



M U L T I S T A T E

### [Panel approves ballot language for lobbying reform plan](#)

The Board of State Canvassers on Wednesday approved the ballot language and petition form for a proposal that would reform Michigan's lobbying rules despite concerns from some board members about the proposal's reach.

The proposal would ban state lobbyists from buying meals or providing anything of value to state lawmakers and create a two-year cooling-off period before former elected officials could become lobbyists.

The proposal also would require lobbyists to disclose publicly what issues they're discussing with lawmakers and require any person who pays for public communication meant to influence a public official to disclose as much to the Secretary of State's department.

Norm Shinkle, a Republican member of the Board of State Canvassers, questioned the broad definition of "public official" and criticized the reach of the proposal, which would apply to hundreds of members on state boards and commissions.

"The people on the asparagus board have to keep daily logs," Shinkle said of the implications of the proposal. "...Do you know how many boards there are out there?"

But proponents of the proposal pushed back, arguing that Michigan residents have a right to know who is attempting to influence legislators.

"This will require a change of culture in this city and in state government," said Mark Brewer, a lawyer for Progress Michigan, the liberal group spearheading the ballot proposal. "It is a change of culture that has been done successfully in many state capitols across the country."

Michigan law currently allows lobbyists to buy food for elected officials, fund trips and provide gifts that cost less than \$63.

During 2018, registered lobbyists in Michigan spent a record \$40.3 million trying to influence state lawmakers, according to the nonprofit Michigan Campaign Finance Network. Overall, lobbyists reported spending \$625,803 on the broad category of food and beverage expenses in 2018.

"This certainly brings a transparency that is needed to Lansing and takes the power away from the lobbyists and puts it back in the hands of the people, said Lonnie Scott, executive director for Progress Michigan.

Progress Michigan, the liberal group leading the Coalition to Close Lansing Loopholes, expects to start collecting the 425,059 valid petition signatures it needs in the next couple of weeks. The group has until July to collect the signatures within a 180-day window.

"We have had an overwhelming amount of support from folks contacting us, reaching out, asking how they can get petitions," said Scott, who hoped to gather signatures from individuals participating in the March 10 presidential primary.

Because the proposal would amend the Constitution, lawmakers wouldn't be able to adopt the proposal and amend it, as they did with proposals to require earned sick time and increase the minimum wage in 2018.

Individuals falling under the proposed requirements largely would be those who are compensated more than \$1,000 in a year to influence public officials' actions on policies. It includes former elected officials who are acting as consultants by being paid \$1,000 in a year to provide advice to a group but might not be actively communicating with lawmakers.

### **[Murphy says ethics reforms can attack political cynicism](#)**

Gov. Phil Murphy wants the Legislature to approve a package of ethics and government reforms that span from lobbying to financial disclosure to the transparency of the legislative process.

Murphy detailed the proposals in a speech at Rutgers University's Bloustein School of Planning and Public Policy, which follow a promise from his State of the State. He said the five bills have bipartisan sponsors – Sen. Dick Codey, D-Essex, a former governor; Sen. Chris Brown, R-Atlantic; and Assemblyman Ryan Peters, R-Burlington – and hopes for more as the process unfolds.

But he also acknowledged that some of the ideas are likely to be criticized by some in the Legislature, saying they “challenge, or even threaten, a status quo in which they are at present very comfortable.”

“Make no mistake, these are big proposals that will upset some people. But we must attack the understandable cynicism that discourages so many people by opening up our democracy, and allowing our residents to be more engaged and better informed,” Murphy said. “They are designed to make serious, profound and lasting changes to Trenton’s culture.”

The package’s nine proposals would:

- Have lawmakers and legislative staffers complete the more detailed annual [financial disclosure](#) form now required in the executive branch. Moreover, a new disclosure form would be created for people paid more than \$100,000 a year.
- Require senior legislative staffers to receive permission from the Joint Legislative Committee on Ethical Standards to earn outside income, as applies to Governor’s Office senior staff members and the State Ethics Commission.
- Apply the [Open Public Records Act](#) to communications with the Legislature in the same way it applies to the executive branch.
- Require [lobbying](#) firms and companies that hire them to disclose details about indirect efforts to influence public policy such as advertising, consulting, public relations and research, sometimes called ‘shadow lobbying.’
- Compel more people to register as lobbyists – for as little as one hour a year of lobbying for which they’re paid at least \$100, as opposed to the current threshold of 20 hours.
- Prohibit lawmakers and legislative staffers from accepting any gifts from lobbyists. They can currently accept gifts worth \$250 or less.
- Double the ‘[cooling off](#)’ period in which former governors, Cabinet members and lawmakers cannot register as lobbyists from one year to two and also apply it to all executive and legislative staffers with salaries of \$100,000 or more.
- Require [bills](#) to be posted online for at least 72 hours before they could be voted on, unless the Legislature waives the rule by a three-fourths vote.
- Include information on the page on the Legislature’s website that shows information about a bill disclosing all organizations or individuals that supported or opposed it through written testimony.

“These proposals will shine light into the dark corners of our politics, and reestablish faith, as best we can, that those elected to serve are there to serve the people – all of the people – and not the special, or their own, interests,” Murphy said.

A comprehensive set of ethics reforms haven’t been passed in Trenton since 2005. Murphy said that in 2012, a study by the Center for Public Integrity gave New Jersey’s ethics laws a B+ grade but that it had slipped to D by 2015.

“The time has come to take another whack at the long-standing so-called traditions of Trenton. The time is now to dig deeper, and work harder, to change the culture,” Murphy said.

Murphy said that in the coming weeks, he will issue an executive order that will increase transparency in state and local government for those who do business with the state.

### **Frelinghuysen will be a lobbyist**

Former Rep. [Rodney Frelinghuysen](#) is now a lobbyist.

The onetime House Appropriations Committee chairman has joined Greenberg Traurig as a senior director in their Government Law & Policy practice, [according to The Hill report](#) on Friday.

That allows Frelinghuysen, an heir to the Procter & Gamble fortune and a member of one of New Jersey’s oldest political families, to monetize the relationships he made during his 24 years in the U.S. House of Representatives.

According to financial disclosures filed in his last year as a congressman, Frelinghuysen was worth between \$20 million and \$65 million.

He bailed from 2018 re-election campaign after Democrat Mikie Sherrill raised more than \$1.2 million in 2017 and frightened him out of the race.

Frelinghuysen still has \$372,270 [remaining in his campaign account](#). If he wants, he can use those funds to contribute to senators and congressmen that he is lobbying.

“Chairman Frelinghuysen has been an effective and well-respected leader at all levels of government, and his experience and reputation make him an excellent fit for our team, which operates in Washington and in the largest state capitals around the country,” [said Ernest Greer](#), the Greenberg Traurig co-president. “Adding him to our Federal Practice offers another layer of quality and excellence in key areas important to the marketplace. His experience and passion for making a difference on Capitol Hill are the cornerstones of his success and in turn will serve our clients well.”

Frelinghuysen [endorsed Rosemary Becchi](#) for his old seat and serves as honorary chairman of her campaign.

## [Bill would ban Illinois lawmakers from acting as lobbyists](#)

Illinois lawmakers have an opportunity to make a much-needed ethics reform by placing checks on the kinds of advocacy in which they can participate.

State Rep. Carol Ammons, D-Urbana, filed [House Bill 4042](#) to ban lawmakers from acting as lobbyists while they are in office. State Sen. Scott Bennett, D-Champaign, filed a Senate version of the bill as [Senate Bill 3020](#).

The proposals would prohibit members of the General Assembly from working as lobbyists or in a manner that would require them to register as a lobbyist while they are an elected official. The proposal further bars their immediate family members, spouses or others living with them, from being paid as lobbyists. The ban would also keep those individuals from communicating with executive officials in both state and local government for the purpose of trying to influence administrative action in those offices.

If passed, the proposal would immediately take effect. Any violation would be considered a Class A misdemeanor. If it is the lawmaker who violates the law, they would be removed from office.

Chicago City Council members took similar action at the end of 2019, fulfilling one of Mayor Lori Lightfoot's [anti-corruption](#) promises. The [City Council resolution](#) bans aldermen, city workers, state lawmakers and other elected officials from lobbying City Hall or other city departments for private gain.

"We are surrounded by impropriety at the state level, at the county level and in this body," Ald. Matt O'Shea, 19th Ward, [said](#) when pushing the resolution. "The feds are all around us. We need to send a message that this B.S. is over with."

During the past year, [three state lawmakers](#) resigned as they faced corruption charges. That included former state Sen. [Martin Sandoval](#), who pleaded guilty to taking more than \$250,000 in bribes and tax fraud at the end of January. Sandoval lobbied the Illinois Department of Transportation to have red-light cameras installed in Oak Brook Terrace on behalf of SafeSpeed LLC. Sandoval received more than [\\$70,000](#) in campaign funds for being SafeSpeed's guardian in the Senate, he said.

Under the new proposal, Sandoval's use of his position as a state lawmaker to influence other units of government would be illegal. He would be removed from office for his lobbying and charged with a Class A misdemeanor.

A recent [analysis](#) by WLS-TV found Illinois has had more public corruption convictions than any other state since 2000. The state has put away [891 individuals](#) for their roles in various schemes during the past two decades.

A bipartisan group of lawmakers have also teamed up to [close Illinois' revolving door](#) that has allowed former lawmakers to become lobbyists the day after leaving office. According to [Senate Bill 2314](#), lawmakers would be required to take a two-year cooling-off period before they could return to the General Assembly as a lobbyist. Illinois is one of just [14 states](#) without a cooling-off period.

Illinois desperately needs corruption reforms. Voters should not be left to wonder whether state lawmakers care more about the public interest or their private-sector lobbying clients.

### [First complaint filed with New Mexico ethics commission](#)

New Mexico's fledgling State Ethics Commission said Monday it has received its first complaint without disclosing its contents or who it involves.

The commission in January started to field complaints and requests for advisory opinions regarding campaign finances, government contracting, gifts from lobbyists, and more. Any allegations of criminal conduct are referred to state or local prosecutors.

In response to an inquiry by The Associated Press, commission spokesman Sonny Haquani confirmed that a complaint was received without an immediate finding of probable cause.

The commission treats complaints as confidential until there is a probable-cause finding, including determinations about jurisdiction or dismissals. That doesn't prevent people from going public with accusations or rebuttals, Haquani said.

The Albuquerque-based commission next meets in early April.

Voters overwhelmingly approved the creation of the commission in 2018 in the wake of a series of high profile corruption scandals that led to jail time for former Republican Secretary of State Dianna Duran and former state Sen. Phil Griego.

The ethics commission shares some responsibilities with the secretary of state's office, which negotiates voluntary compliance with regulations on campaign finances, lobbying and financial disclosures, and the General Service Department, which oversees public contracting regulations.

Outside appointments to the commission are made by Democratic Gov. Michelle Lujan Gisham and leading Republican and Democratic lawmakers.

### **Paul LePage says he was paid \$7,500 last year to advocate for CMP corridor**

Former Gov. Paul LePage confirmed on Monday that he was paid in 2019 by a lobbying firm to advocate for Central Maine Power Co.'s hydropower corridor, which has been perhaps the hottest political issue facing his Democratic successor.

The Republican said in a Monday statement to the Bangor Daily News that he was paid \$7,500 last year by Mitchell Tardy Jackson, a high-powered lobbying firm that has been working for the utility since last year to fend off legislative proposals aimed at killing the \$1 billion proposal. LePage could do more paid work on the corridor in the future.

The issue has long been a rare point of agreement between LePage and Gov. Janet Mills, who won the 2018 election on a promise to overturn much of the former governor's conservative legacy. LePage's paid involvement in the corridor fight may take on added political importance since he's considering a 2022 run against Mills.

The project would bring Hydro-Quebec power to the regional grid through a 145-mile transmission line, but it is under threat from opponents who recently delivered more than 75,000 signatures to the state in a bid to put a question killing the project on the November ballot.

After the Maine project became Massachusetts' top option to fulfill a massive clean-power request in 2018, LePage's energy adviser vowed to "push this right through" permitting. Mills supported the corridor last year after inking a \$250 million benefits package over 40 years.

LePage is now a Florida resident, but he has spoken in favor of the project in recent talk-radio appearances. Last week, LePage told WVOM he is "probably not the right guy to come back" into office if the corridor is defeated by voters.

In a Monday statement, LePage adviser Brent Littlefield said the former governor was paid last year by Mitchell Tardy Jackson to provide "factual data" on the project. Littlefield said his work

has not required him to register as a lobbyist under state law. He said LePage had not been paid for any work in 2020, but “he may be compensated” for more work in the future.

“I will continue to advocate for this project whether I receive any compensation because it’s the right thing to do,” LePage said in a statement.

Josh Tardy, a principal at the lobbying firm and a former Republican legislative leader, declined to give specifics on LePage’s work for his firm. But he said the former governor has “extensive political, business and social networks” that are “invaluable” for corridor backers.

Tardy also said the firm “may very well have more projects” for LePage in the future, saying he could be deployed to talk to business leaders about the corridor’s benefits, but the lobbyist said LePage’s radio and other public discussions on the corridor have been on his own.

“Nothing he’s done has been as a communications fiduciary,” Tardy said. “It’s been as Paul LePage, the political maverick.”

LePage’s paid work on the project has long been rumored in Augusta, but firm details did not emerge until Monday. His predecessor as governor, Democrat John Baldacci, is paid \$200,000 annually to sit on the board of Avangrid, a U.S. subsidiary of Iberdrola, CMP’s Spanish parent.

Cheap Canadian hydropower was a white whale of LePage’s eight-year tenure as governor from 2011 to early 2019. He repeatedly advocated for scrapping a 100-megawatt cap for hydropower as part of Maine’s renewable energy portfolio. The CMP project emerged only at the end of his tenure. It has become perhaps the most controversial issue in Maine politics.

More than 20 towns have either opposed the corridor or pulled support for it, while a poll funded by opponents in early 2019 found 65 percent disapproval among Mainers. CMP poured \$2.3 million into its campaign to salvage the project by 2019’s end, while natural gas generators that could lose market share if the project is completed have spent to boost opponents.

### **[Andy Caldwell reported questionable campaign donations — it’s ‘nothing nefarious,’ he says](#)**

Despite spending decades as a self-proclaimed “government watchdog,” conservative radio host turned congressional candidate Andy Caldwell has accepted campaign contributions exceeding the legal limit from more than a handful of individual donors — to the tune of more than \$22,000, a Tribune review has found.

And though incumbent Rep. Salud Carbajal has [sworn off contributions from the oil and gas industry](#), he's accepted perfectly legal donations from two registered lobbyists, one of whom did work for a firm on behalf of the American Petroleum Institute.

A Tribune review of campaign finance disclosures in the 24th Congressional District race since July found that Caldwell's reports submitted to the Federal Election Commission were peppered with miscategorized donations, donations exceeding the allowable limits, and other questionable contributions.

When reached for comment on the discrepancies, Caldwell downplayed the errors as simple paperwork mistakes and boxes not checked properly on the forms.

He can amend those reports, however, and said he would have his treasurer look into it.

Caldwell has had a strong showing of financial support since he filed to challenge the two-term Democratic Party incumbent Carbajal in August.

In fact, the outspoken conservative's campaign out-raised Carbajal in the last two consecutive reporting periods, and has amassed more than a half-million dollars, 95% of which came from individuals and small businesses within the district, which encompasses all of San Luis Obispo and Santa Barbara counties, as well as a portion of northern Ventura County.

Carbajal, on the other hand, has raised over \$1.2 million this election cycle from a variety of individuals, businesses, and political action committees. His campaign reports do not show the types of discrepancies that plague Caldwell's disclosures, according to the Tribune review.

Both men, endorsed by their respective local political parties, are expected to advance past the primary election to face off in the Nov. 3 general election.

Their sole opponent, Independent [Kenneth Young](#), a Santa Barbara engineer, has not raised any money requiring a public disclosure and has little presence in San Luis Obispo County.

**'I DON'T BREAK LAWS'**

Caldwell's financial disclosure forms were authored by his treasurer, Trent Benedetti, who has worked on other local Republican candidates' campaigns, including that of Justin Fareed, who twice ran unsuccessfully against Carbajal over the past four years.

When asked by The Tribune for clarification on specific entries in his reports, Caldwell said Benedetti “doesn’t do media interviews,” but added that all his reports would be reviewed by the Federal Elections Commission.

Caldwell’s three financial reports filed with the FEC since August are riddled with instances of individual donors being listed as organizations, so that it’s unclear whether contributions are coming from a person or a business.

As the reports are currently written, a dozen contributors have also exceeded the \$2,800 limit an individual is allowed to contribute to a campaign per election cycle (up to \$2,800 for the primary and up to \$2,800 for the general election, or \$5,600 for both).”

For example, on Nov. 13, 2019, five members of the Teixeira family in Santa Maria and Nipomo each donated \$5,600, with each donation marked on the reports as only to go toward the primary election. As written, the Teixeiras donated \$14,000 too much.

One of the five donors, Mark Teixeira, is [listed in tax documents](#) as the secretary of the Coalition of Labor, Agriculture, and Business (COLAB) of Santa Barbara County, of which Caldwell is founder and chairman.

Asked about those donations, Caldwell said that each of the Teixeiras’ donations were on behalf of both themselves and each of their spouses, whose names were omitted from the reports in error.

Several other similar donations from individuals listed for use specifically in the primary were well over the \$2,800 limit.

All told — including the five Teixeira donations — Caldwell accepted \$22,596 more than he should have, as the reports are currently filled out, according to Tribune calculations.

Basic transparency is also lacking in his forms. For example, Caldwell has an “anonymous donor” who has donated a cumulative total of \$719 to his campaign. Identities must be publicly disclosed for contributions over \$50. Another donor’s address is simply listed as “best efforts.”

Asked about the entries Friday, Caldwell says his campaign makes a good-faith effort to correctly report each donation and to make sure that the forms are submitted to the FEC correctly.

“I don’t break laws, and I don’t do things under the table,” Caldwell said.

He said that when he's accepting donations from individuals — many of whom have never donated to a political campaign before, he said — donor information sometimes will get inadvertently left off of the envelopes. His treasurer's accounting firm accepts the donations, and if any information is lacking, the firm will try to reach the donor for more information.

“But they don't just sit there and not cash the check,” he said.

Caldwell noted in his defense that this is his first run for office, and that he does not personally review his own campaign reports. Rather, he depends on his donors and treasurer to ensure their accuracy.

“I don't understand campaign finance laws,” Caldwell said. “There's nothing nefarious about it, for crying out loud.”

#### CARBAJAL'S LOBBYIST DONATIONS

Carbajal's reports reviewed by The Tribune do not contain the various discrepancies seen in Caldwell's reports.

But in a district where oil and gas production is a controversial topic — he [introduced a bill last week](#) to place a moratorium on new drilling in local federal lands without strict environmental review — Carbajal has pledged to not accept any funding from oil and gas producers.

Two years ago, Carbajal was on the receiving end of dubious claims by Fareed's campaign that he accepted \$7,500 in “oil and gas money.” A Tribune review of the claim confirmed that figure included personal donations from people who work as lobbyists, consultants, and other positions for companies with varying degrees of proximity to the oil industry.

None of the donors actually did any work directly with oil companies.

But in recent months, Carbajal's financial reports show his campaign has again accepted two \$500 donations from two registered lobbyists, one of which has [worked for a company](#) that listed [the American Petroleum Institute](#) as a client in 2019 in [disclosures filed](#) with the Office of the Clerk of the U.S. House of Representatives.

The lobbyist, Washington, D.C.-based [Joseph Vaughan](#), is not directly involved in the oil industry, however, and is the executive director of an [organization that promotes corporate diversity](#).

Vaughan said he personally contributes to the campaigns of numerous members of the Congressional Hispanic Caucus and candidates seeking federal office in several states.

“More diversity on Capitol Hill is critical, and my contributions are integral to achieving this outcome,” Vaughan wrote.

Unlike candidates for state and local elected office in California, who [are prohibited from accepting money or in-kind contributions](#) from registered lobbyists, candidates for federal office like Carbajal are allowed to accept personal donations from lobbyists within the standard \$2,800-per-person limit.

Last month, Morro Bay Councilwoman and candidate for state Assembly Dawn Addis [accepted a \\$250](#) donation from a lobbyist with clients in the wind energy industry. That lobbyist, Steven Black, said at the time that he was used to federal lobbying regulations and was not aware of the California rules.

That donation was immediately returned, an Addis spokeswoman said.

Asked for comment about the two recent lobbyist donations, Carbajal’s campaign says the donations were made personally, the rules were followed, and that Vaughan does not lobby on behalf of the oil industry.

Vaughan said in an email that while he has never contributed to the American Petroleum Institute’s PAC, facilitated any PAC contributions from the institute to a member of Congress, nor attended any PAC events hosted by API or its member firms, he did lobby briefly on behalf of the association with congressional members of the Oil and Gas Caucus from Texas.

Specifically, Vaughan said his firm, United By Interest, helped organize a site visit for several congressional members to Chevron’s training facility in the Houston area.

“Lobbying is a component, but our relationship was really focused on trying to educate (House) members around how their constituents can find high-paying jobs in the industry,” Vaughan wrote.