



M U L T I S T A T E

Parson vetoes law that would have addressed the legality of Columbia mayor's campaign finance committee (Missouri)

Gov. Mike Parson has vetoed a piece of legislation that would have kept Columbia Mayor Brian Treece out of potential hot water.

The legislation that hit Parson's desk would have created an exemption to an existing state statute and clarified that lobbyists running for municipal and school district offices could maintain candidate committees.

Because Parson vetoed that exemption, lobbyists running for office must dissolve any candidate committee, according to the statute.

Treece has been a registered lobbyist since 1996 and also co-owns a consulting firm with his wife, Mary Phillips, based in Jefferson City.

Treece did not respond to several requests for comment from the Missourian, but later sent an email stating that he believes he is not in violation of state law.

The exemption Parson vetoed was included in [House Bill 685](#), a bill introduced by Rep. Jason Chipman, R-Steelville, at the beginning of the legislative session. The exemption was added as a Senate committee substitute by the Committee on Rules, Joint Rules, Resolutions and Ethics, which is chaired by Sen. Caleb Rowden, R-Columbia.

In Parson's [veto letter](#), he said “public officers should have the interests of the people they represent in mind, not those of the organization they have been hired to represent.

“This change would also only affect a few select individuals. I do not believe that such special laws, which are designed to benefit a few, should guide our state policy.”

One of those individuals would have been Treece, who was elected mayor in 2016 and reelected in 2019.

In his email to the Missourian, Treece stated that Missouri law "was never intended to prohibit school board members, mayors, fire protection district trustees, library board members, and local elected officials who may meet the definition of a registered lobbyist from having a candidate committee while a candidate, or while continuing to serve in office."

Treece has been operating a candidate committee since 2015. Parson's veto this month could bring attention to the fact that Treece may be violating a state statute.

Three years ago, Columbia attorney Dan Viets filed a complaint against Treece with the state Ethics Commission. He questioned whether the mayor could be a lobbyist and still operate a candidate committee, [the Missourian has reported](#). The commission has never ruled on that complaint.

Viets said in an email that he is "glad the governor vetoed that bill, and hope(s) the MEC reaches a conclusion soon."

The Missourian was unable to speak to Rowden or the Missouri Ethics Commission about the matter.

In his email, Treece wrote that ethics commission officials have told him he is not violating the law.

"I have always complied with Missouri's ethics laws and sought the advice of the Missouri Ethics Commission," he wrote, "and will continue to do so."

[Spending to influence Oregon's Legislature topped \\$25 million this session, led by drug industry](#) (Oregon)

Pharmaceutical companies spent nearly \$2 million on lobbying during Oregon's legislative session this year, as the drug industry worked to block lawmakers' proposal to create a board empowered to set price limits for the costliest medicines. It would have put Oregon at the forefront nationally in addressing prescription drug costs.

Industry trade group PhRMA alone spent nearly \$1.3 million on lobbying in Oregon from January through June. That was far more than any other entity devoted to swaying the state's

lawmakers this year and nearly four times the amount spent by the second-largest, the statewide teachers union.

Big pharma's lobbying paid off, as lawmakers gutted the price control proposal in the final days of the session.

The group had 10 registered lobbyists. On top of that, individual pharmaceutical companies spent hundreds of thousands of dollars combined, according to state filings.

A spokesperson for PhRMA declined to comment on why its members felt they needed to spend so much on lobbying to kill the pricing proposal. Instead, he referred back to a statement by the group in June that Oregon lawmakers should look elsewhere in the health care system for cost savings.

The second largest spender on lobbying this legislative session was the statewide teachers union, Oregon Education Association, at \$363,000. It's not unusual for the group to invest heavily in lobbying state lawmakers; two years ago, the teachers union was the No. 1 spender on lobbying during the session when lawmakers ultimately approved a new business tax to fund education, according to state records.

This session, the teachers union's top legislative priorities were to secure robust K-12 and community college budgets, get health coverage for part-time community college faculty and make class sizes and caseloads mandatory topics of contract bargaining, the group's president said earlier this year. Lawmakers approved the community college faculty health insurance bill. But they greatly narrowed the bill to require labor negotiations on class sizes, restricting the mandate to schools where many families are low-income after the Oregonian/OregonLive reported that Portland Public Schools' bargained system of paying bonuses to teachers with large classes disproportionately benefited students in upper-middle-income areas.

The third largest spender on lobbying was one of the state's largest public employee unions, AFSCME Council 75, at \$295,159.

Joe Baessler, associate director of Oregon AFSCME Council 75 and a registered lobbyist, said the union pushed hard for lawmakers to approve "essential worker" stimulus payments that he said would be a true thank you for workers in important, in-person jobs during the pandemic. Lawmakers did not pass a plan to issue those payments, but it's possible public employees could still get some type of payment since the state has not yet finalized new labor contracts with AFSCME and SEIU 503.

Baessler said the union also successfully lobbied for an approximately \$20 million initiative in the corrections department budget to decrease the use of mandatory overtime to staff prisons and supported a mandate for healthcare providers to work with certified interpreters when communicating with patients who prefer languages other than English. The union also advocated for a law aimed at ensuring heavy equipment rented by government agencies is safe, after a Benton County employee died in 2019 while operating a rented heavy vehicle known to be malfunctioning, according to a legislative document.

The fourth largest spender on lobbying was a trade group for timberland owners and forest products manufacturers, the Oregon Forest & Industries Council at \$281,554. The timber industry walked away from the session with a tax cut, rather than the tax hike lawmakers set out to pass, and continued funding for an institute that supports the industry through lobbying and public relations as reported by OPB, the Oregonian/OregonLive and ProPublica.

In an emailed statement, the council said its lobbying priorities including “renewal of the forest products harvest tax and securing funding for the Oregon Department of Forestry and Oregon State University’s College of Forestry, which are also funded, in part, by the harvest tax.”

Lawmakers did those things – sort of. They kept timber harvest taxes to pay for the industry’s public relations institute, but they subbed in general fund tax dollars to balance the Oregon Department of Forestry and Oregon State University’s College of Forestry budgets after cutting timber taxes that funded the agency and college.

Oregon Forest & Industries Council also weighed in on unspecified aspects of wildfire policy legislation, the council said.

The fifth-largest spender was the long-term care industry group Oregon Health Care Association, which sank \$256,802 into lobbying in the first six months of the year, according to state records.

Rosie Ward, senior vice president of strategy for the organization, wrote in an email that the long-term care industry group lobbied in the 2021 session for unspecified “initiatives to better protect seniors and help the sector recover from the devastating COVID-19 pandemic,” plus “investments to raise frontline caregiver wages throughout the state.” Lawmakers included \$44.4 million in the state budget to increase reimbursement rates to assisted living, memory care, skilled nursing facilities and in-home care services for the purpose of raising workers’ wages.

A proposal the group specifically requested, but did not mention in their statement, will create a new “Oregon essential workforce health care program” under which the state will reimburse

eligible long-term care companies for the costs of providing health coverage to their employees. Legislative analysts said it was unclear how much it will cost the state to implement Senate Bill 800, due to a number of factors including lack of specificity about the level of cost sharing between the government and private companies.

Oregon does not ask entities or individual lobbyists to identify bills or specific issues before the Legislature on which they are lobbying, something that is required in other states. Instead, entities list their legislative interests. For the Forest & Industries Council, those interests this session were “forestry, land use, taxes, business, employment.” The Oregon Health Care Association listed its legislative interests as “long term care, human services, budget.”

In total, organizations spent \$25.9 million on lobbying Oregon state officials in the first six months of 2021. Two years ago entities reported spending nearly the same amount, \$25.6 million, on lobbying during the first two quarters.

Citizen Legislature hands power to lobbyists, paid staff (New Mexico)

Every few years, someone in power timidly suggests New Mexico should pay its legislators a base salary.

I’m all for it. The citizen Legislature that’s been in place since the advent of statehood in 1912 doesn’t work now, if it ever did. New Mexico’s archaic system makes it impossible for most people to run, and it does a fine job of keeping elected officials in the dark.

Still, many residents romanticize about their citizen Legislature. They claim it attracts people from all walks of life.

In practice, the opposite occurs. Because legislators aren’t paid a base salary, most people can’t afford to serve.

Retirees, lawyers and public employees dominate the 112-member Legislature. Most other people lack the money or favorable schedule necessary to run.

Teachers and school administrators often are candidates for the statehouse, and they usually win. Unions and school boards like the idea of having people in the Legislature who will look out for their particular interests. Graduate students aren’t as well positioned.

Several retired police officers and an active-duty Albuquerque fire captain have won legislative seats in the last decade. I’ve never seen an accountant or a carpenter hold a legislative office.

They have to make a living in the private sector. New Mexico's system of paying lawmakers only a daily expense allowance shuts them out.

Pitches for a salaried Legislature always generate angry responses. The same people who want professionalism in government are quick to carp whenever the idea of a paid Legislature surfaces.

In 2016, then-Rep. Terry McMillan, R-Las Cruces, took a risk by proposing a constitutional amendment establishing a salary of \$41,000 a year for legislators. He chose the amount because it was the state's median household income.

McMillan's proposal didn't make the ballot. Other legislators were afraid to vote for it, anticipating a backlash in the fall election.

McMillan, a surgeon, lost his seat to Democrat Joanne Ferrary months after his proposal for a salaried Legislature.

With his defeat, the idea of paying legislators a salary receded. It's back now, though many lawmakers are worried about being seen as advocates for change.

Some weaklings in the Legislature want the State Ethics Commission to establish salaries for legislators. It's a way of trying to divert attention from work lawmakers are responsible for completing.

Legislators cannot receive a salary unless voters amend the state constitution. Legislators themselves would have to be courageous enough to place the proposal on the ballot.

They probably won't do it. Some don't want to.

Retirees often run for the Legislature with token competition or no competition at all. A salaried Legislature would make their political lives less comfortable.

Changing the system also might improve the performance of the Legislature, which is often at sea on important matters.

Unlike most states, New Mexico is a place where legislators seldom know much about the state budget or care to learn. Most citizen lawmakers are content to cede power to a few colleagues

who specialize in state finances and the professional staff that guides the budget-making process.

The citizen Legislature has other drawbacks. This summer, lawmakers on the Legislative Education Study Committee were blindsided by a scandal in their own agency.

Their staff director, Rachel Gudgel, was the target of a special investigation last year after underlings complained she made racist comments and drove off subordinates with an abusive management style.

Yet most legislators knew nothing about the trouble. Only a handful were aware of any inquiry, as a small group of legislative leaders decided Gudgel would receive a two-week suspension.

That maneuver galled legislators who supposedly supervise Gudgel. They knew nothing about her misconduct or the fact that House Speaker Brian Egolf, D-Santa Fe, initially wanted to fire her.

The Legislative Education Study Committee is full of bright people, including Rep. G. Andrés Romero, D-Albuquerque. A teacher in his sixth year in office, Romero is vice chairman of the committee.

But those holding legislative leadership positions froze out him and most everyone else. Lawmakers running the Senate and House of Representatives knew other part-time lawmakers couldn't possibly be on top of the special investigation of Gudgel.

Paid staff members and lobbyists enjoy extraordinary power in New Mexico. The main reason is the citizen Legislature hands authority to them.

With rare exceptions, the part-time, nonsalaried Legislature knows little compared to the staff employees and well-paid advocates working to influence the lawmakers.

New Mexico can keep a citizen Legislature for as long as it likes. And it can stay forever at the bottom of public education, child well-being and efficiency in government.

[Complaint alleges Michigan GOP lawmakers got illegal campaign money from ALEC](#) (Michigan)

At least two Michigan Republican lawmakers allegedly received illegal campaign contributions from a national nonprofit that has ties to the Republican National Committee (RNC) and works with corporate lobbyists to push conservative legislation in state legislatures across the country, according to a complaint set to be filed Wednesday by the Center for Media and Democracy (CMD).

The American Legislative Exchange Council (ALEC), which connects corporate lobbyists and lawmakers to develop corporate-friendly legislation, allegedly provided Reps. Matt Hall (R-Marshall) and Jim Lilly (R-Park Twp.) with free voter management and campaign software worth thousands of dollars during the 2020 election cycle, violating federal law prohibiting nonprofits from engaging in electoral activity, according to the unfiled complaint.

The CMD, a Madison, Wisc.-based progressive nonprofit watchdog, is expected to file the complaint with the Michigan Department of State. A copy of the complaint was provided to Michigan Advance.

The nonprofit allegedly gave Hall and Lilly, ALEC's current Michigan public sector state chairs, a program known as "ALEC CARE," which the organization bills as a constituent services program but is actually a platform meant to help Republicans win office, the complaint said.

Hall, Lilly and ALEC did not return requests for comment.

ALEC CARE is developed by Voter Gravity, a for-profit company run by Ned Ryun, the founder and president of American Majority, a right-wing candidate training operation, and American Majority Action, its voter mobilization affiliate. Voter Gravity markets the software, which ALEC provides to at least some, if not all, of its 2,000 legislative members across the country, as a "powerful" tool for political campaigns from "an approved mobile app vendor for the Republican National Committee and fully integrated with the RNC's database," according to the complaint.

A whistleblower provided CMD with information allegedly showing that ALEC members who use the CARE program have access to voters' party affiliation, ideology, income, education, religion, Tea Party support, voting history, precinct information, and more, the complaint said. This data can be used to help political campaigns, including by creating "door knocking" lists and phone calling goals, as well as tracking supporters, the CMD said in the complaint. Additionally, once state lawmakers enter information about voters into the CARE platform, it is allegedly added to RNC's database, "thereby directly benefiting the Republican Party," the complaint said.

Versions of the complaint are slated to be filed in 14 other states: Arizona, Connecticut, Florida, Maine, Minnesota, New Mexico, Ohio, Oklahoma, New York, Pennsylvania, Tennessee, Texas,

Utah and Wisconsin. Two other watchdog groups, Washington, D.C.-based Common Cause, and Alliance for a Better Utah, are also involved in filing some of the complaints.

“It is crystal clear from CMD’s investigation and internal ALEC sources that the CARE program provided by ALEC is just a repackaging of Voter Gravity’s highly partisan campaign software, designed to help Republicans win and retain elected office,” CMD Executive Director Arn Pearson said in a Tuesday statement announcing the complaint. “ALEC CARE is a brazen scheme to help ALEC’s overwhelmingly Republican members win reelection.”

CMD filed a separate complaint with the Internal Revenue Service on July 20, alleging that ALEC illegally provided campaign contributions worth more than \$6 million in the 2020 election cycle by making the campaign software available to its members.

ALEC spokesperson Alexis Jarrett [told the Associated Press](#) that the nonprofit’s “data is not shared with any political party and no political party shares data with ALEC.” Jarrett also told the AP that the ALEC CARE login page requests that members agree not to use the platform for campaign purposes.

Other Michigan Republicans may have also received the campaign platform, but the complaint points out that CMD does not know what other legislators are in the organization because the nonprofit does not make its membership public.

If Hall, Lilly or any other legislator used the Voter Gravity software provided by ALEC to support their campaigns, a failure to disclose it as a contribution in their campaign finance reports is a violation of state law, the complaint said. It is unknown if Hall — the House Oversight Committee chair who invited former President Donald Trump’s personal lawyer Rudy Giuliani to Lansing to testify about false allegations of election fraud in the 2020 election — or Lilly used the program during last year’s election, but neither lawmaker disclosed the contributions on their campaign finance reports.

As part of its complaint, the CMD is asking Michigan’s Department of State to investigate the alleged campaign finance law violations by ALEC, Hall and Lilly and “impose the appropriate penalties for all violations of law found.”

CMD also requested that the Department of State use its subpoena powers to obtain a full list of ALEC members in Michigan who received the free voter management software for their 2020 campaigns and whether the software was used by legislators or their staff on state time or in state offices.

