



M U L T I S T A T E

[Alan Branson Files Complaint Over LLC's Participation In Nov. 8 Election](#) (North Carolina)

Former Guilford County Commissioner Alan Branson, a Republican who lost the at-large Board of Commissioners race in the Tuesday, Nov. 8 election, has filed a complaint protesting the participation of a limited liability corporation (LLC) in the election.

Branson filed the complaint with Guilford County Board of Elections and the NC Board of Elections alleging that the Pleasant Guardians LLC had violated state election laws in its support of his opponent.

Branson lost to incumbent Democratic At-large Commissioner Kay Cashion, who collected 58 percent of the vote to Branson's 42 percent.

Branson said this week that the Pleasant Guardians, formed earlier this year, procured and put up political signs and provided Cashion other support without registering with the Guilford County Board of Elections or with the state board.

Branson also said that he wanted to know when Cashion found out about the Pleasant Guardians and be assured that she wasn't working with the organization.

The group, centered out of Pleasant Garden, posted signs with "Paid for by the Pleasant Guardians" on them at an early voting spot at the town hall and in other places around the county. The signs supported Cashion and other candidates who in 2017 had opposed a rezoning that would have allowed a rock quarry near Pleasant Garden.

Branson said the opposition against him from some in the town goes back to that fight when the Guilford County Board of Commissioners debated the quarry issue. Branson recused himself

from the issue because his trucking company worked with the company proposing the plan, and, even though he didn't participate in the decision, many saw him as a quarry advocate.

Branson told the Rhino Times this week that he believes the Pleasant Guardians acted outside the bounds of election law.

"One question I have for Kay is: When did she find out about it?" he said.

He also said that the first signs went up on or about Saturday, Oct. 22 and he saw them soon after. He said he did some research and discovered that the Pleasant Guardians hadn't filed the requisite paperwork with county or state elections officials.

Branson said he immediately phoned Guilford County Board of Elections Director Charlie Collicutt to discuss his concerns.

This week, Branson filed his protests with the county and state elections boards.

He said that, given the margin of the Cashion's victory, he doesn't believe the Pleasant Guardians cost him the seat. (In fact, Branson won the Pleasant Garden precincts.) However, he added, the matter needs to be investigated and he would like to see appropriate fines levied if state campaign finance laws were violated.

Branson is no newbie to lodging components with the elections boards. He fought a very close race that cost him his commissioners seat two years ago, and he also filed a protest arguing that Guilford County had used taxpayer funds illegally to promote the passage of the \$1.7 billion school bond referendum on the ballot earlier this year.

[Lobbyists who engage Louisville officials must register with city under new ordinance](#) (Kentucky)

Lobbyists who work with and aim to influence Louisville Metro officials will have to register with the city under an ordinance Metro Council members approved Thursday.

The ordinance from Metro Councilman Bill Hollander, D-9th District, requires lobbyists and their employers to register with the city if they engage with Metro officials. Some provisions in the ordinance take effect immediately, while others take effect later next year.

Within seven days of engaging a city official, a lobbyist must file a registration statement with the Ethics Commission that, among other information, includes a "brief description of the ordinances, resolutions, or executive or legislative actions for which the lobbyist is or will be engaged in lobbying," the ordinance says.

Lobbyists, if they continue engaging over time with Metro officials, would also need to file spending statements that the Ethics Commission would make publicly available online along with the registration information.

Lobbying, as defined under the ordinance, is "direct communication with any Metro Officer or the staff of a Metro Officer for the purpose of influencing official decisions or official actions" regarding policymaking, financial arrangements and spending public funds, among other things.

During Thursday's Majority Caucus meeting before the full council meeting, Hollander faced a spirited debate and questions from his fellow Democrats on whether the ordinance may cause some citizens to hesitate to reach out to their representatives out of concern they would have to register as lobbyists. Councilwoman Nicole George, D-21st, who proposed several amendments that members struck down, also wondered whether some smaller, nonprofit organizations may feel burdened by the new rules.

But Hollander emphasized the ordinance focuses on paid lobbyists and has "broad" exceptions.

The measure also says "a lobbyist or employer shall not offer, give, or agree to give any thing or service valued at more than \$50 to a Metro Officer, a candidate, the immediate family member of a Metro Officer or candidate, or members of his or her staff, unless such thing or service is available to the general public on the same terms."

"For events to which all Metro Council members are invited along with any other Metro Officers, a lobbyist or employer may provide the officers with the cost of attendance or participation at the event, including food and beverage consumed, that is valued at more than \$50 so long as the value does not exceed \$300 per individual officer," the ordinance also says.

Hollander mentioned at previous meetings and tweeted earlier in the week that Louisville had been "one of the few large cities that doesn't register, regulate or report on the activity of lobbyists."

When he introduced the proposal in February, Hollander said it would fix "a gaping shortfall of our ethics ordinance."

It was introduced in the aftermath of a lawsuit filed last year by development attorney Steve Porter alleging Metro Councilman Brett Ackerson, D-26th, worked behind the scenes with lobbyists hired by a Louisville developer to approve construction of a large apartment complex in southern Jefferson County.

Hollander, however, said he had been working on the legislation "well before" he had learned about the claims in the lawsuit.

Groups urge state ethics watchdog to probe \$5M Cuomo book approval, failed policies (New York)

Good-government groups want the new state ethics commission to learn from the mistakes of its predecessor, the Joint Commission on Public Ethics, which was disbanded this summer.

Common Cause New York, New York Public Interest Research Group, Reinvent Albany and Citizens Union of the City of New York sent a letter to the new state Commission on Ethics and Lobbying in Government, pushing its members to revisit the decisions that led to the approval of former Gov. Andrew Cuomo's \$5 million book deal and the policies of the former corrupt ethics agency.

Leaders with the organizations wrote and filed a complaint requesting the new commission investigate the state agreement that allowed Cuomo to publish his pandemic memoir "American Crisis: Lessons Learned from the COVID-19 Pandemic" in the fall of 2020.

"The commission should step in to ensure that the public knows fully what happened," advocates wrote.

The Assembly Judiciary Committee's impeachment probe and a separate review by the now-disbanded JCOPE concluded former Gov. Cuomo used state staff and resources to write his latest book.

Cuomo denies any wrongdoing.

"An outside law firm already looked into this and concluded that 'J-JOKE' was provided any and all information needed for its approval and — as the courts have found — later overstepped their authority to settle a political vendetta," Rich Azzopardi, Cuomo's spokesman, said in a statement. "Only on Planet Albany can these dark money-funded self-appointed "good government groups" bring this waste of taxpayer money with a straight face. Give me a break and disclose your donors."

Those reports show JCOPE did not properly verify the former governor's book contract or enforce the requirements or their agreement.

Good-government groups say that's enough for the new ethics watchdog to investigate and take action, and that New Yorkers need to know the truth about state resources used to publish the book.

"It's not only about the former governor and making sure he is held accountable — it's also about how the commission works and changes its process for the future to prevent these, from this mistake from happening again," said Rachael Fauss, senior policy advisor with Reinvent Albany.

Representatives with the state Commission on Ethics and Lobbying in Government did not respond to requests for comment or questions about its intent to review the book deal and JCOPE's processes.

Questions have surrounded the new ethics commission since created by Gov. Kathy Hochul and lawmakers earlier this year. The commission is comprised of 11 people appointed by the governor, legislative leaders, the attorney general and state comptroller.

"It's not created to be independent, and whether or not the individuals can step up to the plate and make it that way... I think that's what time will tell," NYPIRG Executive Director Blair Horner said Monday.

In September, the new commission voted to follow precedent from the last ethics agency when making decisions, pushing good-government agencies to file a complaint and urge they distance themselves from JCOPE.

Last month, the commission voted to continue any pending cases JCOPE didn't finish.

The freshly appointed members to the commission need to investigate the decision behind Cuomo's latest book and revisit JCOPE's policies to prove it has the teeth to be an effective ethics watchdog, Horner said.

It's the new ethics commission's chance to reverse New York's reputation of poor and corrupt oversight, and tweaking the policy to make that kind of decision is needed for when an official tries to use their position for personal profit in the future.

"They're running in an agency that is flawed — that is structurally flawed — and now it will be up to the individuals to make it work," Horner said. "And we hope they will."

JCOPE lost a lawsuit after attempting to seize Cuomo's profits from the book deal earlier this year. The judge ruled the agency didn't follow procedures to go after the money under the law.

The new state ethics agency could take additional action.

JCOPE made its decision without obtaining the book contract then-Gov. Cuomo signed with the Penguin Random House Crown Publishing Group, Horner says.

"This is a very tough issue," Horner said. "It's about millions of dollars at stake. It's about people violating the law. It's about agency failures ... This new Commission on Ethics and Lobbying in

Government — their job is to sanction people that misbehave ethically. And so if that happened here, no matter who did it, that agency should go after it."

[Campaign finance watchdog files complaint against Harwell](#) (Georgia)

A federal campaign finance watchdog group filed a complaint against former Tennessee House Speaker Beth Harwell claiming she violated the law by moving \$47,000 in "soft money" into her failed congressional campaign this year.

Washington, D.C.-based Campaign Legal Center filed the complaint alleging Harwell appears to have broken federal rules by directing \$35,000 from the Beth Harwell Committee and \$12,000 from the Harwell PAC, both state accounts, into a super PAC called Government of the People, which purchased advertising supporting her 5th Congressional District campaign in advance of the August Republican primary. Harwell finished behind former Maury County Mayor Andy Ogles in the race.

Government of the People reported making \$62,000 in independent expenditures supporting Harwell's candidacy and more than \$51,000 in independent expenditures opposing Ogles. Super PACs are political action committees that can take unlimited contributions from wealthy donors, but they may not coordinate with the campaigns, according to the Associated Press. Campaign Legal Center filed its complaint Tuesday.

After looking into the matter, which was initially reported by the Tennessee Journal and Tennessee Lookout, Saurav Ghosh, director of federal campaign finance reform for the group, said he felt the transfer of the money was a violation of the federal "soft money" prohibition. "Even though Ms. Harwell lost in her primary and a lot of folks would look at \$47,000 as really not that much money in the scheme of things where campaign finance is today, I think it's an important protection for our federal elections, and it's one that needs to be vindicated," Ghosh said Tuesday.

The group is urging the Federal Election Commission to take action to "make clear" those running state committees cannot use that money for federal campaigns because it's not raised within the rules of federal law, Ghosh said.

The group's complaint with the Federal Election Commission contends Harwell, the Beth Harwell Committee and the Harwell PAC violated the Federal Election Campaign Act by spending "soft money," including nonfederal funds that aren't subject to federal source prohibitions, contribution limits and reporting requirements in connection with a federal election. The law is designed to stop the transfer of millions of dollars in state campaign funds to federal campaigns, though Harwell's case involves less than \$50,000.

"By using nonfederal funds to support her bid for federal office, Harwell violated fundraising restrictions and transparency requirements that apply to all federal candidates, which are crucial to informing the public about the sources of candidates' support, as well as for preventing corruption and its appearance," the filing states.

Debra Maggart, a Capitol Hill lobbyist and former House Republican leader, is co-treasurer of the super PAC.

Harwell could not be reached for immediate comment Tuesday, [but she told the Tennessee Lookout in October](#) she had a legal staff and an accountant working on all of her finances and maintained that "we did everything above board."

"We did not violate any rules. That I can assure you," she said in October.

In addition to the \$47,000, the super PAC received \$10,000 from her husband, Samuel Harwell. The super PAC also received \$5,000 each from John Ingram and Orrin Ingram; \$5,000 from Mark Cate, a principal with Stones River Group; \$10,000 from former Gov. Bill Haslam; and \$20,000 from Joey Jacobs, former CEO of Acadia Healthcare Co.

The super PAC initially reported spending about \$65,000 but then amended its FEC filing and showed it spent \$118,219 and had \$5,030 at the end of the primary. The group also spent \$5,000 with Frost Brown Todd law firm.