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[Dover-area state Senate race focus of campaign finance complaint that appears to muddle law](#)

The legality of campaign contributions is once again being challenged with just days left before Tuesday's election, although the case could be headed for a quick dismissal.

That's because it appears Republican state Senate candidate Justin King of Camden is confusing two types of legal entities — with very different contribution limits — in the formal complaint he filed this week against his opponent, state Rep. Trey Paradee, D-Dover.

King did not immediately return calls seeking comment Friday. But his confusion is not surprising, given that one is called a political committee while the other is a political action committee.

PACs are independent entities that can accept donations beyond the maximum cap set for individual campaigns. But their contributions to candidates are limited to \$600 — the same as individual donors.

Political committees, on the other hand, are essentially extensions of political parties. Parties can donate up to \$5,000 to a state Senate candidate in any given election cycle.

King's complaint — filed Monday — centers on an entity called C-11, which he contends is a PAC but is actually registered as a political committee.

King points to a \$2,000 contribution Paradee accepted on Oct. 3 from C-11 as evidence of a violation. His complaint contends the source of C-11's donations — a PAC run by lobbyist Patrick Allen — raises further questions about the donation's legality.

Allen is the treasurer of Senate D PAC and DE Senate PAC, both of which have collected donations from Democratic lawmakers and the unions that support them — along with several lobbyists.

He did not immediately respond to a message at his firm, Allen Consulting, which represents various unions and professional sports leagues at Legislative Hall.

Each of the two PACs Allen controls legally made a \$600 maximum contribution to Paradee before the Sept. 6 primary, documents show.

King argues that Senate D PAC funneled another \$2,000 through C-11 and into Paradee's campaign. That donation might violate the \$600 contribution limit and other rules if C-11 were a PAC.

But as a political committee, its contribution is added up with other Democratic Party organizations, which are collectively held to that \$5,000 limit. State documents show four party organizations have donated to Paradee, contributions totalling \$3,050 as of this week.

Paradee on Friday said he had similar concerns when C-11's \$2,000 check showed up, until he learned the organization was a party committee, not a PAC.

"I think [King] got confused because he didn't get the same support from his party," he said. "But I question why he's raising this issue now and not three weeks ago when it was first reported in my campaign finance filings."

Complaints about campaign finance are becoming increasingly common — especially as the election draws closer and allegations are more likely to influence voters.

King's complaint, for instance, was filed one week before the General Election showdown for the Senate District 17 seat, a race that [could determine which party wins control of the state Senate](#).

Rarely is any wrongdoing found. Even if it were, most violations of the state's campaign finance law are punishable by a misdemeanor and fines.

The question of whether any campaign finance laws were broken ultimately will be decided by Delaware Election Commissioner Elaine Manlove, an appointee of three Democratic governors.

Manlove on Friday said she is consulting with the state Attorney General's Office and could issue a ruling as early as today.

[Many states pass campaign finance reform measures during midterms](#)

During Tuesday's midterm elections, a number of reform measures aimed at money-in-politics and ethics were on many states' ballots. Here are the highlights from the ones that were passed or defeated.

Massachusetts

A [Massachusetts measure will create a citizens commission](#) made up of 15 Massachusetts citizens. This commission will create a report to promote amendments to the U.S. Constitution to improve campaign finance.

The report will provide a picture of campaign finance in Massachusetts, determine whether Massachusetts can regulate corporations and their political spending, identify existing amendments related to campaign finance and figure out how lawmakers and citizens can promote these improvements.

The measure was overwhelmingly supported by Massachusetts voters, gaining more than 70 percent of the vote.

Missouri

In Missouri, [voters passed Amendment 1](#) — also known as Clean Missouri — which will create stricter campaign finance laws for state lawmakers. This measure received more than 60 percent of the vote.

This measure most notably will change the redistricting process in the state. It will also lower the campaign contribution limits to state legislature candidates and will ban lobbyist gifts worth more than \$5. Politicians will also have to wait two years after leaving office before taking a job as a lobbyist.

Arizona

Arizona voters supported a reform to prohibit candidates from giving their public financing to political parties or tax-exempt organizations that are allowed to influence a candidate's election.

Voters supported Proposition 306 with 56 percent of the vote.

North Dakota

In North Dakota, voters supported Measure 1, which will establish an ethics commission, ban foreign political contributions and create provisions on lobbying and conflicts of interest, as well as require campaign finance information be made publicly available. The measure passed with 53 percent of the vote.

Florida

In Florida, voters overwhelmingly supported an initiative that will prohibit public officials from lobbying for compensation while they are in office and six years after. The measure will also restrict officials from using the office for personal gain.

The measure passed with 78 percent of voters supporting it.

New Mexico

New Mexico voters also strongly supported money-in-politics reform. Amendment 2 passed with 75 percent of the vote.

The measure will create a seven-member ethics commission that will investigate allegations of ethical misconduct by state officials, executive and legislative employees, candidates and lobbyists.

South Dakota

Not all of the campaign finance measures passed. South Dakota voters struck down [Amendment W, a broad measure on campaign finance reform](#). The measure failed with 54 percent of voters opposing it.

This amendment would have placed restrictions on gifts from lobbyists to lawmakers, reduced special interest money, banned campaign contributions from foreign sources and created an independent ethics commission. The measure would have also created a system for publicly financed campaigns.

However, South Dakota did have another measure on campaign finance that did pass.

Measure 24 will ban individuals, PACs and other entities that are outside of the state from making contributions to ballot committees, which are groups that receive money to either support or oppose a ballot initiative. This measure passed with 55 percent of the vote.

Colorado

In Colorado, a measure that would have loosened campaign contribution limits was defeated.

Under Amendment 75, if a state office candidate gives \$1 million or more to their own campaign or candidate committee, then the other candidates in that same race are allowed to accept donations that are five times the normal contribution limit.

This initiative failed with 66 percent of voters opposing it.

[Voters say yes to overhaul of government ethics, no to pot](#)

An idea that couldn't gain traction in the North Dakota Legislature is now a reality for public officials, lobbyists and others after voters approved a constitutional amendment to overhaul government ethics oversight.

The initiative billed as an anti-corruption amendment has provisions to ban foreign money from elections, restrict lobbying and create an independent ethics commission, among other things. North Dakota is one of a handful of states without such a panel, which Democrats have unsuccessfully promoted for years.

“I really think the reason that it wasn’t able to get done at the Legislature is that politics in North Dakota and across the country has become a sport ... instead of doing what’s right,” said Mandy Kubik, executive director of North Dakotans for Public Integrity, the group that sponsored the measure. “These reforms that really need to happen get caught up in winning and losing and scoring points.”

The measure calls for the ethics commission to be created within two months and calls for a longer timeline for other provisions, said Dina Butcher, president of North Dakotans for Public Integrity.

Democratic House Minority Leader Corey Mock, who last session sponsored a bill to create an ethics commission, said the measure will have a “lasting impact in the political landscape” of North Dakota. He added that he didn’t agree with all its provisions and wouldn’t say whether he voted for it.

“I’m glad that we’re having a constructive conversation about ethics in North Dakota and I am glad we are going to be able to hold a lot of the officials accountable,” Mock said. “I think now the onus is going to be on us on how we respond and how to we implement this so the process can move smoothly.”

It will be implemented with new Republican leadership on the House side. Longtime Rep. Al Carlson, who opposed the ethics measure, was defeated in his bid for re-election. Carlson had been in the Legislature since 1993 and majority leader since 2009.

Opponents like Carlson said the measure was poorly worded and it was a solution in search of a problem. They also worried it could be used as a weapon for political purposes and hurt people who don’t hold office. The American Civil Liberties Union also came out against it, saying it risks restricting political speech and advocacy.

Arik Spencer, CEO and president of the Greater North Dakota Chamber, the state’s largest business organization that came out against the measure, said he wouldn’t be surprised if there are legal challenges to some of the provisions.

“We are certainly disappointed with the results,” Spencer said. “I don’t know if voters were aware of some of the language in the measure that gave us pause.”

It was the language in another highly-publicized measure, one to legalize marijuana, which led voters to reject that idea. Deb Honeyman, 54, of Bismarck, said it was too vague. Norm Robinson, campaign manager for North Dakotans Against the Legalization of Recreational Marijuana, said it “was simply too wide open for North Dakota.”

“There was no regulation, no revenue stream,” Robinson said.

North Dakota State University student Bradley Foster, 22, who supported the measure, said the state might be more willing to accept the idea in two years.

“My thought is first and foremost that 2020 isn’t that far away,” said Foster, a member of Legalize ND. “The opposition didn’t get a win. I think they delayed the inevitable.”

Independent ethics commission, bond proposals win approval

A 40-year push to create an independent ethics commission in New Mexico succeeded Tuesday as voters agreed to amend the state Constitution, according to partial, unofficial election returns.

The creation of the seven-member panel comes after a series of ethics scandals rocked New Mexico in recent years, including the conviction last year of a former state senator on corruption charges.

Also headed for passage in Tuesday's election was a \$166 million bond package for capital projects throughout the state – with much of the money dedicated to helping New Mexico's universities, colleges and speciality schools. Passage of the bonds won't result in a property tax increase.

The ethics commission is the result of a compromise negotiated on the final night of the 2017 legislative session.

If approved, the panel will function as a clearinghouse of sorts for complaints involving state officials, legislative employees, lobbyists and government contractors.

New Mexico was one of only six states without an ethics commission.

The advocacy group Common Cause New Mexico has been pushing for an ethics commission for 40 years, said Heather Ferguson, executive director of the group.

Voters “finally got a chance to express their voices today at the ballot box,” she said. “I think they want to have faith in our system again.”

Missouri voters pass Clean Missouri reforms, minimum wage hike

Returning power to the people was the goal of Missouri Amendment 1 and the people overwhelmingly approved the “Clean Missouri” initiative, which aims to reduce corruption and diminish the influence of deep-pocketed donors in the state.

“We are thrilled that Republicans, Democrats, and independents came together to clean up Missouri politics,” said Nimrod “Rod” Chapel Jr., president of the NAACP Missouri State Chapter and Treasurer of Clean Missouri. “Thousands of Missourians from across the state came together to put Amendment 1 on the ballot, and then thousands more joined the fight to pass Amendment 1. It's truly a great day for Missouri.”

Missouri voters also passed Proposition B, which raises the minimum wage, but rejected Proposition D, which would have imposed a 10-cent increase in the gas tax to fund repairs to the state's crumbling infrastructure.

But Amendment 1 is the headline grabber.

It will drastically change the way the Show-Me State draws its voting district in 2021, which is required by federal law after each U.S. Census. The next census is in 2020.

Amendment 1 also prohibits former state legislators and Missouri General Assembly members from becoming paid lobbyists for a period of two years and limits lobbyists gifts to legislators to \$5 or less.

Political candidates and their campaign committees also face more strict contribution limits — \$2,500 for a state senator and \$2,000 for a state representative.

Redistricting will be handled by a newly created “non-partisan state demographer.”

The Missouri State Auditor, which will remain Democrat Nicole Galloway after she won reelection Tuesday night in a close race versus Republican candidate Sandra McDowell, will select at least three nominees.

The majority and minority leaders of the legislature can reach a consensus on a nominee, the person shall be appointed.

If not, the majority and minority leaders each can remove one-third of the candidates nominated then a random lottery of the remaining candidates will determine the demographer.

The current bipartisan system is run by party insiders and political consultants, according to Clean Missouri Amendment 1 Communications Director Benjamin Singer, but the new system aims to eliminate partisan gerrymandering:

“Amendment 1 does three important things to end gerrymandering in Missouri. One, it adds transparency. Instead of having maps drawn behind closed doors, it brings it out into the public, requires public testimony and ensures all data are subject to the Sunshine Law.

Two, it requires clear, transparent criteria — including making Missouri a national leader in protecting minority representation; and ensuring that no party is given an unfair advantage; and following city and county lines when possible; and keeping compact, contiguous districts.

Third, it adds independence to the process. Instead of just party insiders drawing the maps, it adds an independent expert who draws the first version of the maps, which are then reviewed by a citizen commission.” (Singer)

It requires all meetings and documents for the redistricting process be subject to state open-records laws.

A huge majority of Missourians — nearly 62 percent — endorsed the amendment, which will become state law once the election results are certified later this year.

Other highlights from Tuesday’s election:

- Amendment 4 passed with more than 52 percent of the vote. It removes language that restricts advertising of bingo games, and allows licensed members of organizations that conduct bingo games to manage those games after six months of training with the organization instead of two years.
 - Proposition B passed with nearly 62 percent of the vote. It increases the state minimum wage to \$8.65 with increases of \$0.85 per year until 2023, when the state minimum wage will be \$12. Government employees are exempt from the law and the penalty for employers who violate the law will increase. The initial increase goes into effect Jan. 1, 2019.
 - Proposition D failed by more than 180,000 votes. It would have increased the state gasoline tax by 2 1/2 cents for four years beginning July 1, 2019, with the revenue going to the Missouri State Highway Patrol and local governments for road construction and maintenance.
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[Election results for Florida amendments: What passed, what failed and by what margin](#)

Amendment 8 related to charter schools and term limits for school board members did not appear on the ballot because it was stricken by the Florida Supreme Court. Our election reporting is provided free Tuesday and Wednesday, but we hope you will support [TCPalm](#) and our sister newspaper, FLORIDA TODAY, by subscribing.

All but one Constitutional amendment passed, most with overwhelming support. Amendments needed 60 percent approval to be passed.

Database: [Election Day 2018 results for 12 amendments, Florida, Treasure Coast](#)

- Amendment 1: Failed: would have raised homestead property tax exemption
- Amendment 2: Passed: puts cap on homestead property tax assessments
- Amendment 3: Passed: gives voters rights regarding new casinos
- Amendment 4: Passed: restores voting rights to former felons
- Amendment 5: Passed: requires two-thirds vote to raise taxes
- Amendment 6: Passed: bundle on judge ages, victims' rights, court deference
- Amendment 7: Passed: makes changes to Constitution Revision Commission
- Amendment 9: Passed: changes regarding clean water and clean air
- Amendment 10: Passed: requires certain government regulatory changes
- Amendment 11: Passed: cleans language in Florida Constitution
- Amendment 12: Passed: expands ethics rules for public officials
- Amendment 13: Passed: ends commercial dog racing

[Constitutional Amendment W fails](#)

The people have spoken and Constitutional Amendment W did not pass. What does this mean for South Dakota?

It means that the state constitution will not be amended to revise campaign finance and lobbying laws, there will not be new laws established governing the initiative and referendum process, and a new government accountability board will not be created.

[Michigan voters on Tuesday approved Proposal 2 to change the way the state's political lines are drawn.](#)

So now what happens?

The Voters Not Politicians proposal passed with about 61 percent of voters in favor and 39 percent opposed, based on unofficial results compiled by the Associated Press with 99 percent of precincts reporting.

The initiative will amend Michigan's constitution to create a 13-member independent citizens' redistricting commission, composed of four Republicans, four Democrats and five people who don't identify with either party.

Here's a look at some questions and answers:

Why change the present system?

The new system is intended to end political gerrymandering, a decades-old tradition in Michigan by which both Republicans and Democrats — depending on which party had control of the Legislature — sometimes drew political lines to protect individual politicians running for re-election and/or to benefit their party as a whole.

The present closed-door system also lacks transparency. The new commission, in contrast, will hold its meetings in public and give several opportunities for public input before decisions are made. And proponents say the new system will help reduce divisiveness in tackling the state's many problems because when Republicans and Democrats are packed into separate districts, elected representatives have less incentive to listen to or appeal to views from the other side.

When will the new system take effect?

The new commission would be expected to first draw lines for the 2022 election, using population information from the 2020 census.

Might there be further court challenges to the new system before then?

Yes, that is possible. Though no such challenges have yet been announced, Tony Daunt, the spokesman for the group that opposed the measure, Protect My Vote, said Tuesday the group "will keep all available options open moving forward."

Barring a successful court challenge, what happens next?

No later than Dec. 1, 2019, the Michigan Legislature must appropriate money for the commission, including pay for its members of at least \$39,825 each. The commission, expected to cost a total of about \$4.6 million for each year of work, will only convene every 10 years, and disband once any legal challenges to its redistricting plan are resolved.

When and how will the commission be put together?

No later than Jan. 1, 2020, the Secretary of State's Office must circulate applications to be filled out by those who want to become redistricting commissioners. Applications will be accepted until June 1, 2020, and the 13 members are to be selected by Sept. 1, 2020, through a process that includes random drawings, efforts to ensure the makeup of the commission represents the state geographically and demographically, and a process by which the four state legislative leaders from the two parties are able to strike from consideration up to five applicants each.

The commission will hold its first meeting no later than Oct. 15, 2020, and adopt a redistricting plan no later than Nov. 1, 2021, after holding a series of required public meetings.

What factors will the commission consider in drawing the political lines?

Some of the factors are the same ones lawmakers are required to use today. For instance, districts are all supposed to have roughly the same number of people in them, and commissioners must comply with the Voting Rights Act by not eliminating majority black districts. Others are new, under the ballot proposal. For instance, districts will "reflect the state's diverse population and communities of interest," and "districts shall not provide a disproportionate advantage to any political party." Exactly how some of these concepts will be defined and how the commission will handle any conflicts between various factors they are required to consider remains to be seen.

Will a majority vote of the commission approve a redistricting plan?

Yes, but it's not that simple. The majority vote would have to include the votes of at least two commissioners from each political party and two nonaligned commissioners. In the event of a deadlock, the proposal calls for commissioners to assess proposals put forward by their colleagues using a ranked voting system, with the winning proposals requiring bipartisan support.

Free Press editorial board members Mike Thompson and Brian Dickerson explain gerrymandering and how it affects elections.

In the event of another tie, the plan would be selected from the finalists at random by the secretary of state.

Can I apply to become a commissioner?

You can, as long as you are a registered and eligible voter without certain ties to partisan politics. For example, within the previous six years, you can't have been a political candidate or elected official to a partisan office, a political party official, a political consultant, an employee of the Legislature, a lobbyist, or a state government political appointee. You also can't be a close relative of someone who holds or has held those positions.

Can someone challenge the plan in court if they don't like it?

Yes. Court challenges will go directly to the Michigan Supreme Court. The court can send the redistricting plan back to the commission for further work if it determines the plan fails to satisfy requirements of the U.S. or Michigan constitutions. But the court can't rewrite the plan itself.

Once court challenges to the plan are completed, the commissioners' terms would expire. A new commission will be selected by the same process at the time of the next census.

What happens to the Voters Not Politicians group that organized the ballot proposal?

According to Katie Fahey, the group's executive director and founder, Voters Not Politicians will continue to play an educational and monitoring role for the immediate future.

"If this is successful, our work starts Nov. 7," Fahey said Monday. "We're going to make sure this gets implemented the way it was intended."