



M U L T I S T A T E

[Report flags ‘outsized influence’ of lobbyists](#)

They buy lunch, dole out campaign contributions and enjoy plenty of success.

A report released Friday by an independent ethics watchdog explores the influence of lobbyists who work inside the Roundhouse.

Issued by New Mexico Ethics Watch, the 55-page report describes a culture in which the lobbying ranks are filled with relatives of legislators and even former lawmakers themselves.

Thirty-four ex-legislators are now lobbyists – creating a “revolving door” of sorts, in which someone might hold office one year then return the next as a lobbyist, according to the nonpartisan advocacy group. Another six lobbyists, the report says, are spouses or relatives of lawmakers.

“Personal relationships and family ties between legislators and lobbyists are an important part of NM’s legislative culture,” the report says. “They are backed up by a formidable arsenal of campaign contributions, meals at fancy restaurants, and special events in Santa Fe and out-of-state cities where legislators gather for national conferences.”

The report, “Lobbyists and Their Outsized Influence in New Mexico,” also says campaign contributions from lobbyists exploded to \$4.8 million in 2018, or more than twice the \$1.8 million contributed two years earlier.

The top clients of lobbyists – on whose behalf the contributions came – were the New Mexico Trial Lawyers Association, which donated \$740,000 in 2018, and Chevron, the energy company, which contributed \$540,000.

New Mexico Ethics Watch also identified about \$795,000 in 2019 spending by lobbyists on meals, entertainment and gifts for legislators and candidates for office.

The report also says:

- Supporters of firearms restrictions are now outspending opponents. Everytown for Gun Safety emerged as a major player as the National Rifle Association reduced its spending.

“Overall, the influx of Everytown campaign contributions in the past three years – \$455,500 – swamped the NRA and its allies, which spent \$71,572.65,” the report says.

The NRA, however, exerted influence in other ways, the report says, working with sheriffs to organize opposition to gun-control legislation.

Lawmakers last year approved a background check bill, with a 22-20 vote in the Senate.

- The film and tobacco industries spent heavily as lawmakers approved new incentives for film production in New Mexico and gave cigars and e-cigarettes some breaks in a package of tax increases.

In the report, Ethics Watch recommended many measures to increase transparency and limit the influence of lobbyists. They include a two-year “cooling-off” period before a legislator can return as a paid lobbyist, a prohibition on lobbyist spending or campaign contributions before and during the session, and requiring disclosure of how much lobbyists are paid and which bills they support or oppose.

The report was written by former state Sen. Dede Feldman, Rouzi Guo, Lauren Hutchison, Tony Ortiz and Kathleen Sabo.

[Reform advocates push for tighter lobbying controls](#)

Government reform advocates in Illinois are urging state lawmakers to impose stricter rules on lobbying activity at the Statehouse, including a ban on lawmakers themselves working as lobbyists with other levels of government.

Their testimony before a special legislative committee Wednesday in Chicago came against the backdrop of a sprawling federal investigation that has focused in part on potentially corrupt lobbying practices.

Former Rep. Luis Arroyo, who also lobbied the city of Chicago, was forced to resign last year after he was indicted for attempting to bribe a state senator on behalf of one of his lobbying clients.

Utility giant ComEd has also been the subject of federal investigative activity. Chicago area news outlets have reported that the investigation has centered, at least in part, on ComEd's alleged hiring of politically-connected individuals in exchange for favorable legislative action.

"We need a concerted effort to restore Illinoisans' trust in government," Ryan Tolley, policy director for the group CHANGE Illinois told the Joint Commission on Ethics and Lobbying Reform during its meeting.

"Undoubtedly, it has been shaken by the ongoing monthslong FBI investigation that is engulfing lawmakers, lobbyists and private interests seeking to influence our government for personal gain.

Tolley was part of a panel that testified before the committee in favor of stricter lobbying limits. The panel also included representatives from the Chicago-based Better Government Association, the Center for Illinois Politics, Common Cause Illinois and Reform for Illinois.

All of the groups urged the panel to recommend a so-called "revolving-door" law that would prohibit elected officials from going to work as lobbyists for a specified period of time after leaving office.

"We have seen how relationships between lawmakers, lobbyists and special interests can get too cozy, potentially promoting corruption and distorting the democratic process," said Alisa Kaplan, policy director at Reform for Illinois. "Implementing a revolving-door restriction would bring Illinois in line with the vast majority of other states and begin to draw healthy boundaries between the lobbying industry, special interests and the government, whose primary obligation should always be to the public."

The advocates also called for barring lawmakers from working as lobbyists at other levels of government.

While a sitting state representative, Arroyo was a registered lobbyist in Chicago. In the wake of his indictment, however, the City Council passed an ordinance prohibiting elected officials from other levels of government from lobbying the city and prohibiting city officials from lobbying other units of government.

House Majority Leader Gregory Harris, a Chicago Democrat, questioned how far that limit should extend, saying it could interfere with a lawmaker's ability to talk to local governments on behalf of a constituent. But members of the panel said that shouldn't be a problem and that a ban should extend only to working for pay on behalf of a private client.

Other recommendations from the panel included requiring lobbyists to disclose how much their clients pay them, something Democratic Gov. J.B. Pritzker has proposed but which lawmakers have not yet endorsed.

However, lawmakers did pass a bill during the fall veto session last year, Senate Bill 1639, that expanded other kinds of information lobbyists must disclose. That law also requires the secretary of state to maintain a searchable database containing information about their clients as well as their campaign contributions.

Other suggestions from the panel included a ban on what Kaplan referred to as "shadow lobbying," or attempting to influence legislation without interacting directly with lawmakers.

"Recent revelations about Mike McClain (a close confidant of House Speaker Mike Madigan), who according to press reports was paid more than \$300,000 as a 'consultant' for ComEd after he stopped registering as a lobbyist, have raised the issue of so-called shadow lobbying," Kaplan said.

McClain was the author of a 2012 email uncovered recently by radio station WBEZ-FM in which he urged officials in then-Gov. Pat Quinn's administration to go easy on a state worker who was the subject of a disciplinary action because, "He has kept his mouth shut on Jones' ghost workers, the rape in Champaign and other items."

Pritzker commented on that email during a news conference Tuesday, saying he thinks it points to a deeper problem in the state's political culture.

"This McClain email is emblematic of a culture that has been poisonous in Springfield for far too long," he said. "Those who protect the culture, those who tolerate it, those who promote it, well they'll have to answer for their role in it."

Marie Dillon, policy director for the Better Government Association, expressed a similar opinion at Wednesday's hearing when she said reforming the ethical culture in state government requires more than changes to state lobbying rules.

“I don’t think the problem is lobbyists,” she said. “I think the problem is the transactional relationships between lobbyists and the people who write our laws and set our government policies. That’s what’s poisoning the trust of the people of Illinois, and I think that’s what our work here is about.”

[Illinois Officials Using Campaign Funds to Pay Big Legal Fees](#)

Illinois House Speaker Michael Madigan has shelled out big money from his campaign fund to pay attorneys.

According to quarterly reports filed Wednesday with the Illinois State Board of Elections, one of Madigan’s funds paid nearly \$440,000 in legal fees; \$275,000 to settle a sexual harassment and retaliation case with former staffer Alaina Hampton. Hampton accused Madigan and the Democratic Party of Illinois of retaliating against her for speaking out about sexual harassment by one of her former supervisors, [Kevin Quinn](#). That fund – Friends of Michael J Madigan – also paid the law firm of Hinshaw & Culbertson \$139,209 in legal fees in the last quarter of 2019. And it paid more than \$6,500 to Michael Kasper – Madigan’s top political attorney who is also treasurer of the state Democratic Party. Those fees were reportedly to battle a case brought by [Jason Gonzales](#), a former challenger for state representative, and [David Krupa](#), who challenged Ald. Marty Quinn – a top Madigan enforcer and the brother of Kevin Quinn – for his seat as 13th Ward alderman.

The disclosures come as Madigan faces a growing federal investigation that is reportedly looking into the Springfield lobbying activity of utility giant ComEd, particularly with respect to the company’s hiring of several Madigan-connected lobbyists and staffers. Madigan himself says he is not the subject of a federal investigation. He has also faced a firestorm over the behavior of another of his top allies, former ComEd lobbyist [Mike McClain](#), who emailed top staffers of then-Gov. Pat Quinn in 2012 asking them to go easy on a state employee that had “kept his mouth shut on Jones’ ghost workers, the rape in Champaign, and other items.” Madigan called the email, first reported by WBEZ, “serious and troubling,” and [says he had no knowledge of the incident](#).

Despite the hefty legal tab, Madigan’s campaign funds aren’t in danger of running out anytime soon. Friends of Michael J. Madigan reported raising \$5.3 million in the last quarter alone, and has a total of \$11.4 million in the bank. All told, Madigan has more than \$21 million in campaign cash across four different political funds he controls.

Madigan isn’t the only public official providing paychecks to Chicago-area attorneys. Campaign disclosures show that McCook Mayor and Democratic Cook County Commissioner Jeffrey Tobolski paid \$200,000 in legal fees in the last quarter; \$100,000 went to the law firm of Blaine

& Vanzant, and another \$100,000 to Walsh, Fewkes & Sterba. Federal agents raided Tobolski's home and the village headquarters of McCook on Sept. 26. Tobolski, who has not been charged with any wrongdoing, has not commented about the federal probe. His campaign fund is not nearly as robust as Madigan's: he raised \$5,750 in the last quarter and has about \$225,744 available.

On the same day Tobolski was targeted, federal agents sacked the home and offices of former state Sen. [Martin Sandoval](#). Sandoval reported paying \$90,000 in legal fees in the last quarter and [stepped down from the General Assembly](#) amid the federal probe.

Chicago Ald. Ed Burke, 14th Ward, paid nearly \$400,000 in legal fees from his campaign account in the last quarter, according to state campaign disclosures. The payments went to high-profile attorneys at two white-collar defense firms – Jenner & Block and Loeb & Loeb, who are defending Burke in a 14-count federal indictment. Burke has nearly \$12 million in campaign cash across multiple funds he controls.

Chicago Ald. Carrie Austin, 34th Ward, spent \$40,000 in legal fees in the last quarter – paid to the law firm of Clark Hill. Austin reported raised only \$700 in the last quarter and has around \$30,000 available, according to state filings. Federal agents [raided Austin's ward office last June](#). Austin has not been charged with any wrongdoing.

It is within the law in Illinois for a public official to spend campaign money on legal defense. For years, public officials could also use campaign funds for personal expenses – that law changed in 1998 and the practice is now prohibited.

Government watchdog David Melton, interim head of the group [Reform for Illinois](#), says lawmakers might want to look at amending campaign finance laws even further.

“I think that a very reasonable argument that can be made that campaign funds should be restricted for things like fending off challengers to petitions, or litigation related to eligibility to appear on ballot,” Melton said. “And that the money should not be able to be used if you are personally under criminal investigation.”

[Why Barbara Boxer Joined a Lobbying Firm](#)

This month, Barbara Boxer, who served four terms as a California senator, announced she was signing on as a chairwoman of a major Washington lobbying and public affairs firm.

The firm, [Mercury](#), is home to many former lawmakers, [as Politico reported](#), with a roster that includes both Republicans and Democrats like Ms. Boxer and Antonio Villaraigosa, the former mayor of Los Angeles.

Though the job is a high-profile dive back into politics, Ms. Boxer hardly retired when she left office in 2017: She started a podcast and a political action committee, did paid speaking engagements and also worked as a consultant, including for Lyft.

It was on Lyft's behalf that she wrote an opinion piece for [The San Francisco Chronicle](#) arguing against California's [contentious new gig labor law](#) — a move that, at the time, drew criticism from [Representative Alexandria Ocasio-Cortez](#), who tweeted that former lawmakers shouldn't become corporate lobbyists, "in letter or spirit."

Recently, I talked with Ms. Boxer about the new position.

From what I understand, you'll be working with a lot of Republicans and the firm started with ties to the Republican Party. Are you comfortable with that?

Well, that's what's exciting: to bring a progressive point of view. I think the firm is purposely trying to do this. Also, I'm the first woman in this position, and I think that's important, too.

I think that's a good thing at this time of division. In the Senate, you can't get anything done unless you bring the parties together.

What will your priorities be? I know you worked with Lyft, so would you be focusing at all on those sort of "gig economy" issues?

They have this broad array of clients — I don't even know all their clients.

Certainly, making sure that there are good-paying jobs is very important. This is a changing economy.

I think you need to work hard to bring everybody to the table to figure out a way to help workers with health insurance, with education, even with housing.

We have a lot of jobs, but they don't really pay enough for people to feel comfortable that they can set aside enough for their kids' education and for their retirement, or for any health emergency.

So I hope my perspective on being a progressive who is also a pragmatist will help get things done.

Are you concerned at all about the perception, particularly in the more progressive wings of the party, of you working with large corporate clients? When you were working with Lyft, [you expressed opposition](#) to Assembly Bill 5, for instance —

I wasn't opposed to A.B. 5. I wanted to amend it and make it more open to people like [freelance writers](#), and drivers and other people who find themselves caught in a situation that's very difficult for them.

I think I've been proven right on that point. It's just [a lot of anxiety out there](#). And I think there's a terrific opportunity to move forward in a progressive way.

I don't care what people say, because I know what I'm doing, and what I'm doing is to make life better for people. If everyone loves you, you're not doing anything. I have a strong center.

When I [voted against the war in Iraq](#), 80 percent of the people of California were really mad at me. But I knew it was the right thing. When I [voted against the Defense of Marriage Act](#), people said, "Oh my god, you're in so much trouble." Of course, everyone loves to be loved by everybody, especially in public life. It's not possible, if you're doing something.

And not every client is going to be a huge corporate client. They represent cities, municipalities. And that's a love of mine.

Will you be lobbying your former colleagues in Congress? Or will you represent specific clients?

No, no lobbying is involved. I'm going to be advising them on kind of a thousand-foot level.

I have to ask: What's your sense of the presidential race? Have you endorsed anyone?

I have not, because I volunteer for a political action committee. But my view of it is this is a very different presidential race than I've ever seen.

We have a president who's taking a wrecking ball to every single thing that we hold dear in this country, whether it's our freedoms, strong alliances, whether it's our love of diversity, our respect for one another.

So we need someone who can beat Donald Trump. That is, to me, the most important thing. Right now, I see Joe Biden as someone who has those capabilities.

Now that we're an early voting state, do you have any advice for candidates trying to win in California?

I'm very glad we're in the mix. I think my advice to all the candidates is to come to our state and sink into what our challenges are.

Housing has certainly got to be at the top of the list. And protecting our environment. We have so much at stake as a coastal state.

[Sara Gideon Raked in Nearly \\$20,000 From Lobbyists Before Pushing New Anti-Lobbyist Pledge](#)

Sara Gideon, the Democratic challenger to Sen. Susan Collins (R., Maine), vows to combat lobbyists in a newly released campaign finance reform plan, but her campaign has accepted nearly \$20,000 from more than two dozen lobbyists.

Between April 1 and Sept. 30, 2018, the Gideon campaign raked in \$18,310 from 28 individuals who work directly with special interest groups or at firms that spend big on lobbying activities, [filings](#) show. A majority of the donations came from individuals in the Washington, D.C., metro area.

Gideon's [reform agenda](#), released Wednesday, seeks to counter lobbyists' influence. Gideon, who is currently the speaker of Maine's House of Representatives, promises to refuse gifts, meals, and trips from anyone working on behalf of special interests. Her plan also rejects corporate PAC money, calls for the disclosure of dark money donors, and backs a lifetime ban on former members working as lobbyists once they're out of office.

"Washington is clearly broken—politicians are too responsive to their wealthy donors and corporate special interests, promoting their agendas over the people they were elected to represent," Gideon's plan states. "Lawmakers and staff in Washington frequently skirt the rules to rub elbows with powerful lobbyists. No one should be evading ethics rules to attend lavish receptions held to sway elected officials."

While Gideon pledges to steer away from special interests, her campaign has already collected thousands of dollars from lobbyists.

Two lobbyists from Gideon's state who donated to the campaign, Richard Trahey and Ann Mitchell, have [both lobbied](#) on several bills in the state legislature while Gideon has been in office. Trahey has lobbied on acts to [authorize](#) tribal gambling and to [restore](#) revenue sharing, while Mitchell has lobbied on acts in relation to [hiring](#) immigrants through flexible certification and [regulating](#) employee benefit excess insurance, among many other bills.

Gideon's new reform plan also calls for overturning the Citizens United Supreme Court case, which allows corporations and labor unions to spend unlimited sums on political advertisements.

Gideon is rejecting corporate PAC donations and plans to make it a central issue in the race. The Collins campaign has [hit](#) Gideon over hypocrisy on the issue, saying that she has already accepted such donations through Senate Minority Leader Chuck Schumer's (D., N.Y.) PAC. Gideon also [received](#) money directly from corporations and corporate PACs through her state-level PAC.

The plan also touts Gideon's support of the DISCLOSE Act, which would "crack down" on dark money groups by requiring them to disclose their donors.

Gideon, however, has [received outside help from](#) Maine Momentum, a dark money group working to oust Collins from office. Maine Momentum has [topped](#) \$2 million in spending so far. Majority Forward, also a dark money group that is [closely tied](#) to the Senate Majority PAC, which works to elect Democrats to the Senate, has spent at least \$750,000. The race is expected to be one of the most [expensive](#) in the country.

Gideon's campaign did not respond to requests for comment.

[Dining on steak dinners to sack lunches: Lobbyists pay over \\$600,000 to feed lawmakers, public officials in 2019](#)

Lobbyists spent more than \$600,000 buying meals for Oklahoma legislators and other public officials last year, treating them to steak dinners, sack lunches and breakfast buffets on behalf of clients seeking to influence public policy.

Nearly all of the meals were bought in a four-month period: the legislative session that began in February and ended in late May. However, the meals continued after the session in Oklahoma and other states, including Texas, where Gov. Kevin Stitt and some legislators ate at AT&T's expense before the Red River showdown.

During the session, several legislators ate multiple meals on the same day paid for by different lobbyists.

Lobbyists reported buying three different meals for Sen. Casey Murdock on March 27, starting with a \$3.90 breakfast and ending with a \$116 dinner.

"How I see lobbyists — I use them for information," said Murdock, a Republican from the panhandle town of Felt.

"It's at these dinners, you get informed on issues. And that's why I try to go to as many as I can."

Asked whether he could pay for the meals himself out of the \$154 per day that legislators who live outside the Oklahoma City area receive for expenses, Murdock said, "I could, but ... I mean that's an option."

But he said he was simply following tradition at the Capitol.

Democratic debates are magnet for lobbyists

The Democratic presidential debates have been a unique draw for many lobbyists, giving them an opportunity to network, gather information for clients and get their boots on the ground in the middle of a fierce primary fight.

Moses Mercado, a principal at Ogilvy, supports former Vice President [Joe Biden](#) and attended the debate in Houston in September.

"It's almost like the World Series. Every four years — like the World Cup — we have a huge deal for political people like myself," he told The Hill.

Many of those flocking to the debates are lobbyists with campaign experience, allowing them the chance to relive their glory days on the trail and catch up with old friends. But it's also an important opportunity to make connections and learn from the insiders working with each campaign.

“It also lets you know who’s in who’s camp,” Mercado said. “You get to see where everybody’s at.”

CR Wooters, a former lobbyist at Mehlman, Castagnetti, Rosen & Thomas who is now a partner at public affairs firm FIO360, was in Los Angeles for the December debate where he found a unique location to network.

“When I was in L.A. at the debate there were food trucks just outside the debate hall. I walked over to get something to eat and ran into senior level friends who work on three separate campaigns also grabbing a coffee or some food,” he told The Hill. “Obviously that was totally unplanned but super interesting and gave me a real sense of how they were thinking about the race.

“Those happenstance conversations can’t happen in D.C.,” Wooters added, explaining why the Democratic debates were such a draw for lobbyists.

One Democratic lobbyist explained the unique opportunity the debates provide.

“Is there a bit of competition to look through the crowd and say, ‘oh who do I know?’ Is there a bit of value of being seen on TV? Yeah, there is,” the lobbyist said.

Clients want information about the primary including the inside scoop on who is gaining or losing steam, one Democratic consultant noted.

“Clients care about how political the atmosphere is going to affect their business or their issue sets,” the consultant said.

But attending the debates can also be a complicated decision for lobbyists as the industry faces a broad attack from Democrats and progressive groups. And with the lobbyists and donations from special interest groups under scrutiny, campaigns also are careful to not appear too cozy with lobbyists.

Former Democratic nominee [Hillary Clinton](#), for example, was [criticized in February 2016](#) for having Steve Elmendorf of Subject Matter, who lobbies for Goldman Sachs, at a debate.

“You don’t really get to see the candidates,” Mercado said, but added that he attended an after party with Biden and saw Sen. [Amy Klobuchar](#) (D-Minn.) at the pool at his hotel the next morning.

“You go to the after hour thing and it's more interacting with people you already knew. It was a great opportunity to see state reps and state senators,” he said.

And unlike the party conventions, which are also magnets for the lobbying world, lobbyists don’t typically bring their clients to debates, especially during the primary.

“I don’t think anyone is actually trying to influence policy but they are trying to gather intel that could be useful down the road,” Wooters said.

“I would never in a million years suggest to a client 'let's go to this,'" the Democratic lobbyist said. "Unless they're like political nerds and they're going to tell all their friends that they're sitting in the debate and they're paying attention to this."

But making those decisions can be complicated. There are situations in which it is useful for lobbyists to take clients to a debate, the Democratic consultant said.

“It’s useful to go if there’s a big company in the host city that's a client. For instance, when it was in Detroit and if have Ford as a client and don’t go to debate, that’s malpractice,” the source said.

Lobbyists who are strictly policy-focused might not find it useful to attend debates because the information collected is usually more of a political nature.

The anonymous Democratic lobbyist stressed that at debates, it's every man or woman for themselves and there are lines and no particular “VIP” sections at the after parties.

“When you’re wearing \$5,000 shoes, you don’t want to wait in lines. There’s tons of security, they’re big events and they require patience,” the lobbyist said.

But those are reasons, though, why many said debates are a good way to escape the D.C. bubble.

“I have found the debates to be a very useful check on Washington conventional wisdom. I don’t have time to camp out in Iowa or New Hampshire for a couple weeks but I can do 24-48 hours in Detroit or L.A. and talk to campaign folks and get a sense on how folks are feeling," Wooters said. "My clients love this on the ground intel.”

But it's not all work. The debates also provide a personal draw for those lobbyists who have campaign experience or long Democratic ties.

Wooters, for example, was the Democratic Congressional Campaign Committee director of incumbent retention in 2008.

"I think at debates there are what I would categorize as Democratic lobbyists and operatives that at some point in their career worked at the DNC, DSCC, ran a campaign or are just political in nature," Ivan Zapien, leader of Hogan Lovells's Government Relations and Public Affairs practice, said.

"Those are the folks naturally drawn to these things and happen to be lobbyists. But there are not an overwhelming amount of shoe leather lobbyists," he added.

Zapien worked at the DNC under then-Chairman Terry McAuliffe.

Mercado of Ogilvy was the DNC's deputy executive director of intergovernmental affairs from 2005 to 2007. He worked as state director for [John Kerry's](#) 2004 presidential race.

"It was less about influence for me and more about reconnecting with something that I love," said Mercado.

"It's kind of like going back to the first day of school. You see all the same operatives that you worked with that are still around. It's hard to get rid of the bug once you get bitten by the presidential bug — it's really hard to let go," he said.

[The 2020 battle to control Colorado's state Senate is shaping up to be a big money election](#)

The battle for control of the Colorado Senate in the 2020 election is drawing big money ahead of the November election, and the same is true with a handful of ballot measures.

The latest campaign finance reports show Republicans hold a slight edge against Democrats in terms of super PAC fundraising through the end of 2019.

The Republican-aligned Senate Majority Fund raised nearly \$679,000 in 2019, compared to the \$667,000 haul by its Democratic counterpart, Leading Colorado Forward, according to

campaign finance reports filed last week. The Democratic group also received an additional \$40,000 transfer from its predecessor, Coloradans for Fairness.

The two parties are eyeing a handful of seats that will hold the key to controlling the chamber, where Democrats hold a 19-16 majority. The Democratic majority in the House is much wider, and is expected to hold.

The unlimited contributions raised by these committees play a key role in legislative elections and pay for mailers, TV commercials and more in competitive House and Senate districts.

Senate Republican leader Chris Holbert attributed his party's fundraising to a desire for a split General Assembly that would represent more balance. The unaffiliated voters, in particular, he said, "don't want anything too far left or right, and I think voters are apt to respond in a very different way in 2020 than they did in 2018. I'm encouraged and people are enthusiastic about our efforts."

The Democratic group had \$445,000 in the bank and the GOP fund reported at least \$535,000 at the start of the year. The totals are just a fraction of what the two sides will raise for the November election, but it signals a big-money fight as Republicans try to retake the Senate majority from Democrats, who took power in 2019 after four years of GOP rule.

In 2018, the four super PACs representing House and Senate lawmakers in both parties combined to spend more than \$17 million, with 71% of that going toward state Senate races. Heavy [Democratic outside spending](#) helped the party take over the Senate and win a larger margin in the House.

State Sen. Steve Fenberg, the chamber's Democratic leader, said his party has closed a gap on GOP fundraising advantage compared to prior years. "It's pretty par for the course that committees try to steadily raise before it's campaign season," he said.

The latest numbers also don't reflect the big sums Democrats and Republicans are expected to raise in the days leading up to the 2020 session. As The Colorado Sun reported earlier this month in [The Unaffiliated newsletter](#), the events attracted major businesses and interest groups who filled baskets with checks.

Colorado lawmakers and candidates are prohibited from taking contributions from lobbyists or their employers when the legislature is in session, so the events offered a last chance for giving before the 120-day session.

In the House, Democrats hold clear fundraising advantage

On the House side, Democrats easily raised more money than the out-of-power Republican committee.

Better Colorado Alliance, which has a 527 political committee and an independent spending committee organized to support House Democratic candidates, raised nearly \$624,000 in all of 2019, according to state reports. The committee also received more than \$61,000 in a transfer from its prior iteration, known as Our Colorado Values.

Values First Colorado, a 527 committee that supports Republican state House candidates, raised only about \$473,000 in 2019.

And the reported totals don't reflect other outside organizations that are often used by Republicans. In 2018, other super PACs, including Better Jobs Coalition and the Republican Party Independent Expenditure Committee, also spent heavily on five key Senate contests, as did the nonprofit Colorado Economic Leadership Fund. Still, Democrats won all five seats.

A Colorado Sun analysis of the filings indicates some major donors so far appear reluctant to support the Values First Colorado committee. The committee is registered by Joe Neville, brother of House Minority Leader Patrick Neville who often is listed as the author of its emails.

At least nine corporate groups donated a combined \$176,000 to the other three legislative super PACs in 2019, but nothing to Values First.

For instance, Extraction Oil & Gas donated \$40,000 to Leading Colorado Forward, \$25,000 to Senate Majority Fund and \$5,000 to Better Colorado Alliance, but nothing to Values First. And PHRMA Colorado donated \$14,000 to each of the Democratic super PACs and \$10,000 to Senate Majority Fund, but nothing to Values First.

But Values First appears to be turning to small donors to pick up some of the slack. The group raised 23% — nearly \$109,000 — of its money via donations less than \$1,000.

“I’ve made a big effort in the last year and going into this year to create more of a small dollar network where the people are involved, where the stakeholders are not just lobbyists and special interest and corporations,” said Joe Neville, who runs Values First and a related committee Take Back Colorado, which raised just over \$6,000.

He said House Republicans will “get plenty of support from large donors,” but acknowledged they are making a different pitch. “When you are trying to really put forward a grassroots effort on conservative values, that doesn’t always appeal to large donors.”

By contrast, the Republican-aligned Senate Majority Fund received only 3.6% of its 2019 contributions in amounts less than \$1,000. The two Democratic super PACs received only about 1% of cash from small donors.

Thirty-five donors gave \$20,000 or more to the four legislative super PACs, the Sun’s analysis found.

2020 ballot initiatives are already raising millions

The latest batch of campaign finance reports also offered glimpses at the groups supporting or opposing three 2020 ballot initiatives that are already qualified for the ballot. They raised a combined \$5.5 million in 2019 as they prepared to sway voters on issues related to presidential electoral votes, reintroducing wolves and barring non-citizens from voting in some local elections.

One ballot measure would repeal a Democratic-authored law to join the national popular vote movement. If enough other states join the compact, Colorado’s nine electoral votes would go to the winner of the national popular vote instead of the winner of the state popular vote.

- The Yes on National Popular Vote committee, which is trying to defeat the repeal effort, raised \$1.8 million through Dec. 21, with 73% coming from wealthy Californians, as The Sun first reported in 2019. The large donors include retired computer scientist Stephen Silberstein, of Belvedere, Calif., at \$500,000; Dreamhost co-founder Josh Jones, of Santa Monica, Calif., at \$330,000; and retired Massachusetts nurse Nancy Beeukes at \$250,000. Craig Barratt, an Intel scientist from Santa Clara, RK Coit of Coit Financial Group in Walnut Creek, Calif., and Los Angeles television producer Marcia Carsey also each gave \$100,000.
- Protect Colorado’s Vote, the mostly Republican-backed committee that wants to overturn the national popular vote law, raised \$802,000 in 2019. Top donors to that group are nonprofit Better Jobs Coalition at \$105,000 and U.S. Sen. Cory Gardner’s leadership PAC, Project West PAC, at \$50,000.

An organization behind an effort to prohibit noncitizens from voting qualified for the ballot. The state Constitution already requires voters to be citizens, so the measure wouldn’t have much impact beyond potentially prohibiting some non-home rule cities from allowing noncitizens to vote.

- Citizen Voters Inc., a Florida nonprofit, contributed virtually all of the \$1.4 million raised by Colorado Citizen Voters. The money went to pay people to gather signatures to qualify the measure for the ballot. No group is registered with the secretary of state to oppose the measure at this point.

A third ballot measure headed to the ballot would allow the reintroduction of gray wolves in the state.

- The Rocky Mountain Wolf Action Fund raised about \$1.4 million as part of its effort to get the measure to a vote. Large donors included nearly \$334,000 from the California nonprofit Tides Center; more than \$260,000 from Defenders of Wildlife, which helped gather signatures; and more than \$161,000 from the affiliated nonprofit Rocky Mountain Wolf Action Fund.
- Coloradans Protecting Wildlife, which is working against the measure, raised about \$10,000 — half of which came from the Colorado Wool Growers Association.

Petition signatures are due March 4 for a measure that would ban abortion after 22 weeks except to save the life of the mother. The Coalition for Women and Children raised just about \$33,000 to support its efforts.

[Citizens United decision weathers 10 years of controversy](#)

A decade after the Supreme Court's landmark Citizens United decision, which ushered in the era of super PACs and unlimited donations, the fight over the contentious ruling shows no signs of easing.

The case upended the campaign finance system, after the justices in a 5-4 ruling authored by Justice Anthony Kennedy on Jan. 21, 2010 found that restrictions on corporate campaign spending violated free speech.

Democrats blasted the decision, warning of the impact of corporate money flooding into elections. But the ruling also opened the door for labor unions and nonprofits to ramp up their campaign spending, altering the landscape.

On the anniversary of the decision, critics see their fight to overturn the ruling entering a new phase, as a number of Democratic candidates are pledging not to accept money from corporate political action committees, known as PACs.

A group with the sole focus of overturning this ruling was formed five years ago. End Citizens United works to raise the issue of money in politics, and elect candidates and promote ballot measures on the issue.

“What we saw was that Americans across the country were really fed up with the amount of money in elections. They saw it getting worse and worse. They understood how bad Citizens United was and there really was this passion for overturning it,” President Tiffany Muller told The Hill. “It was such a terrible, terrible decision and it had disastrous consequences.”

Since the ruling, \$4.4 billion has been spent in federal elections, according to a report from the group.

End Citizens United’s main focus is for the Supreme Court to revisit the case, but legal experts say it is unlikely that the court, which has shifted to the right under [President Trump](#), will roll back the decision.

Muller has teamed up with members of Congress this week to use the 10-year anniversary as an opportunity to highlight their work on state ballot measures and in Congress.

“Members have been really excited to have another opportunity to talk about the work that they’re doing to clean up corruption, to get money out of politics,” she said.

End Citizens United has been advocating for H.R. 1, the Democrats' wide-ranging bill that passed the House in March but was not taken up by the GOP Senate. The bill includes proposals for electoral reforms and more campaign finance transparency.

“What we want to do is continue to show that there are champions on the Hill who are working to try to get this done. In the Senate, what you have right now is Sen. [Mitch] McConnell [R-Ky.] and Republicans who are standing in the way,” Muller said.

Critics have seized on the anniversary to highlight their efforts to overturn the ruling.

“Ten years after Citizens United, our democracy has reached a crisis point,” said Sen. [Tom Udall](#) (D-N.M.), on a call hosted by progressive group Public Citizen. “Just look at the ever-increasing amount of secret money flooding our elections.”

Rep. [John Sarbanes](#) (D-Md.), chairman of the Democracy Reform Task Force that is behind H.R. 1, called 10 years of Citizens United a “very sober” anniversary at a press conference last Tuesday.

“It’s where this arrogance began on the part of Super PACs and the super wealthy armed with this idea somehow that corporations are people, money is speech. They decided that they were going to take over American politics,” he said.

Sarbanes also pointed to the many Democratic candidates who have had to drop out of the 2020 race, while billionaire candidates have stayed in.

If H.R. 1 passed, Sarbanes said, that would change.

“The Michael Bloombergs, anybody who’s running whose got a lot of money, it comes out in the wash. It will be balanced,” he said.

Reps. Katie Porter (D-Calif.) and [Max Rose](#) (D-N.Y.) with fellow freshman House Democrats launched the End Corruption Caucus on Thursday to spotlight efforts to fight special interests in elections.

Citizens United “opened the flood gates for unlimited amounts of dark money to pour into our political system. And since then, we’ve seen what happens when special interest money is allowed to drown out the voices of everyday Americans,” Porter said at a press conference.

“It means that Big Pharma can handcuff providers and handcuff patients with higher drug prices. Wall Street can tear down the guardrails preventing another financial crisis and the NRA can block gun violence prevention legislation even as Americans die every day from preventable gun tragedies.”

But supporters of the ruling have also marked the anniversary, defending the decision.

“Ten years ago the U.S. Supreme Court vindicated the free speech rights of individuals and associations spending independently on elections,” John Samples, vice president of the libertarian Cato Institute, told The Hill.

"Disaster was predicted. It was said businesses and the wealthy would dominate politics and policy. But corporations have stayed out of politics, and liberals have shown and are showing that they can remain competitive or even raise more funds than their opponents."

“While Citizens United hasn’t resulted in a flood of corporate cash ‘drowning out’ ordinary voices, it has allowed new, often very important, voices to be heard,” Scott Blackburn, research director at the Institute for Free Speech, wrote in a [report](#) for the anniversary. "The decision not only protects the right to speak, but it protects the right of Americans to hear those voices.”

Supporters of Citizens United note that while Democrats are vowing to reject money from corporate interests they are still accepting donations from labor unions and other nonprofits.

In the years since Citizens United, supporters of the ruling have seen other victories at the high court.

In 2014 in another 5-4 ruling, the Supreme Court struck down a limit on how much an individual can contribute to candidates and political committees in a two-year period. In its decision in *McCutcheon v. FEC*, the court cited the importance of protecting free speech as expressed through political donations.

In 2016, the court issued another decision that critics believe gives donors even more influence in overturning the 2014 bribery conviction of former Virginia Gov. Robert McDonnell (R). The Supreme Court unanimously ruled that government officials can only be convicted of corruption if they make narrowly defined “official acts” on behalf of their donors, making it harder for federal prosecutors to bring such cases.

In November, Sen. [Sheldon Whitehouse](#) (D-R.I.) wrote a Supreme Court brief arguing that Citizens United has opened the door to giving special interests extraordinary influence over politics.

“The Citizens United majority’s assurances that independence and transparency would protect the public from corrupting interests have proven calamitously wrong,” he wrote.

The 2018 election included the first big wave of Democratic congressional candidates vowing to not take corporate PAC money, an effort spearheaded by End Citizens United. Since then, more incumbents and some Republicans have joined.

With a presidential election ahead, the fight is certain to again heat up.

“We’re going to not stop until we change this place. We’re not going to stop until elected officials on both sides of the aisle are no longer in the pockets of lobbyists and corporate PACs but are boldly committed to the interests of the American people,” Rose said.

[Feehan wants to tackle ‘dark’ money](#)

DFL candidate for Minnesota's First Congressional seat Dan Feehan rolled out a plan to tackle the influence of "dark" money on politics during a conference call, Tuesday.

Feehan announced it on the 10th anniversary of the Supreme Court's decision in Citizens United vs. the Federal Election Commission (FEC).

This decision made by the court held that the free speech clause of the First Amendment prohibits the government from restricting independent expenditures for political purposes. This allowed unlimited election spending by corporations and labor unions.

Feehan said Citizens United was a complete disaster for democracy as it has led to the creation of untraceable dark money in politics and made it more difficult to pass bipartisan, commonsense solutions in Congress.

Feehan objected to the outside influence dark money has on politics and said it gives corporations too many powers over regular people.

"Southern Minnesotans deserve immediate action on lowering the cost of prescription drugs, making healthcare more affordable and accessible and fighting for an economy that works for everyone in our district," Feehan said. "Unfortunately, thanks to Citizens United, Washington is full of politicians like Jim Hagedorn who are beholden to their corporate donors, not their constituents. That is why I have pledged to refuse all corporate political action committee (PAC) money and commit to only serve the interests of Minnesota in Congress."

Feehan's plan calls for restricting politicians from becoming lobbyists; stopping members of Congress from trading individual stocks; enacting campaign finance reform by requiring super PACs to disclose their donors; working to overturn Citizens United and fighting for non-partisan redistricting commissions to end the practice of gerrymandering.

Feehan continued to voice his opposition to super PACs and stated he refuses to take any money from corporate PACs. He said by refusing all corporate PAC money, he won't owe any favors to corporations or dark-money interests.

He charged incumbent First Minnesota District GOP Congressman Jim Hagedorn with accepting corporate PAC money from East Coast pharmaceutical companies and out-of-state oil companies.

Feehan pledged to never be a lobbyist, work to strengthen disclosure requirements and extend the definition of federal lobbyists to prevent former members of Congress from trading their access for cash.

End Citizens United's (ECU) Political Vice President Jordan Wood also spoke at the conference. He too stated Citizens United was a disaster for democracy. Wood said in the decade since the decision \$4.5 billion in untraceable dark -money has impacted elections.

"Americans are losing faith," Wood said. He believes the system fosters corruption in politics. He said it allows politicians to take large sums from corporations and vote for laws that do not represent constituents.

Wood said ECU is supporting Feehan in the congressional election because he supports reform on this issue.

"We never have to worry he is influenced by PAC money," he said.

Feehan previously ran against Hagedorn for the First Minnesota District seat in 2018 and lost by 1,300 votes. Feehan said he anticipates Hagedorn will again use PAC money in the campaign but said fundraising efforts have been strong. Feehan intends to maintain a presence in all 21 counties in the district to better spread his message.

He is confident his campaign can make up the difference in 2020.

[**Agriculture group puts Arizona lobbyist on leave as lawmaker denies romantic relationship**](#)

An agriculture trade association has placed one of its lobbyists on leave amid questions about a possible romantic relationship with an Arizona legislator who serves on committees that play a central role in farm and ranch issues at the state Capitol.

Rep. David Cook, R-Globe, and AnnaMarie Knorr told The Arizona Republic in separate interviews that they are friends, and that their relationship did not cross ethical lines.

The Republic received a batch of handwritten letters earlier this month that portray a close relationship between Cook, a married rancher representing a rural Pinal County district, and Knorr, who works on legislation backed by the agricultural industry and is the daughter of an influential lobbyist.

Copies of the cards and letters were sent anonymously with the return address given as the state Capitol. In them, Cook referred to Knorr as “honey,” wrote that he missed her “terribly,” and signed the letters, “Love, David oxox.”

The packet of letters sent to The Republic also contained photographs of what the anonymous sender said were Cook and Knorr together.

Western Growers, the association of local and regional farms that Knorr represents, said Tuesday it is aware of "allegations of professional misconduct" by an employee in Arizona and that Knorr was placed on administrative leave pending an investigation.

The newsletter Yellow Sheet Report first reported the action by the association.

Family 'trying to ruin me'

Knorr, 39, said her decision to divorce her husband has angered him and her father.

She said she had not seen the letters sent to The Republic, but said Cook and his wife wrote her letters of encouragement while she was undergoing treatment for a medical condition.

Knorr accused her husband and father of mounting a smear campaign against her and Cook in an attempt to damage them and to convince her to stay in her marriage. Knorr is the daughter of Bas Aja, a powerbroker at the Capitol who for decades has lobbied on behalf of the Arizona Cattle Feeders' Association

“All I can tell you is Mr. Cook and I have never had an inappropriate relationship,” Knorr said. “All his family has done is supported me through one of the toughest periods of my life. They’re trying to make this into something else.”

She said her father has sided with her husband: “They don’t think I should get a divorce. They are also trying everything they can to make me feel I have to stay married.”

She said her family is “disowning me and trying to ruin me,” over her decision to end her marriage.

Aja did not respond to multiple attempts by The Republic to reach him.

Knorr's husband, reached by phone Tuesday night, did not immediately provide any comment.

Letter: 'I deeply love you'

Cook, 51, did not dispute that he had written the letters when asked about them during an interview with The Republic. But he refused to discuss the documents.

"We are friends for years," he said of Knorr.

In one letter, addressed to "My love," Cook wrote, "I truly believe that a higher power brought us together at this time in our lives for a right and just purpose."

"I deeply love you and on many occasions I find myself trying to protect me from being hurt by having these deep feelings for you." he said later in the letter, which was signed, "You have me — David."

In another, he appears to reference his wife. "The other morning she woke me up and asked me if I was going to leave her. I did not answer her — I know it is heavy but it is what it is. I am going to bed — I will write to you tomorrow."

However, Cook said anyone suggesting they had a romantic relationship would be wrong.

Cook said he had not seen the packet sent to the newspaper and declined a reporter's offer to review the package, citing privacy concerns.

"There is nothing except I help people get through their struggle," he said. "I help all kinds of people."

Cook [pleaded guilty in March 2019](#) to a misdemeanor charge of drunken driving stemming from his arrest on a Valley freeway in late 2018.

Cook originally was charged with an extreme DUI; his blood-alcohol level was near twice the legal limit.

According to the police report, Cook reportedly told one highway trooper at the time, "You'll get yours," and told another, "Do you know what you're doing, son?"

He spent a day in jail, among other penalties, and has been open about his efforts at recovery.

Work at Legislature scrutinized

Cook sponsors bills that Knorr and her organization support.

Cook is a member of two committees that hear bills affecting the agriculture industry that Knorr represents — the Land and Agriculture Committee and the Natural Resources, Energy and Water Committee.

Cook was the primary sponsor of 12 bills last year. Knorr signed on in support of four of them. All were favored by the industry, including one dealing with issues such as tax assessments for agriculture land and one that would have infused millions of dollars into the Temporary Groundwater and Irrigation Fund.

Responding to questions about Knorr, Western Growers executive vice president Dave Puglia said in a statement Tuesday, "Western Growers holds itself and its employees to the highest standards of professional conduct. We are also committed to the fundamental notions of fairness and due process. Therefore, Ms. Knorr has been placed on administrative leave pending our investigation into the matter."

The Arizona House has no code of conduct for its members, even though the House voted two years ago to establish one.

[Republican leaders in the House are discussing changing the chamber's rules](#), such as by specifying that only members of the chamber could file complaints against representatives.

It is unclear if or when the House might vote on changes to the rules.

House Majority Leader Warren Petersen, R-Gilbert, told The Republic that the changes are not related to Cook. But he described the allegations involving Cook as troubling, if true.

[Legislative inquiry needed in lobbyist email scandal](#)

Illinois House Speaker Michael Madigan doesn't know anything about his lobbyist buddy's appalling 2012 email advocating on behalf of a politically connected worker who kept his mouth shut about a rape and ghost payroll practices.

And the head of the Democratic Party of Illinois made it clear he doesn't want a legislative inquiry into the matter.

In fact, he squashed House Minority Leader Jim Durkin's request for the State Government Administration Committee to be immediately convened to investigate the allegations and for full subpoena authority to require the testimony of retired lobbyist Michael McClain and others. Madigan said the issue was too sensitive for the General Assembly and that only the "appropriate" authorities should investigate.

"He has kept his mouth shut on Jones' ghost workers, the rape in Champaign and other items. He is loyal to the administration," McClain wrote in the 2012 email to then-Gov. Pat Quinn's aides. McClain wrote the email seeking leniency for a longtime government worker, Forrest Ashby, who was facing a disciplinary hearing. McClain didn't want that hearing to get out of control.

It was such a brash and stomach-turning email. The kind that begs the question: What else are politicians and lobbyists doing and hiding in Springfield? Further, it illustrates just how out of touch the state's politicians and power brokers are with the rest of Illinois.

The Chicago Tribune reported that investigators were looking into whether the email referred to an inmate who got out of prison early and then sexually abused a young girl. The report cited unnamed sources. If that's the case, then a legislative inquiry is needed.

"The lobbyist was practicing under the Lobbyist Registration Act statute at the time of the alleged activity and the state employees were senior-level officials in a previous administration," Durkin said. "The Illinois House of Representatives has an inherent responsibility to perform an independent inquiry into a matter of this nature."

Durkin is right about that. But don't expect Madigan to clean up the moral and political mess in Springfield. He's shown time and again, through the #MeToo scandal and corruption probes, that he prefers the status quo.

It's worth remembering that McClain is more than just an acquaintance of Madigan. Far from it. McClain is the former state lawmaker who went on to become one of the state's most powerful lobbyists, in no small part because of his extremely close relationship with the House speaker. McClain is the one who referred to Madigan as "Himself" when rounding up cash for Kevin Quinn, the Madigan political operative who was fired amid accusations that he sexually harassed a campaign worker. Madigan said he also didn't know anything about the harassment or the fundraising for the out-of-work Quinn.

Madigan also didn't know anything about his longtime chief of staff, Tim Mapes, being the chief harasser and intimidator under the dome. That excuse strained the limits of believability, even in the modern political era, the first time it was employed. When Madigan trotted out the "I wasn't aware" line again with the McClain email, even some Democrats questioned it. After all, McClain kept others informed about his efforts to intervene on Ashby's behalf.

This week, Gov. J.B. Pritzker fired Illinois Department of Agriculture Director John Sullivan for failing to take action regarding the email at the time it was sent. The governor's office said that Sullivan, as a state senator in 2012, knew about the email but did nothing about it. Sullivan said he never read the entire email while running for re-election and dealing with health issues.

Democrats may be hesitant to challenge Madigan, but failing to do so will prove far more costly in the end.

[Texas lobbyists and politicians dodged \\$800k in fines, thanks to weak campaign finance laws](#)

Texas state Rep. Ron Reynolds was running for his fourth term when in early 2016 he abruptly stopped reporting his finances to the state. He didn't file another report for about two years, keeping secret the amount of money he raised during that time and the identities of those who gave it to him.

Reynolds, D-Missouri City, is one of about a hundred candidates, lobbyists and political action committee treasurers each year who fail to file mandatory disclosures of their donors and expenses, racking up thousands of dollars in fines as a result, according to an analysis by Hearst Newspapers.

Yet candidates with unpaid fines can continue to run for office and the committees can go on operating, thanks to a weak enforcement system that allows them to dodge their responsibility to the state and voters. Reynolds still owes over \$74,000 as he runs for re-election this year.

The Texas Attorney General's Office, which handles collections for the Texas Ethics Commission, since 2005 has won the right in court to collect \$1.1 million from late filers, including Reynolds, but the office has then written off \$800,000 as uncollectible, effectively ending attempts to financially penalize candidates and political committees.

"Campaign finance in Texas is basically a wild west, no rules system," said Anthony Gutierrez, executive director of Common Cause Texas, an advocacy group that seeks to reduce the

influence of money in politics. “Only in the most extreme circumstances do you see people being held accountable.”

It’s rare for office holders like Reynolds to allow their fines to pile up. Elected officials, including judges and legislators, make up a small portion of the total outstanding fines, the majority of which are owed by candidates who lost, lobbyists and PAC treasurers.

Still, the state’s lack of enforcement could give candidates and politicians with unpaid fines little motivation to pay up or account for their fundraising in 2020, a competitive election that could tip the scales of power in Texas for years to come. The campaign finance reports are required by law because they reveal where candidates are getting their money in a state with few limits on contributions, which has meant some have received checks as high as \$1 million from individual donors.

Reynolds, a personal injury attorney who has been in the Legislature since 2011, has yet to file the missing campaign reports, Texas Ethics Commission records show. Meanwhile, the attorney general’s office has gone to court seven times trying to collect fines from Reynolds since 2008.

Those court judgments are supposed to act as an incentive for a candidate to pay because they can inhibit a person’s ability to get a loan or lower their credit score, the attorney general’s office said.

Reynolds, however, said the lawsuits haven’t negatively impacted his credit score or affected his job as a state representative. Just one of the fines for \$9,400 has been paid back in full; Reynolds said he is making payments toward the rest of the debt, but he did not respond to a request that he provide proof of payment. The attorney general’s office did not respond to a request for confirmation. Reynolds has not missed reporting deadlines in the last year.

He said he plans to file the missing campaign finance reports next month, explaining that the fines accrued after he missed filing deadlines when his mother was in intensive care, when he was in the hospital and when he was out of the country.

In 2018, Reynolds served nearly four months in jail for illegally soliciting clients for his law practice and was released in time for the beginning of the 2019 legislative session. He has been [disbarred in Texas](#) but is appealing the decision.

“My constituents appreciate the fact that I’m very engaged and responsive to their concerns,” he said in a statement. “I plan to stay focused on fighting for my constituents and not distracted by old fines that I’m already in the process of paying off.”

In 2018, 22 percent of people fined actually paid up

The attorney general's office said it does all it can to collect the fines, by blocking elected officials from receiving reimbursements from the state or filing lawsuits when fees are hefty enough to justify the legal cost, before labeling them uncollectible. While those facing steep fines are cut off from state contracts and reimbursements, delinquent lawmakers can continue to collect their salaries and per diem checks.

Other states such as New York, California and Florida can garnish wages, levy tax liens or even send collections agencies after debtors, but Texas regulators have none of those options. State law provides the civil courts as the only remedy for collecting unpaid fines. Once the Texas Attorney General deems fines uncollectible, the debt stays on the books and could still be paid one day, but there are no enforcement options left for the agency to take, officials said.

Dozens of lobbyists, judges and lawmakers have paid off their debts, some of which reach tens of thousands of dollars. But plenty of other candidates and officials — representing all political parties — have not.

Of the cases closed in 2018, about 22 percent of candidates and officials paid their fines in full. The rest were either waived by the commission or otherwise uncollectible at least in part.

Chad Craycraft, chair of the Texas Ethics Commission, said he believes the attorney general's office does all it can to collect.

“I have complete confidence that the attorney general's office takes all referrals made by the Texas Ethics Commission and other state agencies seriously and after evaluating each individually, pursues the course of action that it deems is in the best interest of the State of Texas,” Craycraft said.

Candidates have several opportunities to avoid a fine levied by the ethics commission. If they fail to report campaign spending on time, candidates can request the ethics commission waive the fine after they turn in the late report.

That happens quite often: About 15 percent of overdue fines, or about \$535,000, since 2005 have been absolved by the agency after it originally referred them to the attorney general's office for collections, records show.

States with tougher laws have no problem collecting

State Board of Education Board Member Georgina Perez is one of the more than 300 people whose fines were dropped in the last decade. Perez said she had a technical issue with submitting her disclosure forms that was later resolved.

Perez said she was very concerned about having a fine on her record and dealt with the issue immediately, but even if she hadn't, the hold on her reimbursements for board-related travel and other expenses likely would have been "highly effective" — especially since she has to make the 1,100-mile round trip drive from El Paso to Austin many times a year for board meetings.

"They would have gotten that \$11,000," she said.

In Florida, the state can recover unpaid fines through salary withholding, wage garnishment or referral to a collection agency, though the ethics commission's deputy executive director Kerrie Stillman said it has not been forced to garnish wages yet. Most cases are resolved before then, though, and the state has a 99 percent compliance rate, according to its 2018 report.

Similarly, the vast majority of cases in California are settled through its Fair Political Practices Commission. Respondents can contest a finding of a violation before an administrative law judge.

In about a half-dozen cases per year in the state, the respondent either fails to come to a settlement or evades the commission. At that point, the commission can vote to send the unpaid fines to a division focused on collections. By law, that division can levy a property tax lien or garnish tax refunds from the Franchise Tax Board and Internal Revenue Service.

"The Political Reform Act and FPPC have been in existence for 46 years," said spokesman Jay Wierenga about his state's high level of compliance. "So the political community at large is pretty well-aware of the requirements and laws and regulations."

The majority of cases in New York are also resolved by settlement. A spokesman for the New York State Joint Commission on Public Ethics, Walter McClure, said only a couple cases have been sent to the attorney general in recent years.

Asked whether there is more the Texas Ethics Commission could do, administratively or through a legislative change, to collect overdue fines, Craycraft, the commission's chair, declined to comment, saying only that it is "not a policy-making agency."

Gutierrez, of Common Cause, said there is no political will for creating a more heavily regulated money-in-politics system in Texas. The attorney general's office has been dismissive of the commission, such as in 2018 when it declined to represent it in a [court case filed by the conservative advocacy group Empower Texans](#) that seeks to gut the agency.

The attorney general's office at the time called into question whether the commission has the constitutional right to enforce state election laws and penalize those who violate them.

"We take the duty to defend the state seriously and routinely defend agency enforcement actions whenever consistent with our duty to uphold the Constitution," said the attorney general's spokesman Marc Rylander at the time. "However, where we determine those two duties are in conflict, our first obligation is to defend the Constitution and the basic rights it guarantees to each and every Texan."

That makes it unlikely the commission, which Gutierrez described as one of the most toothless Texas agencies, will see change.

"To me, it is really a product of state leadership that doesn't want to have regulations on campaign finance, doesn't believe money in politics is a problem," he said, "and they have set up a system to reflect that."

Group launches Michigan ballot drive to rein in lobbying

A group launched a ballot drive Thursday that would target lobbying in Michigan's Capitol by banning free food and drink for state elected officials, requiring former lawmakers to wait two years to become lobbyists and creating a new system to track lobbying activities.

The Coalition to Close Lansing Loopholes filed language for the proposed constitutional amendment with the state elections board. The effort is being spearheaded by Progress Michigan, a liberal advocacy organization.

The ballot committee, which plans to start circulating petitions after the wording is approved, would have until early July to submit 425,000 valid voter signatures.

"The reality is that lobbyists are running things in Lansing and they have been for too long. For years, there's been talk about the need for more transparency and accountability in Lansing, but nothing has been done," said Lonnie Scott, executive director of Lansing-based Progress Michigan. "Michiganders want and deserve an open and accountable government, and yet we still rank dead last in transparency and accountability."

The measure would prohibit lobbyists and their clients from giving anything of value to public officials, which would be defined as statewide elected officials, department directors, political appointees in the executive branch and lawmakers' top aides. Currently, lobbyists must report travel and lodging paid for or reimburse to a public official in excess of \$825, food and beverages above \$63 a month or \$400 over a six- or seven-month period, and any "gift" — including tickets to events — above \$63 in any one month.

Unlike most states, Michigan also has no mandatory "cooling off" period before a government official may register as a lobbyist, except when a legislator resigns from office.

The initiative also would prohibit contingency-pay agreements where lobbyists' pay depends on the success or failure of their lobbying, require lobbyists and public officials to file a monthly detailed reporting log of lobbying activities and communications, and mandate additional disclosure about who funds political ads.

[New director aims to help North Dakota Ethics Commission make rules](#)

The North Dakota Ethics Commission has a new executive director who says he will try to help navigate the board through the choppy waters ahead.

David Thiele took the reins as the commission's first director at the beginning of the year, but the board's meeting on Wednesday, Jan. 22, was his first in the position. The 60-year-old once worked as a judge advocate for the U.S. Army before returning to his home state and joining the North Dakota National Guard, where he served as a lawyer and top administrator.

The new director said he will use his background as an attorney and ethics counselor for the National Guard to help the commission create rules and procedures for handling complaints of ethical misconduct. The rules could also establish if certain topics, like campaign finance disclosures, fall under the commission's jurisdiction. The commission does not yet have a detailed process for handling complaints or punishing those deemed guilty of ethical violations.

State law gives the commission nine months from its creation, which would be early April, to take preliminary steps in creating rules, but it could ask for an extension. The new director said he's "very hopeful" the board can meet the April goal.

Thiele added that the commission will give members of the public a chance to comment on the proposed rules.

"The public comment process is very important because what we want to do is try to achieve as much buy-in as we can with all of the constituents, which at the end of the day, is everybody in North Dakota," Thiele said. "We won't make everybody happy, but I think we can get to point where everyone's got a comfort level that we're promoting transparency and accountability."

Thiele will also try to help the commission maneuver through inconsistencies between the statute that established the commission and the state constitution. The constitution says there will be a confidential whistleblower hotline to make complaints, but the Legislature decided last year that the complainant's name will be provided to the respondent. Thiele said it's not clear whether the commission has the authority to solve the discrepancy on its own.

The commission also currently lacks the ability to subpoena parties involved in complaints or documents necessary to evaluate complaints. Thiele said he believes the board cannot give itself subpoena power and would likely only get it through legislative action. Chairman Ron Goodman said the commission would have to look into the subject.

Thiele, a Bismarck resident, said he is a "good fit" for the job and he looks forward to advising the commission through the challenges. The new director comes at the job with an optimistic view of his fellow North Dakotans.

"I think North Dakotans, by nature, we try to do the right thing," Thiele said. "It's going to be interesting to see how much work we actually have as far as complaints."

Thiele will make \$115,000 per year as the commission's first full-time employee. Voters approved the establishment of the commission in 2018 despite pushback from a Republican-led legislature. Gov. Doug Burgum and Senate majority and minority leaders selected the five-member commission to oversee the conduct of lobbyists, state officials, lawmakers and candidates.