ETHICS REPORTER April 2025



Kentucky Legislative Ethics Commission 22 Mill Creek Park, Frankfort, Kentucky 40601-9230 Phone: (502) 573-2863 <u>https://klec.ky.gov</u>

Training Possibility for Lobbyists & Employers in May

STAY TUNED! The Commission staff will conduct an online "Lobbyist Training Session" sometime in the near future. Please watch our website for the announcement. <u>https://klec.ky.gov/Pages/de-fault.aspx</u>. This training will give lobbyists and employers the opportunity to meet the Commission staff, discuss the Commission's website-based filing process, the Code of Legislative Ethics and any questions they might have.

<u>Lobbying Report Deadline</u>

Thursday, May 15, 2025 is the next reporting deadline for lobbying entities. All lobbyists and employers are required to file Updated Registration Statements by that date, for the period of **April 1 through April 30, 2025.** This reporting period will be open for filing these reports on May 1, 2025.

The easiest and quickest way for lobbyists and employers to file is to visit the Commission's website <u>https://apps.klec.ky.gov/lec/onlinefiling.aspx</u> and file online. If you normally email forms to our office, have any changes to previously filed forms or need password resets, please be sure to send them to <u>lori.smither@kylegislature.gov</u>.

Lobbying Spending for the 2025 Session

There are currently 707 lobbyists and 917 employers trying to influence lawmakers on public policy. Lobbying spending for the first three months of 2025 hit \$8.822 million with 7.936 million of that going to compensation paid to lobbyists for their efforts.

Employers also spent over \$229,000 to host receptions, meals and events on legislators and LRC staff so far this year. An additional \$302,590 was spent on lobbying related administrative costs, such as travel and other expenses. Lobbyists on their own spent \$260,912 on out-of-pocket expenses during this time period.

Out of the 917 registered employers, the top 20 spenders for the first three months spent a combined total of \$1,113,407 on their own. That's 13% of the grand total spent by everyone else.

The 2025 top spender is **KY Chamber of Commerce**, which spent \$150,114 in the last three months, the majority of that amount, \$144,715 was compensation paid to their lobbyists. **KY League of Cities, Inc.** was second, spending \$86,793 on lobbying the legislature. The rest of the top 5: **KY Hospital Association** (\$74,298), **Americans for Prosperity** (\$65,558) and the **KY Retail Federation, Inc.** (\$65,457).

The remaining companies in the top 20 spending list are: LG&E and KU Energy LLC (\$57,932), Elevance Health and Affiliates DBA Anthem, Inc. (\$57,089), Greater Louisville, Inc. (\$50,900), KY Assn. of Electric Cooperatives, Inc. (\$46,686), KY Bankers Association (\$45,702), KY Automobile Dealers Association (\$44,603), Altria Client Services LLC (\$41,790), KY Medical Association (\$41,685), Humana Inc. (\$41,671), Suntory Global Spirits (\$41,450), KY Justice Association (\$41,383), KY Primary Care Association (\$40,500), Sazerac Company (\$40,337), American Civil Liberties Union of KY (\$40,297) and HCA Healthcare, Inc. (\$39,162).

Newly-Registered and Terminated Lobbying Employers

The following businesses and organizations recently registered to lobby in Kentucky: American Power Play, Bluegrass Center for Autism, Bullitt County Public Schools, Centurion, LLC, Climavision, Family Medical Centers Community Foundation, Inc. and Wilkinson Builders, Inc.

The following businesses and organizations recently terminated in Kentucky: Access Fund, AffirmedRx PBC, AVF Bluegrass Solutions, Aware Recovery Care, Frankfort Plant Board, Gaggle, Geographic Solutions Inc., Scott Hagan, KY Pork Producers Assn., Life Coordinated Inc., Okta Inc., Recovery Now, Sanitation District No. 1 and Wallace Family.

Ethics & Lobbying News from around the U.S.

Lujan Grisham nixes lobbying transparency bill

BY: MARJORIE CHILDRESS - NEW MEXICO IN DEPTH - April 11, 2025

Gov. Michelle Lujan Grisham vetoed a bill Friday that would have helped New Mexicans keep track of what bills lobbyists were trying to kill or pass, bringing much more sunlight to a generally opaque legislative process.

House Bill 143, sponsored by Rep. Sarah Silva and Sen. Jeff Steinborn, both Democrats from Las Cruces, would have required lobbyists to publicly report the bills they are working to support or defeat during the session.

Lujan Grisham wrote in her veto message that HB143 needed work and that she looks forward to "working with the Legislature in the next session on a bill that really adds transparency and accountability."

"It's a big letdown," said Steinborn, who has pushed for greater lobbying transparency over the past decade. "The governor had an opportunity to make a big step forward in transparency to improve government but instead opted to protect the status quo where lobbyists and insiders have an undisclosed role in shaping and disrupting policy in New Mexico."

In a statement Silva said the governor's decision would keep New Mexicans in the dark about "issues where lobbyists are exerting so much influence – like doctors leaving our state, people being unable to secure affordable housing, and the ongoing challenges we are wrestling with related to our young people and public safety." Steinborn said he would welcome working with Lujan Grisham to craft a bill she could support during the 2026 legislative session, if she chose to prioritize it. In New Mexico's legislative process, every other year the governor must greenlight non-budgetary legislation during shorter legislative sessions. In 2026, that will be the case. In 2027, when lawmakers can introduce bills on any topic, Lujan Grisham will no longer be governor.

It's unclear how many lobbyists asked Lujan Grisham to veto the bill, because currently, New Mexico does not require lobbyists or the governor to file such reports. What bills lobbyists are trying to influence or their positions on them are largely unknown to the public.

"It's ironic that HB143 would have given us information about who lobbied the governor to veto this bill – and without it, we have no way to know," Silva said in her statement. "In other words, her veto demonstrates the need for the very legislation she killed today."

HB 143 would have had New Mexico following the lead of at least 15 other states that require lobbyists to report the bills they are working on, according to a 2018 analysis by the National Conference of State Legislatures.

But lobbyists told New Mexico In Depth and other news organizations after the bill passed that they had concerns about the viability of a requirement in the bill that they file reports within 48-hours of lobbying activity.

There were more than 600 people registered as lobbyists during the session that ended March 22, many of whom met or socialized with lawmakers, testified in committees, and in some cases, worked with the groups they represent to organize outside campaigns involving advertising and community phone calls to influence the outcome of legislation.

Lujan Grisham, in her veto message, said the bill would be "onerous" on lobbyists because of the 48-hour requirement "irrespective of weekends and holidays."

She had other issues with the bill as well.

It's unclear, her message states, how the legislation applies to lobbying activity during the 20 days the governor has to sign or veto bills, after a session ends. And, she wrote, it's unclear what sort of change in position would trigger a lobbyist having to file a new report.

"Suppose a lobbyist's employer who is supporting a piece of legislation has concerns about a new provision added in committee that they desire to have removed. Would this require an updated activity report if they still support the other portions of the legislation? What if they are now just neutral? HB 143 does not specify," her message states.

Lujan Grisham concluded by saying she thought that elected officials with a "donor base" — like legislators and governors — should also disclose when their positions change.

Anointed by powerful father, state Sen. Emil Jones III heads to trial on bribery charges

JASON MEISNER - CHICAGO TRIBUNE - APRIL 6, 2025

Chicago Democrat Emil Jones III was made a state senator in 2008 in a classic Illinois way, on a path paved by his powerful father that left little to chance. Now, Jones is rolling the dice with a federal jury that could send him packing in equally time-honored Illinois fashion: as a convicted felon.

Jones, 46, whose father, Emil Jones Jr., led the state Senate for years before orchestrating having his son replace him, goes on trial Monday on bribery charges alleging he agreed to help a red-light camera company alter legislation in exchange for \$5,000 and a job for his legislative intern.

While the younger Jones' case lacks the blockbuster billing of the recent trials of Democratic powerhouses like ex-House Speaker Michael Madigan and former Chicago Ald. Edward Burke, it's the first case from the sprawling red-light camera probe to go before a jury, and will feature testimony from FBI mole Omar Maani, a founder and executive at SafeSpeed LLC who has so far avoided the witness stand.

Maani made a number of undercover recordings that will be seen and heard for the first time at Jones' trial. Among them: a video of Jones dining with Maani and then-state Sen. Martin Sandoval, the influential Transportation Committee chair, at Gibson's Steakhouse on Rush Street.

Another video taken by Maani allegedly shows him and Jones eating at another downtown restaurant when Maani asked point-blank how much Jones wanted in exchange for his assistance. "You can raise me five grand. That'd be good," Jones allegedly told Maani over that dinner in July 2019.

Jones' trial will also be the first of a sitting politician at the Dirksen U.S. Courthouse since then-Ald. Patrick Daley Thompson was convicted in 2021 on counts of tax fraud and lying to banking regulators. If convicted, Jones would be forced to resign under Illinois law and would almost certainly forfeit any future pension.

Jones, meanwhile, has maintained his innocence. His lawyers have indicated they intend to argue his actions were business as usual and that the government is trying to stretch political give-and-take into bribery.

"Everyday events involving elected officials must be placed in an honest and fair context," Jones' lead attorney, Victor Henderson, told the Tribune last month. "The Senator is looking forward to his day in court."

At a pretrial hearing last month, Henderson said the defense will go after Maani, painting a picture of him as a "practiced cooperator" who knows how to get targets to say what the FBI wants to hear — something Henderson says comes across loud and clear on the recordings.

"This was not a one-off thing," Henderson said. "(Maani) works with the government and has done this to countless other elected officials. ... It's two sides of the same coin. They're involved in a dance, and Maani is the lead dancer."

Censured lawmaker seeks immediate restoration of voting rights in House EMILY ALLEN - **PORTLAND PRESS HERALD, MAINE** - APRIL 4, 2025

A Maine lawmaker is asking a federal judge to immediately restore her ability to vote in the Legislature despite being censured in the House over social media posts she made that identified a transgender student-athlete.

Rep. Laurel Libby, R-Auburn, sued House Speaker Ryan Fecteau, D-Biddeford, on March 11 after she was stripped of her ability to speak and vote on the House floor in a party-line vote in late February.

During the vote, Democrats agreed that Libby had violated House ethics rules by publicly identifying and endangering a transgender girl at a sporting event, using the student's picture and first name on Facebook. Her posts garnered widespread, national attention and, Fecteau's attorneys pointed out, threats of harm to the student.

Libby has argued the censure violates her First and 14th Amendment rights by punishing her for "protected speech outside the walls of the State House." She believes she is being silenced by the Democratic majority over her criticism that Maine's transgender athlete policy is unfair.

Fecteau has said the censure would be removed if Libby apologizes to the House, but Libby has said she will not do so.

The case relies on unprecedented constitutional arguments that likely won't get an immediate ruling. But her attorney argued at a hearing over Zoom on Friday in front of U.S. District Judge Melissa Dubose that they have a more urgent concern: the impact of Libby's censure on her constituents who don't have someone voting on their behalf in the Legislature.

"District 90 now stands voiceless on the House floor — unable to vote, unable to speak, and unable to be represented on matters ranging from an \$11 billion state budget to local priorities impacting working families," Libby wrote in an email before the hearing. A spokesperson for Fecteau declined to respond, citing the pending litigation.

Libby is joined in her lawsuit by six constituents. Their lawyer, Patrick Strawbridge, said the House rules for censure were illegally applied to Libby for actions outside the House that didn't have any effect on its proceedings.

"This was not like some sort of violent or obstructive act," Strawbridge argued. "This was speech that occurred outside the House."

He argued the censure vote was a way to circumvent other procedures the House could have used that come with safeguards and due process for Libby and her constituents, like expulsion or a recall.

Strawbridge said he was troubled that the censure could last until the end of next year.

"They are stuck in limbo for this session, and perhaps the next session," Strawbridge said in court. "I think the slippery slopes here are staring the court right in the face."

Lawyers from the Office of the Maine Attorney General, who are representing Fecteau, said in court Friday that everything he did was a legislative act, and that he's entitled to legislative immunity that protects against liability save for the most extreme circumstances.

Assistant Attorney General Kimberly Patwardhan said Libby still maintains other privileges as a legislator, including the ability to participate in committees and introduce bills. Patwardhan also said that Libby agreed to the House's rules when she was sworn in, and she should have known this was a risk for her conduct.

Dubose, the judge pushed back on that, given that Libby's posts were made outside the State House. She asked hypothetically if this means Libby and other lawmakers "don't have the luxury of being able to have an opinion."

The judge also questioned if the House ethics rule were being selectively applied, pointing to other hypothetical lawmakers who might post pictures of children for other causes.

"I think that we always expect better conduct from our elected officials than members of our general citizenry," Patwardhan said. The censure wasn't about Libby's opinions, only that she put a child at risk, Patwardhan said.

Dubose did not immediately make a ruling and did not give an indication of when he would issue one.

In a phone call after the hearing, Libby said she was taken aback by the state's arguments that she doesn't have a "personal First Amendment right to vote" on the House floor. She said her prolonged inability to vote on legislation, including the biennial budget, would set a terrible precedent.

"I think that my constituents, when they think of me representing them, they're thinking of my ability to vote and speak on the floor," Libby said in a phone call. "The inability to speak to that legislation, especially in the minority, where it may not change the outcome but can at least register the opinion of my district, is crucial."