



M U L T I S T A T E

**[Cedar Rapids mayoral candidate Amara Andrews, PAC fined for violating campaign finance law](#)** (Cedar Rapids, IA)

On May 26th, the Iowa Ethics and Campaign Disclosure Board reprimanded and fined Amara Andrews and the PAC that supported her, Iowa Voter Info, for including an [inaccurate attribution statement on a campaign mailer](#).

According to the ruling, Iowa Voter Info was not registered as a PAC when Andrews transferred \$9,000 to the organization with the intention of it becoming a PAC. On published materials that are designed to “expressly advocate the nomination, election, or defeat of a candidate for public office,” Iowa Code requires an attribution statement that must disclose the party responsible for the published materials.

The attribution statement sent out with the publishing materials stated that the mailers were “Paid for by Iowa Voter Info” without disclosing it was not a registered PAC and that the mailers were paid for by the Andrews committee.

The Andrews committee did promptly correct the error by publishing a correction notice following notification from the Iowa Ethics and Campaign Disclosure Board staff.

Andrews and Chair of Iowa Voter Info, Bret Niles, were both ordered to pay a civil penalty of \$200 in regards to the ruling.

**[Tennessee governor signs campaign finance and ethics bill](#)** (Tennessee)

Tennessee Gov. Bill Lee has signed off on a new campaign finance and ethics face-lift, bucking objections from some of the state’s most influential advocacy groups who opposed the measure.

“I think that transparency is a good idea,” Lee told reporters earlier this month. “I think that whenever we have transparency into organizations that politically lobby, that’s a good thing.”

The Republican governor signed the measure Friday. The move comes as a federal investigation has hovered over the GOP-controlled General Assembly for over a year that has so far led to [one Republican lawmaker pleading guilty to a federal wire fraud charge](#) over allegations she helped carry out a political consulting kickback scheme.

However, even as the statehouse's top legislative leaders called for campaign ethics reform amid the ongoing investigation scandals, so-called dark money groups have remained fiercely opposed to the new changes. Many argued that the law will result in them disclosing donors. Opponents include Americans for Prosperity, Tennessee Right to Life and the National Rifle Association.

Supporters counter that the new law will shine a light on expenditures, not donors. Specifically, certain politically active nonprofits must disclose spending totaling at least \$5,000 within 60 days of an election on communications that contain a state candidate's name or likeness.

The measure also states that political committee leadership must provide identification.

"To the life of me, I still can't figure out why all these groups think that they'd have to disclose donors," House Speaker Cameron Sexton told The Associated Press earlier this month.

Sexton said lawmakers tweaked the bill multiple times to appease concerns from politically active groups, but they kept coming back with more suggested changes. Some suggestions would have been a "poison pill on the whole bill," Sexton said.

"We kept making the changes, and the thing is, what you really find out is some of these groups just didn't want anything," he said.

Senate Speaker Randy McNally previously said the bill was aimed at weeding out "bad actors," like shell companies and "shadowy PACs used by certain legislators to line their own pockets."

Independent groups have become increasingly more influential ever since the U.S. Supreme Court's 2010 Citizens United ruling, which removed caps on how much corporations, unions and interest groups can spend on advocacy communications that do not specifically call for the election or defeat of candidates.

While the ruling encouraged transparency, the federal government doesn't require such disclosure and most states don't either.

In March, ex-Rep. Robin Smith resigned from her legislative post and pleaded guilty in federal court under an agreement with prosecutors. The charging document said Smith, former House Speaker Glen Casada and his then-chief of staff, Cade Cothren, used a political consulting firm to illegally funnel money to themselves through both campaign and taxpayer-funded work, while concealing their involvement in it.

The charge came nearly a year after FBI agents raided the homes and offices of several state lawmakers and staffers, including Casada, Smith and Cothren.

### **[Gift ban, other government reforms changes stall in Pennsylvania despite promises from leadership](#)** (Pennsylvania)

Rabbi Michael Pollack stood at a podium in the Capitol, just steps away from where the legislature meets, to talk last week about the need for banning elected officials from accepting gifts from lobbyists, special interests, and others.

“Bribery is legal,” Pollack told good-government advocates and others who had gathered for his news conference. “Everybody’s on the take.”

It wasn’t Pollack’s first time delivering this message.

His advocacy group, MarchOnHarrisburg, has been pushing lawmakers to enact a gift ban for six years. A majority of legislators have promised Pollack they would vote for it, he said, and when a bill that would ban gifts made it out of committee in this legislative session, Republican leaders in the House of Representatives seemed to be [finally ready to pass it](#).

And then, nothing.

A gift ban is just one of many procedural changes advocates have called for the legislature to pass. Pennsylvania has comparatively lax laws on lobbying, campaign finance, revolving door policies, and more.

But no matter how many advocates call for the policies to be tightened, or how many bills are introduced, or how many legislators pledge to vote for them, the proposals have historically failed to reach either the state House or Senate floor for a vote.

Often, they haven’t even received a hearing in the legislature.

Pollack argued that the legislature, swayed by donors and leadership, lacks the political will to rid itself of the perks of being in elected office.

“There are a handful [of lawmakers] that will make the case for why corruption is OK,” Pollack said. “But most of them will vote for it.”

### *The gift ban*

Under Pennsylvania law, elected officials are allowed to accept gifts — for some, even cash — from lobbyists and others as long as they disclose them in annual reports.

That places Pennsylvania in a minority of states with few or no restrictions on gifts, according to [a nationwide analysis](#) of gift laws by the National Conference of State Legislatures.

During Wednesday’s news conference, Pollack said lawmakers have introduced 33 gift ban bills over the last 20 years. But no bill banning or even limiting gifts from lobbyists or others trying to influence public policy has received a floor vote.

Pollack said gift ban legislation has gained some momentum in the current two-year legislative session. A gift ban bill made it out of the House State Government Committee — only the second time it has gone that far in the last two decades.

The gift ban bill currently being considered in the state House would cap the amount of money lawmakers can receive from lobbyists at \$250 and would bar lobbyists from providing lawmakers with transportation, lodging, and entertainment.

Pollack said the bill is imperfect. For instance, it would ban gifts for “non-governmental use,” but does not define what “non-governmental use” entails, which could create a loophole for lobbyists. But his group has set aside these issues and hopes to address them in the state Senate if the bill passes through the state House.

### *Campaign finance*

Pennsylvania has some of the most permissive campaign finance laws in the country. There are no limits on how much money donors can give candidates.

Nor are there any defined restrictions on how candidates can spend that money, or requirements that they document what they use it for. For instance, candidates often use credit

cards or gift cards to make purchases and then reimburse themselves with campaign funds without providing a description or explanation of what they spent the money on. An investigation by the Caucus and Spotlight PA found that [candidates have shielded millions of dollars of expenditures with these methods](#).

Senate Minority Leader Jay Costa (D., Allegheny) has [introduced legislation](#) in multiple sessions that would clarify how candidates spend campaign dollars. His bill also would prohibit personal use of campaign funds, and create first-ever limits on campaign donations in the state.

### *Per diems*

In Pennsylvania, legislators are reimbursed tens of thousands of dollars each year for food and lodging anytime they travel more than 50 miles from their home district — including when they come to the Capitol to vote.

The flat payments (which can run as high as \$200) are called per diems. And legislators can cash in on them without even providing receipts.

Per diems for lawmakers have long been controversial but became even more so during the pandemic. From March 2020 through December of that year, legislators requested \$726,877 in per diem reimbursements despite being allowed to attend votes remotely, with individual lawmakers receiving as much as \$24,000, a [Spotlight PA investigation](#) found.

Susan Gobreski, board director for government policy for the League of Women Voters of Pennsylvania, said per diems currently function like “an ATM machine” for lawmakers.

State Sen. Jim Brewster (D., Allegheny) has introduced legislation [that would ban](#) per diem pay for lawmakers in four different legislative sessions. But his bills have never received a vote.

A [package of bills](#) to reform lobbying seemed likely to pass earlier this year, but like the gift ban, it stalled.

Among other changes, the package of bills would ban lobbyists from also working as consultants for political campaigns.

The bills were championed by Senate President Pro Tempore Jake Corman (R., Centre) and House Speaker Bryan Cutler (R., Lancaster), but they have yet to be brought to a vote since being announced last summer.

Cutler's spokesperson, Mike Straub, said he hopes negotiations on the package will progress in the next month, when lawmakers will also be working overtime to approve a state budget.

"Budget negotiations often inspire some movement on other topics," Straub said.

### *Rules of operation*

In Pennsylvania, the majority party — and in particular, its legislative leaders and committee chairs — have tremendous sway and power.

Much of that power is codified in the chambers' rules of operation, which legislators vote on at the beginning of every session. Advocates and lawmakers in the minority have [continuously criticized](#) those rules for being un-democratic, stifling debate, and promoting inaction.

For instance, they permit leaders and committee chairs to block a bill, regardless of its level of support, so it never receives a hearing in committee or reaches the floor for a vote — even if the bill otherwise enjoys broad support in the chamber.

Gobreski said the rules of the legislature stunt good-government proposals by making it easy for lawmakers to benefit from publicly opposing corruption while avoiding the drawbacks of actually limiting the practice.

"Leaders have a lot of control, and legislators can introduce legislation that makes them look good," Gobreski said, "but then nobody has to take any responsibility for [it] passing. Leaders can stop the passage if they want to, and then members don't get mad at them for cutting off the perk."

Pollock said there are other procedural ways leadership and donors maintain power over rank-and-file lawmakers in their party.

Party leadership can remove lawmakers as sponsors from bills, kick them off of committees, and ostracize them socially.

"They can fire your staff," said Pollack. "If you step out of line, if you cause trouble, if you make waves, leadership can just say, 'Well, your office is no longer there. Good luck getting things done.'"

At Wednesday's news conference, MarchOnHarrisburg called on representatives who support the gift ban to employ a legislative maneuver to bypass state House leadership and bring the bill to the floor.

This procedure would take 102 votes, Pollack said, and was last used successfully in 1921.

But it would require political courage, he said, and he believes that most lawmakers are "too afraid to stand up" to leadership.

### **Lobbying And Ethics Reforms Top Agenda At New Hawaii Standards Commission Meeting** (Hawaii)

A commission tasked with beefing up government transparency in Hawaii kicked off its first regular meeting Wednesday with a two-hour long discussion on proposals to increase reporting requirements for lobbyists and address conflicts of interests with state lawmakers.

The commission debated [more than a dozen proposals](#) put forward by Ethics Commission Director Robert Harris. Many of those new proposals focused on providing the public with a better glimpse into potential relationships between lawmakers and lobbyists.

The nine-member Commission to Improve Standards of Conduct is expected to spend the rest of the year examining election laws, campaign finance and other areas for potential government reforms.

The House created the commission to examine government practices after federal prosecutors charged two former lawmakers with taking part in a bribery scheme to influence wastewater legislation.

Many of the proposals discussed Wednesday targeted lobbyists. Some of the suggestions included requiring lobbyists to disclose a list of bill numbers for which they are lobbying.

"The idea is it would give very clear notice to the public what a lobbyist has worked on and what they are doing," Harris said.

Currently, registered lobbyists only need to check boxes on their registration forms indicating what topics they might be interested in – like agriculture or the military.

Kristin Izumi-Nitao, the executive director of the Campaign Spending Commission and a commission member, said the proposal is a strong idea that the commission should consider.

Other ideas from Harris include prohibiting lobbyists from holding fundraisers on behalf of lawmakers or advising political campaigns, especially the campaigns of committee chairs who may have jurisdiction over an area in which they lobby.

Other proposals would prohibit lawmakers from also working as lobbyists and require legislators to publicly disclose any financial or business interests they may have with a lobbyist or an organization that lobbies the state.

Much of the discussion around lawmakers focused on shoring up laws that police potential conflicts of interest.

State legislators often ask the House Speaker or Senate President for a ruling on potential conflicts of interest. The reply is almost always that no conflict exists.

In one famous example from 2011, former Rep. Joe Souki, who was also a lobbyist for the chemical industry, asked then-Speaker Calvin Say if he had a conflict before voting on a bill banning plastic bags. Say said there was none.

Harris suggested amending House and Senate rules on conflicts of interest to require rulings on conflicts to go to full floor votes in either the House or Senate.

“It’s a commonsense solution,” Janet Mason, a commissioner and League of Women Voters member, said.

Although it may be commonsense, such a reform could be difficult to implement. The constitution allows the Legislature to set its own rules. Commission Chairman Dan Foley and others raised concerns that infringing on the Legislature’s rulemaking could run afoul of the state constitution.

Harris suggested enacting changes through the law instead.

Another suggestion that may be enacted in statute is a requirement for the Legislature to post legislative allowances online. Lawmakers are allowed to spend just [over \\$13,000 a year](#) to pay for expenses related to their jobs as legislators.

“It’s a fairly large amount of money that is going up across all the different legislators – it’s a significant sum,” Harris said of the proposal. “It’s just to create some level of transparency and confidence those funds are being used appropriately.”

The commission tasked Harris with drafting proposals the commission could consider recommending to the 2023 Legislature. Any of the commission’s proposals would have to be approved by lawmakers. The commission’s final report is due in December.