



M U L T I S T A T E

[NY GOP gubernatorial candidate alleges Zeldin campaign violated campaign finance laws](#) (New York)

Harry Wilson is suing fellow Republican gubernatorial candidate Rep. Lee Zeldin, alleging the party-backed challenger violated campaign finance laws.

Wilson's [lawsuit filed](#) in Albany County Supreme Court Wednesday evening asks the court to grant an injunction prohibiting Zeldin's campaign from making any more expenditures of some campaign funds ahead of the June 28 primary election.

The lawsuit alleges Zeldin's campaign improperly exceeded limits on how much donors can contribute to a single candidate ahead of a primary election by transferring funds from a separate joint account he holds with lieutenant governor candidate Alison Esposito.

The joint Zeldin-Esposito 2022 account has transferred just over \$720,000 to Zeldin's individual campaign account, according to Board of Elections campaign finance [filings](#) submitted as of May 27.

Additionally, the lawsuit argues that Zeldin continued raising funds through the federal campaign account he used while running for Congress. Federal [campaign finance filings](#) show that Zeldin raised almost \$38,000 through his federal account during the first quarter of 2022. The same filings show he transferred \$75,000 to his state account in January.

"He believes in a different set of rules for insiders like him," Wilson said in a statement to WSKG Thursday. "This is yet another example of why he will never be elected governor."

Zeldin's campaign called Wilson's lawsuit a "political stunt."

"Knowing Harry Wilson can't win on the merits, now he's trying to cheat," Zeldin's campaign wrote in a statement to WSKG. "These are the types of desperate efforts you employ when you're fourth in a four-way primary."

[Sixth Circuit hears campaign finance case against Michigan governor](#) (Michigan)

A war chest of over \$3.7 million in political donations to Governor Gretchen Whitmer – over 95% of which was later given to the Michigan Democratic Party – was amassed in violation of state campaign finance laws, the Michigan GOP argued Thursday before a federal appeals court panel.

The exorbitant fundraising sum, the largest for any Michigan gubernatorial candidate in a nonelection year, was the result of large donations by various wealthy donors made in response to more than 27 recall efforts initiated by frustrated Michiganders throughout the Covid-19 pandemic.

Only one of the recall efforts required the creation of a recall committee, but Whitmer nevertheless used the opportunity to raise a significant amount of campaign capital, although nearly all of it was eventually donated to the Michigan arm of the Democratic Party.

While individual donors are limited to contributions of \$6,800 during a normal election cycle under Michigan law, there are no limits during a recall because the committee formed following a recall has no contribution limit.

Ronald Weiser, a self-described “concerned supporter” of the Republican Party, filed suit alongside the Michigan GOP against Secretary of State Jocelyn Benson last year, claiming the fundraising efforts violated the Michigan Campaign Finance Act as well as Republicans’ First Amendment rights.

Senior U.S. District Judge Janet Neff, a George W. Bush appointee, allowed Whitmer to intervene in the case, and ultimately decided to dismiss all claims for lack of standing in January.

Neff found Republicans failed to state a concrete injury because their complaint stems from uneven contributions made during the recall efforts rather than a violation of state law.

“Their alleged injury also sounds as a generalized grievance,” she said. “Plaintiffs appear to complain that the Michigan government should make the recall individual contribution limits more in harmony with the contribution limits for elections for a public office.

“This grievance is clearly not a grievance particularized to plaintiffs but a generalized grievance. A generalized grievance is insufficient to confer standing.”

In [its brief](#) to the Sixth Circuit, the Michigan Republican Party disputed Neff's conclusion and argued it had no interest in contributing to a doomed recall effort that, if successful, would merely result in the promotion of Whitmer's lieutenant governor to the state's highest office.

Instead, the party contended, Whitmer used the opportunity to raise money for her reelection campaign under the guise of preparing to fend off the recall.

"Every dollar that was raised by Governor Whitmer, superficially to fight off a recall effort, helped show undecided Michigan voters that others have faith in the job she is doing, because that is what she used the raised funds for. ... This is not a hypothetical or abstract risk," it said.

In [her brief](#), Benson told the Cincinnati-based appeals court the case was mooted when Whitmer donated nearly all of the recall contributions to her political party after all recall efforts were stopped, and also flatly rejected the GOP's claim about the governor's fundraising efforts.

"Simply put," she said, "office holders do not get to keep or use that money for their re-election."

Attorney Edward Wenger argued Thursday on behalf of the Michigan Republican Party and emphasized that while his clients could donate unlimited funds during recall efforts, none of that money went to a specific candidate.

"I have trouble understanding where the inequality is," U.S. Circuit Judge Helene White told Wenger.

White, a George W. Bush appointee, pointed out that once the recall efforts were concluded, Whitmer was required to disgorge all donations in excess of the individual contribution limit to the Democratic Party.

"At all times Whitmer is subject to the individual cap and the party cap," the judge said.

"As a real-world matter," Wenger responded, "the money she had in excess of her caps is being used to fund her reelection efforts."

U.S. Circuit Judge Chad Readler, a Donald Trump appointee, asked the GOP's attorney about the relief his clients are seeking in addition to the disgorgement of the funds.

Wenger said the ultimate goal is to rescind the recall exception in its entirety and have it stricken from Michigan law as unconstitutional.

Assistant Michigan Attorney General Erik Grill argued on behalf of Benson and told the panel his opposing counsel “basically wants an entirely new statutory scheme.”

Grill and Readler repeatedly went back and forth about whether Whitmer and other recall candidates gain an advantage through the fundraising exception, with the attorney pointing out the Michigan Democratic Party is the only entity with access to the excess funds.

Readler was insistent the donations were de facto campaign contributions, and continued the debate with attorney Chris Trebilcock, who argued on behalf of the Whitmer for Governor Committee.

“The problem I have is the extra money effectively going to her reelection campaign,” Readler said.

Trebilcock pushed back and told Readler “we’re guessing” as to where the money will go, and reiterated the generalized grievances brought by Republicans are insufficient to confer standing.

In his rebuttal, Wenger said the Democrats’ access to “campaign-connected funds” gives them a distinct and unlawful advantage.

“We are asking for a return to the way the Michigan Legislature drafted its campaign finance caps,” he told the court.

U.S. Circuit Judge John Bush, another Trump appointee, participated remotely and rounded out the panel.

No timetable has been set for the court’s decision.

[Milpitas City Council votes to enhance regulation of lobbying activities](#) (Milpitas, CA)

At their June 7 meeting, the Milpitas City Council voted to adopt an ordinance that would set new requirements and prohibitions for lobbyists.

The current Milpitas Open Government Ordinance requires lobbyists to disclose key details, such as the issues that they aim to influence, campaign contributions given to elected officials, and any fundraising done for elected officials.

But, as mentioned in a City report, the code falls short and fails to include “specific requirements for lobbyists to identify themselves when addressing city officials, regular reporting requirements, and prohibitions on lobbyists making gifts to City officials.”

The ordinance passed by Council last night seeks to remedy the above.

The new ordinance would require all lobbyists to register with the City Clerk and provide a substantial amount of information on their plans and activities. Quarterly reports that delve into their specific lobbying activity will be due, and fuller transparency will be necessitated. A lobbyist must also identify who they are, who their client is, and what organization they represent.

Lobbyists will also not be allowed to give any kind of gifts whatsoever to any public officials in the City of Milpitas.

Councilmember Evelyn Chua initially proposed the idea for the new ordinance after reading an [article](#) in the San Jose Mercury News. It was about how 49ers CEO Jed York spent money on Facebook ads to urge residents to ask the Santa Clara City Council to approve a resolution to support bringing the World Cup to Levi’s Stadium in 2026.

Since York had neglected to register with the City of Santa Clara as a lobbyist, he was accused of violating Santa Clara’s lobbyist ordinance. This got Councilmember Chua curious about what Milpitas’ ordinance in regards to lobbyists looked like. When she looked into it, she found that it hadn’t been updated since 2008. To her, the original Milpitas ordinance seemed so generic that she felt compelled to propose a new one.

“This ordinance is really about openness and transparency, so that people know who is working for whom,” Chua told The Beat.

The vote was passed unanimously.

[John Kellner, candidate for Colorado attorney general, returns \\$500 contribution flagged as potential campaign finance violation](#) (Colorado)

A report of a potential campaign finance violation led Colorado attorney general candidate John Kellner to return a \$500 contribution from a lobbyist, although the lobbyist has since been free to give the money back to the campaign.

A complaint filed May 20 with the Colorado secretary of state's office alleged that Kellner, a Republican and the district attorney for the 18th Judicial District, accepted a \$500 contribution from lobbyist Michael Fields on Jan. 27.

Because the contribution came while the General Assembly was in session, the act was a violation of state campaign finance laws, the complaint alleged.

On Monday, the secretary of state's Enforcement Division issued an initial review that found "potential violations of Colorado campaign finance laws exist," and gave Kellner until June 21 to "cure," or fix, the violation.

A final determination on the campaign finance violation has not yet been made by the secretary of state's office.

"Because the investigation into this matter is ongoing, the department cannot provide further details," said Annie Orloff, a spokesperson for the Colorado Secretary of State's Office.

Michael Senich, a spokesperson for Kellner's campaign, said the money was returned to Fields upon the realization that the contribution could have been in violation of state law.

State statute prohibits professional lobbyists from making contributions to candidates for attorney general while the General Assembly is in session. The regular session starts in January and runs into May.

Now that the legislature is no longer in session, contributions are permitted. Fields told The Denver Post that since Kellner returned the money, he plans to reissue the contribution now that it's allowed.

"It was a timing thing. Obviously, it was a mistake that I made, not knowing that you couldn't give to an attorney general candidate during a session," Fields said. "So I just didn't know. We corrected it once we've been made aware of that. The Kellner campaign gave the money back to me."

Kellner is running against Democratic incumbent Attorney General Phil Weiser in the November election.