



M U L T I S T A T E

State fails to produce ‘public interest waiver’ for Ben Stevens to take ConocoPhillips lobbying job (Alaska)

As they left state government for new jobs, former state officials such as Bruce Tangeman and Ed Fogels took part in a waiver review process required in state law, one that is supposed to guard against a conflict of interest that would harm the state.

Tangeman resigned in 2019 as revenue commissioner and before he could become a consultant to the North Slope Borough, he received a state waiver, “out of an abundance of caution.”

Fogels left his job as deputy commissioner of natural resources in 2017 and needed a waiver to work for a consultant on the Pebble mine project. His first request was denied under the Walker administration, but the second was approved under Dunleavy.

“I waive application of any restrictions for purposes of this employment,” Ethics Officer Peter Caltagiron, Commissioner Corri Feige and AG Kevin Clarkson wrote in February 2019.

A wide variety of state employees have had waivers over the past 16 years, according to a list published by the Alaska Public Interest Research Group.

“This process is key to ensuring that particular state employees are acting in the public’s best interest, and not being influenced by financial prospects of a lucrative job,” AKPIRG said.

There is no excuse for the the decision by Gov. Mike Dunleavy to exclude Ben Stevens from the waiver review process.

But it is understandable why Dunleavy refused to issue a written finding that having Stevens working as a political functionary for ConocoPhillips is “not adverse to the public interest.” At this juncture, Stevens is the ultimate inside source about Alaska state government secrets.

Stevens has been hired by ConocoPhillips for his expertise in working with the Legislature and administrative agencies, information that will allow him to promote the interests of ConocoPhillips. This includes keeping oil taxes low and preventing or promoting changes in regulation.

The restriction in state law would prevent him from using what information he has gained in the Dunleavy administration to work for ConocoPhillips unless the governor gives him a waiver. It may be that even Dunleavy is unwilling to sign off on a claim that Stevens's new job doesn't create a conflict of interest.

The state claim that no waiver is needed because Stevens will not be a "lobbyist,"—which is defined in state law in a way that excludes many lobbyists—is irrelevant.

If you review the waivers granted since the Murkowski administration, all were for jobs in which the potential for a conflict of interest was far less than it is for Stevens.

AKPRIG has filed a complaint and asked for an investigation about why Dunleavy and Stevens skipped the waiver process. Stevens, a former Senate president who was involved in the VECO scandal more than 15 years ago, knows how to work with legislators and state agencies to block legislation and regulations that ConocoPhillips doesn't support.

Former VECO boss Bill Allen testified that Stevens, who was on the VECO payroll, was a loyal soldier in the effort to keep taxes low.

Stevens is an expert on the inner workings of Alaska state government. That's why he has a new job.

State law says an employee in Stevens's situation "may not, for two years after leaving state service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the administrative unit served by that public officer, and in which the officer participated personally and substantially through the exercise of official action."

The law also says this requirement can be waived if someone, in this case Dunleavy, decides that having Stevens work for ConocoPhillips "is not adverse to the public interest. The waiver must be in writing and a copy of the waiver must be provided to the attorney general for approval or disapproval."

A spokeswoman for ConocoPhillips says not to worry, as "we are not going to have Mr. Stevens work on any matters that were under consideration in the governor's office while he was there."

ConocoPhillips wants Alaskans to believe Stevens will be the George Costanza of the oil company for the next two years. It doesn't pass the smell test to believe that Stevens will be cutting ribbons, handing out checks to charities, talking about the weather and never mentioning what levers to pull to defend Conoco's interests in Juneau.

As the former chief of staff for Dunleavy, Stevens has inside information—knowledge and experience for which he was hired—about all state agencies and potential actions in which ConocoPhillips has an interest.

ConocoPhillips is saying Stevens won't use what he has picked up about state government and legislators in the last two years when talking with anyone at ConocoPhillips or crafting a company strategy to block or advance policy changes. This is impossible to swallow.

If Dunleavy believes that having Stevens work at ConocoPhillips does not harm the state's interest, the governor needs to say so in writing, issue a waiver, make the details public and try to defend his decision. The attorney general needs to do so as well.

Dunleavy tells Alaska Public Media that Stevens going to work for ConocoPhillips is no different than someone else going to a hospital or a union job. It is different, but that's not the point. As chief of staff, he would be subject to the same review regardless of where he went to work in Alaska.

What is telling is that Dunleavy refuses to put anything in writing, out of an abundance of caution.

[Missouri lobbyist's donation to Lee's Summit school board candidate was illegal](#)
(Missouri)

Lee's Summit lobbyist William Brown may want to brush up on the rules governing his industry. And the Missouri Ethics Commission may want to ask the Lee's Summit businessman a few questions.

In Missouri, registered lobbyists are [prohibited from transferring funds](#) from a political action committee under their control to a candidate for public office.

Simple, right? Why would buying influence outright be legal?

The measure is on the books to prevent corruption, said [Chuck Hatfield](#), a Jefferson City-based attorney focused on campaign finance law.

But Brown, president of Lee's Summit lobbying firm [Spectrum Strategies](#), either doesn't understand state statutes, or thinks he is above the law.

Brown is treasurer of the [Forward Lee's Summit](#) political action committee, which has since 2017 contributed thousands of dollars in campaign donations to local candidates running for office.

It wasn't until I reached out to one of the main beneficiaries of Brown's generosity that he acknowledged that he was running afoul of ethics rules.

[Christine Bushyhead](#) is an attorney seeking a three-year term on the Lee's Summit School District Board of Education in the general election on April 6.

Forward Lee's Summit gave Bushyhead \$1,250 last year during a failed run for the school board, according to [campaign disclosure forms](#). She has received \$300 this year, a [report](#) filed last month with the Missouri Ethics Commission shows.

Bushyhead is one of [five candidates](#) that filed to run for two open seats on the Lee's Summit School Board. The others were Michele Surber, Rodrick Sparks, Monte Helm and Ryan Murdock, the current board president.

Bushyhead told me that she was not aware lobbyists were banned from donating to candidates for public office. She promised to return the money.

Lobbyists are required to file a yearly fee to maintain their status, which Brown did. He has not lobbied in two years, disclosure forms show. But he did contribute to political campaigns while acting as a lobbyist in previous years, according to online campaign records.

Brown is a former regional administrator for the U.S. Department of Urban Housing and Development. He said the donation to Bushyhead was an oversight he wants to quickly rectify.

"I am terminating my lobbying registration effective today," Brown wrote in an email. "Christine will be returning the Forward LS contribution and I will be replacing it with one for the same amount from my personal funds."

Liz Ziegler, executive director of the Missouri Ethics Commission, is not allowed to comment on potential investigations. But in an [advisory opinion](#) issued in January, Zeigler reminded the treasurer of an unrelated PAC about the state law that prohibits political contributions from lobbyists.

The treasurer of a PAC is in control of the committee and therefore is ultimately responsible for following the law. While the statute does not prohibit a lobbyist from serving as treasurer for a political action committee, the statute does prohibit the lobbyist — or treasurer — from making contributions from the PAC to candidate committees and to committees controlled by public officials, the ethics commission concluded.

“No contributions (from lobbyists) can be made to any candidate committees,” Zeigler [wrote](#).

Brown is the project coordinator for Paragon Star, a multimillion-dollar youth sports and entertainment complex under construction near Interstate 470 and View High Drive in Lee’s Summit.

The project will cost Lee’s Summit taxpayers [millions in incentives](#). He recently [shared](#) on his personal Facebook page a racially-insensitive meme that called into question his role on the district’s influential Business Roundtable group.

The ethics commission might want to follow through with Brown, just to make sure he doesn’t forget again what the rules are.

[Advocates call for greater transparency in Ohio campaign contributions raised by lobbyists](#) (Ohio)

A good-government group wants Ohio to require lobbyists to disclose fundraising they coordinate on behalf of politicians, saying the change would give voters a better idea which groups are trying to influence state policy through their campaign cash.

Ohio currently requires lobbyists to disclose the money they spend wining and dining elected officials. And state campaign finance laws require political donors to disclose their name, address and employer. But those requirements don’t reflect the lobbyists who may coordinate the donations.

Common Cause Ohio, a nonpartisan left-leaning group, says the state should make lobbyists disclose their fundraising activities with the Joint Legislative Ethics Commission, the state’s ethics watchdog agency. Catherine Turcer, Common Cause Ohio’s executive director, said

raising money is a major way lobbyists try to curry favor with elected officials. And special interest groups also look to close confidants of powerful officials to try to influence state policy.

“Lobbyists are lobbying state government because they want something,” Turcer said. “Gov. DeWine knows who helps him raise money for his re-election campaign, and so should we.”

As part of the organization’s push for greater disclosure requirements, Common Cause Ohio shared [an October 2019 email](#) it said it obtained that was sent to members of Gov. Mike DeWine’s fundraising team, of whom eight are registered with the state to lobby the governor’s office.

The message from former DeWine fundraiser Mary Sabin references seven upcoming fundraisers in Ohio, and was sent to Josh Rubin, JB Hadden, Jim Simon, Chip Gerhardt, David Myhal and other state lobbyists who are among DeWine’s core circle of supporters. Together, the lobbyists on the email represent 124 clients, many of whom have interests in gambling or utility issues.

Cross-referencing the event dates with state campaign-finance records, the events raised more than \$500,000 for DeWine, according to Common Cause Ohio.

DeWine has no comment on the proposal, said spokesman Dan Tierney.

“He would note all the activity described is legal under current law, and the DeWine/Husted campaign follows all campaign finance laws,” Tierney said.

[Lobbyist named in \\$60M Ohio bribery probe is found dead](#) (Ohio)

A powerful Ohio lobbyist who spent decades at the center of most of the state’s significant policy battles was found dead in Florida as he faced charges in a sweeping federal bribery investigation, authorities said Tuesday.

Neil Clark, 67, was found dead Monday by a bicyclist in an isolated area of Collier County, Florida, where he had been living, authorities said.

The local sheriff’s office provided a report describing the body being found, and the county medical examiner confirmed the body was Clark’s. The cause of death wasn’t determined, but a medical investigation and an autopsy were being performed.

When officials reached out to the man's wife, she said that the couple was having financial issues and that she had not heard from her husband for a couple of hours, according to the sheriff's report.

"It's just a tragic loss of a good friend," Clark's attorney Will Ireland told WBNS-TV. He declined to provide any additional information on Clark's death.

Clark had pleaded not guilty to the role federal prosecutors allege he played in an elaborate \$60 million scheme led by then-Ohio House Speaker Larry Householder to pass legislation containing a \$1 billion bailout for two Ohio nuclear power plants. Clark had denied all wrongdoing.

Former U.S. Attorney David DeVillers mentioned Clark's death during a presentation on the government's bribery probe Tuesday to the board of the Office of Ohio Consumer's Counsel, which represents Ohio's residential utility customers.

Clark was a larger-than-life figure at the Ohio Statehouse, where he often represented clients during their toughest legislative and public relations battles.

He fielded media calls for the Electronic Classroom of Tomorrow, for example, as the now-shuttered online charter school wrestled with allegations of attendance tracking errors. Clark also lobbied for some payday lending interests before that industry became the center of a previous House speaker's downfall.

Federal prosecutors investigating what they dub "Team Householder" described Clark as the former speaker's enforcer, strong-arming supporters and providing fundraising expertise.

He had said he was writing a tell-all book about his time at the Statehouse.

Before becoming a lobbyist, Clark was an aide and finance director for the Ohio Senate Republicans, gaining inside experience in state budget-making with which he was able to help his many lobbying clients.

Clark parlayed his Senate work into an advertising and communications business and eventually a powerhouse bipartisan lobbying partnership with Paul Tipps, a former Ohio Democratic Party chairman who died in 2015.

The pair formed State Street Consultants in 1999, which grew into the largest government affairs consulting firm in Ohio, with clients including BP, Limited Bands, AK Steel, the American

Cancer Society and the Cincinnati schools. The two ultimately had a nasty falling-out, their firm dissolved, and Clark founded his own firm, Grant Street Consultants.

“In matters in which a defendant has passed away, the process is that a ‘Suggestion of Death’ is typically filed upon receipt of a death certificate, resulting in dismissal of the decedent from the case but not impacting the rest of the case,” Acting U.S. Attorney Vipal J. Patel said in a statement. “All that will be addressed in due course. For now, we extend our condolences to Mr. Clark’s family and friends.”