

**ETHICS REPORTER**

**December, 2020**

Kentucky Legislative Ethics Commission

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<http://klec.ky.gov>

***Mandatory Ethics Training on January 6th for all legislators***



The 2021 Current Issues ethics session for members of the General Assembly will be held on Wednesday, January 6, 2021. The 2 hour session will start at 9 a.m. and will last until 11 a.m., and will be held virtually on Zoom. The members have been provided with the Zoom login and further details via email. The Ethics Code requires this 2-hour Current Issues session for legislators each year.



***Year-end spending reports due by January 15***

Employer and Legislative Agent Updated Registration Statements for the period of September 1 to December 31, 2020 are required to be filed by Wednesday, January 15, 2021.

To file forms quickly and easily, please use the Legislative Ethics Commission’s website at <http://klec.ky.gov/>. The **File Forms Online** box is on the front page of the website. If there are questions about an employer's or legislative agent's form, please contact the Commission office at (502) 573-2863.

***New & terminated employers***

There are 721 businesses and organizations, and 608 legislative agents, registered to lobby the General Assembly. Those organizations which have recently registered to lobby include: **HHR Kentucky LLC (Castle Hill Gaming)**; **KY Lions Eye Bank**; and **Software Management**.

Those which have recently terminated lobbying are: **Evolent Health**; and **KY Raceway LLC.**

***Training for Lobbyists and Employers on video***

The Legislative Ethics Commission has a training video from one of our in-person lobbyist and employer trainings on the LRC Capitol Connection YouTube page, for viewing at any time. The link is on our website, and also on the LRC Capitol Connection page at <https://www.youtube.com/watch?v=ojKIWUNV8po&feature=youtu.be>. The video walks through the online filing process in step-by-step detail. Please call us with any questions!

***Overview of Legislative Ethics Code online***

The Legislative Ethics Commission has a PowerPoint overview of the Legislative Ethics Code available for reference. The link is on our website, and also on the LRC Capitol Connection page at <https://www.youtube.com/watch?v=I4FJvhrSoao>. Feel free to watch!

***Financial disclosures for legislators on KLEC site***

The Commission has the statutorily required financial disclosures for legislators available on the Commission’s website at <https://klec.ky.gov/Reports/Pages/Legislators-and-Candidates.aspx>. The Commission appreciates their diligence in promptly filing these disclosures.

***Reminder-Candidates, legislators and major management personnel***

Sitting members of the General Assembly and major management personnel with the legislative branch must file their financial disclosures by February 15, 2021. Copies of the required form are available at the Legislative Ethics Commission website at: <https://klec.ky.gov/Forms/Pages/default.aspx>

***Commission Office Procedures and COVID-19***

Due to the current COVID-19 pandemic and following guidance from federal, state, and local officials, the Commission halted in-person services at its Frankfort office as of Tuesday, March 17. Email notifications were made to legislators and staff, as well as lobbyists, and employers, and a notice was placed on the Commission’s website and office door.

Legislators, staff, lobbyists, employers, and the public may continue to contact the office by phone at (502) 573-2863, by fax at (502) 573-2929, and via the email addresses listed on the staff page: <https://klec.ky.gov/About-KLEC/Pages/Commission-Staff.aspx.>

Additionally, new lines for direct access to Commission staff have been added. You may reach Laura Hendrix, Executive Director, at (502) 573-2910, and Emily Dennis, Counsel, at (502) 573-2911. You may still reach Donnita Crittenden and Lori Smither at the main Commission number, (502) 573-2863.

If you need to send the Commission copies of paperwork, please scan and email it to the email addresses as listed on the staff page, or fax to the number above.

Continued thanks to the many lobbying entities who have honored our request to begin filing online, and those who have utilized this service for many years. If a lobbyist or employer is currently filing disclosures by paper and would like to file online, please email us and we can contact you with an ID and password.

If an entity needs to register as a lobbyist or employer, please email the required scanned paperwork to Donnita Crittenden or Lori Smither at the staff emails in the link above or fax them to (502) 573-2929. Blank forms may be found at <https://klec.ky.gov/Forms/Pages/Get-Blank-Forms.aspx.>

All provisions of the Code of Legislative Ethics are in force during this time. If there is a need for an opinion about the application of the Code to any particular ethical issue that may arise, please continue to contact us and we will answer your questions.



***Ethics & Lobbying News from around the U.S.***

***Ethics panel rebukes legislator accused of having sex with intern***

**MISSOURI**– ***ST. LOUIS POST-DISPATCH*** – by Kurt Erickson -- December 16, 2020

A state lawmaker from St. Louis faces censure after an investigation into whether he had sex with his legislative intern earlier this year.

Rep. Wiley Price IV, who won his second, two-year term on Nov. 3, did not admit to having sex with the intern, but was found to have attempted to cover up the incident and interfered in the House Ethics Committee probe into his behavior.

In an eight-page report made public Wednesday, the 10-person committee recommended the full House strongly admonish the legislator, whose district spans the west side of the city, including Forest Park and the Wells-Goodfellow neighborhood.

That could include stripping Price of his committee assignments and not allowing him to meet with his caucus. He also will be barred from having an intern in the future, and the report calls for Price to repay $22,494 to cover the cost of the investigation.

Lawmakers who previously have been in similar circumstances have resigned their posts rather than serve under those conditions.

Price did not respond to a request for comment. An aide said he hadn’t seen the report.

The committee — made up of an equal number of Republicans and Democrats — unanimously concluded Price should face sanctions after a witness, who was his legislative assistant at the time, said Price threatened her if she reported his behavior.

“Where I come from, people die for doing s\*\*\* like this,” she said Price told her.

According to the report, the aide contacted the House Division of Administration on Jan. 27 to report Price had told her “he had sex with (the intern) the night before.”

The college-age intern did not testify before the committee. The report said Price committed perjury by denying he had an inappropriate relationship.

Price’s “conduct has compromised the ability of the House to provide a respectful, professional work environment,” the report said.

The panel also criticized Price’s attorney for leaving his phone in a hearing room in an attempt to record closed-door deliberations among the members.

“The phone was returned to counsel after the audio file was deleted from the device,” the report notes.

House leaders, including outgoing Speaker Elijah Haahr, and incoming Speaker Rob Vescovo issued a joint statement commending the panel.

“The committee worked diligently using the process put in place under House Speaker Todd Richardson that was designed to prevent and resolve inappropriate behavior and improve the culture in the Capitol. We will pursue the recommendation for censure that was unanimously approved by the five Republicans and five Democrats who make up the committee,” the statement noted.

House Minority Leader Crystal Quade offered no opinion on the allegations, saying it will be up to the full House to evaluate the evidence and determine the appropriate action. “We expect that process to be conducted in a swift and fair manner when the Legislature reconvenes in January,” Quade said.

In addition to his legislative duties, Price, 36, is employed as a marketing director. He previously worked in management for UPS.

Price attended Cardinal Ritter College Prep and St. Louis Community College at Forest Park. In 2015, legislative leaders pledged to clean up the culture at the Capitol by bolstering policies against sexual harassment and those regarding interns, as well as pushing ethics reform in the wake of intern-related scandals that led two lawmakers to resign.

Nationwide, more than 100 state legislators have been publicly accused of sexual harassment or misconduct since the start of 2017, according to an Associated Press tally.

The ethics committee already is poised to launch an investigation into a newly elected lawmaker when the Legislature reconvenes in January.

Rick Roeber of Lee’s Summit was accused of physical and sexual abuse by his adult children in the weeks before the Nov. 3 election. The adult children of Rep. Rick Roeber first spoke publicly of the abuse to the Kansas City Star.

For now, he won’t be allowed to join the House caucus while the panel conducts its inquiry.

Last year, Rep. DaRon McGee, of Kansas City, resigned after an investigation into a sexual harassment complaint found he had engaged in “ethical misconduct” by sending flirtatious text messages and repeatedly pursuing a relationship with a legislative employee whom he supervised.

The House Ethics Committee last year also found that state Rep. Rocky Miller, of Lake Ozark, had engaged in “unbecoming” conduct by creating a false rumor that another lawmaker was having an affair with a House employee. An outside investigation concluded that Miller’s actions weren’t severe enough to qualify as sexual harassment under federal or state law but may have violated the House’s sexual harassment policy. The ethics panel did not recommend any action against Miller.

***FBI questions Alaska lawmakers over Permanent Fund dividend***

**ALASKA**– ***Associated Press***– December 10, 2020

The FBI has interviewed or sought to interview at least 11 Alaska state legislators this year, with some of the interviews including questions about the state’s Permanent Fund dividend.

Federal investigators asked whether lawmakers received financial benefits in exchange for their votes, The Anchorage Daily News reported Tuesday.

The newspaper sent a questionnaire about the FBI investigation to all 59 members of the Legislature. Among 35 responses received, 10 lawmakers said they were contacted by the FBI, 22 said they were not and three declined to answer.

Every lawmaker who responded to the questionnaire or was interviewed by the Anchorage Daily News said they do not believe anyone in the Legislature has committed a crime.

“I was asked if I was aware of other legislators who had been asked to vote a certain way regarding the Permanent Fund dividend in exchange for something of value,” state Sen. Bill Wielechowski said. Wielechowski was not aware of any lawmakers who had done so, he said Tuesday.

At least three Senators were interviewed in late spring or early summer, state senators said.

The focus of the investigation was not clear and not all legislators who were interviewed divulged the questions put to them. Many expressed concerns about inadvertently interfering with a federal investigation.

Chloe Martin, public affairs officer for the FBI’s Anchorage field office, said the agency does not confirm or deny investigations or release information concerning interviews.

“Combating public corruption is a top priority for the FBI, and we take all allegations of this nature seriously,” Martin said.

An interview may not mean a legislator is under investigation. Several lawmakers said the FBI told them during questioning they were not under investigation.

The FBI has scheduled more interviews this month, including some with members of the state House of Representatives, legislators said.

Senators met Nov. 13 for the first time since the general election.

Sen. Peter Micciche, who was interviewed by the FBI twice earlier this year, said he brought up the FBI investigation during the meeting.

“Folks have been talking about a possible investigation, and I wanted to clear the air in a new caucus that we intend to build on transparency, trust and finding common ground on what’s best for Alaskans,” Micciche said.

***California-based Independent Voter Project hosts trip to Hawaii for state legislators, raising ethics filing probe***

**TEXAS**– ***THE CENTER SQUARE*** – by Bethany Blankley -- December 9, 2020

While Austin Mayor Steve Adler told Austinites to stay home while he was vacationing in Cabo San Lucas, Mexico, and while a record number of Texans remain unemployed, or are forced to operate their businesses at less than full capacity, a California-based organization paid for roughly 100 legislators from four states, including Texas, to attend a four-day fundraising event in Hawaii.

Two attendees who confirmed their participation in the event held the week before Thanksgiving at the Fairmont Kea Lani are state Sen. Larry Taylor and state Rep. Lyle Larson. Both confirmed their attendance to the Dallas Morning News.

“Roughly 100 people from four states converged at the Fairmont Kea Lani for a four-day legislative conference organized by the Independent Voter Project, said the group's chair and executive director, Dan Howle,” [Politico](https://www.politico.com/states/california/story/2020/11/16/california-lawmakers-head-to-maui-with-lobbyists-despite-pandemic-travel-warnings-1336605) reported. “The 18th annual event was a third of its regular size, Howle said, but it still drew nearly 20 lawmakers from California, Texas and Washington state.”

The San Francisco Chronicle reported that roughly 50 people attended, including 20 state legislators from California and Texas.

The Independent Voter Project, according to its website, is a 501 C-3 organization created to “re-engage nonpartisan voters and promote nonpartisan election reforms through initiatives, litigation, and voter education.” It was founded in 2006 with a $1 million grant from San Antonio-born John Jay Broderick, known as John Moores, the former owner of the San Diego Padres Major League Baseball team.

In 2008, IVP successfully influenced the passing of a California ballot measure that created the first nonpartisan primary in the state.

Despite Hawaii’s stringent lockdown, IVP received special permission from the county to hold a conference with more than the county’s 12-person limit, Politico reported. Unlike IVP, prior to his trip to Mexico, Adler did not request permission from the county for his daughter’s wedding of 20 participants to exceed the county’s 10-person limit for gatherings.

In order to participate in Hawaii's mandatory Safe Travels program, and to avoid a lengthy quarantine, participants were required to provide proof of a negative COVID-19 test taken within 72 hours of arrival.

However, the [Dallas Morning News](https://www.dallasnews.com/news/investigations/2020/12/04/as-covid-spiked-in-texas-lawmakers-escaped-to-maui-for-corporate-backed-confab-on-economy/) found that over the last three years of IVP hosting this trip, potential financial disclosure violations exist for Texas lawmakers who attended. It reported that “potentially tens of thousands of dollars in expenses the Independent Voter Project covered for Texas legislators to attend its last three conferences were never disclosed. Critics of Texas ethics laws say this lapse reveals how loosely the state’s rules are followed and proves they should be tightened.”

Larson’s office said he will not be attending “any conference or event held by this group in the future,” after the Dallas Morning News uncovered the discrepancy.

Larson, who attended the conference for the past three years, is amending his ethics filings in an effort to avoid fines for not having previously disclosed that he attended these conferences at the expense of IVP.

Larson’s office claimed not to know that IVP did not report the expenses over the last three years and reportedly never checked when reporting his ethics filings over the same time period.