

# MULTISTATE

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## [New Mexico legislators eat, lobbyists treat, but public left guessing who](#)

Lobbyists reported spending more than \$64,000 on meals, drinks, travel and more for state officials during the last five months.

But because of a loophole in New Mexico law, lobbyists for the most part do not have to disclose which officials they have been lobbying.

More than \$43,000 in expenditures were reported without naming any particular policymakers or issues lobbyists are working on.

Legally, lobbyists did not even have to disclose that much.

So, although the latest round of filings by lobbyists last week points to tens of thousands of dollars spent on wining and dining policymakers, the representatives of companies and special interests remain largely free to conceal the issues they are advocating for and the policymakers they are trying to influence.

State law says lobbyists must report expenditures of more than \$100. But that only means any single expense, such as a dinner or sporting event ticket, worth more than \$100.

A lobbyist does not have to report buying dinner for a legislator if the bill comes to \$99. Some lobbyists have reported smaller expenditures, but have cited the law to avoid disclosing exactly whom they were lobbying.

The top-spending lobbyist during the last five months, Arthur Hull, reported spending \$14,424 on meals and beverages. According to the Secretary of State's Office, he represents more than 21 clients, from the Public Service Company of New Mexico to GlaxoSmithKline, Pew Charitable Trust and the University of New Mexico.

Rather than itemizing that spending and specifying which legislators he was lobbying and on what issues, Hull reported a lump sum each month. He stated that the recipients were "various" with no expense reaching \$100.

The second-biggest spender among lobbyists was Vanessa Alarid. She represents about 10 clients, including the gun control group Everytown for Gun Safety, the gambling company IGT and telecommunications giant AT&T.

Alarid reported spending \$11,522 on meals and beverages, but she did not name any policymaker nor did she specify which issues she discussed with them.

Other lobbyists reported bigger ticket items.

Mark Duran, who represents 13 clients, including the city of Santa Fe and United Healthcare Services, reported spending \$4,464 on a reception for New Mexicans for Michelle Lujan Grisham. She is the Democratic nominee for governor.

Richard Romero, who represents the charter school group Excellent Schools New Mexico, reported spending more than \$6,000 to take a half-dozen legislators on visits to charter schools in San Antonio, Texas, and Denver.

Lobbyists even dined with legislators who will not be returning to the Capitol for the next session.

A lobbyist for New Mexico Gas Co. reported spending a total of \$726.48 on dinner and a reception at La Caille, a French-Belgian restaurant in Sandy, Utah, near where legislators gathered in September for a meeting of the Council of State Governments. On the tab was Rep. Debbie Rodella, D-Española, who lost a primary election in June and whose term will end in January.

Some lobbyists are relatively thorough.

A lobbyist for Sacred Wind Communications reported spending \$84.71 on breakfast foods for the Legislature's Science, Technology and Telecommunications Committee — an expense so small it did not have to be disclosed.

A representative of the Association of Commerce and Industry reported buying meals for the Water and Natural Resources Committee and the Economic and Rural Development Committee, specifying exactly which groups of lawmakers she was targeting.

Still, it is impossible to know just how much individual companies and special interest groups are spending to influence legislators.

The loophole was borne from a 2016 bill that required lobbyists to file their disclosures online. But as the bill wound through legislative committees, lawmakers raised the

threshold for itemizing expenditures from \$75 to \$100. In the process, they also stripped away language requiring disclosure of expenditures under \$100.

“It’s a big, big loophole,” said state Sen. Jeff Steinborn, D-Las Cruces.

He sponsored legislation in 2017 that would have required lobbyists to disclose the cumulative total of expenses under \$100.

Gov. Susana Martinez vetoed the measure, writing that it was ambiguous and could have “several unintended consequences.”

Legislators often say that free dinners do not buy their votes. But for critics, time that policymakers spend with lobbyists is time they are not spending with constituents.

The Legislature has shown little appetite for requiring more disclosure from lobbyists.

For example, a measure Steinborn sponsored this year that would have required lobbyists to report which bills they were working on at the Capitol. The bill did not get out of a single committee, dying quietly in Senate Rules for lack of support.

“Hopefully, our next governor will be committed to full transparency and full disclosure of all lobbying expenses,” Steinborn said.

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### **[State Grand Jury: Attorney General impeded corruption probe](#)**

COLUMBIA, S.C. (AP) — State Attorney General Alan Wilson's inaction impeded an investigation into corruption at the South Carolina Statehouse, whether he intended it to or not, according to a State Grand Jury report released Tuesday after a two-year investigation.

In response, Wilson told The Associated Press the report is "repackaged and recycled garbage" and a political attack weeks before the Nov. 6 election.

Wilson's inaction after former House Speaker Bobby Harrell pleaded guilty in 2014 and named two other high profile lawmakers cost investigators 13 months and meant the statute of limitations on potential federal crimes like money laundering ran out, the grand jurors said in the report drafted by Solicitor David Pascoe.

The report notes Wilson's close relationship with political consultant Richard Quinn, whom he once likened to a father. Pascoe's investigation focused mainly on Quinn's consulting business, his clients and whether he acted like a lobbyist without registering.

The report also notes that Wilson testified voluntarily before the grand jury, saying the delays happened as he tried to make sure the investigation proceeded legally. Still the grand jury concluded that Wilson's loyalty "should lie with the citizens of South Carolina, who he represents, rather than with the Quinn family, and that his actions impeded this investigation."

The grand jury and investigators had a duty to bring charges against him if they thought he did anything wrong and it is significant they didn't, Wilson said.

"This is repackaged and recycled garbage, dropped four weeks before the election, to do a political hatchet job. They could not indict in a court of law, because nothing wrong occurred, so they're trying to indict in a court of public opinion," Wilson told the AP.

Wilson is seeking a third term in the Nov. 6 election. His Democratic opponent is Charleston lawyer Constance Anastopoulo.

He said the report includes "a series of innocent facts" and added that it reveals nothing that wasn't already public two years ago.

Pascoe was elected as a Democrat to prosecute cases in several counties south of Columbia. Wilson initially turned the investigation over to him because Harrell's office accused one of Wilson's staffers of improper communications.

The probe ended with four Republican lawmakers pleading guilty, including Quinn's son, state Rep. Rick Quinn. None served prison time. Two more former lawmakers await trial.

Pascoe has adamantly denied any political motive in the probe, saying no one in Columbia was more corrupt than Richard Quinn.

Prosecutors dropped charges against Richard Quinn in exchange for him cooperating with investigators and for his son agreeing to plead guilty.

The elder Quinn's lawyer, Deborah Barbier, wrote in a statement: "Mr. Pascoe is a Democrat who spent years investigating Republican leaders which culminated in four people pleading to misdemeanors and no one going to jail — the equivalent of four speeding tickets. He now attempts to impugn the character of a wide array of Republicans in this report to affect the results of the upcoming November election."

The report also suggested lawmakers pass stricter penalties for ethics violations, more stringent rules on lobbying and tougher accountability requirements when political groups spend money on third-party efforts to attack candidates in elections.

The 270-page grand jury report gives a behind the curtain peek at the blurry line between political consultants, lobbyists and powerful businesses and state agencies in South Carolina. Major hospital company Palmetto Health, AT&T, the University of South Carolina, utility SCANA and a trial lawyers association called the South Carolina Association for Justice paid more than \$350,000 in fines for using Richard Quinn's firm to lobby on their behalf without disclosing it publicly.

Officials who hired Quinn struggled to tell the grand jury about any tangible work he did to earn thousands of dollars a month, according to the report.

But they did describe meetings in Quinn's office where lawmakers, including Quinn's son, would stop by unannounced. In South Carolina, lobbyists typically go to see lawmakers, not the other way around.

Emails showed Quinn could put pressure on lawmakers who relied on him for political advice, getting one to back off after SCANA banned employees from displaying the Confederate flag on its equipment, or another to change his mind on a hospital issue and a third to "lose with dignity" over a telecommunications bill, the report said.

"Mr. Quinn was retained so that he would be standing ready to assist with a legislative effort that could not be solved by a typical lobbyist," the grand jurors wrote.

Investigators brought 32 different witnesses before the grand jury over two years and reviewed nearly 1 million pages of documents, according to the report.

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### **[Gun lobby fighting hard in US state politics](#)**

When Missouri Senate Bill 656 was introduced in 2016, it was relatively modest legislation that proposed capping the amount county sheriffs could charge for a concealed handgun permit.

By the time it passed, with both houses of the state legislature overturning the governor's veto, it had become one of the most expansive gun-rights laws in the country.

The gun lobby fought hard to pass the bill. The group some lawmakers credited with providing crucial momentum was not so much the National Rifle Association, the

powerful national lobbying organization, but rather the Missouri Firearms Coalition, an aggressive grassroots operation founded in 2015.

With major gun-rights legislation stalled in Washington, much of the action has shifted to the states, where self-described "no compromise" groups such as the Missouri Firearms Coalition have mobilized activists in favour of pro-gun laws, according to Reuters interviews with gun-rights groups in more than a dozen states, lawmakers and NRA supporters.

These groups have become increasingly active in promoting a pro-gun agenda in many states, unafraid of alienating lawmakers who waver on gun rights. In many cases, they say they would rather lose a legislative fight on principle than compromise and support a watered-down bill.

At times, this can put local groups at odds with the NRA, which some see as too willing to give ground on the most aggressive pro-gun laws in state legislatures, said Greg Pruett, president of the Idaho Second Amendment Alliance, which formed in 2012.

"It's always kind of interesting when you see a lot of people in the gun control community talk about how radical the NRA is," said Pruett, whose group organized an email and telephone campaign to pass a 2016 Idaho law allowing people to carry concealed handguns without a permit, also known as "constitutional carry."

"There's an entire movement on the other side of the NRA ... We're done compromising," he said.

Missouri Firearms Coalition political advisor Aaron Dorr says the NRA fought against constitutional carry for years, considering it too much of a longshot, and only came on board once passage was certain. The Missouri law not only authorized constitutional carry, but it also made Missouri a "stand your ground" state, extending the right to lethal self-defence outside the home, even when retreating is an option.

"It was the Missouri Firearms Coalition that was on the ground first with this," said Jered Taylor, a Missouri state representative. "Eventually the NRA came on board, but the Missouri Firearms Coalition was the one that pushed it."

The NRA contended that it supported Senate Bill 656 from start to finish. The NRA assesses legislation across the states and sometimes opts for incremental victories, spokesman Lars Dalseide said.

"While the all or nothing approach may sound noble, the fact is you usually end up with nothing," Dalseide said. "The other groups may have called for the passage of these bills in the past but they are largely fundraising organizations ... None of these legislative initiatives moved an inch until the NRA got involved."

#### STATE GROUPS PROLIFERATE

State-level alternatives to the NRA have proliferated this decade and are active in at least 15 states. Many groups claim tens of thousands of members, citing their own emails lists or social media data. Reuters could not verify the membership and no independent data exists that shows the size of the groups.

CJ Grisham, who founded Open Carry Texas in 2013, said organizations like his were established to fill a void left by the NRA. "I would not have formed Open Carry Texas if the NRA was doing its job," he said.

The most uncompromising among them say the NRA has become too timid and too willing to back measures such as removing firearms from people deemed dangerous. "I call it a pre-emptive concession," said Paul Valone, president of Grass Roots North Carolina, which has helped expand concealed carry rights and a "stand your ground" law.

Still, even its critics in the gun-rights movement concede the NRA, with more than 5 million members, is by far the most powerful and well-connected gun lobby. It has protected firearms manufacturers from liability for gun violence and pushed a ban on U.S. health officials from promoting gun control. In 2005 it shepherded through Florida's landmark "stand your ground" law, then repeated the feat in nearly half the states.

With a national network of lobbyists, the NRA works closely with legislators behind the scenes, while the state groups often rely on members to pressure representatives.

From 2015 to 2017, seven states passed constitutional carry laws, including Idaho, Maine, New Hampshire, West Virginia and Missouri, where local groups not affiliated with the NRA claim significant roles in getting the legislation passed. It is now the law in a dozen states.

In the capital of Jefferson City, former Missouri State Representative Eric Burlison had been interested in making Missouri a constitutional carry state since 2014.

The NRA, while supportive, was unconvinced the legislation could pass and wanted to "focus on other issues," Burlison said.

When Senate Bill 656 arrived in the House in 2016, Burlison decided it was time to press for a much bolder law, adding both constitutional carry and "stand your ground" provisions.

Though he credited the NRA for eventually supporting the legislation, he said the Missouri Firearms Coalition actively corralled support.

"It really added octane to the tank when other groups started forming and other people got involved," Burlison said. "The biggest group clearly was Missouri Firearms Coalition. To me, all politics is local. More legislators pay attention to their local organizations and individuals."

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### **[Commentary: No longer should the fox guard the henhouse](#)**

FARGO — In North Dakota, ethics are optional for our elected leaders. There's nothing to stop them from unethical behavior, which has become all too common and accepted. Thus,...

— It's time to pass Constitutional Measure Number 1. The system in North Dakota is corrupt. There's too much influence of money and lobbyists, with nothing to stop it. Legislators and other elected officials have their hands out, and enthusiastically accept free trips, gifts, discounts and meals. Some lawmakers go through an entire four-month session without having to buy their own dinners. Commissioners disgracefully accept money from companies they are supposed to be regulating.

That's why this measure is needed. An ethics commission would be established. North Dakota is one of only seven states without such a commission. There would be more detailed and quicker reporting of campaign contributions, public officials couldn't become lobbyists until two years after leaving office, there would be no more freebies, and tougher conflict of interest laws.

There will be no more \$37,000 trips to the Superbowl for our governors. Gov. Doug Burgum paid that back to Xcel Energy, but only after The Forum of Fargo-Moorhead broke the story. Burgum did not do anything illegal. It was only public pressure that forced him to reimburse Xcel.

Likewise, when Kevin Cramer and Brian Kalk were public service commissioners they clearly had conflicts of interest. They willingly took thousands of dollars in campaign contributions from a coal mining company they were making decisions about. That sure didn't pass the smell test.

The matter went to court, where U.S. District Judge Daniel Hovland said the contributions were legal, but he also gave Cramer and Kalk a written spanking. Hovland wrote, "Although the acceptance of campaign contributions from such entities may be lawful...the decision to do so is ill-advised, devoid of common sense, and raises legitimate questions as to the appearance of impropriety." If Measure Number 1 passes, those contributions would be illegal.

In neighboring Minnesota, none of this behavior is allowed. Legislators can't accept free dinners, free trips or free tickets. There's also an ethics committee that investigates lawmaker misconduct.

It would also be nice if North Dakota's ethics commission could look into the personal conduct of elected officials. In recent years, lawmakers committed domestic violence, drove drunk, didn't pay taxes and sent an unsolicited photo of a penis to an adult website. The Legislature did nothing.

Opponents of the measure say it's an out-of-state issue. Not true. The measure was sponsored and written by 25 North Dakotans from the Republican, Democratic and Libertarian parties. About 100 North Dakota residents obtained the signatures, and it was signed by almost 37,000 state residents.

Some lawmakers say it's not needed. Sure, let's have the fox continue to guard the henhouse. The fact is, it's long past time to clean up the corruption in North Dakota government.

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**[Smart Approaches to Marijuana \(SAM\) is raising millions to drum up opposition to numerous cannabis legalization bills and ballot measures across the country](#)**

Smart Approaches to Marijuana (SAM) is raising millions to drum up opposition to numerous cannabis legalization bills and ballot measures across the country.

This year's midterm elections are just around the corner, and voters in several states will get the opportunity to decide the fate of cannabis reform on their home turf. Ballot

measures to legalize full adult-use and sales will come up for a vote in Michigan and North Dakota this November, while residents of Missouri and Utah will vote on medical marijuana initiatives. Meanwhile, lawmakers in New Jersey and New York are currently drafting bills to create regulated adult-use markets for marijuana.

Although recent polls have found that a growing majority of Americans are fully in favor of cannabis legalization, the minority who do oppose reform are becoming increasingly vocal. Smart Approaches to Marijuana (SAM), one of the largest anti-cannabis lobbying groups in the country, has recently ramped up its lobbying efforts in an attempt to drum up opposition to many of the legalization measures being considered this year, *Cannabis Wire* reports.

SAM was launched in 2013 by Kevin Sabet — a former adviser to the federal Office of National Drug Control Policy from the Clinton administration through the Obama years — and former congressman Patrick Kennedy, son of late Senator Ted Kennedy. The organization has significantly grown since its inception, raising over \$4.5 million in funds in 2016. The fact that SAM has not publicly listed its donors has led many to speculate that financing is coming from industries with a vested interest in seeing cannabis reform fail, but the group's website claims that it “is funded by small family foundations (with no interest in the opioid, tobacco, alcohol, or prison industries).”

SAM has continued its war on cannabis this year, launching fresh chapters in several states currently considering legalization. Sabet and company are primarily concentrating their efforts in Michigan, where a ballot measure to legalize recreational pot has a good chance of receiving popular approval. Attempting to turn the tide in its favor, SAM launched an opposition group, Healthy and Productive Michigan, which has raised \$277,645 to challenge the ballot measure — \$275,000 of which came directly from SAM's umbrella organization.

Recent polls have found that around 57% of Michigan voters are in favor of legalization, but SAM is hoping voters will change their minds ahead of Election Day. “What we’ve found is these groups like Healthy and Productive Michigan are using hype and half-truths in an attempt to scare voters into opposing legalization,” Josh Hovey,

communications director for the Coalition to Regulate Marijuana Like Alcohol (the group that organized November's ballot measure), told *Cannabis Wire*. "We're running a fact-based campaign."

In North Dakota, this year's midterm election gives voters a chance to pass a very progressive legalization initiative. If successful, the measure will allow any adult to grow, possess, or even sell as much weed as they choose, as well as allowing former offenders to expunge their criminal records. North Dakotans Against the Legalization of Recreational Marijuana, the group that has officially registered to oppose the measure, said that they plan to work with SAM, but have not been able to raise any anti-cannabis funding as of press time.

Sabet is also accelerating his group's lobbying efforts in New Jersey, where lawmakers are close to finalizing a recreational legalization bill. SAM hired a local lobbyist to put pressure on several state lawmakers to oppose the bill, and is also working to foster opposition in individual municipalities — some of which have already passed local ordinances banning pot businesses from their towns. The groups' efforts even extend to Vermont, where adult cannabis use is legal, but sales are prohibited. *Cannabis Wire* found that SAM has given nearly \$25,000 to lobbyiststo oppose a bill that would allow taxed and regulated retail sales.

In addition to state-level efforts, SAM is also working to convince Congress not to back down on the federal prohibition of cannabis. Last year, the group urged Attorney General Jeff Sessions to rescind the Cole Memo — an Obama-era guidance protecting state-legal cannabis industries from federal prosecution — which Sessions did in January. The group also advocated against Sen. Cory Booker's Marijuana Justice Act, making the absurd claim that legal weed would hurt African-American communities more than prohibition has.

Last year, Sabet wrote an op-ed for CNBC using outdated statistics and scare tactics to convince Americans that legal weed is still a dangerous idea. But despite all of SAM's efforts to keep the government's war on marijuana in full effect, an increasing number of Americans are coming out in favor of cannabis reform. In January, a Pew Research

Center poll found that over 60% of respondents supported recreational legalization, and in June, a poll by the Center for American Progress found that close to 70% of Americans support legal weed.