



Compliance Notes – Vol. 1, Issue 14

07.29.2020

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.

Elections

Alabama: Voters concerned about COVID-19 will be able to vote via absentee ballot for the Aug. 25 municipal and the November general election. (Brian Lyman, *Montgomery Advertiser*) **Also in Alabama:** Federal appeals judges rejected claims that an Alabama law which requires voters to show government-issued photo identification at the polls is racially discriminatory. (*Associated Press*)

Arkansas: Secretary of State John Thurston's motion to dismiss a lawsuit seeking a declaratory judgment that a voter could request an absentee ballot for any reason without having to declare illness or

“unavoidable absence” was granted. The judge said the three plaintiffs lacked standing as they had not suffered, nor faced “imminent danger of suffering any injury protected by law.” (Max Brantley, *Arkansas Times*)

California: More than 14,000 mail ballots were rejected in the March 3 primary because the signatures on the vote-by-mail envelopes didn’t match the signatures on the voter registration cards. Thousands more were counted only after voters were required to provide a new signature for scrutiny. (John Wildermuth, *San Francisco Chronicle*)

Florida: More Than A Vote, the group that LeBron James helped establish this year, announced it would donate \$100,000 toward payment of fees and fines for people in Florida with past felony convictions so they can register to vote. "Your right to vote shouldn't depend upon whether or not you can pay to exercise it," Miami Heat player Udonis Haslem, who is also a member of More Than A Vote, said. (Brendan Morrow, *The Week*)

Ohio: Less than a week after federal public corruption racketeering charges were filed against the Ohio House Speaker, former chair of the Ohio Republican Party, three other individuals and a 501(c)(4) entity, reform efforts are already underway. Two bills were announced in the Ohio legislature this week through which lawmakers are trying to stop the influence of so-called “dark money.” (Tom Bosco, *ABC 6*)

Government Contracts

California: San Francisco Supervisor Catherine Stefani introduced legislation, dubbed the “No GRAFT Act” (short for Government Rackets, Abuses or Fraudulent Transactions), that would close a loophole in the city’s contracting process. The No GRAFT Act would create a blanket set of rules for how departments award contracts to prequalified pools of companies bidding for city work. (Dominic Fracassa, *San Francisco Chronicle*)

Government Ethics

Federal: Florida Rep. Matt Gaetz was alleged to have improperly sent tens of thousands of taxpayer dollars to an LLC linked to a speech-writing consultant in direct conflict with House ethics rules, according to a POLITICO investigation. Gaetz’s office denies wrongdoing. (Jake Sherman and John Bresnahan, *Politico*)

Colorado: Taxpayers spent \$133,438 covering the cost of John Hickenlooper’s defense attorney in the 18 months before he was found to have violated the state’s gift ban (when he accepted a private jet flight and Maserati limousine ride from corporations). Because the ethics violations occurred while Hickenlooper was governor, his defense was paid for by the government. (Justin Wingerter, *The Denver Post*)

Montana: Public Service Commissioner Tony O’Donnell broke state ethics laws by using his government office to shoot campaign commercials and using the state Public Service Commission seal on his campaign materials. O’Donnell faces a \$2,000 fine. (Tom Lutey, *The Billings Gazette*)

Washington: The state Public Disclosure Commission has found that former Olympia City Manager Steve Hall violated state law for authorizing the use of city resources and staff to print and distribute a mailer opposing an initiative last October. Hall agreed to a \$10,000 fine, half of which he will not have to pay as long as he does not violate campaign finance law within the next four years. (Will Rubin, *The Olympian*)

Signature Gathering

Maryland: A U.S. District Judge approved an agreement allowing unaffiliated candidates to qualify for the November general election ballot with half the number of registered voter signatures that would normally be required. (Jeff Barker, *The Baltimore Sun*)

Oregon: People Not Politicians can continue to gather signatures under a lower threshold to qualify their initiative for the November ballot due to the pandemic, the 9th U.S. Circuit Court of Appeals ruled. Oregon Attorney General Ellen Rosenblum had asked the federal appeals court last week to step in and stop the effort after a federal judge in Eugene ordered Secretary of State Bev Clarno to either accept the signatures the campaign gathered by the deadline earlier this month or give organizers more time and a lower bar to qualify for the ballot. (Hillary Borrud, *The Oregonian/OregonLive*)