helped place disclosure back on the agenda of many of the 50 states. Because of the move to electronic governance, many new laws regulating disclosure have taken the form of e-disclosure. Agenda setting theory suggests that interest groups, political context, policy entrepreneurs, focusing events, and state resources influence the ability of issues to reach the institutional agenda (Baumgartner & Jones, 1993; Kingdon 1995). This study uses panel corrected cross-sectional time series analysis to explore which of these factors are motivating increased interest in e-disclosure laws at the state level from 2005-2009. The number of electronic filing laws proposed in state legislatures is the dependent variable (National Council of State Legislatures).

INTRODUCTION
In 2006, scandals in Washington, D.C. surrounding former lobbyist Jack Abramoff helped to inspired many state legislatures to suddenly propose strengthening rules regarding lobbying—a condition that was known at the time as “Jack Abramoff-itis” (Associated Press, 2006). This condition, however, had already begun taking hold before the Abramoff’s scandal broke. In 2005, the states had sufficient examples of “wrong doing” in their own capitals to motivate legislators to revisit existing laws governing campaign finance and ethics. Among the states with lawmakers who had

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at the time been forced to stand trial or resign were Ohio, Kentucky, Wisconsin, Idaho, Rhode Island, Alabama, Tennessee and Illinois. Charges facing lawmakers in these states included kickbacks, extortion, mail fraud, conflict of interest and not reporting dinners and free golf outings paid for by lobbyists (Stateline.org, 2006).

When faced with scandals of this magnitude, lawmakers have several forms of legislation that they can turn to in an attempt to regain public trust. They include freedom of information laws that mandate that government records and information be made available as well as limits on the amount of gifts, trips and honoraria that politicians can accept. Additionally, conflict of interest disclosure laws require that lawmakers disclose theirs (and in some states spouses) financial interests. This makes it easier for the media, interest groups and the public to detect possible conflicts of interests regarding bills that legislators vote on. Finally, campaign finance reform can impose limits on contributions and mandate disclosure of contributions and expenditures. All of these policies have the goal of rebuilding trust with the public through making government more open (transparency).

Regardless of which law policymakers pursue, it is done so reluctantly. These policies can make it more difficult for them to interact with lobbyist and members of business. Policies that require disclosure also make it easier for opponents to gather information that can be used as a weapon during a campaign. Despite reluctance to consider such legislation, waning public trust such as that felt in 2006 can result in the strengthening of these policies or place them back on the list of issues under review. One policy area that was revisited during this period was campaign finance laws that mandated disclosure of contributions and campaign spending. The adoption of these policies was aided by advances in telecommunication. Public administrators in the U.S. had started employing procedures that used the Internet to deliver goods and services in an effort to reduce cost and increase efficiency. State, local and federal campaign finance regulatory agencies had begun implementing campaign reporting procedures that required either the replacement or augmentation of paper filing systems with electronic systems. Although these new electronic systems were adopted in part to save money, they were also expected to increase transparency by making summaries and analyses of campaign contributions and expenditures more easily accessible to the public, interest groups and the media.

These electronic reforms, or e-disclosure laws, are part of a larger trend in information provision and management in the public sector. Starting with the Clinton Administration, all levels (federal, state and local) began adopting practices of electronic or e-government, which “refer to the delivery of information and services via the Internet or other digital means” (West, 2004, p. 2). There are a number of arguments for promoting electronic delivery and individualized access to government information. First, it has been argued that e-government will increase government transparency and efficiency because citizens can access information and government can deliver services 24 hours a day (West, 2003; Norris, 2001). Increased government transparency is an important consideration in attempting to rebuild citizen trust. It has also been suggested that e-government will increase government responsiveness to the public by facilitating communication options that are quicker and more convenient (Thomas & Streib, 2003). Finally, it has been argued that e-government may have the ability to increase political engagement and facilitate a more participatory democracy (Jaeger & Thompson, 2004; Pardo, 2000).

Current e-disclosure policies vary significantly among the states. They differ in their requirements for how campaign finance information is to be posted online, and the level of donor employment information that must be provided. Additionally, state websites provide databases which differ in the information they supply for public use (Campaign Disclosure Project, 2008a). The states
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