



M U L T I S T A T E

Hoboken campaign finance union contribution law passes in surprise revote at council meeting (New Jersey)

Hoboken modified its campaign finance rules Wednesday in a dramatic vote after residents spoke against the ordinance and it initially failed, with one councilmember who first abstained changing her vote to help the ordinance pass.

Critics have slammed the legislation, which would exempt unions from campaign contribution limits if a court deems the language enforceable, as a retreat from the city's strict campaign donation laws.

Councilwoman Tiffanie Fisher is already promising to mobilize residents to challenge the new law through a referendum.

The City Council also re-introduced a Western Edge Redevelopment Plan amendment and approved a new \$2.6 million Hoboken Business Alliance budget. And it became the first municipality in the state to schedule a referendum on using ranked choice voting in the city in case the state authorizes it.

The campaign finance ordinance would newly allow unions to donate more than \$500 to campaigns in the city. When Mayor Ravi Bhalla's administration first [put it forward for introduction](#), it said the move was essentially a course correction and that the city had only ever intended to limit PAC donations in elections.

The topic is, however, the subject of an ongoing lawsuit involving Councilman Mike DeFusco, who has been accused of receiving donations from unions in excess of the city's \$500 limit.

State Election Law Enforcement Commission rules say corporations or unions can contribute up to \$2,600 to a candidate committee; \$7,200 to a political committee, continuing political committee and municipal political party committee; \$25,000 to a legislative leadership committee and state political party committee; and \$37,000 to a county political party committee.

The text of the ordinance was changed this week to acknowledge that lawsuit. It now will only take effect if a judge ultimately decides that the original rule is unenforceable.

DeFusco recused himself from the vote, which at first received four votes in favor, three votes against, and an abstain from Councilwoman Vanessa Falco. With only four favorable votes it failed to pass.

About 20 minutes later, Falco asked to change her vote.

This was Falco's last regular City Council meeting. In January, she will join the Bhalla administration as the new director for a Division of Housing. Councilman-elect Joe Quintero will be sworn into the council in her place.

Falco did not respond to a request for comment.

Critics of the ordinance said they have not heard any resident support for changing the law and that it was irresponsible to legislate while the lawsuit is ongoing. Supporters argued that it's reasonable since it would only take effect after a ruling and that unions should be able to have a better chance to chime in during elections.

Multiple residents voiced opposition before the vote.

"Repealing campaign finance reform, that just doesn't sound right to me," said Carmine Sodora during public comment. "It sounds like this particular ordinance could be self-serving to many people, but not to the general public of Hoboken."

On Thursday, Fisher said she is looking into how to challenge the ordinance by collecting resident signatures to create a ballot initiative.

"This vote tonight is a special interest vote only," she said during the meeting. "That's it, and it is absolutely not representative of the people."

The council also reintroduced an amendment to the Western Edge Redevelopment Plan, the subject of a conflict with a developer who wants to build an 18-story building that Union City officials say would block some clifftop views of Manhattan.

The amendment provides ways for the developer to restructure its proposal to create bulkier, but shorter buildings as a means of not blocking Union City's views.

It doesn't, however, include a public lot that the city had originally planned to add to the redevelopment area as a bargaining chip. Councilwoman Jen Giattino asked for that lot to be removed from the ordinance last night, requiring the vote to be for a first, not second reading. The council spontaneously scheduled a special meeting for second reading for three days before Christmas, though it is unclear if enough members will show up to have a quorum.

Developer Pegasus Partners had previously said the appraised value of the \$14.7 million public lot was too high for it to consider for the project. Both Pegasus Partners principals called into the meeting, with Mark Villamar saying the ordinance could be helpful in reaching a settlement with a lawsuit it filed against the city.

"The ordinance that's before you is not the solution to the litigation but a tool to help get to that solution," he said.

The Hoboken Business Alliance saw its new \$2.6 million budget approved with all "yes" votes, but for Councilman Michael Russo, who said he has not seen the group devote enough effort to his Third Ward.

The budget represents a more than \$1 million increase from last year's \$1.7 million allotment as the business alliance plans to expand its staff, devote more money to murals and lighting improvements and invest in public relations.

Rose Markle, who identified herself as a "mom and pop landlord," said is unfair to parties like herself who have to continuously see increased taxes that she feels mostly benefit commercial businesses and their landlords.

Votes on ranked choice voting and an electric vehicle charging program were unanimous.

The vehicle charging or "Green Pass" program will be a six-month pilot offering electric vehicle owners discounts to the garages, which have charging stations.

"Transportation accounts for about 31% of (greenhouse gas) emissions in Hoboken currently, so supporting green mobility options, including electric vehicles, that reduce (greenhouse gas) emissions is a major priority for Mayor Bhalla," city spokeswoman Marilyn Baer said in November. "Increasing adoption rates of electric vehicles is also a key strategy in the city's

[Climate Action Plan](#), which lays out a roadmap for Hoboken to achieve carbon neutrality by 2050.”

[Ex-Ohio legislative candidate fined \\$50,000 for failing to report campaign-finance expenses](#) (Ohio)

The Ohio Elections Commission has fined an ex-legislative candidate backed by ex-House Speaker Larry Householder \$50,000 for failing to report more than \$290,000 in campaign-related expenses.

Allen Freeman, a township trustee from Clermont County, had tried to get the case against him dismissed after he liquidated his account earlier this week, arguing that because the committee had been dissolved, it couldn't be found liable for anything.

But the commission found that Alan Freeman materially misstated his campaign finances by reporting spending just \$14,000 on his failed 2020 campaign for state representative, even though public records alone show his campaign bought roughly \$118,000 in broadcast TV ads.

The commission's finding names Freeman personally, as well as his campaign committee. This means he can be found personally liable to pay the fine.

Freeman ran and lost for a hotly contested Ohio House seat in the 2020 primary election. He had the backing of former House Speaker Larry Householder, at the time one of the state's most powerful politicians but who since has been forced from office over a corruption arrest. Attack ads blanketed the airwaves for the rural campaign, funded from Freeman's official campaign as well as [a dark-money operation](#) aligned with Householder.

The commission was set to issue the fine following a Dec. 7 hearing in which commissioners directed its staff to write a formal finding against Freeman.

But this week, Don Brey, a Republican campaign finance attorney, notified the commission that Freeman had closed out his campaign account, which previously had about \$94,000 in leftover money from his legislative campaign.

[A campaign finance report filed on Dec. 11](#) shows that Freeman paid \$90,500 in legal fees to Brey's law firm between July 19 and Dec. 10, with the rest going to an accounting firm. The report wasn't due for more than a month under the state's campaign finance calendar. Most of the legal expenses were incurred on Oct. 25 or earlier.

“The committee’s termination results in the commission no longer having jurisdiction over the [campaign finance complaint] because the commission lacks jurisdiction over a non-existing entity,” Brey wrote in a letter to the commission as part of a filing to dismiss the case.

The commission declined to consider Brey’s request to dismiss the case before issuing its ruling on Thursday. Brey said in an interview he will appeal the fine, which can be done in Franklin County Common Pleas Court.

He said the commission failed to follow proper procedure in conducting the numerous hearings involved with the case. He said Freeman had been punished enough by being forced to drain his campaign fund on legal fees.

“I think they lost their way,” Brey said of the elections commission. “I think this case was way beyond their capabilities, their passions were stirred and their ability to make a judicious decision with care to the details and the facts did not appear to occur in this case.”

The case had been in the works for months after Chris Hicks, a conservative activist from the rural Cincinnati area, [filed a complaint in April](#). Hicks used the elections commission process to issue subpoenas to Freeman, as well as to Republican political operatives with ties to Householder’s previously formidable campaign operation and others, resulting in hours of in-person testimony similar to a courtroom setting throughout several in-person hearings.

In his filings and testimony, Freeman said he never reported the ads because he never received a bill. The ads were placed through a consultant, Jeff Longstreth, who was Householder’s top political aide until he was arrested alongside Householder in July 2020 in a federal corruption probe into House Bill 6, the since-repealed nuclear bailout law.

But the commission’s finding said as someone who personally approved the ads, Freeman had plenty of opportunities to investigate substantial expenses that he never paid.

Evidence in the case showed that Freeman’s campaign treasurer was told to disregard a \$290,700 bill the campaign received in April 2020, according to the commission’s written decision.

“Commission members are not persuaded that Mr. Freeman, or the treasurer for the Committee to Elect Allen Freeman, took sufficient action to properly investigate and identify outstanding amounts owed by the campaign committee and properly list them within a campaign finance report,” the decision reads.

But Brey said Freeman attempted to figure out how much he owed. He couldn't get anyone on the phone for weeks, which only got worse after Householder and Longstreth were arrested.

The Freeman complaint isn't the only campaign finance complaint associated with Householder. Secretary of State Frank LaRose also filed a complaint against Householder regarding the House Bill 6 charges. The case is still pending since the elections commission is waiting for the federal case to resolve.

Householder [also was hit with another campaign-finance complaint](#) after he drained his \$920,000 campaign fund to pay the lawyers mounting his criminal defense against the federal charges. State law generally prohibits candidates from using campaign money to pay for their criminal defense. The elections commission also has opted to wait until the criminal defense case is over to take up that issue.

[Former Lake Ozark lawmaker sues to overturn Missouri law that bans lobbying for two years](#) (Missouri)

A former state lawmaker from the Lake of the Ozarks is suing the Missouri Ethics Commission over the state's two-year ban on lawmakers becoming lobbyists, arguing the law prohibits his freedom of speech and requesting that it be blocked.

In a lawsuit filed in the U.S. Court for the Western District of Missouri on Thursday, former Rep. Rocky Miller, a Republican from Lake Ozark, alleges that his inability to register as a lobbyist to serve a prospective client was denying him income. He also argues that because the two-year restriction "bans (him) from saying certain things, backed by the threat of criminal prosecution," it is unconstitutional.

Missouri's requirement that lawmakers wait at least two years between leaving the General Assembly and registering as a lobbyist stems from a 2018 ballot initiative (often called "[Clean Missouri](#)"), which was approved by voters and imposed several regulations on lobbying and campaign finance. Miller is asking the court to stop the Missouri Ethics Commission from enforcing the ban.

Miller, who left the House in 2021 due to term limits, is a licensed engineer who says he was "uniquely qualified" to advocate for the proposed client, who required legislative knowledge and expertise in environmental engineering. Lobbying on clients' behalf without registering with the commission can result in prosecution for violating state laws.

The potential client "considered joining in this suit" but did not do so because of the risk of losing advocacy time or also facing consequences from the commission, according to the filing.

Lobbying is a popular next stop for state lawmakers terming out in Jefferson City, allowing them to utilize their reputation and connections made in the Capitol to push for legislation.

During his last full year in the House, Miller was pessimistic about attempts within his party to overturn parts of that 2018 voter-approved initiative, which also altered the state's redistricting process; he [predicted a plan to overturn that section of the law would "go down in flames."](#)

He ended up being proven wrong — that plan made it to the ballot in 2020 and was [approved by voters](#), two years after a majority voted to approve the original plan. Miller also proposed a bill [requiring parents to be notified](#) before minors got abortions, and pushed for [riverboat gambling to be permitted](#) in the Lake of the Ozarks.

[Competing measures could muddy Oregon's campaign finance debate](#) (Oregon)

Weeks after they came to an impasse over how Oregon should crack down on money in politics, left-leaning organizations are signaling they might just fight it out at the ballot box.

On Friday, two groups that are often aligned filed dueling ballot measure proposals for how to place limits on the state's permissive campaign finance laws. Those proposals — one affiliated with public-sector labor and advocacy groups, the other from a private-sector union — join a series of three proposals filed earlier this month by good government groups.

The upshot: Six separate ideas for cracking down on political giving in the state have now been floated for the November 2022 ballot. Many, if not most, will die before they reach voters, but even two competing campaign finance measures next year could create confusion that advocates have been hoping to avoid.

Oregon is one of a handful of states that places no limits on how much an individual or entity can give to candidates, a fact that has helped campaign spending explode in recent elections.

But voters have signaled they're eager to tamp down on money's role in politics. A ballot measure that altered the state Constitution to formally allow limits on campaign giving passed in a landslide last year.

Left-leaning groups that pushed the Constitutional change met frequently in private this year, attempting to come up with a consensus framework for new regulations. Those talks broke down

in early December. Now different factions are coming out with their own ideas, which they say need to be filed right away in order to have a chance to collect enough signatures in time for a July deadline.

“I think what happened was we all ran out of time, but we all are committed to doing something,” said Joe Baessler, political coordinator for the Association of Federal, State, County and Municipal Employees Council 75. “No one wanted to look like they don’t support campaign finance reform.”

Hawaiian fundraiser prompts campaign finance complaint against Attorney General (Hawaii)

A complaint alleging that Colorado Attorney General Phil Weiser broke the state’s campaign finance laws will move forward, after the Secretary of State’s Office deemed it to be non-frivolous and said the allegations show one or more potential violations.

“...the Division makes the initial determination that the Complaint alleges facts which, if proven, could support a finding that Respondents violated Colorado campaign finance laws, and that those alleged violations may be curable,” states an initial review from Luis Lipchak, a campaign and political finance enforcement manager in the state’s elections division.

Weiser has ten days to update his disclosure forms or provide evidence to dispute the allegations.

The Republican group Defend Colorado filed the complaint earlier this month, which argues Weiser, a Democrat, failed to properly document a fundraiser he attended in Hawaii at the Waldorf Astoria Grand Wailea Maui Resort. The same group [filed an ethics complaint](#) against a member of the Polis administration earlier this week.

“On June 15, 2021, Weiser held a fundraiser for his re-election campaign in the Grand Wailea Grand Dining Room,” states the complaint. “The site fee for the Grand Dining Room is valued at \$6,000 with a food and beverage minimum of \$39,760 plus tax and a 25% service charge.”

But the complaint said, Weiser only reported a \$437 cost for the fundraiser.

“Weiser is required to report the contribution of the Grand Dining room as a donation, either in dollars or in kind,” it concludes.

Weiser was in Hawaii in his official capacity as Colorado's Attorney General to attend the Attorney General Alliance, an organization of AGs in the western U.S, which he currently chairs.

The complaint also raises concerns about the corporate sponsors for the AGA, which include companies which Weiser's office is or was involved in pending litigation against, including Juul, Purdue Pharma and Facebook.

Weiser disagreed that his campaign failed to fully disclose its expenses and contributions for the event.

"In our campaign we will always follow all requirements," Weiser told CPR News. "Whenever we have an event we will ask, are there costs that we need to pay to cover access to space, or to food, and we'll pay those costs. That's what we did here. We're committed to being compliant and will continue to be so."

A campaign spokesman said Weiser paid his own way to Hawaii for the conference and that the state employees who attended the AGA meeting with him also paid for their flights.

Defend Colorado is asking for an investigation of the campaign's expenses and financial disclosures and for Weiser to pay a fine.

The Colorado Secretary of State's office said the allegations could potentially also constitute a violation of the state constitution's Amendment 41, which limits the value of gifts elected officials can accept.