



M U L T I S T A T E

[Lobbyists spend \\$595K on legislators](#)

Lobbyists spent well over half a million dollars in the past five months feeding New Mexico lawmakers, entertaining them and donating to political campaigns.

Financial reports filed by lobbyists this week outline about \$595,000 in spending – the overwhelming bulk of it on campaign donations – since May.

More than \$175,000 alone came from Chevron, the energy industry giant involved in oil and gas operations.

Chevron USA Inc. spread its money around, donating to the campaigns of Democratic Gov. Michelle Lujan Grisham and dozens of Democratic and Republican lawmakers. Most of the legislative donations came in chunks of \$2,600 a piece, well below the donation limit of \$5,000 for an election cycle.

“We make political contributions to both major parties to support the election of candidates who believe, like we do, in the value of responsible oil and natural gas development,” Chevron spokesman Sean Comey said in a written statement. “Our contributions are made in accordance with the law.”

The donations attracted the attention of climate change activists this week. They assailed state elected officials for having accepted money from “Big Oil.”

Lujan Grisham addressed the annual conference of the New Mexico Oil and Gas Association this week, thanking the industry for its contributions to the state. An oil boom in southeastern New Mexico has pushed state revenue to record highs.

The governor has also pushed for new regulations to control methane emissions and earlier this year signed a sweeping law requiring public utilities to move to carbon-free energy generation by 2045.

New Mexico is the third-largest oil producer in the United States.

Chevron's contributions are outlined in a report filed by Patrick Killen, a lobbyist based in Santa Fe. The donations, he reported, were made on behalf of Chevron.

Other lobbyists disclosed a healthy amount of spending on behalf of telecommunication companies. Nearly \$23,000 was spent on behalf of Sacred Wind Communications and \$11,500 on behalf of AT&T.

The lobbyist reports cover a five-month period through Oct. 7. It's a time of year when legislative committees generally start their between-session work by hearing reports, accepting public comment and preparing for the session that begins in January.

Altogether, the lobbyists said they spent about \$539,000 on political contributions and about \$52,000 on food and drinks.

All 112 members of the state Legislature will be on the ballot next year. The governor and statewide elected officials go before voters in 2022.

The meal spending included lobbyists' picking up the lunch or dinner tab for committees in some cases and covering one-on-one meals with legislators.

Lobbyist Carol Leach, for example, reported spending about \$316 on lunch at the Cattle Baron in Roswell for a legislative transportation subcommittee. The spending was on behalf of Concho Resources Inc., an oil and gas company that operates in the Permian Basin.

A sliver of the reported spending was for entertainment or other costs.

Lobbyist J.D. Bullington reported entertainment expenses of \$120 – a complimentary concert ticket for Democratic Rep. Georgene Louis to see Rob Thomas, formerly of the rock band Matchbox Twenty, at the Route 66 Casino Theater. The spending was on behalf of Laguna Development Corp., according to Bullington's report.

[Wash. Post sidelines contributing opinion writer and megalobbyist Ed Rogers ahead of 2020](#)

The Washington Post is sidelining contributing opinion writer and megalobbyist Ed Rogers ahead of the 2020 election, the publication's opinion editor said. Rogers has been a lobbyist for clients such as the Saudi government, and his firm employs Kurt Volker, who has become a key figure in the emerging Trump impeachment scandal.

Rogers is the founding partner of [BGR Group](#), one of the top Washington, D.C.-based lobbying firms. Since 1998, the firm has [received](#) over \$200 million in lobbying income across [numerous industries](#), according to data compiled by the Center for Responsive Politics. He [joined](#) the Post as a contributing opinion writer in 2011.

In an email to Media Matters, Washington Post editorial page editor Fred Hiatt said that the publication has “decided to take a break from our politics practitioner-commentators, given that we are just about a year from what is likely to be a fraught and hard-fought election. As you may know, we started this as an experiment a few years ago, with Democratic and Republican consultants giving their political analysis, and I think it has yielded a lot of good commentary. We may go back to it, in some form, after 2020.”

Hiatt added that the break would apply to Rogers and [Carter Eskew](#), a former Al Gore aide who [founded](#) the corporate lobbying and consulting firm Glover Park Group. Contributing columnist [Ron Klain](#) would also be affected, though Hiatt said Klain had already “pulled back” on writing because he is advising Joe Biden’s campaign. “Of course,” Hiatt said, “all will be welcome to submit guest columns.” (While Rogers had still been regularly writing for the Post, Eskew has not published anything for the outlet [since January](#), according to his author page.)

Media Matters has repeatedly [criticized](#) Rogers for writing about topics that overlap with the financial interests of his firm’s clients without disclosing the conflicts to Post readers. Asked whether these conflict of interest concerns played a role in the sidelining, Hiatt replied: “I believe conflict of interest questions can generally be handled with proper disclosure and transparency. That wasn't the motivation here.”

Rogers' work for BGR drew scrutiny last year after Saudi government agents [killed](#) Post columnist Jamal Khashoggi. The publication [told](#) Rogers that “he’d lose his gig as a contributing opinion writer unless he stopped lobbying for Saudi Arabia”; he subsequently dropped the Saudi government as a client. The Post also [told](#) Eskew “that he could not continue writing for its PostPartisan blog while he worked for a firm that lobbied for Saudi Arabia’s government. ... Unlike Rogers, however, Eskew didn’t lobby for Saudi Arabia himself; the work was handled by others at the Glover Park Group. And Eskew told [Politico Influence] that GPG decided to quit lobbying for the Saudis before the Post told him anything.”

Rogers has an additional conflict of interest in the debate over the potential impeachment of President Donald Trump: BGR [employs](#) Kurt Volker as a senior international advisor “on a full range of international issues.” Volker was the State Department’s special envoy for Ukraine until he recently [resigned](#) after being named in the first whistleblower complaint regarding Trump’s efforts to pressure Ukraine into investigating Biden. Volker’s State Department position, which was part-time and volunteer, also raised conflict of interest questions because, as Politico [wrote](#), “at the same time Volker was pushing Trump to arm Ukraine, he also held positions with a major lobbying firm, BGR Group, and a think tank, the McCain Institute, that each had financial ties to Raytheon Co., which manufactures the Javelin system and earned millions from Trump’s decision.”

Rogers has twice written pieces for the Post criticizing Democratic impeachment inquiries without disclosing his connection to Volker, which prompted Media Matters to contact Hiatt.

In a September 23 [column](#), Rogers warned that the Trump impeachment inquiry could actually be worse for Biden’s presidential campaign, writing: “What is bad for Trump may be even worse for Biden. ... Biden is a fragile front-runner and the whole matter involving his son’s foreign business dealings not only raises unflattering questions but provides plenty of reminders about his life in the swamp.”

He also wrote a September 28 [column](#) heavily criticizing Democrats for starting the impeachment process, claiming that with Democrats’ “lack of clarity and precision, they are eroding the perception of fairness.” He also defended Trump’s reported behavior in his call with Ukrainian President Volodymyr Zelensky, writing:

“Democrats and many in the media were quick to suggest that Trump engineered a quid pro quo agreement with Zelensky, but even a critical reading of the rough transcript fails to find any specific instance where Trump can be seen pressuring Ukraine’s president.

...

In Trump’s own way, he appears to have been trying to proceed by the book. He suggested that Zelensky coordinate with Attorney General William P. Barr, which would be entirely appropriate for two countries working together on an investigation.”

Neither of Rogers’ columns criticizing the impeachment inquiry referenced [Volker’s role](#) in communications with Ukraine. His most recent Post column (“Who benefits from a Biden collapse?”) was on [October 2](#).

[Counties, cities spent millions lobbying the Legislature](#)

Local governments and cities spent more than \$3.9 million lobbying the 2019 Legislature, according to a state report that found total lobbying spending by governments hit the highest amount in more than a decade.

The [report](#), which was compiled by the state Department of Taxation, is the product of a law that requires all local governments — everything from cities and counties to police departments, school districts and hospitals — to disclose any expenditures above \$6,000 on “activities designed to influence the passage or defeat of any legislation.”

After hitting a pre-recession high of \$3.99 million during the 2007 Legislature, the \$3.9 million spent on lobbying activities in 2019 marked the second highest spending totals reported since the disclosure law was passed in 2001 — good for nearly \$32,600 of taxpayer money spent every day of the 120-day legislative session.

Local governments, which in some cases have budgets that rival or [even eclipse](#) the state’s budget, say that lobbying expenditures are justified given the vast number of bills — law enforcement, open meeting laws, financial administration and public records — that affect counties and cities. But some critics have raised concerns with allowing governments to use taxpayer dollars for lobbying purposes that may go against the wants of the public.

“What governments are promoting or pushing with lawmakers isn’t always in line with what taxpayers or citizens are going to want, and yet, us taxpayers are still funding it no matter what, even if we disagree with it,” Michael Schaus, a spokesperson for libertarian-leaning Nevada Policy Research Institute (NPRI) said in an interview.

Initial reporting of lobbying expenditures were due a month after the end of the legislative session, but following several Nevada Independent requests to top lobbying-spenders, the Department of Taxation revised its report and issued a new version this week.

Leading the way are local governments based in and around Las Vegas; seven of the top 10 spending local governments or political bodies during the 2019 legislative session were based in Clark County, which accounted for more than 64 percent of the \$3.9 million spent on lobbying by local governments. Washoe County accounted for nearly 26 percent of lobbyist spending, while the state’s 15 other counties accounted for just 9.2 percent of the dollars spent to lobby state lawmakers (eight counties did not report any lobbying expenditures).

Under the law requiring disclosure of lobbying expenses, local governments are required to itemize under categories including transportation, salary and wages, lodging and meals, gifts and other entertainment, and to identify the local government budgetary funds that the expenses were charged against.

State lawmakers passed a near-total ban on gift-giving by lobbyists to state lawmakers in 2015, but the amounts spent on lobbying have continued to creep up over the past few legislative sessions.

In the city of Las Vegas, for example, total lobbying spending was reported at nearly \$562,000, the highest of any local government. Although the city had nine people registered as lobbyists, according to Legislative Counsel Bureau records, its primary lobbying efforts came from its in-house city-employed team (Ryan Black, Shani Coleman and Kelly Crompton) and a contracted lobbyist; The Ferraro Group, which has an \$80,000 contract with the city government.

City spokesman Jace Radke said in an email that numerous other city employees, including city manager Scott Adams, had registered as lobbyists to work on specific issues that affected city governance. He said that the lobbying team “tracked/engaged” on 394 of the 1,157 bills introduced during the legislative session and worked on the three bills introduced by the city ([AB5](#), [AB73](#) and [SB11](#)).

“The lobbying team worked on a variety of proposed legislation that included homelessness, affordable housing, purchasing requirements, workers compensation, cannabis compliance, criminal/civil justice reform, economic development, elections, energy, taxes, public records, public works, transportation and a variety of appropriations within the city limits,” he said in an email.

Several other top-spending local governments also used a combination of contract lobbyists and in-house employees. Henderson employed The Perkins Company — founded by former Assembly Speaker and former Henderson Police Chief Richard Perkins — under a \$40,000 contract, plus roughly \$215,000 in salaries, lodging meals, airfare and other expenses for in-house lobbyists and staff.

Henderson lobbyist David Cherry wrote in an email that the city was involved in a wide number of bills, including measures affecting the school funding formula ([SB543](#)), a Southern Nevada working group on homeless issues ([AB73](#)), changes to Open Meeting Law ([AB70](#)), removing sunsets on the “More Cops” sales tax ([AB443](#)) and an advisory ballot question to switch to ward-only voting in Henderson ([AB282](#)).

He also wrote that the city opposed an “overreaching” public records bill, [SB287](#), that was supported by civil liberties groups and press organizations, but staunchly opposed by municipalities and local governments. The bill passed after a [last-minute amendment](#) to quell

the fears of local governments was introduced and adopted on the second-to-last day of the legislative session.

But the behavior of local governments against the bill elicited concerns from groups such as NPRI; Schaus, the organization's spokesperson, said that the hiring of lobbyists to oppose a bill nominally supported by the public was one of the ways that local governments influence the legislative process

"It's not like they were out there legitimately representing the interest of the people they ostensibly should be serving, they were there very much pushing their own interests, their own agenda, even when it ran contrary to what most citizens seem to want," he said.

But high spending totals don't necessarily translate into a major — or even unified — lobbying presence. Clark County, which spent more than \$514,000 on lobbying expenses, had three in-house lobbyists and no contract lobbyists during the session, but the total also includes lobbyists working for the county public defender's office, district attorney's office and District Court, each of whose lobbyists often appeared at odds during the legislative session on various criminal justice bills.

County spokesman Erik Pappa said in an email that the county's lobbying team tracked more than 630 bills throughout the session, and that although the county's position on most bills was neutral, it still required vast resources to track the many changes made to bills during the legislative session that affect the many regional services — Medicare and Medicaid funding, health care services — that the county offers.

"Even though a position was considered neutral, it was carefully monitored as the title/subject is of interest to Clark County and an amendment at any step of the process could result in shifting County's position to opposition or support," he wrote in the email.

Similarly, Washoe County — the local government with the fourth-highest amount of lobbying expenditures at more than \$381,000 — reported spending more than \$230,000 on employee salaries to lobby the state Legislature, plus \$126,000 in contracts with outside lobbyists (Lewis Roca Rothgerber, Christie's [Alfredo Alonso](#), Lisa Gianoli and Crowley & Ferrato).

But those totals include lobbyists for multiple branches of the county — more than 20 county employees reported lobbying at some during the session, throughout nine different county departments from the district attorney's office, sheriff's office, public defender's office and even animal control.

“During this session, Washoe County monitored and/or worked on almost 70 (percent) of the bills introduced during the session with a total of 301 bills that passed and were signed by Governor Sisolak which had (an) impact on the county,” county spokeswoman Amy Ventetuolo said in an email.

Even some smaller local governments had a lobbying presence in Carson City. White Pine County, with a population of around 10,000 people, spent nearly \$14,000 to hire a lobbying company (The Perkins Company) during the legislative session.

White Pine County Commission Chairman Richard Howe said the decision to hire lobbyists stemmed from one issue; the inability of the county to get the state to pony up funding for an updated county courthouse. The county’s courthouse was built in 1908, and since at least 2003 the county has sought funding for a new courthouse with improved security features to better facilitate the hearings and trials that arise from incidents at Ely State Prison, which houses nearly 1,000 prisoners.

According to [documentation](#) provided to lawmakers, the current courthouse’s lacking safety features — prisoners use the same elevator and bathroom as members of the general public and court employees, and the holding cell is in a staff break room — presented a danger to both court employees and the public, as a public library, middle school and senior center are across the street from the courthouse.

An appropriations bill ([SB149](#)) sponsored by rural Republican lawmakers giving the county \$10 million for a new courthouse got a hearing but failed to ever advance out of a budget committee. But in the waning hours on the last day of the session, members of the Assembly budget committee unveiled an amendment allocating \$53.7 million in last-minute spending — including [\\$5 million for a courthouse in White Pine County](#).

Howe credited the county’s lobbyists, the Perkins Group, for getting the funding in at the last minute (Mari St. Martin, former Gov. Brian Sandoval’s press secretary and [lobbyist for The Perkins Company](#), is an Ely native) He said that the county was able to move some funding around and begin construction on the new courthouse last week — something that wouldn’t have been possible without the state funding and without having a lobbyist present during the legislative session.

“White Pine invested a small amount of money...and got a \$5 million return. We got nothing over the other years. We got a lot of lip service, but no actual hard dollars,” Howe said. “We used our heads, and we accepted the fact that there’s some things we can’t do, that other people are smarter and better at it than us. Using a lobbyist, you spend a dime to make a dollar.”

Federal Court Strikes Down as Facially Unconstitutional Portions of NYS ‘Ethics Reform’ Legislation Requiring Certain 501(c)(3) and 501(c)(4) Disclosures

Touted as a “first-in-the-nation” piece of legislation aimed at “curb[ing] the power of independent campaign expenditures . . . [following] the 2010 United States Supreme Court ruling in *Citizens United v. FEC*,” and limiting so-called “dark money” in advocacy and politics, the Ethics Reform Legislation was signed by Gov. Cuomo in August 2016 and made substantial changes to disclosure obligations imposed on entities that lobby, clients of lobbyists, and those affiliated with lobbying entities. As relevant here, the 2016 Ethics Reform Legislation also created new “source of funding” (SoF) disclosure requirements for tax-exempt organizations pursuant to sections 501(c)(3) and 501(c)(4) of the Internal Revenue Code, that make expenditures in furtherance of lobbying activity, as defined by the New York Legislative Law.

Shortly after Gov. Cuomo signed the legislative package into law, a federal lawsuit was filed by several advocacy groups claiming portions of the newly enacted legislation burden the First Amendment. Thereafter, the state agreed to delay enforcement of the law pending a decision by the federal court on the constitutionality of the challenged provisions. On Sept. 30, 2019, Hon. Denise Cote, United States District Judge of the Southern District of New York, ruled that portions of New York’s 2016 Ethics Reform Legislation — Executive Law Sections 172-e and 172-f — are facially unconstitutional because the breadth of the newly enacted laws burden First Amendment rights to free speech and free association.

Section 172-e of the Executive Law, as written, required a 501(c)(3) that donates greater than \$2,500 to a 501(c)(4) engaged in New York lobbying, to disclose a list of its own donors that have contributed over \$2,500 to the 501(c)(3). The 501(c)(3)’s disclosure of its own donors was mandated irrespective of whether the 501(c)(3)’s in-kind donation to the 501(c)(4) is intended to support the 501(c)(4)’s lobbying efforts, and regardless of whether the 501(c)(3) had any discretion over the allocation of the donation once given to the 501(c)(4). Pursuant to 172-e, all required disclosures would be made to the New York Attorney General.

Section 172-f of the Executive Law required a 501(c)(4) spending more than \$10,000 in a calendar year on communications made to at least 500 members of the public concerning political or legislative issues to disclose a list of its donors who contribute more than \$1,000 to the 501(c)(4). All mandatory disclosure by 501(c)(4) entities would be made to the New York State Joint Commission on Public Ethics (JCOPE).

In examining the two disclosure laws in *Citizens Union of the City of New York v. Attorney General of the State of New York*, the court made a clear distinction between: (1) donors who contribute to an elected official or a candidate’s campaign; and (2) donors who contribute to a general cause or issue. The court acknowledged at the outset, “[t]here is no question that public disclosure of donor identities burdens the First Amendment rights to free speech and free

association.” “The Supreme Court[, however,] has recognized [that] . . . certain governmental interests justify donor disclosure in the context of election campaigns despite their burden on First Amendment rights.”

In arguing in support of the disclosure law, the state asserted that there is an important government interest in publicly disclosing the identities of donors of a tax-exempt entity because such disclosure would: provide the government with information; deter corruption; and assist the government in detecting violations of campaign finance laws. The court, however, found that because the disclosure laws applied to potential donors who supported certain beliefs and associated around issues rather than a political candidate, the law, as written, had the effect of chilling speech around the advocacy of issues, and burdened donors’ rights to free association and privacy. The court emphasized that in the limited circumstances in which disclosure laws have been upheld as constitutional, such laws were drawn more narrowly than Section 172-e and concerned disclosure of either: (1) contributions to candidates; (2) donations to campaigns supporting identifiable candidates; or (3) direct lobbying to elected officials and their staff.

The court ruled that Section 172-f suffered from a similar flaw. Because Section 172-f, as written, required disclosure of its donors any time a 501(c)(4) engaged in pure advocacy around an issue, rather than a specific candidate, Section 172-f was found to burden donors’ First Amendment right to association and the right to express opinions anonymously. The court emphasized the long history of the First Amendment right to publicly discuss and advocate on issues of public interest, as well as the right to do so anonymously, including the well-recognized right to vote by secret ballot during elections, allowing one to vote his or her conscience or advocate for issues without fear of retaliation. “The First Amendment rights to publicly discuss and advocate on issues of public interest, and to do so anonymously, have long been recognized.” Again, because Section 172-f was not limited to disclosure when an entity engages in direct lobbying of elected officials but was all consuming, capturing instances where a 501(c)(4) may advocate on general issues, the Southern District found the state’s reasoning of the need for donor information in order to monitor and detect campaign finance law violations and deter corruption insufficient to save the statutory provision.

Conclusion

The state is evaluating whether to appeal this decision to the United States Second Circuit Court of Appeals. In the meantime, the extra disclosure obligations the state sought to impose on certain nonprofit organizations will remain unenforceable. It is worth noting that the court’s decision will have little practical effect on existing filers because, at the outset of litigation, the state agreed to stay implementation of the new disclosure requirements until after the matter was resolved. Regardless, to the extent the Second Circuit hears any appeal in regard to this matter, the 2020 Legislative Session will be well underway, providing the state with an opportunity to seek a legislative cure to the facially invalid law. It should also be noted that, to

the extent that the State's current Source of Funding requirements require donors to lobbying entities to disclose contributions made to the entity that are restricted from use for lobbying purposes, the court's opinion may open up new avenues for challenge.

Loophole allows people with city business to shower thousands on candidates despite contribution limits

A glaring loophole in New York's campaign finance rules allows people doing business with the city to steer thousands to candidates for office despite limits on how much they can personally donate.

The glitch means lobbyists, developers and others who stand to profit from government action can curry favor with current and future decision-makers — and skirt donation limits — by bundling donations from their wealthy pals and sending them to candidates for city office.

Twelve people who have city business, prohibiting them from giving more than a few hundred bucks themselves, have already bundled \$112,405 in donations for 2021 candidates, an analysis by The Daily News found.

Anyone considered to be doing business with the city — like lobbyists and those with municipal contracts — can't give more than \$400 to any one candidate for mayor, public advocate and comptroller. They're barred from giving over \$320 to candidates for borough president and \$250 for pols running for City Council.

Yet that doesn't stop them from bundling hundreds of fat checks.

"Some donors circumvent NYC's doing business contribution limits by bundling contributions from others, which can result in more influence than giving contributions directly," said Alex Camarda, a senior policy adviser at good-government group Reinvent Albany.

So far, Bronx Borough President Ruben Diaz Jr. leads 2021 candidates in bundled cash from the conflicted donors, collecting \$49,700 from two people with city business as of July 11, the end of the most recent filing period.

He's followed by Councilman Rafael Salamanca, Jr., with \$14,525 from bundlers with city business, Brooklyn Borough President Eric Adams with \$12,040, and Comptroller Scott Stringer with \$10,800.

The amount of bundled cash from those with municipal business is likely to skyrocket in the next two years before the 2021 election, when term limits open 41 of the city's 59 elected positions that more than 500 candidates are expected to run for.

During the last wide-open election in 2013, a whopping \$1.7 million was bundled and given to candidates for mayor, public advocate, comptroller, borough president and city council from 93 people doing business with the city at the time, according to a Daily News analysis of campaign filings.

Another \$875,098 was bundled by 70 people with city business during the 2017 election, The News found.

Mayor de Blasio collected \$346,290 from donors with city business in the 2013 race and \$280,145 in 2017.

De Blasio faced numerous investigations into his political fundraising practices, including whether he was favorable to donors and others with business before the city. Though federal and state prosecutors eventually said they wouldn't charge de Blasio or his aides, one still said the mayor intervened on behalf of donors seeking favors from City Hall.

Contributions from people doing business with the city were restricted in 2007 and a database was created to ensure candidates and donors complied with the law. Commercial lobbyists pushing city policies and seeking municipal contracts for their clients are included. So are top executives and owners of companies who already have contracts and those lobbying the city.

But the law allows them to act as "intermediaries" for other donors without the same contribution limits.

Critics say the arrangement leaves the door wide open for powerful and well-connected New Yorkers to influence elections and sway politicians in their favor.

"If people want to circumvent the intent of the regulation, they'll do it," said Betsy Gotbaum, executive director of good-government group Citizens Union.

The most generous bundler with city business so far in 2021 is Michael Muzyk of Baldor Specialty Foods, who arranged for \$45,700 for Diaz Jr., the Bronx borough president. The food distributor leases space from the city at the Hunts Point industrial park in the Bronx and expanded its operations there in 2015.

Lobbyist Perry Vallone bundled a combined \$23,775 for Councilmen Costa Constantinides, Paul Vallone and Salamanca. Vallone's clients this year include 31 companies targeting city officials over budget, real estate and land use matters, records show.

John Mascialino, a principal of law firm Greenberg Traurig, bundled \$7,460 for Councilman Jimmy Van Bramer. The company's clients include SL Green Realty Corp., the city's largest private landlord, Morgan Stanley, Ernst & Young, Deloitte and AT&T, among dozens of other companies lobbying the city. Greenberg Traurig also lobbies on behalf of the Metropolitan Transportation Authority.

"There is no question that someone doing business with the city is only going to bundle because they think it will help their bottom line," Councilman Ben Kallos (D-Manhattan) said.

Critics of the loopholes hope an increase in the public match, from 6-to-1 to 8-to-1 for certain donations, will help curb big-money influence in the 2021 elections.

"Hopefully that disincentives this behavior," Kallos said.

Campaign Finance Board executive director Amy Loprest said New York has the "strongest campaign finance disclosure laws in the country" and that the board recommended barring matching funds for contributions bundled by people with city business.

"The Board is required by law to review the program and recommend changes following every citywide election cycle," Loprest said. "In light of the changes made to the matching funds program, the impact on bundling contributions is one of many issues that the Board will review closely following the 2021 election."

[Lobbyists Contribute \\$600K to Promote Agendas With NM Lawmakers](#)

Lobbyists contributed nearly \$600,000 to state lawmakers from both political parties in the five months beginning in May and ending in October, according to the New Mexico Secretary of State Office's [Campaign Finance Information System \(CFIS\)](#).

All 112 members of the state Legislature will be on the 2020 ballot. Statewide elected officials, including Gov. Michelle Lujan Grisham, will be up for reelection in 2022.

Most of the legislative contributions came in the form of campaign donations of \$2,600 each — with a large percentage coming from oil and gas lobbyists. This included more than \$175,000 from energy industry behemoth Chevron USA, Inc., according to the financial reports.

Chevron spokesman Sean Comey told InsideSources that the company backs candidates who support its agenda of oil and natural gas development.

“We make political contributions to both major parties to support the election of candidates who believe, like we do, in the value of responsible oil and natural gas development,” Comey said. “Our contributions are made in accordance with the law.”

Chevron donated to Lujan Grisham’s campaign and to dozens of Democratic and Republican lawmakers.

New Mexico is [in the midst of an oil surge](#), largely due to drilling in the Permian Basin straddling southeastern New Mexico and west Texas. The state could be flush with oil money when the state’s legislative session begins in January unless prices unexpectedly plummet.

The state general fund revenue for the next fiscal year — which begins on July 1, 2020 — is expected to top current annual spending by \$907 million, a surplus of nearly 13 percent. The state is also expected to have nearly \$2.3 billion in reserves at the end of the current budget year.

Lujan Grisham’s administration and her fellow Democrats in the legislature are debating with GOP leaders over how the budget surplus should be handled.

At the annual conference of the New Mexico Oil and Gas Association last week, the governor praised the industry for its support of state government. Complicating the issue is that earlier this year, Lujan Grisham adopted an aggressive climate change agenda, the goal of which is to require public utilities to move to carbon-free energy generation by 2045.

Telecommunications lobbyists also spent significantly on contributions to both parties, according to the filings. Approximately \$23,000 was spent on behalf of Sacred Wind Communications and \$11,500 for AT&T.

The lobbyist reports cover a five-month period through Oct. 7. Legislative committees usually begin their work preparing for the next legislative session — which begins in late January — in this time period, when they study reports and view public comments on proposed legislation, according to the [Albuquerque Journal](#).

In total, lobbyists reported spending about \$539,000 on political contributions and about \$52,000 on food and drinks, according to the filings.

Spending on meals included lobbyists picking up the tabs for legislative committees and also individual meals with legislators.

The Journal used lobbyist Carol Leach as an example, showing she reported spending about \$316 on lunch at the Cattle Baron in Roswell for a legislative transportation subcommittee. The spending was on behalf of Concho Resources Inc., an oil and gas company that operates in the Permian Basin.

The filings also show that only a small amount of the reported spending was for entertainment or other costs.

Lobbying expenditures was a hot-button issue in the 2019 legislative session. [A bill to ban lobbyists from making any expenditures on legislators](#) while they are in session passed the New Mexico House 62-0 but was [killed in committee by the state Senate](#).

George Smith: Lobbyists are not all-powerful

In September a newspaper story reported that lobbyists [spent \\$4.2 million](#) in this year's first legislative session. That may have convinced you that lobbyists dominate the Legislature and always get what their way.

But the story, written by the Associated Press reporter Marina Villeneuve, noted that the top spenders didn't always get what they wanted.

Well, for many years I was a registered lobbyist, and I can tell you it takes a lot more than money to win at the Legislature. You must earn a good and positive relationship with each legislator. And the most powerful lobbyists are citizens who come to testify and lobby without being paid.

A lot has changed at the Legislature because of term limits, which were a bad mistake. Why did Maine people think that a lack of experience is a good thing?

After I left the Sportsman's Alliance of Maine and was no longer a registered lobbyist, I still spent a lot of time at the Legislature writing about their work and even proposing my own bills. And sometimes the fish and wildlife committee would ask me, at a work session, to explain the history of a bill and issue. Because of term limits, no one on the committee knew that history.

Term limits have actually made things tougher for lobbyists because every session you have to spend a lot of time getting to know and earning the trust of lots of new inexperienced legislators.

At SAM, we focused on endorsing candidates who supported us. I would prepare a questionnaire that included many of the proposals we planned to make in the next legislative session and ask candidates if they supported those proposals. Because they really valued SAM's endorsement, I got enough supporting commitments to give us a good start on our bills before the session even began. And we did not give candidates campaign donations.

Occasionally, when a legislator who on their SAM survey said they would support our bill instead planned on voting no, I would call them out of the chamber and show them the survey in which they promised to vote yes. That was very helpful!

Villeneuve's report that cable networks who spent a lot of money on lobbying were unable to defeat a bill that ensures public access channels are treated like other channels. Central Maine Power spent \$100,000 on lobbying for their new controversial transmission project, and while they were able to stop legislative bills against their project, we still have a long way to go, including the possibility that Maine people will make the final decision in a ballot initiative.

Yes, you know CMP will spend millions trying to defeat that initiative. But that doesn't mean they will win.

The massive amount of money spent on political campaigns today really bothers me. In 1974, when I managed Dave Emery's successful campaign for Congress, we spent a total of \$36,000. Last year, in the race for Maine's 2nd Congressional District seat, [\\$31 million](#) was spent, mostly by out-of-state interests who didn't have to disclose their donors. And almost all of the ads were nasty and negative.

Today, a lot of a legislator's attention goes to the newest and hottest issues, not necessarily the most important issues. For example, even though our roads are a mess, all they could do was to put a new bond issue on the ballot, which will fund only half of the most urgent road improvements.

I don't see this improving anytime soon, because Rep. Andrew McLean, chairman of the Legislature's Transportation Committee, who has presented bills to raise highway funding to more sustainable levels, is term-limited out after next year's session.

And Sen. Rebecca Millett [announced](#) she will be introducing a bill to ban the sale of vaping products until the Food and Drug Administration decides they are safe to use. Yet vaping, so far, may have caused lung problems for only about 1,200 people and killed less than two dozen.

One in every five deaths in the United States each year is caused by cigarettes; 480,000 people die every year from the use of cigarettes. If we're going to ban vaping products, shouldn't we be banning cigarettes as well? I'm not saying we should not ban vaping products. I'm just saying that the legislators' focus on this ignores the much bigger problem of cigarettes.

While I wish we would repeal term limits, I'm afraid most people have no idea how harmful they have been.

And far too many people think lobbyists are bad people who dominate the Legislature.

[Foxes in the Henhouse: Industry Veterans Fill the EPA](#)

When the Environmental Protection Agency announced in August that a former fossil fuel executive would oversee environmental issues in Texas and neighboring states, the news largely flew under the national media's radar. Watchdog groups, however, were alarmed, and they quickly expressed concern about the decision to appoint long-time oil industry insider Ken McQueen to lead the EPA's Region 6, which is the epicenter of fossil fuel extraction in the United States.

"I think it raises legitimate questions," said Virginia Canter, chief ethics counsel for the nonprofit, nonpartisan government-monitoring group [Citizens for Responsible Ethics in Washington, or CREW](#).

Canter, whose organization focuses on accountability and ethics, noted that while the government has systems in place to guard against conflicts of interest, the optics of appointing McQueen send a disconcerting message. "It looks like industry will benefit," she said, explaining that appointees from industry backgrounds might "be more likely than not to represent industry interests rather than the American people."

McQueen's selection fits into a broader trend for federal agencies under the Trump administration, particularly the EPA. High-profile appointees often come from industry backgrounds, only to take government positions overseeing the same sectors in which they once worked. Some later return to the private sphere, often to work as lobbyists on the issues they previously regulated.

This "revolving door" goes all the way to the top. Disgraced former EPA administrator Scott Pruitt, for example, is now working [as a fossil fuel lobbyist](#) after rolling back environmental

protections while leading the agency. His replacement, Andrew Wheeler, is himself a former coal lobbyist.

While Pruitt and Wheeler are high-profile figures given their titles, some less prominent appointees, such as McQueen, are also starting to attract scrutiny.

From 2016 to 2018, McQueen, who has deep roots in the oil and gas industry, served as New Mexico's energy secretary. He previously worked in the fossil fuel sector for more than 35 years, most recently as vice president for the Oklahoma-based WPX Energy. The company has investments in the oil-and-gas-rich Permian Basin, an area straddling Texas and New Mexico. In his new position, McQueen oversees both those states, along with Louisiana, Oklahoma, Arkansas, and the lands of 66 Native American nations.

Luke Metzger, executive director of [Environment Texas](#), said he is "very concerned" about McQueen's appointment. "He's had a long career in oil and gas, and then while in New Mexico proceeded to roll back environmental standards," Metzger explained.

Metzger also noticed that [EPA's announcement of McQueen's appointment](#) touted his experience rolling back rules and regulations. "It didn't say anything about any results in improving environmental quality," Metzger said.

Metzger is worried that the emphasis is an indicator of where the agency's priorities lie in the era of President Donald Trump. Having a figure so close to the fossil fuel industry overseeing Region 6 could give oil and gas companies an advantage over wind and solar competitors, he fears, and in the process set back efforts to accelerate the transition to a clean energy economy.

McQueen has shied away from addressing climate change, [which he called "just part of the history of the world we live in"](#) during the confirmation hearings for his prior New Mexico position. While he revised that view [in an August 2019 interview](#) with the legal publication Law360, critics remain worried that McQueen will not prioritize combating global warming.

In addition to McQueen, another controversial figure is former Dow Chemical lobbyist Dennis Deziel, who now oversees EPA Region 1, which encompasses the New England states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, along with the territories of 10 Native American nations. The region is home to a number of Superfund sites—areas so deeply contaminated by toxins that they have been singled out for cleanup by the government. Many are polluted as a direct result of industrial activity.

One company that is often in the subject of Superfund cleanups is Dow, Deziel's former employer. Dow has a long history of environmental scandals, including concealing documents from the government [after dioxin contamination in Michigan](#) sparked a 2003 lawsuit.

Deziel has argued that his experience dealing with the industry side of chemical contamination makes him qualified for his current role. But some watchdog groups say Deziel's prior work has some alarming overlap with his current portfolio. According to the nonpartisan [Center for Responsive Politics](#), Deziel [has done significant lobbying for Dow on environmental and Superfund issues](#). Dan Auble, a senior researcher with CRP, explained that lobbying records on specific issues can be hard to pinpoint, but that filings clearly lay out components of Deziel's former position.

"Since we don't get a breakdown of how much [time, money, and effort] he spent on each issue, it is difficult to say what he spent the majority on," Auble said. "But 'Environment & Superfund' showed up . . . on more filings than the others since 2014."

Deziel isn't the only former Dow employee with control over Superfund sites. Former Dow attorney Peter Wright is now leading the EPA's waste and Superfund cleanup office, even after [Senate Democrats sought to block his nomination in July](#).

Wright [once described](#) himself as Dow's "dioxin lawyer" and worked on behalf of the company as it dealt with the EPA over Superfund issues. Wright has recused himself from some 300 Superfund and hazardous waste sites that involve his former employer, but ethics experts like CREW's Canter still have concerns.

"Any time you've got former industry members . . . in important positions, heading important regions, it raises the question of whether or not they're [acting in] the public's best interests in terms of protecting the environment, or just continuing to represent their industry," she said.

Such conflicts of interest have already led to the downfall of one EPA insider. Bill Wehrum, the former head of the EPA's office of air and radiation, lobbied on behalf of major chemical companies before joining the government. He resigned from the EPA in June, just as the House Energy and Commerce Committee [opened an investigation](#) into whether Wehrum had used his position at the agency to help former clients.

Wehrum's successor, Anne Idsal, has spent her career in government working on land and environmental issues. But Idsal, who comes from a wealthy Texas Republican family, has maintained close ties with the oil and gas industry despite her work, leading to ethics concerns. Idsal preceded McQueen as head of Region 6 under the Trump administration, and her stance on climate change echoes industry talking points. In [a 2017 interview with the Texas Observer](#),

Idsal argued that there is “still a lot of ongoing science” about global warming, and that “climate has been changing since the dawn of time, well before humans ever inhabited the earth.”

Given her role overseeing air and radiation policy, Idsal’s views and her ties to fossil fuel executives could have significant implications for federal climate action. Along with McQueen, Deziel, Wright, and other officials, Idsal is helping to shape government environmental policy, likely with input from industry stakeholders.

Environmental and public interest watchdogs worry that the close relationships between federal officials and corporations are fraught with conflicts of interest and have spurred the sweeping rollbacks on environmental and public health standards. “They’re implementing policy on a day-to-day basis . . . [their industry ties] are going to have a direct impact,” said Canter, who underscored that such political appointees are only heightening fears about the influence of private-sector corporations on the Trump administration.

In January 2017, immediately after his inauguration as president, Trump ordered federal agencies to reduce their costs by scaling back regulations. The White House mandated that for every new rule issued, two other rules would have to be scrapped. According to [an August 2019](#) report from the EPA’s Office of Inspector General, the agency “exceeded” that executive order by a wide margin in 2017 and 2018. After issuing only four new regulations during that time, the EPA cut 26. “[T]he EPA had the highest number of deregulatory actions of any federal agency,” the report observed.

Given such aggressive rollbacks, Canter offered a grim warning about the corporate infiltration of the Trump administration’s EPA: “It looks to me like an industry takeover.”

[DeSantis, Mast Return Cash from Arrested Donors Embroiled in Giuliani-Ukraine Affair](#)

U.S. Rep. Brian Mast joined Gov. Ron DeSantis in announcing he had received, but will return, campaign contributions from two Soviet-born South Florida businessmen arrested last week on federal campaign finance charges.

According to their indictments, Lev Parnas, a Ukrainian-born resident of Boca Raton, and Igor Fruman, a naturalized citizen from Belarus and Sunny Isles Beach resident, used wire transfers from shell corporations to illegally funnel \$325,000 in foreign “straw donations” to the pro-Trump super PAC America First Action committee in 2018.

The two may also face charges linked to Congressional allegations of abuse of executive power for allegedly assisting President Donald Trump’s attorney Rudy Giuliani to investigate the

Bidens in Ukraine and successfully lobbying to remove then-U.S. Ambassador to Ukraine Marie Yovanovitch from office.

Parnas and Fruman refused to testify about their actions with Giuliani in the Ukraine last week before U.S. House committees. Parnas was requested to appear before the House Intelligence, Foreign Affairs and Oversight committees Thursday. Fruman was to do so Friday.

They were arrested at Dulles Airport in Washington DC Wednesday night by the FBI as they prepared to fly to Germany with one-way tickets.

According to Florida Division of Elections' data, Parnas and Fruman via a corporation they created, Global Energy Producers LLC, also donated \$50,000 to a DeSantis-affiliated PAC in June 2018, \$2,433 to Mast's re-election campaign and to Adam Putnam, DeSantis' gubernatorial GOP primary rival.

According to the Miami Herald, Parnas also hosted two fundraisers for DeSantis in 2018, including a small gathering attended by the governor himself and one highlighted by Donald Trump, Jr.

The four-count indictment, filed in the Southern District of New York and unsealed Thursday, claims Parnas and Fruman siphoned money – from a single Russian donor, according to the Wall Street Journal – through Global Energy Producers to Trump's America First Action PAC to advance “their personal financial interests and the political interests of at least one Ukrainian government official for whom they were working.”

The pair face charges of conspiracy, making false statements to the Federal Election Commission and falsification of records.

The indictment and supporting documents allege the two created an elaborate scheme to help an unnamed Ukrainian government official and a person they describe as having "Russian roots" gain access to U.S. politicians and government officials.

"This investigation is about corrupt behavior," William Sweeney, a top official in the FBI's New York office said at a Thursday press conference. "Deliberate law breaking."

Following the formal filing of federal charges Thursday against Parnas and Fruman, the Florida Democratic Party called on DeSantis to return the money.

“From lobbyists paying tens of thousands of dollars to dine or play golf with DeSantis, to taking money from Lev Parnas and Igor Fruman, it is alarming how he conducts himself,” State Democratic Party Chair Terrie Rizzo said. “DeSantis should take the \$50,000 in donations he received from Parnas and Fruman and donate it to charity immediately.”

DeSantis directed his political action committee Thursday to do just that with spokesperson Helen Aguirre Ferré telling the Miami Herald the Governor “does not have a relationship with these individuals nor has he had a one-on-one meeting with them. They may have attended some political events in 2018. Of course, the governor does not condone any illegal activities.”

“Gov. DeSantis is directing the political action committee to return the money to the federal government,” Ferré later announced in a written statement.

Meanwhile, the Democratic Congressional Campaign Committee (DCCC) in Washington, D.C., called for Mast to follow DeSantis’ example in an email blast highlighting the donations late Thursday.

On Friday, Mast’s office said he will return the \$2,433 his PAC received from “Igor Fruman” — via Protect The House PAC, a GOP funding platform for House incumbents — between March and June of 2018.

“The money came from Protect The House, not directly from Fruman,” A Mast For Congress spokesperson told the Associated Press. “Brian has never met or talked to Fruman and didn’t solicit the money.”

[GOP lawmaker calls for state ethics task force](#)

A Republican state lawmaker said Wednesday she plans to introduce legislation to establish a State Ethics Task Force to tighten ethics rules within Illinois government.

“To have the public’s trust, we must take action whenever confidence is broken,” Rep. Tony McCombie, R-Savanna, said in a news release. “We’ve seen the headlines of the FBI’s recent activity, including raiding the homes of legislators, lobbyists, and offices within the State Capitol. The cost of corruption is too high for Illinoisans to ignore.”

McCombie — who is chair of the House Republican Organization, the political arm of the caucus which works and raises money to elect House Republicans — said several events in the past year “raise concerns” that the state’s ethics rules are not strict enough. The first of which, she said, is

the August indictment of state Sen. Tom Cullerton, D-Villa Park, on multiple counts of embezzlement from a labor union.

She also mentioned an ongoing and wide-ranging investigation centering on state Sen. Martin Sandoval, D-Chicago, whose Statehouse and district offices, as well as his home, were searched by federal agents in September.

Other recent events McCombie mentioned were a federal investigation into the campaign finance activities of former lawmaker and current state auditor general Frank Mautino and a secretary of state investigation of state Sen. Patricia Van Pelt, D-Chicago, for possible “economic conflicts of interest” for offering paid seminars to teach people about how to get involved in the emerging cannabis industry.

"The State Ethics Task Force will identify areas of concern, study best practices for ethics and transparency in public business implemented by other states and the federal government toward proposing legislation early next year to ensure Illinois has among the toughest ethics laws in the nation," McCombie said.

She indicated that she hopes to have the legislation considered in the upcoming veto session, which begins Oct. 28.

Steve Brown, spokesman for Illinois House Speaker Michael Madigan, D-Chicago, said he could not comment without having seen the legislation.

He did, however, point to incidents during former Republican Gov. Bruce Rauner’s administration that also could be viewed as ethical lapses. The most notable of those, Brown said, is his continuing investment activity that included ownership interest in Sterigenics, the company that owns a medical equipment sterilization plant in Willowbrook that has been linked to higher cancer rates in that area.

[Get Ready for ‘Lobbypalooza’ When Legislature Debates Race Track Package](#)

The push to win legislative approval for the deal to improve two horse racing tracks in Maryland will be a veritable “lobbypalooza” next year.

Most of Annapolis’ top lobbyists represent interests that want to see the deal done, and they’ll be working their magic and calling in their chits for the multimillion-dollar proposal to improve Pimlico Race Course and Laurel Park and guarantee that the Preakness Stakes remains in Baltimore.

Yet it is slowly becoming clear to supporters of the race track plan that they'll have to spend a good bit of time striving to convince lawmakers from Prince George's and Montgomery counties – who are wondering what the proposal means for their jurisdictions, and whether they can wring extra funding out of the state for their constituents – to go along with the deal.

“We're trying to determine what's in the deal for Prince George's County, if anything,” said Del. Michael A. Jackson (D), chairman of the county's House delegation and a member of the Appropriations Committee. “We have to know if there's a play for us.”

To review: Negotiators for the Stronach Group, which owns the racetracks, the city of Baltimore, and the Maryland Thoroughbred Horsemen's Association struck a deal two weeks ago to improve both racetracks and revitalize the struggling Park Heights neighborhood, where Pimlico is located.

The deal would give Pimlico to the city, which would use the site for a variety of purposes that could help revive the neighborhood. Stronach would still run the Preakness there, but would transfer the rest of its racing season to Laurel Park, which would also be in line for needed improvements. At the same time, the Stronach Group would give up a racing training facility in Bowie, which could be given to the city of Bowie or to Bowie State University.

Under the terms of the agreement, the Maryland Stadium Authority would issue \$348 million in bonds to pay for much of the project. Some casino revenues, which are already going into funds for racetrack maintenance and Baltimore City's coffers, would also be used.

The deal is being held in most political corners as a “win-win-win,” as House Appropriations Chairwoman Maggie L. McIntosh (D-Baltimore City) put it recently. It is nearly impossible to find a Maryland political leader or policymaker who doesn't want to keep the Preakness in Baltimore or see the state's storied racing industry succeed.

But there will inevitably be skeptics of the deal. And some lawmakers will need convincing in the upcoming General Assembly session that such a major investment is worth it – especially when the legislature is being asked to approve record funding commitments to improve the state's public schools.

In fact, some lawmakers and political strategists have suggested that the proposal to benefit the tracks and the proposal to fund the recommendations of the so-called Kirwan Commission are linked.

What's plainly apparent is that lobbying firms with major firepower will be called upon to get the racetrack deal across the finish line.

The list starts with Rifkin Weiner Livingston LLC, whose senior partner, Alan M. Rifkin, helped negotiate the deal for the Maryland Jockey Club, which operates the tracks for the Stronach Group. Rifkin's firm has long represented the jockey club in Annapolis – though Rifkin himself has not been a registered lobbyist for 14 years.

Another gold-plated Annapolis firm, Manis Canning & Associates, also represents the Jockey Club. Also involved in lobbying for the plan will be Harris Jones & Malone LLC, which represents the Greater Baltimore Committee; D. Robert Enten, representing the Maryland Thoroughbred Horsemen's Association; Frank D. Boston III, representing the Maryland Horse Council and the Maryland State Fair; and Perry, White, Ross & Jacobson, representing the Maryland Horse Breeders Association. No doubt other hired guns will become involved.

The city of Baltimore, which recently retooled its intergovernmental relations shop under new Mayor Bernard C. "Jack" Young (D), will be an integral part of the lobbying push, and so will the government of Anne Arundel County Executive Steuart Pittman (D), because Laurel Park is in Anne Arundel.

Although he is not a registered lobbyist, William H. Cole IV, who until recently was the director of Baltimore Development Corporation and was the city's chief negotiator on the racetrack deal, will likely continue to help push the proposal.

"I told [Young] I'd be happy to see it through Annapolis," Cole said in an interview. "I'll continue to help the city in any way."

Cole, who has worked to bolster Pimlico for years, is a former state legislator and Baltimore city councilman with a wealth of contacts in the State House.

It is not clear if there will be a concerted effort to lobby against the plan. Maryland's half dozen casinos, which have an uneasy relationship with the state's racing industry, have been silent about the racetrack deal so far. A few representatives of the casinos have said privately that they're waiting to learn more about the agreement and its potential impact on their revenues.

Political insiders took notice when The Baltimore Sun reported this week that the new political action committee for Gov. Lawrence J. Hogan Jr. (R) is holding a high-dollar fundraiser at the Maryland Live! Casino near Arundel Mills Mall. Hogan's PAC has signaled that it plans to

campaign against Kirwan Commission recommendations that call for tax increases. And Hogan in recent weeks has been increasingly critical of the Kirwan plan.

Hogan has been silent on the race track proposal to date, though his press spokesmen have reiterated the governor's commitment to keeping the Preakness in Baltimore. That his fundraiser is being held at a casino owned by David Cordish, the casino owner who has most publicly been at odds with the Maryland racing industry, and that Hogan's campaign chairman, Thomas Kelso, is also Hogan's appointed chairman of the Maryland Stadium Authority, is purely coincidental, the governor's political advisers say.

The stadium authority does not need to take official action on the racetrack plan until authorized to issue bonds by the General Assembly. But a study the stadium authority conducted a few years ago on the viability of the Pimlico track has been used as a talking point for negotiators who hammered out the recent deal.

Moreover, Rifkin said in an interview, the stadium authority turned the data that was collected for the study available to negotiators and their consultants over the past few months – and he suggested that Hogan helped make that happen.

“The governor was very, very gracious,” Rifkin said.

While the lawyer acknowledged that an intense lobbying campaign would be needed to pass the legislation to boost the racetrack plan, he predicted that support in the legislature would grow.

“Our goal was to present the best plan that we could – and we think we have,” Rifkin said.

The Montgomery and Prince George's factor

As supporters of the racetrack deal plot their strategy for the General Assembly, they feel confident that they'll enjoy strong, if not unanimous, support among the Baltimore City, Baltimore County and Anne Arundel delegations. But they acknowledge that they'll have to focus their most aggressive sales job on the two biggest delegations in the legislature – Montgomery and Prince George's.

It's possible that lawmakers from those jurisdictions will have great leverage as the funding and policy debates unfold.

Prince George's House members – meeting as the Democratic caucus of the delegation, so they could gather behind closed doors without advanced notice – got together Monday in Annapolis to discuss several issues, though the racetrack deal topped the list.

“That was primarily to make sure every member was in the room to discuss what we knew, what we'd heard, what it meant,” said Jackson, the delegation chairman.

The fate of the training facility in Bowie is a matter of concern for Prince George's lawmakers – even though Bowie city and university officials seem predisposed to like the idea of the property reverting to them. Jackson said the potential impact of the deal on the MGM Casino at National Harbor is also of interest to county lawmakers.

Del. Jazz Lewis, the chairman of the Prince George's delegation's Democratic caucus, said the county's legislators do not want to get in the way of improvements to the Park Heights neighborhood in Baltimore that would result from the deal.

“We're supportive of Baltimore continuing to host the Preakness,” he said.

Five different Prince George's legislators said in interviews this week that the delegation discussed whether there is a way for the county to leverage their support for the racetrack deal for more economic development aid, similar to what Baltimore City would receive. Seeking more education funding is also being discussed, they said.

Similar conversations are beginning to take place among lawmakers from Montgomery County – where there is even less of a connection to the racing industry than there is in Prince George's.

One lobbyist who will be an integral part of the campaign to win approval for the racetrack deal said Montgomery lawmakers may hold the key to its success – a heady and unlikely position for Montgomery officials, who aren't known for playing legislative hardball in Annapolis.

There's some conjecture that Montgomery lawmakers could hold out for extra education funding in exchange for support for the racetrack plan. But the county isn't ready to make an “ask” yet, said Del. Marc Korman (D), chairman of the Montgomery House delegation.

“From my conversations with people, they're trying to figure out what it means and what we'd be asked to support,” he said.

[‘Maryland is very corrupt’: Charges against former Del. Tawanna Gaines add to state's corruption history](#)

Former Del. Tawanna Gaines, a Democrat from Prince George's County, is scheduled to be arraigned Thursday [on a federal wire fraud charge](#), adding to an already-long list of Maryland lawmakers — largely Democrats — who have been convicted, charged or reprimanded for corruption or other ethical issues in recent years.

Gaines, who had represented District 22 since 2001, is charged with using an undisclosed PayPal account to accept donations to her campaign finance committee, according to a news release from the U.S. Attorney's Office for the District of Maryland. Those funds were not recorded on her campaign finance reports. Federal prosecutors say Gaines defrauded her campaign and its contributors of approximately \$22,000 over a period of at least three years.

The arraignment adds her to the growing list of politicians in the state who have either committed crimes or ethical violations.

Oguzhan Dincer, associate professor and director of the Institute for Corruption Studies at Illinois State University, told Capital News Service that when it comes to “legal corruption” — unethical acts without actual criminality — “Maryland is very corrupt” and it is “quite alarming.”

The campaign treasurer listed on Gaines' candidate committee registration page is Anitra Trona Gaines Edmond. An archived image from [TawannaGaines.org](#) shows a photo of the then-delegate with a woman named Anitra Edmond, with a caption saying that she is Gaines' daughter. Efforts to reach Edmond via email and social media were not returned.

Capital News Service was unable to reach Gaines herself — a phone number listed on her campaign finance page was disconnected and a Hotmail email address bounced back. An attorney mentioned for Gaines in media reports did not respond to requests for comment. The former delegate's arraignment is scheduled for 11 a.m. Thursday at the U.S. District Court in Greenbelt.

Maryland House Speaker Adrienne A. Jones, a Democrat from Baltimore County, released a statement earlier this week saying that Gaines had resigned Friday.

“As elected officials, we have an obligation to uphold the public trust, both in office and in our campaigns,” Jones said in the statement. “We cannot sacrifice that trust for personal gain for ourselves or our family members.”

Alexandra Hughes, Jones' chief of staff, told Capital News Service via email that she isn't aware of specific plans for ethics bills in the 2020 Maryland legislative session, pointing to the

“comprehensive” ethics reform legislation passed in 2017. “Obviously, there are laws on the books to prevent what Delegate Gaines did — which is how she was charged,” Hughes added.

Jake Weissmann, chief of staff for Senate President Thomas V. Mike Miller Jr., a Democrat from Prince George’s, Charles and Calvert, declined to comment via email. Arinze Ifekauche, spokesman for the Maryland Democratic Party, also declined to comment via email, deferring to Jones’ statement. The Maryland Republican Party did not respond to requests for comment.

Joanne Antoine, executive director of Common Cause Maryland, told Capital News Service that Gaines’ resignation “sends a message” that these types of actions “won’t be accepted.”

“There’s no question that the public’s trust was lost when an elected official abuses their power,” Antoine said.

Sen. Paul Pinsky, a Democrat from Prince George’s, said he was “taken aback” when the news broke about his fellow District 22 lawmaker. When he found out that it had to do with fundraising, Pinsky said, “I was even more shocked, because that’s never been a high priority of hers.”

Asked about possible legislation to combat corruption during the next session in response to the charges against Gaines, the state senator said, “Personally, I’d like to get private funding out of elections totally,” but added that he doesn’t “know what the details are” or “if it’s something that’s correctable.”

This instance of public corruption in the General Assembly is nothing new. Gaines is the third Democratic delegate from Prince George’s County alone to be charged or convicted since 2018.

[Former Delegate Will Campos was sentenced](#) to 54 months in prison in May 2018 for conspiracy and bribery. Another former delegate, [Michael Vaughn, was sentenced](#) to four years in prison in September 2018 for a bribery conspiracy. Also last year, state Sen. Nathaniel Oaks, a Democrat from Baltimore, [was sentenced to 42 months](#) in prison for wire fraud.

Lawmakers have also been officially reprimanded in the General Assembly for ethical issues in recent years.

Delegate Jay Jalisi, a Democrat from Baltimore County, [was reprimanded by the legislature](#) earlier this year for what an ethics report referred to as an “ongoing pattern of bullying and abusive workplace behavior.” Delegate Mary Ann Lisanti, a Democrat from Harford, [was](#)

[censured this year](#) in connection with allegations that she used a racial slur to describe an area of Prince George's County.

Last year, Delegate Curt Anderson, a Democrat from Baltimore, [was stripped of his leadership positions](#) after he was ordered to undergo sexual harassment training in connection with allegations against him, according to The Baltimore Sun. In 2017, former Delegate Dan Morhaim, a physician and Democrat from Baltimore County, [was reprimanded for advocating for medical marijuana policies without disclosing his financial ties](#) to a company seeking a license, as reported by The Sun.

Dincer studies corruption across the country through an annual survey. Dincer told Capital News Service that the survey is sent to approximately 1,000 political reporters — with an average response rate of about 30% — asking them to rate their state's branches of government on a scale of 1 to 5 for both illegal corruption and legal corruption, the latter of which he described as when a "politician forgets about working for the greater good."

Dincer said his findings indicate that when it comes to illegal corruption like bribery and fraud, Maryland is "kind of in the middle of the road" among other states. When it comes to legal corruption, however, he said the state is "very corrupt." He cautioned that in terms of illegal corruption, "I wouldn't jump to the conclusion that Maryland is really getting bad" when compared with other states.

Referring to the state's "strict" campaign finance laws, Joanne Antoine of Common Cause said that when comparing Maryland with other states in terms of corruption, "I wouldn't say it's an outlier."

Matthew Crenson, professor emeritus at Johns Hopkins University's Department of Political Science, told Capital News Service that he considers Maryland to be more corrupt than other states, referring to "a lot of episodes of corruption ... going back to the 1970s, not just in the state legislature." He added that bribery is a "common thread that seems to run through a lot of these cases."

Other Maryland officials with ties to corruption include former Vice President and Maryland Gov. [Spiro Agnew](#); former Gov. [Marvin Mandel](#); former Delegate [Tiffany Alston](#), a Democrat from Prince George's; former state Sen. Tommie Broadwater Jr., former Baltimore Mayor [Sheila Dixon](#); and former Prince George's County Executive [Jack Johnson](#).

Annapolis lobbyists [Bruce Bereano](#) and [Gerard Evans](#) returned to their careers after serving prison time, according to Maryland Matters. Former state Sen. [Ulysses Currie](#), a Democrat from

Prince George's, was acquitted of all corruption charges against him in 2011, according to The Washington Post.

Former Baltimore Mayor [Catherine Pugh](#), a Democrat, has been linked to self-dealing in the sale of children's books; she has not been charged with any crime.

"There's a lot of money floating around," Crenson said. "Maryland is a rich state compared to others."