

Suggesting Tax Return Disclosure for Candidates in Orange Beach

1000 words

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Campaign finance is a fluid topic, cascading down from the Oval Office to the smallest hamlet, affecting every facet of political life. Alabama's Fair Campaign Practices Act (FCPA) is our guiding light (<https://www.sos.alabama.gov/alabama-votes/pac-resources/FCPA>).

Financial disclosures are mandatory. In 2018, when Orange Beach Councilman Jeff Boyd ran for the Alabama State Senate (<http://fcpa.alabamavotes.gov/PublicSite/SearchPages/ContributionSearch.aspx>), and Councilman Jerry Johnson ran for Baldwin County Commissioner (<http://fcpa.alabamavotes.gov/PublicSite/SearchPages/ContributionSearch.aspx>) they filed reports with the Alabama Secretary of State's Office. Unfortunately, both campaigns flamed out in the Republican Primary.

Still they raised significant amounts of money through small donors, according to the search results (<http://fcpa.alabamavotes.gov/PublicSite/SearchPages/ContributionSearch.aspx>), but Alabama has different rules for corporate contributions. "22 states completely prohibit corporations from contributing to political campaigns. Another six-Alabama, Missouri, Nebraska, Oregon, Utah, and Virginia-allow corporations to contribute an unlimited amount of money to state campaigns," according to a report on the National Conference of State Legislators website (<http://www.ncsl.org/research/elections-and-campaigns/campaign-contribution-limits-overview.aspx>).

"As of May 2015, individuals, corporations, and unions in Alabama could make unlimited contributions to [municipal] candidates, PACs [political action committee that basically collects campaign contributions], party committees, legislative caucus committees, and ballot measure campaigns. Super PACs [independent-expenditure only committees] could not make direct contributions to the aforementioned individuals and groups," according to a report on Ballotpedia (https://ballotpedia.org/Campaign_finance_requirements_in_Alabama).

Campaign Finance Requirements in Alabama

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Contribution limits

The table below details contribution limits as they applied to various types of individuals and groups in Alabama as of May 2015.

Alabama contribution limits as of May 2015								
	Individuals	Single candidate committees	Single candidate committees (federal)	PACs (state and federal)	Political party	Super PACs	Corporations	Unions
Statewide candidate (e.g., governor)	unlimited	\$0	\$1,000	unlimited	unlimited	\$0	unlimited	unlimited
Senate candidate	unlimited	\$0	\$1,000	unlimited	unlimited	\$0	unlimited	unlimited
House candidate	unlimited	\$0	\$1,000	unlimited	unlimited	\$0	unlimited	unlimited
PAC	unlimited	\$0	\$0	\$0	\$0	\$0	unlimited	unlimited
Party committees	unlimited	\$5000*	\$0	\$0	\$0	\$0	unlimited	unlimited
Legislative Caucus Committee	unlimited	can contribute excess funds (income-expenses)		unlimited	unlimited	\$0	unlimited	unlimited
Ballot measures	unlimited	\$0	\$0	\$0	\$0	\$0	unlimited	unlimited

Sources: Jones Walker, "Fair Campaign Practices Act Guidance," accessed May 20, 2015 [📄](#)
 National Conference of State Legislatures, "Limits on Contributions to Political Parties," updated February 5, 2008 [📄](#)
 Alabama Secretary of State, "Fair Campaign Practices Act—Candidate Filing Guide," accessed May 20, 2015 [📄](#)

Source: Ballotpedia
 (https://ballotpedia.org/Campaign_finance_requirements_in_Alabama)

What rules govern campaign finance in Orange Beach?

"Candidates for municipal office are required to file disclosure reports in the same manner as state and county candidates. But, municipal candidates must file with the judge of probate in their county instead of filing electronically with the Secretary of State," said Clay Helms, Director of Elections, Alabama Secretary of State's Office in an email.

I reached out to the Judge of Probate's Office in Baldwin County for comment, but received a reference instead. "You should be able to go on the Probate website and...all the [municipal candidate] reports should come up (<http://www.deltacomputersystems.com/al/al05/dmlinkqueryf.html>)," said Violetta Smith, Election Manager for Baldwin County Probate in an email.

To improve transparency, there is no law insisting candidates release their tax returns, according to the Alabama Fair Campaign Practices Act (<https://www.sos.alabama.gov/sites/default/files/voter-pdfs/cfg-15th-edition.pdf>). I argue tax returns help provide openness, essentially guarding against conflicts of interest in a small town like Orange Beach.

Basically, we see all the rules for campaign finance disclosure are consistent across the state, requiring all candidates for public office to explain where the funds are coming from except when dealing with out-of-state monies. These are exempt from the local rules, "The Secretary of State's website says that federal PACs [Political Action Committees]

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aren't subject to Alabama law." according to a report on [al.com](https://www.al.com/news/2018/12/how-the-alabama-ethics-commission-gutted-campaign-finance-law.html) (<https://www.al.com/news/2018/12/how-the-alabama-ethics-commission-gutted-campaign-finance-law.html>).

Running for public office requires research. Information regarding candidate filing requirements can be obtained from the Alabama Secretary of State's office, (<https://www.sos.alabama.gov/alabama-votes/candidates/candidate-resources>).

This all sounds easy, but you need to design a plan: Know your electorate; connect with bellwethers; kick off fundraising; build your team; rent office space; hire staff like Campaign Manager, Treasurer and Field Director; design campaign material, raise candidate profile; create a campaign plan; paperwork to run; voter file for communication; website, social media, and lots of volunteers, according to a report on CallHub (<https://callhub.io/run-local-political-campaign/>).

Fundraising is a political art form. "Create a host committee of well-connected and enthusiastic individuals who are willing to promote your events [fundraisers] in the community," according to a report on NGPVAN (<https://blog.ngpvan.com/political-fundraising-event>). In 2018, Orange Beach Councilman Jeff Boyd ran against Baldwin County Commissioner Chris Elliot for the same seat in the Alabama State Senate. Elliot raised seven times more money than Boyd. Guess who won? In Alabama politics, money matters.

Money and politics did not always share the same bed. "The idea of candidates asking for contributions to fund their campaigns was completely foreign to George Washington. George and friends [the founders] probably would have been averse to political ads, directly soliciting donations from constituents, or accepting large sums of money from business PACs," according to a report on OpenSecrets (<https://www.opensecrets.org/resources/learn/timeline>).

Still this is the world we live in, especially in the mega-donor era. Digital campaigns, data analysis and constant polling, interpreting the results and re-polling are very expensive. The fundraising arm should be any candidate's most important operational focus.

I encourage qualified candidates (<http://altoday.com/archives/27878-rauf-bolden-how-to-run-for-mayor-and-council-in-orange-beach>) to consider running, putting their names into the hat. In Orange Beach, the jobs of Mayor and City Councilman do not pay much, purposely set low, discouraging competition at the ballot box (<http://altoday.com/archives/25186-rauf-bolden-call-for-a-better-paid-mayor-and-council-in-orange-beach>). The upside is council members have immense power over local decisions like what gets built where, building codes, flood-zone regulations, developing municipal real estate, spending grant monies from the BP Oil Spill, and employee benefits.

The candidate's reasons for running are ideally the desire to make a difference. To win organizing an efficient fundraising apparatus is essential, emulating the example of Chris Elliot (Chris.Elliott@alsenate.gov), winning a seat in the Alabama State Senate.

Campaign finance disclosure is important, unmasking the underlying financial machinery. I argue for having each municipal candidate in Orange Beach release their tax returns as a vehicle for clarity, being as informative to voters as having them release the results of their drug test.

ENDS.

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