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ATTORNEY GENERAL'S OFFICE CONCLUDES INVESTIGATION
OF ALLEGED CAMPAIGN FINANCE LAW VIOLATION

The Vermont Attorney General's Office has determined that a radio advertisement aired recently by *Campaign for Vermont* did not trigger the provisions of Vermont's campaign finance laws. The Vermont Democratic Party alleged that the ad, which focuses on property taxes and education funding, and refers to Governor Shumlin by name, constituted an expenditure in excess of \$500 that would require the *Campaign for Vermont* to register as a political committee due to the ad's content. The Office conveyed its conclusions to the interested parties by letter today.

The Attorney General's Office concluded that the ad addressed a policy issue that is currently pending in the Vermont Legislature and did not demonstrate that its purpose was to support or oppose a candidate for Vermont office. "In reviewing complaints such as these," Assistant Attorney General Megan J. Shafritz said, "we are mindful that the courts apply a fact-specific analysis that considers a number of factors." These factors include: whether the advertisement makes frequent references to a candidate or instead focuses on a legislative issue; whether the message comments on a candidate's character, qualifications, or fitness for office; whether or not the message mentions an individual's candidacy, an upcoming election, a challenger, or a political party; and the timing of the advertisement.

"When viewed objectively against these factors, the *Campaign for Vermont* ad at issue here did not cross the line," said Shafritz. By comparison, the Attorney General's Office noted that the CFV ad differs significantly in content and timing from the ad that the Superior Court found triggered a requirement that *Green Mountain Future* register and file campaign finance reports. That ad prominently featured a candidate's name, aired just prior to the gubernatorial election, and plainly questioned a candidate's fitness for office. Nor does it resemble the television ad that the Court found triggered filing requirements for the *Republican Governors Association*. The RGA ad began running right after Peter Shumlin was declared the winner of the Democratic primary. That ad attacked Shumlin's position on tax issues and his fitness for office. It used music and images to create an atmosphere of foreboding and concluded with the words "we've had enough." These salient factors concerning content and timing are not present in the CFV ad.