



Compliance Notes - Vol. 2, Issue 31

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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.

Our 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

Senator Rand Paul's 2016 presidential campaign committee, which now operates as the Freedom for All Americans PAC, was fined \$21,000 by the Federal Election Commission (FEC) for failing to refund \$257,658 in contributions or redesignate them to another election within 60 days after Paul suspended his campaign in February 2016. (Morgan Watkins, *Louisville Courier Journal*)

Complaints from several nonprofits in 15 states allege that the American Legislative Exchange Council (ALEC) violated campaign finance laws by providing a constituent services software program to state

legislators that was used as a campaign fundraising tool. The states include: Arizona, Connecticut, Florida, Maine, Michigan, Minnesota, New Mexico, Ohio, Oklahoma, New York, Pennsylvania, Tennessee, Texas, Utah and Wisconsin. (Cassie Miller, *Pennsylvania Capital-Star*)

Various states, including New York, North Carolina, Montana and Wisconsin, are considering campaign finance and conflict of interest laws that would limit whether elected judges can accept contributions from lawyers and parties that appear before them. (Billy Corriher, *Governing*)

California: The Digital Transparency Task Force¹ has recommended that the Fair Political Practices Commission (FPPC) create an online archive of political advertisements to increase transparency in campaign spending. (Jeff McDonald, *The San Diego Union-Tribune*)

Maine: The Maine Commission on Governmental Ethics and Election Practices is investigating a \$150,000 contribution to the Maine Democratic Party made by Alpine Initiatives, LLC just four days after its formation and eight days before the 2018 general election. (WMTW)

Michigan: Governor Whitmer raised contributions as large as \$250,000 per person, which were in excess of the state's \$7,150 contribution limit, apparently by relying on a decades-old ruling from Michigan's Secretary of State that permitted unlimited contributions for recall elections. (Emily Lawler, *MLive*)

Government Ethics & Transparency

California: El Monte's City Council is considering creating an ethics commission to enforce rules on members accepting gifts and other conflict of interest laws. The impetus for the ethics reform push is a councilwoman who accepted a \$1,100 payment by a lobbyist to a cosmetic surgeon to help pay for the cost of a procedure. (Adam Elmahrek, *Los Angeles Times*)

North Dakota: The state Ethics Commission approved a \$10 de minimis exception for gifts of food and drink to elected officials and lawmakers, provided that they are consumed during an informal social and educational event and that a state resident is present (though not necessarily the purchaser of the food). (Jack Dura, *The Bismarck Tribune*)

¹Nossaman's Amber Maltbie serves as a member of this Task Force.