



Compliance Notes – Vol. 1, Issue 12

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RECENT LOBBYING, ETHICS & CAMPAIGN FINANCE UPDATES

We read the news, cut through the noise, and provide you the notes.

Welcome to *Compliance Notes* from Nossaman's **Government Relations & Regulation Group** – a periodic digest of the headlines, statutory and regulatory changes, and court cases involving campaign finance, lobbying compliance, election law, and government ethics issues at the federal, state, and local level.

Your attorneys, policy advisors, and compliance consultants are available to discuss any questions or how specific issues may impact your business.

If there is a particular subject or jurisdiction you'd like to see covered, please let us know.

Until then, please enjoy this installment of ***Compliance Notes***. If you would like to have these updates delivered directly to your in-box, please click below to subscribe to our Government Relations & Regulation mailing list.

Campaign Finance & Lobbying Compliance

Arizona: The Secretary of State's Office found reasonable cause that the Goldwater Institute violated a law requiring lobbyists to register with the state after Goldwater testified in legislative committees in favor of a bill that would have barred cities from imposing additional fees on ride-hailing companies like Uber and Lyft that operate at Sky Harbor International Airport. The matter has been referred to the Attorney General's Office. (Jeremy Duda, *AZ Mirror*)

Florida: Top gun lobbyist Marion Hammer faces a probable cause hearing next week before the Florida Commission on Ethics regarding her failure to disclose hundreds of thousands of dollars in payments from the National Rifle Association. (Dan Christensen, *FloridaBulldog.org*)

Kentucky: Federal prosecutors are seeking a sentence of at least five years and three months in prison for former Kentucky Democratic Party Chief Jerry Lundergan. Lundergan, 73, was convicted last year of conspiring to funnel more than \$200,000 in illegal contributions from a Lundergan company into the 2014 U.S. Senate race of his daughter, then-Secretary of State Alison Lundergan Grimes. (Bill Estep, *Lexington Herald Leader*)

New Mexico: Cowboys for Trump must register as a New Mexico political committee and pay \$7,600 in fines for not filing expenditure reports. Cowboys for Trump protested the requirements, arguing that campaign finance laws violate free speech and they do not meet the definition of a political committee as a for-profit organization. (Russell Contreras, *Associated Press*)

Tennessee: The Registry of Election Finance unanimously voted in favor of a \$10,500 penalty against former House Speaker Glen Casada after an audit determined that he failed to accurately report \$26,000 in campaign contributions and expenditures and lacked receipts for \$104,000 of expenses during an 18-month period. (Joel Ebert, *Nashville Tennessean*)

Elections

California: The Republican National Committee dropped its challenge to Gov. Gavin Newsom's executive order expanding vote-by-mail access to every voter in the state, conceding in recent federal court filings that a subsequent law has mooted the dispute. (Porter Wells, *Bloomberg Law*)

Kansas: Rep. Steve Watkins was charged with three felonies (interference with law enforcement by providing false information, voting without being qualified and unlawful advance voting) and a misdemeanor (failure to notify the DMV of his change of address) related to an investigation into whether he illegally voted in a 2019 municipal election. (Bryan Lowry and Jonathan Shorman, *The Kansas City Star*)

Oregon: A federal district court judge issued a preliminary injunction forcing the Secretary of State to either accept a redistricting initiative's low number of signatures as submitted on July 2 or allow additional time to gather 58,789 signatures, which is still fewer than half the signatures required before the pandemic. The Secretary of State chose the latter, extending the deadline to August 17, 2020. (Nigel Jaquis, *Williamette Week*)

South Carolina: Return postage for all mailed absentee ballots in South Carolina's 2020 general election will be prepaid, regardless of the number of voters who qualify and take advantage of absentee voting by mail. (Jamie Lovegrove, *Post and Courier*)

Government Ethics

Arizona: Rep. John Allen, the head of a special Arizona House ethics committee, dropped an investigation into the actions of Rep. David Cook. Cook faced complaints that he engaged in an improper relationship with a lobbyist and helped her avoid a tax seizure. Allen said he made the decision to drop the investigation because he did not believe Cook's conduct "unequivocally constitutes the sort of 'disorderly behavior' punishable under the House's Rules" and the state constitution. (*Associated Press*)

California: The Santa Barbara County grand jury, which is a civil grand jury serving as a watchdog over county agencies, criticized county supervisors for allowing “unfettered access” to marijuana lobbyists as the board voted in their favor. (Joe Mozingo, *Los Angeles Times*)

California: Former Los Angeles City Councilman Mitchell Englander pleaded guilty to a single felony charge in the ongoing corruption probe of City Hall, admitting he accepted cash in envelopes, a hotel stay and other gifts during trips to Las Vegas and the Palm Springs area, and then engaged in an effort to lie to investigators. Englander said he accepts “full responsibility” for his conduct. (David Zahniser, *Los Angeles Times*)

Maryland: Montgomery County Chief Administrative Officer Andrew Kleine has agreed to pay a \$5,000 fine for violating county ethics laws. (Alessia Grunberger, *Patch*)

Montana: Lt. Gov. Mike Cooney received the maximum fine of \$1,000 for violating state ethics laws by participating in a campaign-related video conference call from his state office. Cooney, who is running for governor, participated in a Democratic Governors Association call on his personal laptop in his office at the Capitol on April 13 because he was on a tight schedule as the state dealt with the coronavirus pandemic. His campaign called it an isolated incident. (Amy Beth Hanson, *Associated Press*)

Pennsylvania: Delaware County Council heard the first reading of a proposal to change the county's administrative code. The measure would prohibit (1) gifts of more than \$250 from any person who sought legislative or administrative action from the county in the last 12 months, (2) cash gifts and (3) the solicitation of gifts. (Kathleen E. Carey, *Daily Times*)

Pay-to-Play

Ohio: Federal investigators say Toledo councilmembers Yvonne Harper, Tyrone Riley, Larry Sykes, and Gary Johnson all engaged in pay-to-play for council votes. They were arrested on June 30 by the FBI on bribery and extortion charges and are being pressured to resign from office immediately or face removal by the Ohio Attorney General's Office. (Tom Troy, *The Blade*)

Redistricting

New Jersey: The state Assembly's Judiciary Committee voted 4-2 to advance a measure that would delay its mapmaking process from 2021 to 2023. (Michael Macagnone, *Roll Call*)