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[NC House Speaker Tim Moore's legal contract with start-up raises questions](#)

A short time into Anne Whitaker's tenure as chief executive officer of KNOW Bio, a Triangle-based pharmaceutical start-up, she learned of a legal services contract given to an attorney she had never heard of.

The company already had lawyers handling internal and external matters and she didn't understand why KNOW Bio needed yet another lawyer — one whose services she felt were of questionable value for a company that in early 2017 was barely a year old.

The lawyer was Tim Moore, a Cleveland County Republican and speaker of the N.C. House — one of the state's three most powerful officials. When she learned the details of his contract and his work, which struck her as federal lobbying, she said she terminated it with the support of company board members.

“He was working on really, something about how [limited liability corporations] were treated, the tax treatment of LLCs, as well as trying to drive awareness around antibiotic resistance with, I guess with, the politicians, and trying to get incentives for antibiotics to be developed,” Whitaker said. “At least that's what I understand his purpose was, but we were a small company, and to me it wasn't a priority.”

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Whitaker said KNOW Bio's co-founder and board chairman Neal Hunter had given Moore the contract. What Whitaker, who left the company in April, said she didn't know is that four years earlier, Moore as the powerful Rules Committee chairman had helped Hunter with a controversial development that was in danger of failing. Moore ran legislation that forced the city of Durham to provide water and sewer for the 751 South project, which will place 1,300 residences and 600,000 square feet of offices and shops on 166 acres near Jordan Lake.

Hunter sold the land to the developers, Alex Mitchell of Durham and Tyler Morris of Raleigh, for \$18 million a decade ago. He received \$8 million up front and financed the rest, with interest, and he obtained a non-voting share in their company. Hunter and Mitchell are cousins.

Mitchell is a friend and campaign supporter of Moore's. In 2015, when Moore became speaker, the House voted Mitchell to the UNC Board of Governors. State election records show since 2013, Mitchell and his wife have contributed \$30,300 to Moore's campaign fund; Hunter and his wife have given \$33,300.

In an interview, Moore would not confirm he previously had a contract with KNOW Bio, but he said he does not have the company as a client now. He said attorney-client privilege prevents him from identifying private clients. In addition, state ethics laws do not require state lawmakers who are private attorneys to identify their clients. The lawmakers do have to recuse themselves in votes involving their clients.

He insisted he has never improperly mixed his private business with his public responsibilities.

“Know this: Anytime I take on a client I ensure there are no conflicts with other legal matters I’m handling, and I’m always double extra careful to make sure there’s no conflicts or anything with my legislative role,” Moore said.

Jane Pinsky, director of the N.C. Coalition for Lobbying and Government Reform, said she is troubled by the financial connections between Moore and two of the 751 South project’s partners. She said Moore needs to be forthcoming about how he got the work, how much he was paid, what he did for KNOW Bio and any other financial ties between the principals.

“Without disclosure, it’s not going to pass the smell test for North Carolinians,” Pinsky said.

Hunter and Mitchell did not respond to several attempts by a News & Observer reporter to contact them via phone and letter over the past two weeks. The News & Observer tried to visit them at their homes, but they both live in a section of Colvard Farms where no-trespassing signs are posted.

A controversy-filled journey

The project’s mix of offices, shops, townhomes and single-family houses is being built within two miles of Jordan Lake, a man-made source of drinking water for much of the Triangle that has long been polluted by stormwater runoff. The project broke ground in [April](#), but getting to that point was a long journey filled with controversy.

Hunter originally owned the property, which is adjacent to Colvard Farms, a high-end housing community he previously developed that is continuing to expand. Hunter is a co-founder of Cree, an LED manufacturer, and is a well-known entrepreneur in the Triangle.

In 2006, Hunter won a land designation change for the property from Durham’s planning director, making it acceptable for development without the involvement of state officials. Hunter then sold the property to Mitchell and Morris.

The Durham county attorney later said the planning director lacked the authority to make the change. That triggered the start of a protracted battle that included lawsuits and the developers giving a slice of their land to the state transportation department to invalidate a protest petition from neighbors that might have killed it.

In the end, only the City of Durham stood in the way of the development by voting against extending city water and sewer. That’s when Moore stepped in with his legislation. It had failed by one vote in 2012 in the Republican-controlled state legislature but passed the following year. Only one lawmaker from Durham’s state delegation — state Sen. Floyd McKissick Jr. — voted for the legislation, and that was after he said helped negotiate some concessions from the developers.

The state law also requires extending water and sewer to Colvard Farms.

Moore said he pushed the legislation aiding the 751 South project because Durham had treated the developers unfairly. He said Durham had “overstepped the property rights of individuals who lawfully tried to develop their property.”

It was a rare example of state lawmakers stepping into local land-use matters. Gerry Cohen, an attorney who spent nearly all of his 37 years at the legislature as head of bill drafting before becoming a lobbyist in 2015, said he could only recall two other instances when lawmakers passed legislation affecting local land use.

Eugene Brown was a veteran Durham City Council member who cast the deciding vote against extending water and sewer services to 751 South in 2013. He said the legislature’s decision to “become our planning department” prompted his no vote.

He, too, said Moore’s legal work for KNOW Bio raises questions that need answers.

“I would suggest that sunshine is the best disinfectant, and more of it needs to be shined on this entire episode, including the past history and what’s happening currently,” Brown said.

The law and conflicts of interest

State ethics laws require many public officials to file an annual report disclosing potential conflicts of interest such as their employers and business partners. But the law does not require attorneys to disclose their clients. Instead, they must report the categories of law in which they earned more than \$10,000. Fourteen categories are listed, as well as one for “other.”

[Moore’s report for 2017](#) doesn’t mention KNOW Bio. It shows he checked the categories of administrative, decedent’s estates, local government, tort litigation, corporate and criminal.

The law also requires reporting investments of \$10,000 or more. Moore’s 2017 report shows a financial interest in Novan, the company KNOW Bio was spun from. Hunter is a founding investor and former chairman of Novan.

Moore confirmed he’s bought Novan stock, but he said he hasn’t made any money.

Whitaker said Hunter gave Moore the contract sometime before she [joined](#) KNOW Bio in February 2017. She said she does not have a copy of the contract and could not recall how much Moore was paid. She recalled meeting him, but she never sought any work product related to the contract.

“You wouldn’t normally find any sort of contract like that,” Whitaker said. “We’re a small, early-stage company with limited cash flow. It didn’t seem necessary and I didn’t want to take it any further, given the cost, and we didn’t need it. And I didn’t understand why the speaker of the House would be our consultant.”

She said she thought Moore’s work involved lobbying. Moore would be prohibited from lobbying his colleagues in the legislature, but he could lobby the federal government, so long as he registered as a lobbyist.

Federal records show he hasn’t done that. Moore confirmed he hasn’t, but said, in general, he could handle some federal government matters as a private attorney without having to register.

Whitaker said she brought the contract to the attention of some members of KNOW Bio’s board of directors. One of them, Harry Smith, a businessman from Greenville who is now chairman of the UNC Board of Governors, largely confirmed Whitaker’s account.

Smith said as part of joining the board and investing \$1 million, he brought in John Oakley as the chief financial officer. Oakley had served in that role for Smith when he led Flanders Corporation. Smith said Oakley and Whitaker are highly qualified company executives.

Oakley and Whitaker reviewed the retainer agreement for Moore's services and terminated it as part of what Smith called "minimizing cash-burn."

"We stopped a lot of vendors," Smith said. "We were trying to preserve and protect cash flow, and that's the extent."

Smith said he could not discuss how much money Moore had received and he did not know what work Moore had done for KNOW Bio. He said he knew little about Moore's prior efforts to help the 751 South project, while Whitaker said she wasn't aware of that controversy at all.

Smith and two others joined the board at the same time in mid-2017. He said all three left six months later, after Oakley and Whitaker had discovered Moore's contract. Smith said his exit was not driven by Moore's contract, and had to do with pursuing other opportunities he considered more lucrative.

One of those former board members is Haywood Cochrane, a biotech executive who is the current chairman of UNC-Chapel Hill's board of trustees. He could not be reached for comment.

Public clients, private clients

Moore said he has about 100 to 150 clients in his law practice, which is based in his hometown of Kings Mountain in Cleveland County. He said he also has a small satellite office in Raleigh. The only clients he said he can talk about are public entities: Cleveland County, where he serves as county attorney; and the Cleveland County Water District.

He said his other clients do not include companies or individuals with significant business interests before the legislature. A written [opinion](#) from state ethics officials clears him to work as Cleveland County's attorney. He said he's also received three informal opinions that haven't been made public clearing him to represent other clients he said he couldn't disclose.

"I like to err on the side of caution," he said.

A decade ago, state lawmakers discussed whether disclosure of legal clients should be part of a package of ethics, lobbying and campaign finance reforms in the wake of the scandals in former House Speaker Jim Black's administration. Black, a Matthews Democrat, [served](#) three years in prison for taking \$25,000 in cash and a \$4,000 check from chiropractors to push through legislation they sought; he had given some of the money to another House member to persuade him to switch parties and keep Black in power.

The lawmakers didn't include client disclosure among the reforms.

"You run into the legal ethics of client confidentiality, which is so well-established over many generations that the conflict between full disclosure and full confidentiality was resolved in favor of the client," said former Rep. Joe Hackney, a Democrat and Chapel Hill attorney who was House speaker when the reform package passed.

Client confidentiality can be important. An attorney may be helping a client in a criminal investigation that ultimately determines no crime was committed. But in other legal matters, the disclosure of an attorney-client relationship would cause little harm to a client while exposing potential conflicts of interest for an elected official.

Federal ethics rules, for example, require candidates who are attorneys in private practice to [disclose](#) clients who have paid more than \$5,000 a year for their services. There are limited [exceptions](#) for situations in which that disclosure would cause harm to the client.

Whitaker said she left KNOW Bio in April after realizing it would take longer to bring a product to market than she had anticipated. Two months later, the Kilpatrick Townsend & Stockton law firm filed federal lobbying [reports](#) saying it was representing a company with the same name, but with a Morrisville address, on “tax policy on investments.”

Among the three lobbyists listed is Nelson Freeman, whose [bio](#) identifies him as a former top advisor to Moore on “tax policy, information technology policy, Alcohol Beverage Control, and economic development.”

He could not be reached for comment.

[From marijuana lobbyist to candidate for agriculture commissioner. Meet Nikki Fried.](#)

She doesn’t wear a cowboy hat or a belt buckle. She was born and raised in suburban South Florida, not rural Polk County. Her family isn’t tied to the agriculture industry.

Nicole “Nikki” Fried knows she’s not what people see when they imagine a candidate for Florida Commissioner of Agriculture and Consumer Services. But that, she says, is her key to winning the seat.

“I see things through a new lens where my opponent does not,” she said.

The 40-year-old marijuana lobbyist and Fort Lauderdale-based attorney prides herself on being a visible face in the state’s growing medical cannabis industry as well as representing a nontraditional choice for the role.

She says being a native Floridian gives her a deep understanding of the economic role agriculture plays in the state despite never having worked in the business.

“You don’t have to come from the industry to fight for the industry,” she said. “You don’t have to be a farmer to be a commissioner.”

Fried grew up in Miami, where she graduated from Miami Palmetto High School.

She went on to the University of Florida, where she received a bachelor’s degree in political science, a master’s degree in political campaigning and a law degree.

Fried is a member of the university’s Hall of Fame as well as a member of the esteemed Blue Key Society. It was at UF where she grew to know the likes of current Agriculture Commissioner Adam Putnam and attorney general candidate Ashley Moody.

While at UF, Fried served in the student senate and eventually was elected student body president. While serving in the student government, she met one of her oldest friends — Brad Jones. Jones, a registered Republican from Sarasota, says Fried is uniquely able to “cut through the divide” between people with different political beliefs.

“Right now, there is so much emotion in our political system,” Jones, 41, said. “Nikki is balanced and moderate. It’s an important position to have.”

He said Fried hasn’t changed much since college.

“She’s always been this way,” said Jones, now a healthcare executive in Sarasota.. “She always had a strong desire to serve.”

Upon graduating from the Fredric G. Levin College of Law in 2003, Fried started practicing alongside Moody in Jacksonville, where she focused on commercial litigation.

“I quickly realized that it was not my cup of tea,” she said. “I am more of a ‘people person.’ ”

She departed from “corporate life,” she said, and went on to work in the public defender’s office in Alachua County. After two years, she became the division’s felony chief.

Stacy Scott, the public defender for the Eighth Judicial Circuit, worked with Fried in the agency when they were both assistant public defenders. Scott and Fried also spent time together as lobbyists in Tallahassee.

Scott said she “always assumed she would go into some sort of public service.”

“I viewed her as very successful and as a kind of person who was continuing on an upward career path,” she said.

Fried eventually moved back to South Florida to be closer to family, where she continued to practice law. Her sister, who lives in Wellington, says the two women have been close since they were little girls.

“I always wanted to walk in my sister’s shoes,” said Jennifer Shaffren, who is four years Fried’s junior. “She has always had a passion to make change for the better.”

Shaffren says the campaign brings her “deja vu” to the sisters’ shared UF days, where Shaffren took an active role in helping Fried campaign for student body president.

Now, Shaffren drives an Infiniti decorated with Nikki’s campaign signs and stickers. She makes phone calls to voters and serves as the “Palm Beach hub” for people who want campaign signs or literature. She even brings her 6-year-old son and 10-year-old daughter along to learn about the voting process.

“My kids love Nikki to death,” she said. “I am doing everything I can to support her.”

Eight years after Fried moved to South Florida, she started [Igniting Florida](#): a one-woman lobbying shop named after her student government party at UF.

“I said, it’s time for me to not be on the sidelines,” she said. “I missed being able to change things from a different perspective.”

During her time lobbying in Tallahassee, she represented Florida’s Children First’s lobbying team, for which she helped pass a bill that provided \$4.5 million in legal aid to disabled dependent children in the state.

President of Florida’s Children’s First, attorney Howard Talenfield, said he got to know Fried well when she worked for the firm and later lobbied for the nonprofit.

“She has that kind of charisma, where people believe what she says,” Talenfield said.

He said he hopes Fried could bring a voice for children into the cabinet-level role.

“It is critical for us to have a child advocate there to impact government issues,” he said.

“Children do not have a voice in the state of Florida, and it’s about time they did. Nikki will be a great voice.”

On to medical marijuana

In 2015, she starting lobbying for medical marijuana when a client hired her to help get a license.

After witnessing how cannabis oil helped children who have seizures and weaned people off opiates, she learned the extent to which medical marijuana can impact patients' lives. She also saw how the licensing structure made it difficult for patients and distributors to navigate the system.

"We have a chance to make them feel better," she said. "It was time for me to kind of put myself out there and try to change policy in the way our government looks."

Fried and her Republican opponent, Fort Myers Rep. Matt Caldwell, have both expressed interest in moving medical marijuana regulation under the Commissioner of Agriculture and Consumer Services, as opposed to the Department of Health.

Fried's passion for marijuana reform extends into the hemp industry as well. Farmers should be able to grow industrial hemp as an alternative crop, she says, in order to create nutrients and utilize land plagued by citrus greening. She says hemp crops could keep a seasonal workforce employed for longer.

"There's just no support from the commissioner's office, and a Republican-led Legislature doesn't understand it," she said.

Fried has also advocated for legalizing smokable medical marijuana, which she says is the "will of the people" in a video she posted to Twitter Sept. 13.

In the video, Fried calls out Gov. Rick Scott for fighting the appeal for smokable marijuana and implores Ron DeSantis, the Republican nominee for governor, and Caldwell to respond.

Will [@RonDeSantisFL](#), running for FL's top office, and my opponent [@mattcaldwell fl](#) , support this waste of public funds, against the CLEAR choice of Floridians?

Caldwell, who helped draft marijuana legislation in 2016, said in an interview that he is skeptical of smokable marijuana for medicinal use.

"Straight-up smoking a plant is not how we deliver medicine in any other scenario," he said. "It's because of dosing. [Oils and pills] have been tested and have efficacy. You don't have those guarantees if you are smoking the raw plant."

A gender breakthrough

Fried is the first woman to snag a nomination for the seat, which is something she said is "not an easy feat." In 2001, Terry Lee Rhodes was appointed by former Gov. Jeb Bush as an interim commissioner.

Fried easily beat Democratic rivals Jeffrey Duane Porter and Roy David Walker in the primary with 58 percent of the vote. Walker, a South Florida environmental activist, got 25 percent, and Porter, the mayor of Homestead, got 15.

Despite the successful primary, Ben Pollara, a consultant on her campaign, said Fried has not had it easy. She's faced myriad challenges on the campaign so far.

"It's historically been an office not just held by white men but white Republican men," he said. "It's an old boys club, and it's a bubble."

In recent months, Fried's campaign has even had trouble finding a bank for her campaign accounts.

Fried's stance on marijuana and subsequently, donations from the medical marijuana industry, prompted both Wells Fargo and BB&T to close her campaign accounts in the span of three weeks in August and September.

A review of Fried's campaign finances shows a \$1,000 donation from Savara Hastings, executive director of the Florida-based American Medical Marijuana Physicians Association, and \$3,000 from Jake Bergman, CEO and founder of Atlanta-based Surterra Holdings LLC, which intends to become a national medical marijuana business.

The pressure for banks in the state to shun medical marijuana business is high because Florida hosts more international customers and sees more potential instances of money laundering than the average state. Florida voters in 2016 approved a constitutional amendment that legalized medical marijuana, joining 30 states nationwide with such legalization. However, cannabis is still illegal on the federal level.

Fried has made banking a high-profile issue, and says that as a member of the Cabinet she plans to lobby the federal government to protect bank accounts that handle money tied to medical marijuana.

If elected in November, Fried will be tasked with appointing the director of the Office of Financial Regulation, which oversees the state's banking industry.

Congressman [Charlie Crist took Fried's side in the banking fiasco](#) during a conference call last week.

"What has happened to Nikki is an unfortunate reminder of the conflict between state and federal marijuana laws, highlighting an urgent need for action," he said.

Fried said she hopes to work with the new Chief Financial Officer to create a new state bank that would protect accounts with ties to the medical marijuana industry.

"This is an opportunity for the CFO and for the Office of Financial Regulation to say 'State banks are open for business, come into the state. We will protect you,'" she said.

Caldwell said businesses should be using state-chartered banks to get around marijuana-induced banking problems.

In addition to contributions from the marijuana industry, other noteworthy donors to Fried's campaign include \$5,000 from billionaire and former gubernatorial candidate Jeff Greene and \$3,000 from Ruth's List, an organization that recruits and supports female candidates for office. In a tongue-in-cheek nod to the marijuana industry, Fried's also collected about 50 donations in increments of \$4.20. (The number 420 is code for marijuana use in the cannabis culture.)

As of September, her campaign and her political committee, Florida Consumers First, had raised about \$453,238. Nearly \$148,712 of it was raised in the first month or so of her campaign.

"She's really gone from zero to 100," Pollara said. "Now she's cranking into a general election."

John Morgan, a well-known Orlando attorney and proponent of medical marijuana, said Fried is a "woman with a vision." Morgan, who has never publicly endorsed a candidate before, said he decided to go public because of the way she refuses to see marijuana as a "serpent in a box" and wants to take the office in a new direction.

"She's not stuck in the 1950s as a Polk County cowboy," Morgan said. "She is somebody who would make the agriculture cabinet position really relevant, instead of just a rubber stamp for sugar and overseeing carnival rides."

Where does Nikki Fried stand on ...

Big Sugar

Fried has not taken any money from the sugar industry directly but does not criticize the industry.

“Everybody wants to blame everybody for what’s causing the algae blooms,” she said.

“Everybody has a little piece of fault, so I refuse to go after anybody I’d be regulating. Like, why would you want to come and deal with me if I’ve spent the last three months attacking you?”

Marijuana

Fried is one of the state’s most prominent lobbyists for expanding access to medical marijuana.

She estimates that between the cannabis and industrial hemp industries, the state could bring in \$30 billion to \$40 billion in tax revenue for areas like education, affordable housing and other infrastructure. She says that utilizing land in the off season gives the state the opportunity to keep a workforce around yearlong and allow citrus growers to keep land that might otherwise be sold to developers.

“The fact that they have not allowed our farmers to start pursuing those avenues has really hurt the environment, our workforce,” she said in August. “Not allowing growth of cannabis and industrial hemp in the off season is a missed opportunity.”

The National Rifle Association

Fried, who was not endorsed by the NRA nor given an “A” rating, says Caldwell can “hold on to that NRA rating and his guns as tight as he wants.”

“I wouldn’t even have a rating because I haven’t voted on anything,” she said.

North American Free Trade Agreement

Earlier this year, Adam Putnam made a statement underscoring the importance of protecting Florida agriculture from unfair and illegal trade practices amid negotiations. Fried says NAFTA is “good and bad.” She said Mexico’s seasonal produce “dumping” into the U.S. causes Florida to lose out on revenue.

“One component of NAFTA that absolutely needs to be renegotiated is dealing with the seasonal factor.”

In September of last year, the Florida Chamber of Commerce submitted a letter to NAFTA asking for the administration to “level the playing field” when it comes to trade with Canada and Mexico. The agency asked to eliminate some barriers to trade and pursue a more “open and fair” access to the market.

“NAFTA has hurt a lot of our farmers,” Fried said.

Concealed weapon permitting

Fried has a concealed weapons permit and owns a gun, and will “not stand in the way” of anyone who wants a permit, she said. However, conducting an audit of the background check process is at the top of her list.

Putnam was slammed earlier this year after it was reported that for more than a year, the department stopped using results from an FBI crime database that ensures that those who apply to carry a gun do not have a disqualifying history in other states. The employee in charge of the program was unable to log into the system, which went unresolved for more than a year.

“On day one, I want to do an audit to figure out exactly where the holes were in the processing and see how we can quickly fix them,” she said. “The buck stops with me.”

Red tide and blue-green algae

Rising nitrogen and phosphorus levels in Lake Okeechobee combined with runoff from the agriculture industry is a contributor to the toxic blue-green algae plaguing the mouth of the Caloosahatchee River and moving through the connected waterways. It may be a contributing factor to the red tide on the southwest coast.

Earlier in the month Fried and her team took a trip to Fort Myers, where they spent time riding the waterways and talking to locals about the effect of the toxic green slime.

“Some of these men got physically choked up when they were explaining what was happening,” she said. “The smell just hits you.”

She said the government needs to prioritize getting to the root of what’s causing the algae bloom.

“I can’t imagine breathing that in on a normal basis,” she said. “What caused this? And how do we prevent it?”

Nicole “Nikki” Fried

- **Age:** 40
- **Political:** Democrat, first run for office
- **Professional:** Fried got her start as an attorney practicing commercial litigation in Jacksonville. She then moved to Alachua County, where she was a public defender and head of the felony division in the Eighth Judicial Circuit court. After about three years, she moved to South Florida, where she practices law and runs a one-woman lobbying shop — Igniting Florida.
- **Education:** Fried, who grew up in Miami, attended Palmetto High School. She then went to the University Florida, where she received a bachelor’s degree in political science, a master’s degree in political campaigning and a law degree.
- **Family:** Fried was born in Miami, and now lives in Fort Lauderdale.

[Term limits have been ‘a disaster’ for Missouri, say many state leaders](#)

Term limits for state legislators were overwhelmingly approved by Missouri voters in 1992 based on a simple premise: Periodic refreshing of the General Assembly’s ranks would make it more responsive to the people and less prone to corruption.

Twenty-six years later, did it work?

That’s the question The Star’s readers wanted to ask our panel of business leaders, policymakers and community catalysts participating in [“The Missouri Influencers”](#) series. From now until Election Day in November, The Star will be taking questions from readers through the [Your Voice tool](#) on an array of policy issues facing our state and posing those questions to our panel of [51 influential Missourians](#).

On the question of whether term limits have been a success in Missouri, the vast majority responded with a resounding “no.”

Instead, most say term limits contribute to political gridlock; increase the influence of lobbyists, political consultants and bureaucrats; and create greater incentive for lawmakers to seek out lobbying jobs as they approach the end of their time in office.

“Term limits have been a disaster in Missouri,” said Richard Martin, the director of government affairs for JE Dunn Construction and a former Democratic political consultant. “It has transferred the power from the elected officials to the lobbyists and the consultants who get them elected.”

Mike Talboy, a former Democratic lawmaker from Kansas City who now serves as director of government affairs for Burns & McDonnell, said term limits “are terrible and have produced virtually nothing beneficial to policy and governing since being enacted.”

Gregg Keller, a veteran Republican political consultant and principal of Atlas Strategy Group, said Missourians’ desire back in 1992 to “get rid of the professional political class through term limits was understandable.”

But he said it has had the opposite effect in practice.

“It’s ensured that the people in the Capitol who know the most about legislation and the legislative process are the lobbyists who have been there longer than the term-limited representatives of the people,” Keller said.

Jane Dueker, a lawyer, radio host and longtime Democratic political strategist, said term limits also mean lawmakers “don’t have to live with the consequences of their actions.”

“People ascend to leadership before they are ready,” she said. “There is a lack of proper mentoring from long-time legislators. The decorum of the (legislative) bodies has suffered because legislators do not have to deal with their fellow lawmakers for the long term.”

Jean Paul Bradshaw, a lawyer and former U.S. attorney, said term limits make it harder to pass more complicated or controversial legislation that would typically take multiple legislative sessions.

“By the time a legislator gets up to speed on such an issue,” Bradshaw said, “they may be term-limited out and the process has to start all over again.”

‘New blood, new ideas’

Legislators are capped at eight years in the House and eight years in the Senate. To proponents, the arrangement ensures fresh voices get a seat at the table.

“Term limits have allowed more citizens to enter the legislature, and to do so on a regular basis, resulting in a more responsive legislature,” said James Harris, a Republican political strategist. “Without entrenched incumbents, lawmakers are encouraged to keep in touch with the citizens they represent.”

Jennifer Lowry, chief toxicologist at Children’s Mercy Hospital, said term limits have ensured the legislature evolves with the people it is supposed to serve.

“In the past, little turnover meant few chances that forward thinkers could make change in how the government perceived issues and the impacts on the people of Missouri,” Lowry said. “Term limits allow changes to occur that mirrors the population.”

Term limits can result in “new blood, new ideas and greater independence from longstanding ideas and relationships,” said Maurice Watson, a partner with Husch Blackwell law firm.

But Watson says it also means fewer longstanding relationships among legislators, which leads to “less inclination to work together across party lines to get things done for the benefit of all citizens in the state.”

When politicians turn lobbyists

Term limits may ensure no one can make the legislature their career. But Mark Bryant, a lawyer and former Kansas City Council member, said elected officials end up spending “the last two years of their term positioning for another elected office.”

Those who aren’t seeking another elected office often return to the Capitol as a lobbyist, where they will work to influence their wet-behind-the-ears former colleagues. That can fuel a public perception that lawmakers nearing the end of their time in office could be casting votes to curry favor with potential future employers.

Two years ago, the legislature approved a law that requires legislators wait six months after the end of their term before they can return to the Capitol to as a lobbyist. But in some cases, [lawmakers have chosen to resign their seat early](#), before their term officially expires, so that they can fulfill the six-month waiting period and still register as a lobbyist before the next legislative session begins.

John Fierro, Kansas City Public Schools board member, said six months is not long enough.

“Self-interest plays a big part in politics,” he said. “I would recommend advocating for former legislators to wait a full term, of two years, to lobby the House and a full term, of four years, to lobby the Senate.”

Among the many problems with term limits are that legislators are “often looking toward their next office or job opportunity, rather than focusing on their current job and current constituents,” said Jolie Justus, a former Democratic state senator who now serves on the Kansas City council.

Lawmakers have never undertaken a serious effort to undo the voter-imposed term limits. But periodically they’ve sought to alter them.

Earlier this year, the Missouri Senate approved legislation that would have asked voters to amend the Missouri Constitution to allow lawmakers to serve all 16 years in one legislative chamber or the other, instead of eight years in each.

The bill was brought up for debate in the House on the final day of the 2018 legislative session and seemed destined for the November ballot. But it never came up for a vote before the General Assembly adjourned for the year.

“I often told constituents, ‘Term limits mean always being governed by people who almost know what they’re doing,’” said Ryan Silvey, a former Republican state senator who now serves as chairman of the state’s Public Service Commission.

If a legislator can’t develop a working relationship with their colleagues in eight years, “you’re probably in the wrong business,” said Dianne Lynch, president of Stephens College.

“It’s no surprise that many politicians support term limits,” she said, “until they are elected.”

[Appeals court allows Clean Missouri measure to stay on November ballot](#)

The Missouri Western District Court of Appeals ruled Friday to allow the Clean Missouri Initiative to stay on the November ballot.

The decision sets the stage for a Nov. 6 vote on the initiative, also known as Amendment One.

The amendment aims to make the Missouri legislature more transparent.

If passed on Nov. 6, the amendment would make the following changes, according to cleanmissouri.org:

- eliminate almost all lobbyist gifts in the General Assembly
- require legislative records be open to the public
- lower campaign contribution limits for state legislative candidates
- require politicians to wait two years if they want to become lobbyists
- ensure neither political party is given an unfair advantage when new maps are drawn after the next census, by adding criteria for fairness and competitiveness of the overall map, which will be reviewed by a citizen commission and keep compact and contiguous districts

Clean Missouri Communications Director Ben Singer said of Friday's decision in a statement, "We are glad the judges saw through the frivolous arguments of the lobbyists who are terrified of letting Missourians vote on Amendment 1. Reformers across the political spectrum support cleaning up Missouri politics and will be voting yes this November."

Singer said Clean Missouri proponents are active throughout Missouri ahead of the vote. Clean Missouri has a "volunteer army of 1,500-plus volunteers," Singer said.

"People are knocking doors, phone-banking, holding forums, educating the public about why Amendment 1 is so important to clean up our state politics," Singer said.

Daniel Mehan, President and CEO of the Missouri Chamber of Commerce, expressed his displeasure with the decision in a statement.

"We are disappointed in today's appeals court decision which makes it more likely Missouri voters will have to decide a deceptive, poorly-drafted amendment," Mehan said. "Today's decision not only keeps Amendment 1 on the November ballot, it also lowers the bar for the process we use to alter our state constitution."

Mehan said he will ask the Missouri Supreme Court to consider taking up the case.

"If Amendment 1 does end up on the ballot, we will work alongside the growing coalition of opponents to educate Missouri voters about how this activist effort could lead to a radical shift in priorities in the Missouri General Assembly, bringing higher taxes and more bureaucratic regulation," Mehan said.

Justin Arnold, General Counsel for the Missouri Chamber of Commerce, echoed this disappointment.

"I think it's important that Missouri voters know what they're voting on," Arnold said. "The way the amendment was drafted was done in such a way that it will confuse voters and they won't really know that they're actually voting on a fundamental and radical change to the electoral process in Missouri."

Arnold said proponents of Amendment 1 currently have no power in Missouri.

"They're not able to win elections or get anything done through the legislature, and so they're trying to do a run-around of the process by trying to redistrict more favorable legislators that will vote for the things that they want," Arnold said.

Singer touted the amendment's bipartisan support.

"Amendment 1 was signed by more than 300,000 Missourians, and has earned the endorsement of Republican, Democratic and Independent reformers from across the state," Singer said.

Mehan is urging voters to vote no on Clean Missouri.

"We will ask Missourians to vote 'no' on Amendment 1 so that we can continue our progress toward making our state business-friendly and competitive for growth," Mehan said.