



M U L T I S T A T E

[Judge Tosses GOP Challenge to Exception for Recall Donations](#) (Michigan)

A federal judge dismissed Republicans' lawsuit challenging the ability of Gov. Gretchen Whitmer's reelection campaign to collect excess donations under an exception for recall attempts, saying they lack the standing to sue.

District Judge Janet Neff in Grand Rapids ruled Tuesday that state GOP chairman Ron Weiser and the party failed to show they had suffered a “concrete and particularized injury.” She also said they could have given unlimited amounts to recall committees opposing the Democratic governor but did not.

Republicans said they would appeal.

At issue is roughly \$4 million in contributions to Whitmer that exceeded the \$7,150 per-person limit. A 1983 interpretive statement and a 1984 declaratory ruling from the secretary of state at the time allow such donations when a state officeholder is facing a potential recall.

The lawsuit, which was filed in September, challenged the constitutionality of the recall rule and alleged that it gives Whitmer a competitive advantage.

Since then, the state elections bureau has dismissed a separate campaign finance complaint brought by a conservative group. But it has reiterated that Whitmer's campaign must “disgorge” recall-designated contributions since no recall election was held after activists' longshot efforts in 2020 and 2021 fell far short of the necessary voter signatures.

The funds that were not spent on litigation or other recall-defense activities can be given to political parties or charities.

Democratic Secretary of State Jocelyn Benson's department said the recall doctrine creates the potential for future abuse by allowing excess donations to be used for what would otherwise

amount to campaign advertising. It said that although the record does not show that Whitmer's committee did that, a future committee could.

The department said it would welcome the opportunity to consider the issue further if someone were to ask for a declaratory ruling, but that it could not overturn past precedents while addressing the complaint filed by the [Michigan Freedom Fund](#).

[Georgia candidates accept crypto campaign donations](#) (Georgia)

You know those extra bitcoins you have lying around? The ones you've been meaning to donate to a political campaign? Well, you're in luck!

What's happening: At least two Georgia Republicans running statewide are soliciting cryptocurrency as campaign donations.

The big picture: These candidates are part of a [bipartisan group of politicians around the country](#) who've been accepting digital currency.

Details: State Sen. Burt Jones, the Trump-backed Republican running for lieutenant governor, recently released a cryptocurrency payment [portal](#) after donors expressed interest.

- He joins fellow Republican Secretary of State candidate David Belle Isle, who claims to have launched the first portal in the spring, also after donor interest. He said it took them more than six weeks to build.

Is this legal? According to David Emadi, executive director of the state Campaign Finance Commission, Georgia candidates can accept cryptocurrency if the donation is immediately converted into U.S. dollars, to ensure the value doesn't shift over legal limits.

- The FEC, which regulates federal candidates' campaign finance, has published [guidance](#) on digital currency. It does allow committees to retain donations in a "bitcoin wallet," but they're still subject to federal contribution limits and reporting requirements.

Yes, but: Emadi said there's no rule that a donation originating in cryptocurrency be identified as such when reported in dollars. So it's tough to know exactly how much bitcoin has fueled political coffers in Georgia.

Of note: This isn't new. Former Georgia Republican Rep. Bob Barr was on the cutting edge when he [solicited bitcoin donations](#) back in 2014. He tells Axios that happened thanks to guidance from his "younger staff."

[Eyeing corruption scandals, Gov. McMaster puts ethics on the agenda for 2022](#) (South Carolina)

Gov. Henry McMaster wants to beef up a pair of watchdogs that investigate government misconduct, make the Palmetto State's scandal-scarred sheriffs attend ethics training, and shine more light on special interests that secretly influence city and county councils.

The Columbia Republican will package those proposals into his soon-to-be-unveiled executive budget, calling on lawmakers to spend some \$3.4 million more per year on measures meant to repair South Carolinians' faith in their government.

The governor's agenda would tackle some of the problems exposed over the past year by Uncovered, a project in which The Post and Courier has teamed up with 17 other newspapers across the state, including The Voice of Blythewood & Fairfield County, to investigate public corruption and expose the systems of oversight that fail to hold politicians accountable.

More than 120 S.C. public officials have been arrested on criminal charges related to their government work over the past seven years, the investigation found. The state's sheriffs keep getting arrested for breaking the laws they swore to uphold — more than a dozen have been charged with crimes while in office since 2010. But as newspapers and other watchdogs have declined, many other officials in small-town South Carolina have evaded scrutiny.

The governor's proposals come ahead of a budget cycle where lawmakers will have a mountain of cash to spend. The Legislature expects the state budget to grow by nearly \$900 million next year and will have nearly \$2.2 billion to spend on one-time projects, making McMaster's request a drop in the bucket.

"The governor doesn't think there is any more worthy investment than making sure government is more accountable to the people and transparent," McMaster spokesman Brian Symmes told The Post and Courier.

Strengthening watchdogs

McMaster's proposed budget would more than double the budgets of the State Ethics Commission and Office of Inspector General, giving the pair of government watchdogs more money to hire investigators and enforce laws that are already on the books.

Both could use the help.

The State Ethics Commission has a staff of just 18 to monitor campaign spending and fundraising, track lobbying activity at the Statehouse, and investigate complaints of misconduct against politicians and public officials.

In part because it employs just four investigators, the agency has historically let public officials off the hook with warnings and minimal fines after investigations that sometimes disregard serious allegations, an Uncovered investigation found last year. And even when it does fine politicians, it has trouble forcing them to pay up, another Uncovered story revealed.

The Office of Inspector General, an eight-person agency, also has its hands full with investigating fraud, abuse, waste and misconduct within the state's 106 executive agencies.

Led by former FBI investigator Brian Lamkin, the agency typically fields hundreds of complaints a year against state employees and programs. In one high-profile case last year, the Inspector General's Office determined that a former state agency executive director helped her husband win a \$600,000 contract with her agency.

In another, the office investigated and scolded the Governor's School for Agriculture at John de la Howe after an Uncovered report first revealed ethical breaches and questionable spending there.

In addition to giving the Inspector General's Office at least three more investigators, the governor also wants to expand the agency's jurisdiction beyond just state agencies, his office said.

McMaster will support efforts to empower the office to investigate any agency or group that gets state tax dollars, his office said. That includes school districts, cities, counties — even nonprofits that get state grants.

The state's 170 legislators haven't seen the governor's proposed budget yet. But two necessary allies, the chairmen of the House and Senate budget committees, told The Post and Courier they support the idea of strengthening the Ethics Commission and Inspector General's Office.

“I’ve spent my entire Senate career fighting for efficiency and accountability in government,” said Senate Finance Committee Chairman Harvey Peeler, a Gaffney Republican who was first elected to the Senate in 1980. “While I haven’t seen the details of the governor’s proposals, they will be strongly considered if they lead to those two items.”

Local scrutiny

McMaster also wants the state’s 46 sheriffs to undergo annual ethics training, a response to a steady stream of arrests and criminal convictions of the state’s top lawmen.

The Post and Courier’s 2019 series “Above the Law” showed that one in four of South Carolina’s counties in the past decade had seen their sheriffs arrested for breaking laws. By the end of that year, three more sheriffs had been indicted and removed from office. In all, 15 sheriffs since 2010 have been arrested on charges ranging from drug dealing to driving under the influence.

Ex-Chester County Sheriff Alex Underwood is currently awaiting sentencing after his federal conviction on corruption and abuse of power charges. Meanwhile, Marlboro County Sheriff Charles Lemon was indicted last month and suspended from office on charges of ordering a deputy to repeatedly jolt a suspect with a Taser in the county jail.

The governor’s budget requests \$200,000 to pay for the training. It also calls for a public listing of which sheriffs attend and which skip out.

“Over the years, we have seen far too many instances of sheriffs abusing their office,” said Symmes, McMaster’s spokesman.

House budget committee Chairman Murrell Smith said he likes that idea. The Sumter Republican would even support expanding ethics training to all public officials across the state.

Smith, a lawyer, noted that even after graduating law school and passing the bar exam, attorneys are required to receive regular training. He thinks politicians should do the same, especially in an age where technology has made it easier than ever for everyday taxpayers to scrutinize elected officials’ dealings.

“There is more scrutiny on people about their ethics than there was 20 or 30 years ago,” Smith said. “It’s time for us to make sure that we put more emphasis on ethics and compliance and training.”

McMaster's ethics agenda also calls for more scrutiny of local government. Currently, political operatives who are paid to influence decisions at the Statehouse have to register as lobbyists with the Ethics Commission. But no such requirement exists at the local levels. That allows businesses and special interests to wine and dine city and county council members free of oversight.

As he has in the past, McMaster will call on lawmakers to close that loophole by requiring local lobbyists to register with the state.

McMaster's executive budget is just the first step in a long legislative process where proposals can be fine-tuned or outright rejected. The governor can also make his case at the Jan. 19 State of the State address, a speech in which governors typically tout their achievements and lay out their priorities for the year ahead.

Perdue challenges campaign fundraising law benefitting Kemp (Georgia)

Georgia gubernatorial candidate David Perdue and his campaign are challenging a new state law that they say gives incumbent Gov. Brian Kemp a huge and unfair fundraising and spending advantage in the Republican primary.

The law passed by state legislators last year and signed by Kemp allows certain top elected officials, including the governor, and party nominees, to create "leadership committees" that can raise campaign funds without limits, including during a legislative session. In a federal lawsuit filed Thursday in Atlanta, Perdue and his campaign allege that the law creates "an uneven [election](#) playing field" and ask a judge to declare it unconstitutional.

Under Georgia law, candidates for statewide office cannot collect more than \$7,600 from an individual donor for a primary or general election and \$4,500 for a runoff election. But leadership committees aren't bound by those limits.

The new law allows for leadership committees controlled by the governor, lieutenant governor, a political party's nominee for governor or lieutenant governor, and by the Republican and Democratic caucuses in the state House and Senate.

Kemp's campaign created the Georgians First Leadership Committee in July, just after the law took effect. In the month since Perdue declared his candidacy, Kemp has already spent more than \$1 million on ads attacking him, the lawsuit says.

The new law has allowed Kemp to create “a de facto second campaign committee” that disadvantages Perdue, the lawsuit says.

“When he thought no one was watching, Kemp gave himself power to raise unlimited campaign funds, while challengers have to play by different rules,” Perdue tweeted Friday. “Only a 20-year career politician like Kemp would create an unfair advantage for his own self-preservation.”

Kemp committee spokesman Cody Hall said, “David Perdue's record of shady stock deals makes clear that he really doesn't like playing by the rules, so this laughable lawsuit shouldn't surprise anyone.”

The new law was generally supported by Republicans and opposed by Democrats. Democrats argued the legislation would increase the influence of money interests in Georgia politics since leadership committees can accept contributions during the legislative session, unlike state elected officials.

State Sen. Elena Parent, Democratic Caucus chair, tweeted Thursday: “One thing I agree with Perdue on: the corrupt 'leadership committee' slush fund law is bad.”

The law infringes on Perdue's constitutional rights to free speech and equal protection, the lawsuit says. It asks a judge to declare the new law unconstitutional and to prohibit any activity by a gubernatorial leadership committee established under the law. It also asks the judge to order the state Government Transparency and Campaign Finance Commission to revoke Kemp's committee's registration, order the refunding of all contributions made to it and to prohibit it from spending money to support Kemp's reelection.

Perdue and his campaign have also filed a motion asking that the judge temporarily stop Kemp from raising and spending unlimited funds through his leadership committee while the lawsuit is pending.

[Ald. Edward Burke's legal tab is \\$2.7M and growing as he awaits trial on federal corruption charges](#) (Chicago, IL)

Embattled Ald. Edward Burke has spent more than \$2.7 million on legal fees, tapping a deep reservoir of campaign funds built up over decades as he awaits trial on charges of racketeering, bribery and attempted extortion.

There is plenty more spending to come for the longest-serving alderman in Chicago history, as a federal judge [has yet to set Burke's trial date](#) amid a flurry of pretrial motions filed by his

attorneys. All the lawyering may be costing Burke a fortune, but it's also helping delay what promises to be a high-profile public corruption case, even by Chicago standards.

By the time FBI agents raided Burke's City Hall and 14th Ward offices in November 2018, Burke's three campaign funds topped \$12 million, records show. For decades, the Southwest Side stalwart mostly sat on the growing mountain of campaign cash, leading many City Hall observers to wonder just what the septuagenarian alderman, who has been in office since 1969, planned to do with the money.

If Burke had been holding onto the money for a rainy day, the storm rolled in when federal prosecutors [officially charged him](#) in January 2019. A [14-count indictment](#) filed four months later accused the longtime political power broker of abusing his City Hall clout to extort private legal work from companies and individuals doing business with the city.

Burke, who is married to Illinois Supreme Court Chief Justice [Anne Burke](#), has spent heavily to mount a defense. Over the last two years, the alderman has spent an average of \$109,000 per month on his legal team, state campaign finance records show.

He is bankrolling a legal team of former federal prosecutors, who have filed hundreds of pages of motions before U.S. District Judge Robert Dow, a rigorous effort that has left the judge [wading through what he called an "unprecedented" stack of motions](#). As a result, Dow said during a September status hearing that the court was still months away from a pretrial hearing, let alone an actual trial date for Burke, who just turned 78.

However long the legal battle takes, records show Burke isn't in danger of running out of money anytime soon. His three political funds — Friends of Edward M. Burke, the Burnham Committee and the 14th Ward Regular Democratic Organization — held a total of \$10.75 million as of September, when the alderman filed his most recent quarterly campaign finance reports.

Burke did not respond to a request for comment.

While he was [forced to resign](#) his powerful post as chairman of the City Council Finance Committee, Burke [won reelection](#) in 2019 despite the FBI raids and federal charges. Mayor Lori Lightfoot, herself a former federal prosecutor, has repeatedly called on Burke to resign, saying the case against him is "strong."

As he nears the end of his 52nd year in office, Burke has refused to step aside, [insisting he is innocent](#).

The 59-page federal indictment against Burke outlined a series of alleged schemes, including a bid to get then-fellow Ald. Danny Solis to help him extort the company behind a massive \$800 million renovation of the Old Post Office into hiring Burke's law firm in exchange for help at City Hall. What Burke didn't know is that Solis was wearing a wire, which eventually led to wiretaps on Burke's cellphone and City Hall phones.

"As far as I'm concerned, they can go f--- themselves," Burke allegedly said of the developers during a wiretapped conversation with Solis, who noted the project's request for tax breaks soon would come before Burke's Finance Committee.

"Well, good luck getting it on the agenda," Burke allegedly replied.

Federal prosecutors also have accused Burke of trying to muscle developers of two smaller projects into hiring his law firm for property tax appeals and of threatening to oppose an admission fee increase at a Chicago museum if it did not respond to his inquiry about hiring the child of a friend. The Tribune reported Burke had tried to get the Field Museum to hire the daughter of former [Ald. Terry Gabinski](#) — a protege of the late U.S. Rep. Dan Rostenkowski who took office as alderman the same day as Burke in 1969.

The FBI listened in as at least 9,475 wiretapped calls were made or received on Burke's phone over a period of at least eight months, authorities have revealed. The indictment charged Burke with one count of racketeering, two counts of federal program bribery, two counts of attempted extortion, one count of conspiracy to commit extortion and eight counts of using interstate commerce to facilitate an unlawful activity.

Burke's lawyers have said the charges are "unfounded and not based on actual evidence" and that they "welcome the opportunity to present the complete picture and all the facts to a jury." Burke, they have said, "will be vindicated."

In court, Burke's lawyers have filed motions arguing the evidence collected from the wiretaps on Burke's phones should be suppressed. They have accused prosecutors of directing Solis, who secretly cooperated with the investigation, to have "scripted interactions" with Burke and lie about the post office deal to curry favor with the government.

Burke's team alleged that Solis had been recorded "committing a number of different crimes" and revealed that he entered into a deferred prosecution agreement with the government on the same day Burke was first charged. Solis abruptly retired just days before erroneously unsealed court records showed he had been secretly recorded by a developer.

Burke's attorneys [have argued the wiretaps should be inadmissible](#) at trial because prosecutors "recklessly and intentionally" withheld in the wiretap application they took to court that they had used a "desperate" alderman to try to catch Burke committing a crime. They say that despite Solis' best efforts, Burke never agreed on tape to provide any official action in exchange for private business.

Burke's private business helped him amass a personal fortune over decades as one of Chicago's top attorneys [handling property tax appeals](#) for companies and individuals who often had business before the city. Among Burke's onetime clients: [former President Donald Trump](#).

The benefit of having City Hall's largest campaign fund, however, is that Burke doesn't have to use his personal wealth to pay his lawyers.

Burke has been represented by former U.S. Attorney Anton Valukas and former Assistant U.S. Attorney Charles Sklarsky, both of Jenner & Block. Through the end of September, Burke has paid the firm \$1.6 million, records show.

Also on the defense team is Joseph Duffy, a former federal prosecutor and IRS agent from Loeb & Loeb, which has been paid \$968,000 from Burke's campaign fund.

In addition, Burke has spent another \$156,000 with Blegen & Garvey, the firm representing Peter Andrews, a longtime 14th Ward aide who has pleaded not guilty to conspiring with Burke to shake down two business owners seeking to renovate a Burger King in the ward.

Records show Burke has essentially halted all campaign fundraising since collecting tens of thousands of dollars in donations from attendees at his annual Christmas fundraiser less than a week after federal agents first raided his offices in November 2018. His funds, however, still have accrued income from interest and investment returns, records show.

Most of the money in his largest campaign fund, Friends of Edward Burke, is held in investments — about \$8.5 million as of the end of September. In the last two years, records show Burke has sold \$2.1 million in investments to cover his legal expenses.

While Illinois law allows politicians to spend campaign money on legal expenses, Burke may have an incentive not to spend all of it.

When then-Gov. Jim Edgar signed a campaign finance reform package into law in 1998, Illinois banned the personal use of campaign funds by future politicians. But a grandfather clause in the

legislation allowed sitting officeholders to still tap the contents of their political war chests at the time the legislation was signed for everything from mortgages to college tuition.

For Burke, that means there are no restrictions on how he can spend the \$2.45 million he had in his campaign fund on June 30, 1998, the date set in the law Edgar signed.

While Burke continues his fight in court, he's also facing a political battle at City Hall, as aldermen feud over the boundaries for the city's new ward map. It's a once-a-decade process set in motion by new census results that Burke used to hold great power over in backroom negotiations.

But the latest map proposed by the City Council's Rules Committee would make Burke's reelection prospects dicier, should he seek a record 14th full term in 2023.

The proposed map would push the western boundary of Burke's ward east of Midway International Airport, cutting out white precincts in the bungalow belt of the Garfield Ridge neighborhood west of the airport where Burke drew strong support while holding on to the increasingly Hispanic ward in the past few elections.

Instead, the new 14th Ward would include more of heavily Hispanic neighborhoods, such as Chicago Lawn and Marquette Park. The new ward would be 84.6% Latino, according to a Rules Committee breakdown of the racial characteristics of the proposed map.

The redrawn ward comes after supporters of the competing Latino Caucus ward map derided an earlier Rules Committee proposal as the "Burke protection map," because it increased his share of Garfield Ridge. Lightfoot let it be known she was not happy with 14th Ward boundaries that were so friendly to the election prospects of her City Council nemesis, and changes were made before Rules Committee chair Ald. Michelle Harris unveiled the proposal.

Burke already [has been ousted](#) as the 14th Ward committeeman by state Rep. Aaron Ortiz, an ally of U.S. Rep. Jesús "Chuy" García. Ortiz [also defeated Burke's brother](#), former state Rep. Dan Burke, for his statehouse seat.

A vestige of the old Democratic machine, the [Burke family has lorded over the 14th Ward](#) for 68 years. Burke took over the positions of committeeman and alderman after his father, Joseph P. Burke, died of lung cancer after serving 15 years as alderman.

The federal charges have the family's political dynasty teetering on the edge of a final collapse, but Burke has shown little interest in discussing his case publicly.

That includes in April, when new filings in the case revealed the alderman had [made an alleged antisemitic remark](#) during a wiretapped conversation. According to prosecutors, Burke made the statement about Jewish lawyers while discussing development of the old main post office.

“Well, you know as well as I do, Jews are Jews and they’ll deal with Jews to the exclusion of everybody else unless ... unless there’s a reason for them to use a Christian,” Burke allegedly said, referring to the owner of the development company heading up the massive Old Post Office project. The Midwest Anti-Defamation League denounced the statement as deeply concerning.

Asked at City Hall about the alleged remarks, Burke replied, “We’ll respond in court.”

[Congressional candidates turn to NFTs as form of campaign finance](#) (Federal)

Non-fungible tokens, also known as NFTs, have made their way into politics, [Bloomberg](#) reports.

In fact, some congressional candidates have even begun selling NFTs to help finance their midterms campaigns. For instance, Democratic House candidate Shrina Kurani and Republican Senate candidate Blake Masters have both offered NFTs as "incentives for donors," albeit "to varying degrees of success," Bloomberg reports (these are, after all, still "the early days of crypto's push into politics").

"NFTs are our campaign merchandise," said Kurani, who's running in California. Kurani said she was the first to distribute NFTs to donors through digital marketplace SolSea, and hopes her crypto approach will help galvanize a younger generation. She had raised \$6,610 when her offer expired at the end of December.

The Arizona-based Masters, on the other hand, said he raised almost \$575,000 in late December "by promising to give donors tokens with cover art for a book about startup companies that he wrote with Silicon Valley billionaire and top Trump ally Peter Thiel," per Bloomberg.

Unlike Bitcoin, NFTs are not meant to be used as a currency, Bloomberg explains; rather, they are meant "to be held, sold, or traded as an asset," and are created with a "unique digital certificate of authenticity" using the same blockchain technology associated with Bitcoin and other forms of cryptocurrency.

Overall, however, fundraising consultants don't think crypto will become a completely mainstream contribution method any time soon, especially given questions about regulation. Critics worry such donations could circumvent donor disclosure requirements, though that

hasn't stopped certain political committees — like the National Republican Congressional Committee — from joining in the crypto fun. Read more at [Bloomberg](#).

When lobbyists and legislators socialize, lobbyists are more likely to get what they want (Federal)

Stories of lobbying often conjure up images of well-heeled lobbyists roaming the halls of Congress. But as [reports](#) of Democratic Sen. Kyrsten Sinema's globe-trotting fundraising trips this fall suggest, lobbying often takes place off Capitol Hill. Whether it's a cozy dinner at the famed Charlie Palmer steakhouse in Washington, or the hosting of public officials at receptions and bars, lobbying in social situations is a key tool of professional advocates.

But does it work?

In newly published [research](#), we find that interest groups are more likely to get what they ask for when they meet legislators or their staff socially. Much like everyone else, public officials are more easily persuaded in such settings.

Here's what you need to know.

What is social lobbying?

Social lobbying — while at dinners, receptions, parties and so on — takes place in many settings. To find out how often it happens, we surveyed 316 registered lobbyists in 10 states and asked how they lobby elected state representatives; 5 percent responded, a typical rate. We weighted the survey to be representative of lobbyists across states.

As you can see in the figure below, nearly every professional lobbyist reported having met legislators in their offices, which is hardly surprising. But 90 percent also reported lobbying lawmakers in at least one social setting, such as a coffee shop, bar, or restaurant.

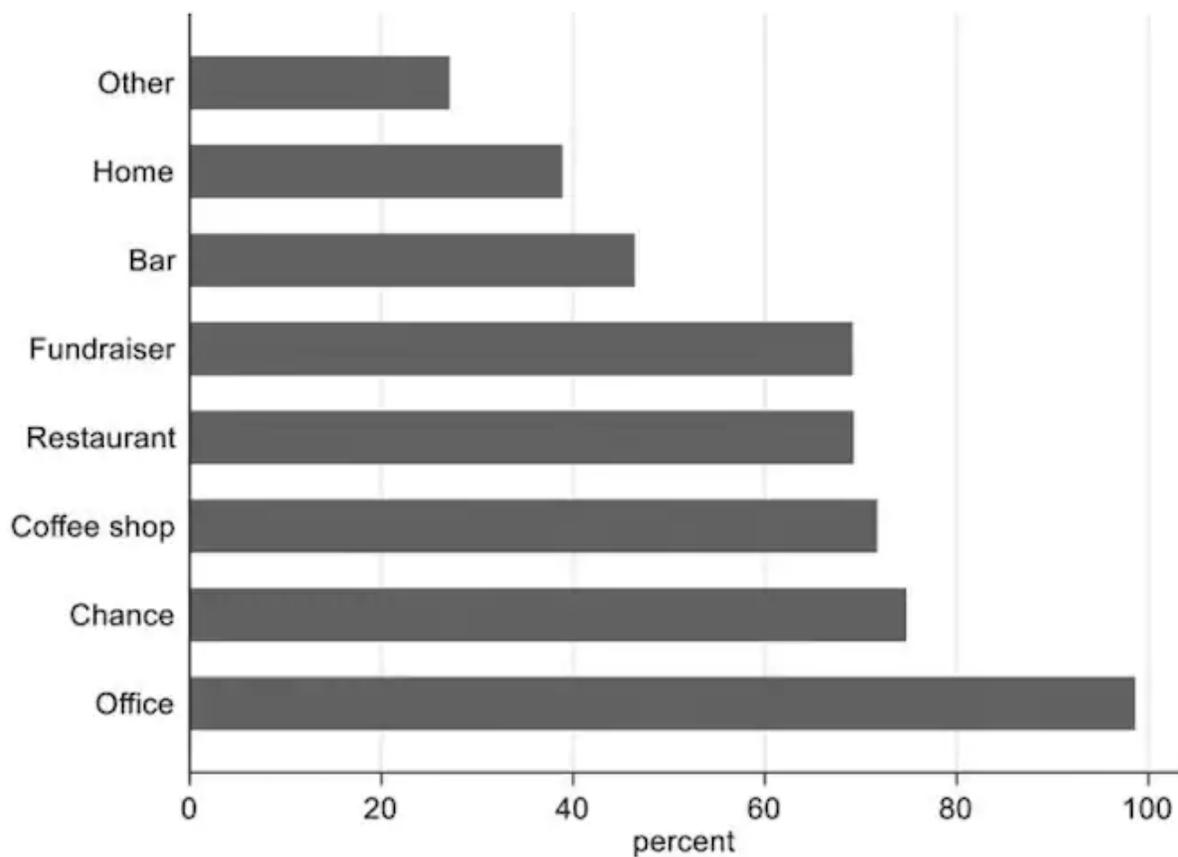


Figure 2. Lobbyist survey results: Percentage of lobbyists who met with legislators in various settings to conduct lobbying.

Here's how we did our research

To explore the impact of social lobbying, we conducted a randomized experiment in the California state legislature. We chose California because of its large and professionalized state assembly and senate. We then worked with a lobbying firm to randomly assign legislators to three groups, and the firm gave us access to the data generated by the experiment.

One group received a lobbying request for a meeting in their Capitol offices. A second group received a request to meet in a local restaurant. The third group, the control group, received no request or contact. Regardless of meeting location, the lobbyist asked the legislator or staffer in the first two groups to do the same thing: Support a state policy and post their support on one of the legislator's social media platforms. All state legislators were part of the study, but only

one-third were contacted as part of the social lobbying group and only one-third were contacted as part of the office lobbying group. Not all legislators who were asked to have meetings complied with the request, though the proportions complying was quite high in both groups.

The legislators reached in social settings more frequently expressed public support for the interest group's preferred policy than did legislators lobbied in their offices or those in the control group. Specifically, socially lobbied lawmakers supported the policy more than 25 percentage points more often than either the legislators in the control group or those lobbied in their offices.

The social meetings were least effective with legislators who were ideologically distant from the lobbyists' interest group. Legislators who'd previously taken positions close to the group's goals were more likely to be activated by the lobbyist's social ask.

Why is social lobbying so effective?

At its most basic level, lobbying is a communication strategy. Lobbyists' goal is not merely to educate a legislator on their preferred policy, but to deliver information in a way that the decision-maker will be receptive. In the office, lawmakers may be pulled in several directions and often interrupted. Social lobbying sets a more casual and relaxed tone. And outside the office, decision-makers may have more time to develop personal ties or to be in a more pleasant mood. Research from [social psychology](#) finds that happier moods seem to lead lawmakers and staff to be more receptive to persuasion and [more willing to comply](#) with a request.

In short, lobbyists use the social setting to signal to legislators that their requests are important. That's because asking someone to give up time in the office suggests that both the lobbyist and the legislator are making a commitment to the discussion.

Implications for democracy

To influence public policy, advocates can learn from our research. We show that an effective interest group strategy is to have face time in a comfortable and social environment. Social lobbying is a common strategy that political scientists have ignored.

Social lobbying complicates political scientists' ability to fully account for the panoply of strategies used by interest groups. Political scientists usually focus on campaign contributions and other forms of lobbying, although a face-to-face social meeting is one of the most effective strategies.

Yet social lobbying happens in places the public can't easily observe. And ordinary citizens — those the legislators represent and to whom they are meant to be accountable — rarely have the opportunity to socialize with their legislators to voice their concerns. Social lobbying's effects may not fully be recorded by existing sunshine laws intended to reveal influences on government policy; for instance, campaign finance reports can't meaningfully record anything about lobbying beyond documenting the flow of contributions into campaign accounts

As the new year gets underway for Congress and state legislatures, expect the hottest ticket in capital cities to be in the bars, restaurants and social settings around town. Being able to eat, drink and shoot the breeze with legislators outside an office setting can go a long way in helping organized interests get what they want, while potentially leaving voters out in the cold.

[Oregon groups propose ballot initiatives to limit contributions, increase disclosure](#) (Oregon)

A series of advocacy groups have filed three [ballot measure proposals](#) with Oregon Secretary of State Shemia Fagan's office intended to limit campaign contributions and enact more stringent donor disclosure requirements.

What these initiatives would do

Honest Elections Oregon, Portland Forward, and the League of Women Voters Oregon filed three different versions of the [Oregon Campaign Finance Contribution Limits Initiative](#) on Dec. 6, 2021. The initiatives would limit campaign finance contributions from individuals, multicandidate committees, political parties, legislative caucus committees, and membership organizations (e.g. unions). Groups would have to disclose the identity of every donor who contributed more than \$5,000 in all political advertisements and communications and would also have to identify the people or entities that paid for them. One of the three initiatives would also establish a public campaign financing system where donations would be matched with public funds.

The American Federation of State, County and Municipal Employees filed two different versions of the [Oregon Campaign Finance Limits Initiative](#) on Dec. 17. The initiatives would limit campaign finance contributions from the same groups as the Oregon Campaign Finance Contribution Limits Initiative and require campaigns to disclose top donors in political ads. [Satellite groups](#) would also have to disclose their donors. It would also create a public campaign finance system similar to the Dec. 6 initiatives.

The third initiative was also filed on Dec. 17, with United Food and Commercial Workers Local 555 submitting the [Establish Campaign Finance Contribution Limits Initiative](#). The initiative

would limit campaign finance contributions from individuals to \$2,500 a year to any candidate or cause and would prohibit contributions from corporations. The initiative would allow entities to create small-donor committees made up of members that are limited to \$250 contributions per member each year. Unlike the other initiatives, it does not propose a public campaign finance system.

Reactions

Rebecca Gladstone, a chief petitioner of the Campaign Finance Contribution Limits Initiative, [said](#), “These measures can help to restore voters’ confidence in healthy democracy. Voters must know that our elections are fair and free of undue influence by powerful dark money at the expense of voters. We can accomplish this and restore trust in our political system.” Jason Kafoury, another petitioner for the initiative, [said](#) it “could move Oregon from the Wild Wild West of campaign finance to leading the way with one the best programs in the nation.”

Michael Selvaggio, the chief petitioner of the Establish Campaign Finance Contribution Limits Initiative, said that effort arose from concerns that the Dec. 6 Campaign Finance Contribution Limits Initiative could allow groups to file election complaints against one another. “There were some concerns about some of the other measures that were filed. We got together and decided what we were going to do was float our own concept,” Selvaggio [said](#).

Imani Dorsey, director of the political nonprofit Washington County Ignite, said complying with the new measures would make it more difficult for small nonprofits to achieve their goals. “The provisions in the measures would just make things really hard and add administrative things we aren’t able to accommodate,” Dorsey [said](#).

Christel Allen, executive director of the group Pro-Choice Oregon, also said the requirements of the current initiatives would burden political committees, adding that disclosure requirements may endanger some donors. “When it comes to those of us who work to defend abortion access, unfortunately our opponents have a history of violence,” she [said](#).

What comes next

In Oregon, the number of signatures required to qualify an initiated state statute for the ballot is equal to six percent of the votes cast for governor in the most recent gubernatorial election. Signatures for Oregon initiatives must be submitted four months before the next regular general election. State law also requires paid signature gatherers to submit any signatures they gather every month. In order for the state to certify the initiatives for the 2022 ballot, 112,020 [valid signatures](#) are required by Jul. 8.

Between 2010 and 2020, the average ballot initiative certification rate in Oregon was 8.3%. Between 1985 and 2020, 148 initiatives appeared on Oregon ballots with 35.8% approved at the ballot box.

Montana Conservation Voters Action Fund facing fine for campaign finance violations (Montana)

Montana Conservation Voters Action Fund, a registered political committee, is facing a fine for failing to timely report expenditures supporting municipal election candidates in Helena, Missoula and Billings last year.

MCVAF is negotiating with the Montana Commissioner of Political Practices on a fine to be paid by the organization.

The organization sent out campaign mailers within Helena supporting Mayor Wilmot Collins and city commission candidates Eric Feaver and Melinda Reed. All three candidates later won the election. The mailers said they were "Paid for by Montana Conservation Voters Action Fund."

The organization also paid for live phone calls to voters during the 2021 campaign season in support of Feaver and Reed.

MCVAF spent nearly \$9,000 in the Helena municipal elections last year.

The organization also spent money on similar ads and actions in the Missoula and Billings municipal elections.

As a registered political committee, the group is permitted to engage in these political actions. However, it failed to report its expenses as required.

Helena resident David Nielsen filed a campaign practices complaint against MCVAF in late December.

The commissioner determined that the group did in fact neglect to report its expenditures and referred the case to the Lewis and Clark County Attorney's Office.

The case can be waived back to COPP to be resolved by payment of a negotiated fine. The case will return to the commissioner's desk if the county attorney takes no action within 30 days.

In a statement, Jake Brown, MCVAF's political director based in Helena, said his organization supports Montana's campaign finance laws and "our state's long tradition of transparency."

"Unfortunately, our vendor failed to submit the required reports related to our work in Helena," Brown wrote in the statement. "As soon as we learned of his mistake, we submitted the reports, terminated the vendor, and are working to improve our processes so this doesn't happen again. We regret this error, but we'll continue our work protecting public lands, clean air, clean water and voting rights."

Of the more than \$30,224 MCVAF spent in campaign expenditures, more than \$30,044 was reported 50 days after Election Day, according to the commissioner's filings.