



M U L T I S T A T E

[Lobbyists still picking up the tab](#) (New Mexico)

The Capitol is closed to the public – surrounded by fencing and State Police.

But lobbyists working to influence the Legislature are still finding ways to feed hungry lawmakers, sometimes in person, according to state documents and interviews with legislators and lobbyists.

Restaurants in Santa Fe County were permitted to reopen for indoor dining at partial capacity two weeks ago, and the Bull Ring – a popular steakhouse – attracted a few lobbyists and legislators the first night.

Just this week, some members of the House Appropriations and Finance Committee met for dinner at the Bull Ring. No lobbyists were present, but they picked up the tab.

The in-person, off-site meetings contrast sharply with the official work of lawmakers, who are conducting much of this year's session online to limit the spread of COVID-19.

Committee hearings have moved entirely to Zoom video conferences, and full meetings of the House and Senate are a mix of in-person and remote participation. The building itself is closed, with only legislators, staff and some media members allowed inside.

Heather Ferguson, a lobbyist and executive director of Common Cause New Mexico, said lunch and dinner meetings with lobbyists give well-connected interests an unfair advantage.

Without the pandemic, ordinary New Mexicans could show up at the Capitol and speak directly to lawmakers, often with no appointment required.

But “it is unlikely that members of the public have traveled to Santa Fe to try to take legislators out to the dinners at the Bull Ring that we have been hearing about,” Ferguson said. “The result

is less transparency when the public already feels, according to our annual polls, that their elected officials are already more responsive to lobbyists than they are to constituents.”

No advantage

Democratic and Republican legislators acknowledge the occasional meal with lobbyists, but they say ordinary constituents are on equal footing.

“I’ve had some people ask me out to dinner. I mostly say ‘no,’” Senate President Pro Tem Mimi Stewart, D-Albuquerque, said in an interview.

She said she has gone out to dinner twice where at least one lobbyist was among those present.

“I haven’t talked to them more than regular people,” Stewart said.

Senate Minority Whip Craig Brandt, R-Rio Rancho, said this week that he had at least one meal with a lobbyist already and had one more planned.

Lobbyists are trying to do their job under difficult conditions, he said, and they often have important information legislators need to hear.

“My cellphone is on the legislative website,” Brandt said, “so if my constituents want it, they can get it. I think most of us are that way. ... I don’t think it’s putting anyone at a disadvantage.”

A free lunch – or dinner – is built into the culture of the Roundhouse. New Mexico legislators don’t draw a salary, though they receive daily payments during the session intended to cover lodging, meals and other costs.

The per diem rate, which is set by the federal government, is \$165 a day this month with a bump to \$194 a day in March.

The 60-day session ends in about three weeks.

Lobbyist spending

Lobbyists often pay for legislators’ meals – including catered dinners and lunches for committees or even an entire chamber – during New Mexico legislative sessions. The practice

has continued in some form even during the online session, when lawmakers are often participating in hearings from their individual Capitol offices or at home.

One lobbyist told the Journal he just spent almost \$490 on a recent lunch for a legislative committee – food delivered to the Roundhouse, without the lobbyist entering the building.

Another lobbyist, Julianna Koob, who has about 10 clients, reported spending \$8,550 over the last month on the food-delivery service Door Dash and Door Dash gift cards.

The union representing film technicians, IATSE Local 480, reported about \$2,100 in spending to deliver Señor Murphy chocolates to legislators to thank them for supporting the film industry.

Food costs are just a sliver of the \$244,000 in spending reported by lobbyists so far – the bulk of it was spent on advertising, education and communication for or against individual pieces of legislation. More-detailed reports on lobbyist spending are due after the session concludes.

Going to dinner

Rep. Patricia Lundstrom, a Gallup Democrat and chairwoman of the House Appropriations and Finance Committee, said members of the panel met for dinner at the Bull Ring on Wednesday.

Earlier that day, the annual state budget proposal crafted by the committee won bipartisan support in a vote by the full House, sending it on to the Senate.

In an interview, Lundstrom said the dinner complied with public health regulations. Some areas were cordoned off, she said, and there were no more than four people at a table.

She said she invited House Speaker Brian Egolf, a Santa Fe Democrat, who attended. No lobbyists, spouses or guests were there.

“I felt like we did it safely,” Lundstrom said. “It is something, of course, that I wanted to have the committee do. We have just been going full bore in trying to get our budget done.”

Lobbyists paid for the meal, she said, but they don’t have any extra influence on the committee’s work.

When she gets a call from a constituent, Lundstrom said, she returns it. When a lobbyist calls, by contrast, she tells them to send an email.

She noted that in New Mexico's citizen Legislature, she doesn't have a full-time secretary or staff to manage the volume of calls that come in around the clock.

"When a person from McKinley County reaches out and calls me on my cellphone," Lundstrom said, "they're going to get a return call. When a lobbyist calls me, that's not likely to happen."

A spokesman for House Republicans said some members of that caucus met for dinner Thursday night, though he didn't say who was picking up the tab. Instead, he noted that lobbyists file reports with the Secretary of State's Office.

The public health regulations in effect for Santa Fe County allow restaurants to operate at 33% capacity indoors and 75% outdoors. No more than six people may be seated at a table, and each table must be at least six feet apart.

Pandemic tweaks

J.D. Bullington, a lobbyist with about 20 clients, said he had not met with legislators in person this session, though he isn't ruling it out as the session reaches "crunch time."

There was some talk among lobbyists before the session, he said, about whether they'd feel pressure to meet in person with lawmakers during the pandemic.

But "honestly, it is not what lobbyists talk about now," Bullington said. "We talk about issues and strategy, and sometimes who wants to help buy a committee a catered lunch."

He said he thinks other lobbyists are participating in meetings over lunch or dinner "on a very limited basis" this session. But Bullington said he "and others have not found that type of interaction necessary to have effective communication thus far."

Ben Shelton, a lobbyist and politics and policy director for Conservation Voters New Mexico, said the pandemic has dramatically changed his work. He's usually one of the regulars inside the Capitol every day, all day, during a session.

But Shelton's work this year is virtual, not in person.

“As a matter of public health – as a matter of basic human decency toward the legislators – it’s just wildly irresponsible,” he said, “to be gathering in groups or cross contaminating people’s bubbles.

“It’s insanely reckless to try to carry on business as normal given that we’re in the global pandemic.”

[Georgia Senate GOP passes bill to get more money from big political donors](#) (Georgia)

Big-money political donors may get another way to give unlimited campaign contributions to their favorite state politicians, and to do so while lawmakers are considering bills they’re interested in.

The Republican-led Georgia Senate voted 30-21 Friday along party lines for [Senate Bill 221](#) — sponsored by [Senate Rules Chairman Jeff Mullis, R-Chickamauga](#), and backed by state GOP leaders — that would allow the creation of something called state “leadership committees,” which are common in Washington.

Senate Democrats opposed the measure.

The bill would let a governor, lieutenant governor, a party’s nominee for those positions, and House and Senate Republican and Democratic leaders create such committees, which would raise money either for their own races or to try to affect other contests.

Statewide candidates are allowed to raise about \$18,000 per election cycle if they make a runoff — \$7,100 in legislative races — from individual donors. But limits on how much donors could give to the committees would not apply. So contributors — typically lobbyists, industry associations or businesses interested in legislation or state funding — could give as much as they like.

Mullis said the bill was designed to fight so-called dark money — funds that hide the identity of donors, something that has become more common in the past decade.

The Republican lieutenant governor’s race in 2018 was greatly affected by last-minute attack ads against former Senate Republican leader David Shafer that were funded with dark money. In the party’s runoff that year, Geoff Duncan beat Shafer and then went on to win the general election.

“The outside influence of dark money has always bothered us,” Mullis said. “This bill will shine the light on a cancer on our democracy.”

He said it will do that by forcing the leadership committees to disclose their donors and expenditures, like political action committees currently must do.

But ethics experts told The Atlanta Journal-Constitution that the bill will not eliminate the so-called “independent committees” that collect dark money contributions to influence campaigns.

[Sen. Jen Jordan, D-Atlanta](#), said the bill would do nothing for either transparency or the push to limit dark money. She noted that special-interest donors could still give to political nonprofits, who then would donate to leadership committees in the name of the nonprofits without saying where the money originated.

Such washing of campaign donations is fairly common when it comes to “independent committees” that spend to support or oppose candidates.

Jordan also said such leadership committees could raise money during legislative sessions, so lobbyists and business interests could, say, give \$100,000 to a leadership committee just as House and Senate leaders are considering bills they hope to see passed. In-session contributions to lawmakers were outlawed decades ago.

“It should be called the Rules Don’t Apply to Us Act, the Incumbency Protection Act, the We Should Be Ashamed Act,” she said. “This is what makes people not trust the system and not trust us.”

Leaders such as Duncan and [House Speaker David Ralston](#) already have ways to raise unlimited funds from deep-pocket donors.

Duncan, for instance, has an independent committee called Advance Georgia, which has raised \$1.6 million since mid-2019 to help Republican Senate candidates.

That included \$150,000 from two Washington-based Republican groups, \$80,000 from the Georgia trial lawyers lobby, \$70,000 from two nursing home political action committees, \$50,000 from Georgia Power, \$50,000 from the sports betting and horse racing lobbies, \$40,000 from the road-builders lobby, \$20,000 from the car dealers lobby, and \$35,000 from

the company that has a contract to manage the state's PeachCare for Kids health insurance program.

The House and Senate Republican caucuses have long had mega-PACs where they, like Duncan, raised almost all their money from people interested in policy and state funding to help stave off Democrats attempting to retake control of the chambers they lost in the 2000s. Those funds played a major role in helping the GOP limit losses in the 2020 elections.

The House Republican Trust, for instance, has raised more than \$5 million since the 2018 elections, with a big push coming after Ralston promised a major push following Democratic pickups that year in his chamber.

Many of the same people wrote big checks, including \$145,000 from the trial lawyers, \$121,000 from Georgia Power, \$100,000 from the small-loan, high-interest-rate industry's lobbyists, \$90,000 from the Pruitt family nursing homes, \$55,000 from AT&T, \$25,000 from the highway contractors lobby, and an additional \$450,000 from the Republican State Leadership PAC, a Washington-based group that worked to oust state House Minority Leader Bob Trammell.

An AJC review of campaign disclosures shows the House trust collected more than \$180,000 during the 2020 General Assembly session, including money from e-cigarette companies (lawmakers were considering e-cigarette tax legislation) and cable companies (lawmakers were considering a new tax on the streaming services they compete against).

The Senate Republicans have a similar fund. Plus the groups have "independent" organizations that raise and spend unlimited amounts.

The leadership committees may be of more use to the Democratic caucuses, who have not had the same kind of PACs and independent committees as Republicans in recent years. Last year, the party was heavily reliant [on Fair Fight PAC, the political arm of the voting rights group Stacey Abrams started in 2018](#). Most of Fair Fight's money comes from outside Georgia.

[St. Louis County executive to veto budget cuts targeting former councilwoman's new job, lobbying expenses](#) (Missouri)

St. Louis County Executive Sam Page will veto budget cuts targeting former Councilwoman Rochelle Walton Gray's new county job and lobbyists hired to fight state legislation to restrict local health powers.

Page spokesman Doug Moore said Thursday the county executive will veto both bills within the required 15-day window from receiving them.

In what has become a familiar pattern, the St. Louis County Council voted 4-3 to approve both cuts, with Rita Heard Days, Tim Fitch, Mark Harder and Shalonda Webb supporting the measures, and Lisa Clancy, Kelli Dunaway and Ernie Trakas voting against.

But while the anti-Page faction has a majority on the seven-member body, it lacks the necessary fifth vote to override his vetoes.

The council on Feb. 16 approved the first budget cut, which would strip \$122,000 from the public health department's budget for 2021 — an amount equal to Gray's salary and benefits. The former District 4 Democrat was appointed by Page last month to oversee COVID-19 vaccine community outreach in north St. Louis County.

Days, Fitch and Harder blasted the appointment as payback for Gray, who as a lame duck councilwoman, provided a winning fourth vote Jan. 5 to retain Clancy as chair and elect Trakas as vice chair. Those votes were later rescinded when Webb joined the council as Gray's successor, and joined the anti-Page faction. The new majority elected Days and Harder as the new chair and vice chair, but the Page administration sued to block that action, and the dispute is now in court.

Gray's hiring also prompted both factions of the council to push legislation to bar council members from getting county jobs within two years of leaving office.

On Tuesday, the council voted 4-3 to strip \$150,000 from the county's general fund for 2021 to cover the amount paid to six lobbyists fighting efforts in the Legislature to limit the power of local government to issue and enforce public health orders.

Fitch — who along with Harder and Trakas have also sought to curb Page's power to issue emergency health orders — introduced the bill after [a Feb. 5 Post-Dispatch report](#) that the county was hiring lobbyists to protect the local health authority.

The Republican push in the statehouse to restrict local health orders, "is misguided and would be really damaging to all of the hard work we've done on the pandemic, and could endanger the health and safety of St. Louis County residents," Moore said.

But the lobbyists — David Winton, former Sen. Kurt Schaefer, Henrio Thelemaque, Heath Clarkston, Jessica Petrie and Doug Nelson, a former top aide to former Gov. Jay Nixon — will

also represent the county in seeking state funding for redevelopment projects, including the Jamestown Mall, and passing legislation that could boost local tax revenue, including a push to tax internet sales, Moore said.

The county has not had lobbyists the past few years, Moore said. It now joins other local government entities in retaining lobbyists in Jefferson City like St. Louis, Chesterfield, Hazelwood as well as school and fire protection districts.

Fitch said Page's vetoes were expected and that the council "took the right action" on the bills, which weren't aimed at undermining county health orders, but at limiting Page's authority, Fitch said.

"It just brings the County Council into the decision-making process and that's not what he wants," Fitch said. "He's made it very clear he wants no input from the council."

Liberal lobbyist contacted PMO but didn't report it (Canada)

Liberal lobbyist Elly Alboim – who asked political aides to consider a federal contract for his son – also lobbied the Prime Minister's Office for a corporate client but never reported the fact.

Lobbying for contracts must be disclosed under federal law, said Blacklock's Reporter.

Alboim, a former CBC-TV bureau chief on Parliament Hill, Thursday declined comment but he earlier told Blacklock's he considered himself an ordinary citizen writing the Government of Canada.

"I was not lobbying. As I understand it, the Lobbying Act is not designed to prevent people from speaking to government," said Alboim.

Alboim is a registered lobbyist. The Act mandates that all lobbyists report within ten days on any communication with a public office holder "in respect of the awarding of any grant, contribution or other financial benefit by or on behalf of Her Majesty, or the awarding of any contract."

Breaches of the law are punishable by a \$50,000 fine or six months' jail.

Internal records show Alboim on March 19, 2020 sent an email to the Prime Minister's Office marked "Urgent: Procurement of N95 masks." Alboim forwarded a request by a corporate client, Honeywell International Inc., for a federal contract to sell pandemic supplies.

“They are looking to help,” said the urgent email. “If Canada needs these, we need to be aggressive about it.

“They are interested in helping and if Canada is in need, I am confident this company would step up,” said the email.

Lobbyists with Earnscliffe Strategy Group complained the company was not interested in joining a queue of some 26,000 companies asked to register as federal suppliers.

“I am confident this company would step up but the portal process is unlikely to be added to their queue,” said the email.

“They have a lot of potential customers coming to them right now, so they will focus on those that are most aggressive about their needs.”

The email was referred to the Department of Public Works. Honeywell did not receive a sole-sourced contract for masks.

Records indicate Alboim five days later on March 24, 2020 contacted the Minister of Public Works’ office seeking a contract for his son.

“There is a group of companies (including one by my son) looking to help provide engineering and manufacturing services to whomever in government,” wrote Alboim.

The lobbyist said his son’s work “sounds important.”

“I vouch for Elly here as someone with long government experience,” wrote the Minister’s chief of staff.

Alboim told Blacklock’s his son was not successful in winning a federal contract.

Alboim is a longtime Liberal Party organizer who previously worked as an advisor to then-Prime Minister Paul Martin.

Former Democratic lawmaker, two sons hit with tax charges in ComEd lobbying probe (Illinois)

Former Democratic state Rep. Eddie Acevedo and two of his sons were indicted Wednesday on a series of tax-related counts spanning several years.

Acevedo, a former Chicago police officer, [told the Tribune last year](#) that he had been interviewed by federal authorities investigating the lobbying practices of ComEd and Exelon.

A six-count indictment against Acevedo alleged that he attempted to evade paying taxes he owed, including by depositing cash payments into his bank account to conceal the source of income.

Prosecutors contended that his gross income in 2017 was more than \$130,000, and he owed nearly \$20,000 in taxes. But Acevedo allegedly had an accountant file a tax extension and claim the former lawmaker owed no taxes, prosecutors said. He allegedly followed a similar pattern in 2018 and failed to file returns in other years.

A message left for Acevedo was not returned Wednesday night.

Alex Acevedo, who failed in his own attempt to win a legislative seat, was charged with two counts, both alleging he understated his gross income for 2017 and 2018.

Michael Acevedo faces four counts, with prosecutors alleging that he understated his income in 2015 and didn't file tax returns in 2016, 2017 and 2018.

All three family members have at various times been registered lobbyists of state government. The former lawmaker faces a March 5 arraignment.

Eddie Acevedo previously told the Tribune he had worked as a consultant paid by former state Rep. John Bradley, a Democrat from Downstate Marion and a onetime contract lobbyist for ComEd. Acevedo said he had been paid as much as \$5,000 a month by Bradley.

Before Bradley, Acevedo said, he had worked as a consultant for Shaw Decremer, a former Democratic House staffer and campaign operative ousted from then-House Speaker Michael Madigan's political organization following complaints that he was abusive.

Federal authorities subpoenaed the secretary of state last year for Eddie Acevedo's lobbying records, as well as those of his two sons and their lobbying firm, Apex Strategy LLC.

Last summer, ComEd agreed to pay a record \$200 million fine as prosecutors [unveiled a criminal complaint](#) charging the company with a yearslong bribery scheme involving jobs, contracts and payments to Madigan allies.

Prosecutors said the utility attempted to “influence and reward” Madigan by providing financial benefits to some close to him, often through a key confidant and adviser at the center of the probe. In November, that key confidant, former lawmaker Michael McClain, and three others [were charged](#).

Madigan has not been charged with any wrongdoing and has denied doing anything improper. But the ComEd scandal helped end Madigan’s reign as the nation’s longest-serving speaker last month. In the last few days, Madigan also [resigned from the Illinois House](#) and as [Illinois Democratic Party chairman](#).

[With Oregon Capitol closed, lobbyists struggle to lobby without a lobby](#) (Oregon)

An impromptu five-minute conversation can be politically effective in the halls of the Oregon Capitol.

Such encounters have long been crucial for the army of Oregon lobbyists hoping to get a moment with a state legislator.

Paloma Sparks, the vice president of Oregon Business and Industry who serves as the group’s lobbyist, described her practice of parking herself outside of a committee hearing or a legislator’s office. Once the legislator emerged, she could walk with them to their next appointment or committee hearing.

“I can give a whole spiel about concerns I have about their bill,” said Sparks, who has been a lobbyist since 2009.

Such conversations might lead to a longer session with the legislator’s staff that could change wording in legislation.

But that personal style of lobbying has been checked by the pandemic. The Capitol has been closed since last March to the public – and to lobbyists.

Now, those representing everyone from acupuncturists to veterinarians must make do with text messages, emails and back-to-back video conferences.

Lobbyists now have to do their work without a lobby.

Interviews by the Salem Reporter with 10 lobbyists revealed that the hefty virtual workload caused by pandemic restrictions has significantly changed the legislative process. Lobbyists say much of their communication now happens over thousands of text messages and emails while clamoring to get time on legislators' already packed schedule of Zoom meetings.

Now, lobbyists have to book virtual meetings weeks in advance for conversations that would normally take five to 10 minutes. Some lobbyists find themselves playing phone tag just to ask a legislator a quick question.

"Some of them just don't respond," said Sparks.

The new way of communicating has slowed the legislative process and made it more cumbersome, lobbyists say.

Nearly [4,000 pieces of legislation](#) on a broad range of topics are expected to be introduced this session, more than legislators have faced since 2009. The increased work and new dynamics likely will affect which bills are viable and which could require corrections in future sessions.

'It's people and information'

Lobbying is big business in Salem.

According to state records, there are 1,822 lobbyists that represent a range of interests including the local city hall, the ACLU, giant corporations such as Apple and 7-11, and specialty industries like wine growers. Lobbyists attempt to influence legislative action and get in the good graces of lawmakers.

Last year, they spent a total of \$36 million trying to persuade lawmakers, according to reports filed with the Oregon Government Ethics Commission.

But lobbyists say building relationships and providing reliable information is really how to gain traction with lawmakers. Lobbyists say that legislators and staff will turn to them to find out if what they are proposing in legislation can actually be implemented.

“It’s people and information,” said Tom Holt, who mostly represents health care companies, as well as the Oregon Society of Professional Journalists. “Ninety-five percent of what we do is on issues that will never make the news.”

He said much of that work concerns technical issues in broader bills. For instance, he pointed to a bill from a previous session that would change the limits on refills for eye drops to treat glaucoma. Holt said the insurance company he was representing didn’t oppose the goal of the legislation but was concerned the way the bill was worded would make it hard to implement.

“A lot of people see lobbyists on TV, and they think lobbying is giving checks or arguing loudly,” said Mike Selvaggio, who represents United Food and Commercial Workers Local 555 and the Oregon Coalition of Police and Sheriffs.

But he said lobbying is about relationships and communication, including with legislators and other lobbyists who may not be natural allies and providing trustworthy information on behalf of clients. Lobbyists also regularly talk to each other to spot areas of disagreement on bills to work around them.

“People like to jokingly say, ‘lobbyists and politicians, you can’t trust them,’” he said. “But in Salem, (trust) is your bread and butter.”

Jared Mason-Gere, a lobbyist for the Oregon Education Association, said if a lobbyist is effective, lawmakers will seek them out to get answers to questions on complex issues, like school testing or the state employee retirement system. He said he also carries the stories of educators and students to legislators to show how legislation affects them.

“Information is the currency of the realm in the Capitol,” said Arthur Towers, political director for the Oregon Trial Lawyers Association.

‘Zoom is not the best platform for that’

Currently, only staff and legislators are allowed in the Capitol building. Lawmakers still do much of their work remotely. Marion County is in the state's "high risk" category. Once it enters the "moderate risk" category, legislative leaders plan to develop a framework to allow greater access to the Capitol.

Lobbyists interviewed by Salem Reporter say information travels faster and more freely when the Capitol is open. They say that short interactions between themselves and lawmakers or their staff are an overlooked part of the legislative process.

These conversations usually aren't on anyone's calendar. They happen over coffee in the Capitol cafeteria, in legislators' offices and in the hallways outside of committee hearings and floor sessions. Lobbyists use these conversations to check in on bills, point out problematic language, swap information and keep their priorities in front of lawmakers.

Lobbyists say these small conversations smooth out disagreements and build consensus among legislators and other lobbyists, allowing legislation to move ahead.

Towers said in normal times he could shuttle information from office to office. If he had 50 people to talk to, he could find them and speak to them in person in the Capitol.

"But 50 different texts to 50 different people seems harder," he said.

Holt said when he can't get on a legislator's calendar, he'll drop by their office for five minutes to talk to staff, raising concerns about an amendment or section of a bill. Doing so can significantly slow down or speed up legislation, he said.

Justin Martin, who represents the city of Salem and the Confederated Tribes of the Grand Ronde, said he would normally be camped out in the Capitol all day and sometimes all it takes is 30 seconds with a legislator or staffer to answer a question. But now he has to schedule a 10- or 15-minute video call.

"It's just frustrating," he said. "There is no way around it."

Sparks said she often discusses very technical aspects of employment law and its effects on businesses and workers.

"Zoom is not the best platform for that," she said. "I don't know how legislators are absorbing the information they're getting."

'Mistakes will get through'

With the ease of communication now gone, some lobbyists say errors and other problems with legislation that would have been fixed in normal times will now make it into law.

Towers likened these short in-person interactions in the Capitol to oil in a car. Without them, the legislative gears will grind, he said.

One lobbyist, speaking on background, said there were already signs of it during a special session in December. One of the priority bills of the session was to allow restaurants and bars to sell drinks to-go. But the bill's language left out wine and an amendment had to be introduced during the one-day session to fix that. Such a mistake wouldn't happen in normal sessions, the lobbyist said.

Another lobbyist, speaking on background, said they were blindsided this session when a state agency proposed a problematic bill with an unclear intent. When the bill was scheduled for a hearing, the lobbyist responded with alarm and quickly fired off emails to legislators on the committee.

"I could have swung by the chair's office or had several small conversations instead of sitting in my office at 2 a.m.," the lobbyist said.

Lobbyists said that their brief contacts with legislators become even more important as the session approaches deadlines for bills to be voted out of committee or the House or Senate.

Jess Giannettino Villatoro, political director for the Oregon AFL-CIO, said she's worried that as committee deadlines approach, amendments that may have unintended consequences will unexpectedly post to the Legislature's website. That could cause her to publicly oppose the amendment, creating a more public and adversarial relationship with legislators or others when the issue could have been resolved with a conversation.

That also would mean she has to reach out later to legislators to smooth relationships – taking up more time.

Some lobbyists say they expect that more bills will be passed this session that will have problems that need to be fixed in future sessions.

"If the legislature doesn't narrow its focus, we're going to spend a lot of time having to clean up what happens this session," said Sparks.

Other lobbyists say that bills are likely to be dropped because there isn't enough time in the new environment to resolve issues or get to unanswered questions.

"Mistakes will get through," said Holt. "I have no doubt about that. But on the other hand, that's why the process has been slowed down to minimize those."

'Accessible to the public like never before'

Legislative leaders have said that although the Capitol is closed, doing much of its work remotely has allowed for greater citizen participation. More Oregonians are testifying before committees because they can appear remotely instead of driving, in some cases hundreds of miles, to testify in person.

Lobbyists interviewed for this story say it's positive that citizens can testify remotely. Mason-Gere, of the Oregon Education Association, pointed to a recent hearing where teachers from the coast and central Oregon weighed in remotely.

"The process is accessible to the public like never before, and I think it's a huge improvement," said House Majority Leader Barbara Smith Warner, D-Portland, in an emailed statement. She added, "It's a little less convenient for contract lobbyists, and a lot more accessible for the general public. If lobbyists have specific suggestions for improvements to the process, they should let us know."

[As Newsom Pushes To Extend Emergency Spending Authority During Pandemic, Lobbyist Influence Remains Opaque](#) (California)

At the onset of the COVID-19 pandemic, lobbyist Mark Weideman reached out to Gov. Gavin Newsom's chief of staff with an offer.

Weideman's client, manufacturer BYD, wanted to donate 50,000 masks and thousands of bottles of hand sanitizer. The state accepted.

Within weeks, the state inked a no-bid \$990 million deal with BYD for N95 and surgical masks, which was later extended by an additional \$316 million.

Newsom's office denies any wrongdoing.

Weideman and BYD did not respond to interview requests.

The interaction sheds a sliver of light into the shadowy world of lobbying for no-bid contracts during the state's pandemic response. While lobbyists have to disclose efforts to influence policy and legislation, they are not required to disclose lobbying activities when vying for lucrative contracts.

Government ethics experts say that's an area that demands greater transparency in order for Californians to understand how their government awards contracts and opportunities, especially as Newsom pushes to extend his emergency spending authority for another year. The nonpartisan Legislative Analyst's Office [warns](#) that under the extension, "there would be no reasonable checks and balances on the Governor's COVID-19 spending authority."

The Weideman Group lobbies for three companies — BYD, Blue Shield of California and Bloom Energy — that have received no-bid contracts tied to the pandemic response, as first [reported](#) by CalMatters in May. The contracts ranged from \$2 million to over \$1 billion. A recent CapRadio [investigation](#) found those companies and one executive contributed \$376,000 to Newsom and his ballot measure committee since mid-2019.

Weideman also represents Pacific6, an investment firm that lobbied Newsom to reopen a decommissioned hospital during the pandemic. The company and its executives contributed \$44,000 to the governor in the fall, weeks before the state gave the hospital final approval to reopen.

The four companies paid Weideman's firm a combined \$1,190,000 in 2019 and 2020. But the full scope of how lobbying has influenced the awarding of no-bid contracts and other pandemic response opportunities remains opaque.

Newsom's office declined an interview request.

"Protecting the public from the spread of the coronavirus is of the utmost [sic] importance to the administration," Newsom's press secretary Daniel Lopez wrote in an email. "Contracts related to COVID-19 are based on protecting the health of our residents and are posted online for the public to review."

The state website listing COVID-19 contracts can be found [here](#). Lopez did not address a follow-up question about whether lobbying efforts for these contracts should be publicly disclosed.

The companies that responded to CapRadio's request for comment denied any wrongdoing.

As Newsom faces a mounting recall effort, proponents behind the campaign have also criticized the governor for a lack of transparency since taking office.

Government ethics experts say the lack of transparency when it comes to lobbying and no-bid contracts may raise red flags in the minds of voters.

“It presents the appearance that something's just not right here,” said John Pelissero, senior scholar at the Markkula Center for Applied Ethics at Santa Clara University. “It's important to think about how the public would view this and whether that's a proper relationship.”

Lack of Disclosure

Newsom's office says the administration moved swiftly at the start of the pandemic to acquire essential services and materials as cases started to climb and hospitals feared a surge of patients.

“The state had to work quickly to get the necessary equipment in place to save lives,” Erin Mellon, spokesperson for the governor, wrote [last month](#) in an emailed statement to CapRadio.

During states of emergency, the governor has the power to circumvent the traditional bidding process when awarding contracts. That process allows multiple companies to respond to contract opportunities, and is designed to secure the most cost-effective proposal and avoid favoritism. But it can also be time-consuming.

Lobbyists and the companies that hire them are required to disclose detailed information to the state about lobbying lawmakers and the governor on policy matters.

But according to Monica Hassan, deputy director of public affairs for the Department of General Services, her department is “not aware of anything that would require lobbyists to disclose procurement work on behalf of clients.”

“DGS does not have oversight over lobbyists,” she added in an email.

The California Secretary of State's office and Fair Political Practices Commission deferred comment to the Department of General Services, which sets state procurement policies.

No-Bid Contracts

In the early weeks of the pandemic, Newsom said California was competing in a “wild west” marketplace for protective gear. Amid the scramble, BYD secured the \$990 million no-bid mask contract.

Ahead of the deal, Weideman brokered a donation of 50,000 BYD masks to the state.

“It would be great if you could notify GGN and let me know next steps to explore and hopefully execute on BYD’s offer to help California,” Weideman wrote in an email to Newsom’s chief of staff and two other officials. “GGN” appears to be an abbreviation for “Governor Gavin Newsom.”

The email from Weideman, obtained by CapRadio through a public records request, also contained media clips, reinforcing the lobbyist’s claim that the manufacturer’s recent pivot to personal protective equipment made it the world’s largest mask producer.

BYD paid Weideman Group \$395,000 for lobbying services in 2019-2020.

Pelissero, the Santa Clara University ethics scholar, described Weideman’s email exchange as a “bit like priming the pump” ahead of the huge mask deal. He says while there’s no evidence of illegal wrongdoing in the exchange, it raises transparency questions about lobbying and procurement.

Bob Stern, former general counsel to the California Fair Political Practices Commission, said the donation doesn’t raise any alarms for him. He added that one could argue Weideman is simply a shrewd lobbyist playing by the established rules of the game.

“There’s not even an appearance problem,” he said. “This is how business is done in Sacramento.”

More concerning to Stern was the \$20,000 contribution from BYD’s president to Newsom’s reelection campaign several months prior to the mask deal, which was explored in a recent CapRadio [investigation](#) into major Newsom donors and no-bid pandemic contracts.

Early in the pandemic, Newsom also reached out to Bloom Energy to refurbish ventilators under a \$2 million no-bid contract. A few months earlier, Bloom contributed \$31,000 to Newsom; several months after receiving the contract, it contributed another \$25,000.

The company paid Weideman Group \$240,000 for lobbying services in 2019-2020.

Company spokesperson Jennifer Duffourg wrote in an email to CapRadio, “There was no lobbying that occurred by any party with respect to Bloom’s ventilator refurbishment effort.”

She continued: “Bloom Energy is very proud to have repaired more than 1,300 life-saving ventilators — at cost — in its facilities in California and Delaware that were used across America, for the sole purpose of saving lives.”

A year into the pandemic, the governor's expanded powers remain under California's state of emergency. After a rocky start to the state's vaccine rollout, Newsom enlisted Blue Shield of California to handle distribution under a no-bid contract worth up to \$15 million. The company has contributed \$300,000 to Newsom's ballot measure committee since mid-2019.

Blue Shield paid Weideman Group \$480,000 for lobbying services in 2019-2020.

"The Weideman Group played no role in the decision by the state" to award the vaccine distribution contract, Blue Shield spokesperson Mark Seelig wrote in an email. He added that the company will not profit from the contract.

BYD and Blue Shield were Weideman Group's top-paying clients in 2019 to 2020; Bloom was the 9th highest paying among the firm's 38 clients, according to Secretary of State records.

Hospital Reopening

Lobbying disclosures for Blue Shield, BYD and Bloom Energy describe Weideman Group's lobbying on an array of legislative and regulatory issues, but make no mention of COVID-19 contracts or response.

Only Pacific6, the investment company that lobbied to reopen a decommissioned hospital in Long Beach during the pandemic, identified its pandemic-related lobbying activities in its disclosure forms.

The city of Long Beach in late 2019 leased the defunct Community Hospital to a partnership of several companies, including Pacific6. Early in the pandemic, the company connected with state lawmakers and [urged](#) Newsom to allocate emergency funds to reopen the hospital. The funds didn't come through, and for months the facility remained shuttered.

In October and November, Pacific6 and its executives contributed \$44,000 to Newsom. Within weeks, the state completed its final inspection of the hospital. Shortly after the new year, it reopened to non-coronavirus patients.

Pacific6 denies that the contributions were intended to influence the hospital's reopening, and a spokesperson initially denied that Weideman Group had lobbied on the issue. CapRadio pointed out that the company's disclosure forms described the Weideman Group lobbying the administration on "hospital financing" and "hospital reopening issues."

John Molina, Pacific6 co-founder, said in a follow-up interview that the Weideman Group “did not do much for us on the hospital itself.”

He said the lobbying firm tried, unsuccessfully, to help obtain state funding for the reopening and participated in “some strategy phone calls.” The firm also lobbied on issues related to ventilators and COVID-19 testing, which overlaps with other Pacific6 investments.

Calls for Greater Transparency

Newsom wants to extend his emergency spending authority for another year, according to his [latest budget proposal](#). The emergency authority is set to expire in June; the pandemic is expected to last at least through the year.

But the nonpartisan Legislative Analyst’s Office says the proposal “raises various concerns” and has recommended the Legislature push for more oversight.

“The administration would have access to nearly unlimited funding in the budget year while having minimal requirements to notify the Legislature when funds are accessed and no requirement to report on how funds are actually spent on the state’s COVID-19 response,” the LAO wrote in a recent [report](#).

State lawmakers, including Democrats, have previously [expressed](#) frustration about being sidelined during the pandemic response.

Dan Schnur, a professor of political communications at University of California, Berkeley and University of Southern California, says it’s worth giving Newsom the benefit of the doubt that these pandemic contracts and opportunities were awarded legitimately and with the best interests of Californians in mind.

But in exchange for that good faith from voters, he adds, the administration should be more forthright about how the pandemic contracts are awarded and the role lobbyists played.

“There’s no need right now to show up with torches and pitchforks on the Capitol lawn,” said Schnur. But Newsom “owes it to the voters to provide the information so they can see for themselves that everything he did was on the up-and-up.”

Pelissero of the Markkula Center agrees.

“There were shortcuts that were taken not to try to harm anyone, but to try to maximize the benefit to people who needed testing, who needed PPE and so forth,” he said.

But he argues those shortcuts — such as circumventing competitive bidding — come with obligations to voters.

“Transparency is certainly an ethical approach to making difficult decisions,” he said.