

# MULTISTATE

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## [Slowing the revolving door + Early childhood unions + Clean H2O](#)

The lawmaker-turned-lobbyist cycle in Sacramento could reach a breaking point soon.

Assemblywoman **Melissa Melendez**, R-Lake Elsinore, unveiled a plan on Tuesday that would prevent members of the Legislature from registering as lobbyists until five years have passed.

Assembly Bill 359 would amend the Political Reform Act, which set the waiting period at one year.

“A cooling off period of five years makes sense. Their capital is the perception they have political influence,” Melendez said of lawmakers who became lobbyists. “After five years’ time, their influence wanes significantly.”

Melendez is unsure there will be a political appetite to extend the one-year waiting period by four more years. She said she’d be willing to meet somewhere in the middle if it would help her secure the necessary support from a Democratic-controlled Legislature.

“I’m not trying to make a statement. I’m trying to get some policy put in place,” Melendez said.

## **UNIONIZING CHILD CARE**

Child care providers have clearly taken note of Gov. **Gavin Newsom**’s plans to [support early childhood initiatives](#). A group of 200 workers, advocates and family members are heading to the Capitol this morning in efforts to form a union and rally behind the Building a Better Early Care and Education System Act that Assemblywoman **Monique Limón**, D-Goleta, plans to introduce.

Providers say that programs are too expensive and that outdated laws discriminate against women of color who make up a significant portion of the workforce, yet often struggle in poverty themselves. Limón’s bill would push for better wages and benefits and expand access to care.

Assemblywoman **Sydney Kamlager-Dove**, D-Los Angeles, will join Limón and the group members at 10 a.m. on the North Steps of the Capitol.

## **DON’T DRINK THAT WATER**

Clean water leaders and San Joaquin Valley residents will push legislators at a 9:30 a.m. joint hearing this morning to adopt the [Newsom-endorsed “affordable drinking water fund”](#) that [died in the Legislature last year](#).

California Secretary of the Natural Resources Agency **Wade Crowfoot** is scheduled to testify at the hearing, and advocates for the proposal will highlight why the fund is the most viable option for ending the contaminated water crisis in the state.

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## [Wisconsin organizations increase lobbying spending by more than \\$7 million in 2018](#)

Wisconsin organizations spent more than \$70 million lobbying legislators in the 2017-18 legislative session, according to a recent report from the Wisconsin Ethics Commission.

Wisconsin has some of the strictest lobbying laws in the country, according to the [WEC](#). Lobbying organizations are required by law to report how much time and money each organization puts into its effort every six months, and organizations are forbidden from entertaining legislatures.

Matt Rothschild, the executive director of the Wisconsin Democracy Campaign, a non-partisan, non-profit organization that monitors money in politics, expects this number to continue to rise. “What we’re seeing is an ever-escalating rise in spending on lobbying in the state capitol, and that doesn’t bode well for the public at large, which isn’t represented by the big lobbyists,” Rothschild said.

The top spending organization, Wisconsin Manufacturers and Commerce, [spent](#) a total of \$1,354,114, and 8,407 hours in the 2017-18 session, consistent with their spending in past sessions, according to the state’s Ethics Commission. Wisconsin Manufacturers and Commerce is the state’s largest business trade association, and lobbies on behalf of more than 3,700 employers for issues such as tax cuts, environmental deregulation and campaign finance laws.

Wisconsin Hospital Association, Marsy’s Law for Wisconsin LLC. and the Wisconsin Farm Bureau Federation [each spent](#) over \$1 million in the 2017-18 session.

Marsy’s Law for Wisconsin LLC. [spent](#) \$1,159,492 over this period — the organization had no presence in Wisconsin before 2017. The national branch, Marsy’s Law for All, spent \$15,000 in Wisconsin in the [2015-16 session](#). The organization works on behalf of crime victims, aiming to extend constitutional rights to give rights to the victims of crimes that are equal to those of the accused and give them legal standing in court procedures, [according to the organization](#).

In Wisconsin, the bill has received bipartisan support and has passed the statewide assembly committee, but must pass the Legislature in two consecutive sessions before a statewide referendum asking voters to amend the state Constitution, [according to the organization](#).

Wisconsin Alumni Research Foundation [spent](#) \$133,250 dollars in 2017-18, almost double their spending from the last session, according to the report. This organization partners with UW to financially support scientific research and has impacted legislation since their foundation in 1925. Most notably, WARF played a significant role in the passage of the national 1980 Patent and Trademark Law Amendments Act, which permitted U.S. universities and other federally funded bodies to retain ownership over their intellectual property, [according to WARF](#).

Spokesperson for WARF Jeanan Yasiri Moe said the organization maintains “a strong partnership” with the state because those officials directly impact the university and the funding researchers receive.

“We do this so we can help officials understand WARF’s role and make informed policy decisions,” Moe said. “We engage in communications to educate and inform policymakers on a range of issues related to our role and expertise supporting the university and the state.”

Overall, almost 800 lobbying organizations spent \$70,424,510 to influence legislators over the two year period. This is almost \$8 million dollars more than the [2015-16](#) legislature session

when 791 organizations spent \$62,857,117, according to the reports. In other measurements, a total of 374,052 hours were spent lobbying during this time.

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### **Trump-Linked Lobbyists Help Nigerian Politician Gain U.S. Access**

Until last month, Nigerian presidential candidate Atiku Abubakar had a problem. He was persona non grata in the U.S. after cropping up in connection with several corruption investigations.

Then the cloud lifted. Years after he'd last been seen in the U.S., Abubakar surfaced in Washington in January. He held court at the Trump International Hotel. He met with members of the U.S. Chamber of Commerce and Congress. Those meetings were trumpeted to his followers back home on Facebook and Twitter. The public tour has helped silence opponents who said Abubakar couldn't effectively lead one of Africa's biggest economies if he wasn't even welcome in the U.S.

Abubakar had been blocked from entering the U.S. under a State Department edict applying to officials linked to foreign corruption, two former U.S. officials said. One of them said the Nigerian had been seeking a waiver to enter the country for years and expressed surprise when told that the effort was ultimately successful.

Abubakar's rehabilitation was driven in part by Washington lobbyists and lawyers with links to President Donald Trump's 2016 presidential race. Ballard Partners -- run by Brian Ballard, a fundraiser for Trump's campaign who now has a [deep roster](#) of clients eager for an inside track to the administration -- helped set up meetings for the candidate in the U.S., according to people familiar with the firm's work for him.

Law firm Holland & Knight lobbied the State Department, House of Representatives and National Security Council on Abubakar's behalf on visa issues, according to a disclosure filed with Congress. The firm's lead lobbyist on the effort was Scott Mason, who previously directed congressional relations for Trump's campaign and transition team.

In defusing opponents' chief criticism, the U.S. visit and meetings positioned Abubakar as a stronger challenger, not to mention a potential international partner to the U.S. should he prevail in Nigeria's Feb. 16 presidential race. He's the leading opposition candidate to run Africa's most populous nation and top petroleum producer, where wealth and corruption mix with extreme poverty to create deep concerns about security and safety.

A member of Abubakar's communications team, Boladale Adekoya, denied Abubakar had been banned from the U.S. A State Department representative declined to comment.

Mason didn't immediately respond to a request for comment. Ballard referred questions to its lead lobbyist for Abubakar's political party, James P. Rubin, who said he wasn't involved in getting the travel visa and was focused on pushing for fair elections in Nigeria.

### **Cash in Freezer**

Abubakar's troubles with the U.S. date back more than a decade. In 2004, George W. Bush signed a presidential proclamation meant to deny corrupt foreign officials a coveted luxury -- fluid access to the good life in America and a safe place to stash ill-gotten proceeds.

Abubakar's name surfaced in two criminal cases in the U.S. -- the prosecution of German engineering giant Siemens AG for paying bribes to officials in Africa, and the prosecution of former U.S. Representative William Jefferson.

In the latter case, Abubakar, then Nigeria's vice president, gained notoriety for his connection to \$90,000 in cash found in Jefferson's freezer in 2005. In a secretly videotaped conversation, Jefferson told an undercover informant that the money was for Abubakar, intended to smooth the way for a U.S. company's African expansion. Prosecutors never introduced evidence showing Abubakar solicited or accepted a bribe, and he was never prosecuted. Jefferson was convicted, though his case was partially overturned on appeal.

Abubakar was also the subject of a 2010 congressional investigation, which found that he and his wife transferred more than \$40 million in suspect funds into the U.S. from offshore corporations. Lawmakers said Abubakar held a stake in an oil-services company that received hundreds of millions of dollars in payments from Western companies seeking to do business in Africa, including when he was vice president.

Abubakar has attributed his wealth to prudent investments and luck. In an interview, Edward Weidenfeld, a Washington lawyer who represented Abubakar at the time of the Jefferson and Siemens cases, said he maintained his innocence in those proceedings.

Adekoya, the Abubakar spokesman, said Jefferson had falsely accused Abubakar of being the intended recipient of the cash. Regarding the \$40 million Abubakar brought into the U.S., Adekoya said it was intended as payment to American University to launch a school in Nigeria. He added that Abubakar is a "reputable entrepreneur" and a successful businessman, that his funds were from legitimate business ventures and that his oil-services stake was held in trust while he was in office.

### **Visa Waiver**

Once the State Department bars a foreign official it becomes difficult to get the ban rescinded, according to the two officials. By U.S. law, the status of visa applications is confidential. So are the identities of barred foreign officials. The process by which people get on or off the list is also opaque.

In certain cases, the department will grant temporary waivers allowing dignitaries to visit, often with limits on duration and itinerary. If indeed a ban were in place, Abubakar may have been granted a waiver to encourage good relations should he win, one of the officials said.

Holland & Knight, which was hired at the end of October, disclosed payments of \$80,000 in relation to its visa work for Abubakar.

Through his spokesman, Abubakar said he applied for and received a visa through the U.S. mission in Nigeria.

Abubakar's People's Democratic Party of Nigeria inked a \$1.1 million annual contract with Ballard Partners last fall, according to foreign lobbying records filed with the Justice Department. People familiar with Ballard's work on Abubakar's behalf said it included getting him a meeting at the State Department during his visit and shepherding him to various events.

Rubin, Ballard's primary lobbyist on behalf of Abubakar's party, was an assistant secretary of state during the Clinton administration. He joined Ballard's firm as a lobbyist last year, according to a disclosure filing. (He was also previously an executive who helped lead Bloomberg's editorial page, then called Bloomberg View.)

"My work on behalf of the People's Democratic Party exclusively focused on pushing for free and fair elections and did not involve any consular matter or visa matter," Rubin said.

## **Ballard's Roster**

Ballard Partners opened its Washington office in 2017, just months after Trump's election. Ballard had previously been as a lobbyist in Florida for Trump; after the election, he was a member of Trump's inaugural committee. The expanding client roster includes household corporate names such as Amazon.com Inc., Boeing Co., Uber Technologies Inc. and H&R Block Inc., according to lobbying disclosures filed with Congress.

Ballard has also attracted a roster of foreign governments such as Kosovo, Qatar, the Maldives and Azerbaijan. Another pair of clients, the Republic of Turkey and Turkiye Halk Bankasi AS, have been implicated in U.S. court proceedings in a scheme to aid Iranian sanctions evasion, for which Halkbank remains under scrutiny by U.S. authorities.

The firm has also been expanding and adding firepower, in recent weeks hiring other Trump loyalists including a recent White House spokesman, Raj Shah, and the former attorney general of Florida, Pam Bondi. As attorney general, Bondi [declined](#) to pursue fraud charges against Trump University after Trump's charitable foundation gave \$25,000 in 2013 to a re-election fund for Bondi.

During his visit, Abubakar held a "town hall" at the Trump International Hotel in Washington to meet with Nigerians in the U.S. He also appeared on a panel at the U.S. Chamber of Commerce, stopped at the office of the Voice of America and met with Representative Chris Smith, a New Jersey Republican. Abubakar's campaign broadcast the town hall meeting on Facebook, and he posted a string of photos of his U.S. visit and meetings to his Twitter account, including one from his arrival at the airport putting him back on U.S. soil.

A spokesman for Smith didn't respond to questions about the meeting. A Chamber of Commerce spokeswoman said the roundtable discussion was private.

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## **[Kirsten Gillibrand is outpacing other 2020 hopefuls with her outreach to big money New York Democratic donors](#)**

Sen. Kirsten Gillibrand has been aggressively courting top Democratic Party donors in New York as she seeks to gain an edge in the 2020 presidential campaign's fundraising battle, CNBC has learned.

Over the past two weeks, Gillibrand has met with a slew of financiers from a wide range of industries in her New York backyard, including those on Wall Street, according to people with direct knowledge of the conversations.

Sen. Cory Booker of New Jersey is the only other 2020 Democratic hopeful who has come close to matching Gillibrand's outreach over the past two weeks, said one of the top donors, who spoke to CNBC on the condition of anonymity. Booker announced his candidacy Friday morning.

Representatives for Gillibrand and Booker did not return repeated requests for comment.

The strong positioning for Gillibrand in the New York donor circuit is significant because it could give her a financial advantage over her opponents as she builds her campaign apparatus and prepares for what will be an expensive primary.

Other 2020 hopefuls are also trying to get an early start in the fundraising battle. Sen. Kamala Harris, D-Calif., who launched her candidacy last week, will be in Los Angeles this weekend for

two fundraisers. One will be hosted by entrepreneur and prominent LGBT activist David Cooley, [according to a report in Variety](#).

Harris' campaign announced last week that she raised \$1.5 million through online contributions in the first 24 hours after declaring she would run for president.

Prior to her announcement, [Gillibrand had been personally making phone calls to some of Wall Street's top executives](#) about backing her campaign. [She also reached out to Democratic millionaire Bernard Schwartz to discuss a 2020 run](#).

Democrats in the hunt for the White House have had to strike a delicate balance between seeking donations and not appearing to be too cozy with big business or rich donors. Liberal Democrats took to social media to roast Gillibrand's links to the financial industry following the reports of her gauging Wall Street and corporate interest in a possible presidential run.

Between her discussions with affluent donors, though, Gillibrand has also been appealing directly to small donors and the party's grassroots base. In a tweet on Thursday, she reiterated her campaign's decision to not accept money from a variety of special interests including political action committees association with corporations, federal lobbyists and super PACs.

"Please give. It makes a huge difference. It allows us to build a campaign based on you," Gillibrand says in the Twitter video.

Gillibrand has become a master at raising campaign cash ever since she joined the Senate in 2009. Throughout the 2018 election cycle, 32 percent of donations to Gillibrand's Senate campaign came from contributions under \$200, according to the nonpartisan Center for Responsive Politics. She finished her victorious campaign raking in \$20 million.

Her Senate campaign fund has \$10 million on hand, although her exploratory committee has yet to announce its early fundraising totals.

In the past, Gillibrand has received the most contributions from lawyers, executives at securities and investment firms and retirees. The securities and investment industry gave her \$1.1 million in 2018 and has spent \$4.8 million supporting her career in total.

Meanwhile, Gillibrand has been hitting the campaign trail and meeting with voters since unveiling her decision to run for president.

In late January, she held 10 public events over two days in the early caucus state of Iowa. This weekend she's heading to the primary state of New Hampshire for the first time as a presidential candidate. The trip starts on Friday in Manchester, N.H.

She has also been holding speaking engagements in New York. Gillibrand recently spoke at the National Action Network's annual Martin Luther King Jr. Day event, hosted by the Rev. Al Sharpton.

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### **[Bill would reveal the cost of a free lunch for lawmakers](#)**

New Mexico lawmakers don't get much lunch money.

But lobbyists and their clients often fill the gap – catering entire committee meetings some days and treating legislators to meals outside the Roundhouse.

In fact, lobbyists spent over \$31,000 on meals and drinks in the final 90 days of 2018, when influential interim committees are meeting, taking testimony and working on legislation ahead

of the session's Opening Day in January, according to reports filed with the Secretary of State's Office.

The free food has continued this session, with a steady lineup of social events in Santa Fe and free goodies left on lawmakers' desks in the Capitol. Much of the spending won't be disclosed until well after the session ends, and the disclosures aren't terribly specific.

But at least three proposals this year aim to change that – requiring more thorough reporting of how lobbyists are spending to influence lawmakers and the new administration of Gov. Michelle Lujan Grisham.

“We have huge areas of disclosure not required at all under New Mexico law,” said Sen. Jeff Steinborn, a Las Cruces Democrat and co-sponsor of some of the legislation.

One proposal, House Bill 133, would require lobbyists to disclose the specific bills they lobbied for or against.

Another measure, House Bill 140, would require employers of lobbyists to file reports at the beginning of the session estimating how much they expect to spend on lobbying, including the compensation to the lobbyists themselves.

Americans could save thousands by taking advantage of this government program

And yet another bill would fix a loophole in the law that allows lobbyists to spend \$100 or less on, say, buying lunch for a lawmaker without ever having to report such costs. That proposal, Senate Bill 191 is already on its way to the governor's desk, fast-tracked by leadership in the House and Senate.

### **Free food**

Free food is embedded in the culture of the Roundhouse.

It isn't unusual to see lawmakers munching on burritos or burgers – occasionally something fancier – as they consider legislation in a late-night committee meeting, or even on the House or Senate floor.

Sometimes a lobbyist, or a group of lobbyists, buys dinner for a committee working late, usually at the request of the committee chair or a committee staff member.

Carter Bundy, political and legislative director in New Mexico for AFSCME, a union for public employees, said he doesn't blame the lawmakers. The state, he said, ought to pay for meals when legislators are working late and can't leave.

“They either go hungry or they get fed by the people who have bills in front of them,” Bundy said.

Nonetheless, he said, the free food “creates an incredible appearance of impropriety.”

Bundy, a registered lobbyist for AFSCME, said he is rarely asked to chip in for a committee dinner, and the union's approval process for spending would make it difficult to do anyway.

But some lobbyists and their clients say they're happy to chip in for a committee meal – because they're stuck in the building, too, and it allows them to eat without missing anything.

And a slice of pizza, they say, isn't going to sway anybody's vote, especially when it's available to everyone.

Sometimes, a lawmaker will thank a lobbyist for bringing in food.

“Of course, it’s being done to curry favor,” Steinborn said, “and I just don’t think it’s appropriate when we treat it as if it’s some personal nicety that was done.”

### **No salary**

Compounding the issue, critics say, is that New Mexico lawmakers don’t draw a salary. Instead, they get a \$161 daily stipend intended to cover food and lodging expenses while the Legislature is in session or they’re attending meetings. A night’s lodging in a hotel near the Capitol would, on its own, consume most of the per diem.

Former Sen. Dede Feldman, D-Albuquerque, said she wasn’t entirely comfortable with lobbyists buying dinner for a committee. But as chairwoman of the Senate Public Affairs Committee – a panel known for its late nights – she sometimes resorted to that strategy to keep her members happy, she said.

“They’re much more likely to stay in their seats if they’re either expecting or have had a good dinner,” Feldman said.

Without state money to pay for meals, she said, it’s all the more important for New Mexico to craft stronger disclosure laws for lobbyists.

The reports filed now are often limited. For instance, the single largest meal-and-drink expenditure reported for the period covering Oct. 2 to Dec. 31 says it was for “relationship building” with the influential Legislative Finance Committee.

Lobbyist Carol Leach reported spending nearly \$4,200 on behalf of Concho Resources Inc. at La Casa Sena in Santa Fe, a restaurant not far from the plaza. She listed the beneficiaries as members of the LFC, staff, guests and company personnel.

Concho Resources is an oil and gas company that operates in the Permian Basin, which lies in West Texas and southeastern New Mexico.

And there’s more spending by lobbyists during the session, of course, when amounts over \$500 have to be reported. It’s routine for receptions or similar events to which lawmakers are invited to cost about \$10,000.

### **Appetite for disclosure?**

It’s unclear how much appetite lawmakers will have for the extra disclosure bills.

The proposal for disclosure of spending under \$100 raced through both chambers in the session’s first three weeks and is on its way to the governor. The others are awaiting their first committee hearings.

Feldman, who served in the Senate from 1997-2012, said she hopes lawmakers will embrace extra disclosure.

“The public deserves to know if our legislators are being comforted by meals and entertainment” from lobbyists, she said. “That’s not what they were elected to do. They were elected to be responsive to their constituents as a whole, not to special interests.”

Heather Ferguson, executive director of Common Cause New Mexico, a group that promotes ethics and transparency legislation, said polling shows strong support among the public for extra disclosure.

A telephone survey by Research & Polling Inc. found that 93 percent of registered voters surveyed want lobbyists to disclose the bills and issues for which they are lobbying, she said.



“They feel like what’s hidden cannot be trusted,” Ferguson said.

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### **Former Missouri lawmaker's testimony raises lobbying questions**

Testimony from a former legislator this week before a Missouri Senate committee is raising questions about whether he followed state laws prohibiting ex-lawmakers from quickly returning to lobby at the Statehouse.

Former state Rep. Kevin Corlew, a Kansas City Republican, lost his re-election bid in November and then resigned in December to avoid a new law banning legislators from returning as lobbyists for two years after leaving office. However, he still is required to wait six months after the end of his term to lobby.

On Tuesday, Corlew testified before the Senate's Government Reform panel in favor of a law promoted by the American Tort Reform Association. He said he testified as an attorney, not as a lobbyist for the association.

Some experts on lobbying questioned his interpretation of the rules.

"I would call him a stealth lobbyist," said Craig Holman, a government affairs lobbyist for Public Citizen, which advocates for greater ethics and transparency in government. "He's working for a lobbying association and promoting legislation."

Corlew said he was aware of the lobbying rules and would not do anything to violate them. He said he spoke to some friends on other issues Tuesday but "not on any legislative issue."

The two-year restriction was part of an ethics reform Clean Missouri amendment approved by voters in November. It includes an exception for a person "testifying as a witness before the General Assembly or any committee" and Corlew said that exception meant he was following the law.

Beth Leech, who studies lobbying as a political scientist at Rutgers University, said Corlew's actions may be technically legal but it is essentially lobbying.

"This is a loophole that exists at the federal level, too," Leech said. "People who are acting as political representatives get to not call themselves lobbyists under the law, even though what they're doing is part of political advocacy. And to me, a political advocate who is outside of government is a lobbyist."

Corlew said the tort reform association is a client of his law firm, Shook, Hardy & Bacon, and he testifying was part of his job at the firm.

"As with any client, the firm likely will bill (the American Tort Reform Association) for my time as an attorney, but they will not be paying me personally or directly," Corlew said.

Lobbyists are required to register with the Missouri Ethics Commission and disclose their spending activity. Shook, Hardy & Bacon is listed as having no lobbyists in the Capitol this session, according to the commission. Corlew has not registered. The American Tort Reform Association has nine lobbyists registered this session; Corlew is not one of them.

Senate Majority Leader Caleb Rowden, a Republican from Columbia, said if someone wants to question Corlew's testimony, "then that's a conversation for the ethics commission."