

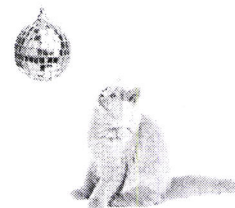


ETHICS REPORTER

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Changes strengthen Kentucky's Ethics Law: Media & pundits yawn, look for shiny objects



Legislation adopted in the 2014 Kentucky General Assembly gives Kentucky the strongest and most comprehensive legislative ethics law in the United States.

The new legislation (House Bill 28) includes a "no cup of coffee" provision, a ban on certain in-session campaign contributions, and a ban on interest groups paying for legislators' travel. See: <http://www.lrc.ky.gov/record/14rs/HB28.htm>

By following the guidelines set forth in the Code of Legislative Ethics in 1993, Kentucky legislators and lobbyists have for over 20 years avoided the law enforcement investigations, indictments, trials, and prison terms that have plagued so many state legislatures around the nation, including six of the seven states surrounding Kentucky.

When the ethics law amendments take effect in mid-July, Kentucky will be the only state with all of the following provisions in its legislative ethics code:

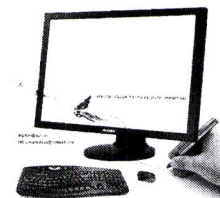
- A year-round ban on lobbyist campaign contributions to legislators and legislative candidates;
- A ban on campaign contributions from PACs and employers of lobbyists to legislators and candidates during legislative sessions;
- A "no cup of coffee" law, prohibiting lobbyists and employers from spending any money on food and beverages for individual legislators, candidates, and their immediate family members;
- A prohibition on lobbyists and their employers giving anything of value to a legislator, candidate, or the spouse or child of a legislator or candidate;
- A ban on lobbyists and employers paying for out-of-state transportation or lodging expenses for legislators;
- A ban on lobbyists soliciting, controlling, or delivering ("bundling") campaign contributions for legislators or candidates;

- A prohibition on legislators using their public office for private gain;
- A ban on legislators using public funds, time, or personnel for partisan political campaign activity;
- A “revolving door” provision, prohibiting former legislators from becoming lobbyists until two years have elapsed since leaving office;
- A ban on legislators accepting honoraria for appearances, speeches, or articles;
- A requirement that legislators and candidates file a financial disclosure statement, with legislators required to file annually;
- A ban on legislators or candidates holding a contract with a state agency;
- A requirement for all legislators to attend annual ethics training sessions in January;
- A requirement for employers of lobbyists to report the cost of advertising which appears during a session of the General Assembly, and which supports or opposes legislation, if the cost is paid by the employer, or a person affiliated with the employer; and
- An independent, citizen-run Legislative Ethics Commission that includes no members of the General Assembly or others who hold public office, and which oversees the ethics code which applies to legislators, legislative candidates, lobbyists, and employers of lobbyists.

As it moved through the 2014 General Assembly, the ethics bill received no media coverage or editorial comment. Likewise, 21 years without criminal investigations and grand jury indictments of legislators or lobbyists appears to be not newsworthy, and certainly doesn't draw the media attention of a good old-fashioned scandal.

However, the absence of criminal activity in the legislative branch of Kentucky state government for more than two decades is worth noting, and enhances public confidence in the General Assembly.

Financial disclosure reports on Commission website



The financial disclosure reports for all 138 members of the Kentucky General Assembly are available for viewing on the Legislative Ethics Commission's website:

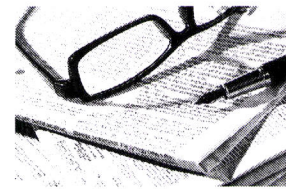
<http://klec.ky.gov/reports/legislators.htm>

2014 legislative candidate filings are coming in, and those should be available at the same site by Friday, May 2.

Op-Ed piece by Ethics Commission Chairman:

Changes Improve Kentucky Ethics Law

*By George C. Troutman, Chairman
Kentucky Legislative Ethics Commission*



The 2014 Kentucky General Assembly adopted a new law (House Bill 28) strengthening our state's Code of Legislative Ethics for the first time since the Code's adoption in 1993.

With these improvements, Kentucky solidifies its stature as the state with the most effective and comprehensive legislative ethics law in the nation.

Kentucky's ethics law was enacted in 1993, in the wake of the BOPTROT scandal, and has long been viewed as one of the nation's strongest laws regulating the conduct of legislators and lobbyists.

For over 20 years, while many states have experienced serious bribery and corruption scandals, Kentucky's ethics law has helped prevent those kinds of episodes.

This year, the General Assembly strengthened the ethics law in several important areas:

- During sessions of the General Assembly, legislators and legislative candidates will be prohibited from accepting campaign contributions from political action committees and from businesses or organizations that employ lobbyists;
- The ethics code will now include a "no cup of coffee" provision, meaning lobbyists and their employers will be prohibited from buying a meal, or even a cup of coffee, for an individual legislator, legislative candidate, or a legislator or candidate's spouse or child;
- Lobbyists are already prohibited from giving campaign contributions to legislators and candidates at any time, and the new law prohibits lobbyists from raising and bringing other people's contributions to legislative campaigns;
- The new law prohibits lobbyists and their employers from paying for out-of-state travel for legislators; and
- The new law will require businesses and organizations which employ lobbyists to report all spending on advertising during legislative sessions which supports or opposes legislation. Advertising is a growing and expensive part of lobbying, and citizens will be better informed about who is paying for this type of "grass roots" lobbying.

Kentucky's current ethics law prohibition on lobbyists making campaign contributions to legislators and candidates is one of the strongest and most effective ethics statutes in the nation. The law draws clear lines between state legislators and the political influence of lobbying interests.

The changes adopted in House Bill 28 will enhance those boundaries and help our state avoid much of the perception that plagues the U.S. Congress – that special interests' campaign contributions and other spending are influencing legislative actions.

This is a significant step in building public confidence in the integrity of Kentucky's law-making process. While we may have disagreements from time to time about the General Assembly's policy decisions, it's vitally important for the legislative process to work without inappropriate influence from businesses or organizations that have a financial stake in the outcome.

Look no farther than our neighboring states. In recent years, six of the states surrounding Kentucky have seen legislators convicted on charges such as bribery, extortion, and mail fraud.

In several states, including Alaska, New York, Pennsylvania, and Tennessee, numerous legislators of both parties have gone to prison. Imagine how that undermines the public trust.

By adopting these new ethics law provisions, the Kentucky General Assembly has reinforced its commitment to ethical decision-making in the legislative arena. The new law is based on recommendations developed by Legislative Ethics Commission members, former State Rep. Pat Freibert and former Court of Appeals Judge Paul Gudgel.

The Commission believes these changes will create a clear bright line between legislators and candidates, and the businesses and organizations that have interests before the Legislature.

The advertising reporting requirement will provide significant new information to the public about an increasingly important form of lobbying.

The 2014 General Assembly has made a strong statement, and Kentucky continues to provide an ethical roadmap for other states and Congress to follow.

George C. Troutman of Louisville has served on the Legislative Ethics Commission since 1994.

Lobbying events held in 2014 Session



During the just-completed session of the General Assembly, businesses and other interest groups sponsored several lobbying-related events to which legislators were invited.

For example, **Coal Operators & Associates, Kentucky Coal Association, Kentucky Oil & Gas Association, and Western Kentucky Coal Association** combined to spend \$14,292 on the Legislative Energy Reception at Buffalo Trace Distillery; **Kentucky Equine Education Alliance** spent \$7,900 on a legislative reception at Capital Plaza Hotel; **Kentucky Association of Realtors** spent \$5,703 on a reception at Capital Plaza Hotel; and **Kentucky School Boards Association** spent \$5,298 on a Kids First Advocacy Reception at the Capital Plaza Hotel.

Other events include: **Kentucky Association of Sexual Assault Programs, Inc.** spent \$4,500 on a dinner at the Capital Plaza Hotel; and **Greater Louisville, Inc., Humana Inc., KentuckyOne Health, Kentucky Center for the Arts Endowment Fund, Kentucky Distillers Association, LG&E and KU Energy, LLC, Louisville and Jefferson County Metropolitan Sewer District, Louisville Convention & Visitors Bureau, Louisville Regional Airport Authority, Louisville Water Company, Norton Healthcare, Inc., United Parcel Service, University Health Care, Inc., YUM! Brands, Inc.,** and two lobbyists combined to spend \$3,900 on Louisville Night at the Kentucky History Center.

Ethics & Lobbying News from Around the U.S.A.



Photo by Bud Kraft

Alabama State Rep. Wren resigns ... 'alleged corruption at high levels of state government'

ALABAMA – *Montgomery Advertiser* – By Kala Kachmar and Brian Lyman -- April 1, 2014

Montgomery -- Rep. Greg Wren of Montgomery abruptly resigned Tuesday from the House of Representatives, and pleaded guilty to a charge of using his office for personal gain.

Wren, 59, received two years probation, a 12-month suspended sentence and agreed to pay \$24,000 in restitution to the General Fund within 90 days. Documents filed in the case said Wren, an insurance agent by trade who served as chairman of the Joint Legislative Medicaid Committee, inserted language that would have given Bessemer-based **American Pharmacy Cooperative, Inc.** (APCI) an edge in certain Medicaid contracts.

According to the plea agreement, **APCI** helped Wren secure an \$8,000 a month consulting contract with **RxAlly**, a national association of pharmacies, and later passed confidential documents related to the Alabama Medicaid Agency to a senior manager there.

The former representative could have faced up to a year in jail if convicted in court on the charge. Wren, appearing calm, quiet and remorseful after entering the agreement, said he was ready to move on. "I'm kind of glad to have this behind me," he said. "It's been a difficult process."

Acting Attorney General W. Van Davis, a supernumerary district attorney appointed by Attorney General Luther Strange, said in a statement announcing the plea that he was looking into "a matter involving alleged corruption at high levels of state government."

"Former Representative Wren's guilty plea, negotiated in light of his acceptance of responsibility and cooperation with the State, marks a significant point in the ongoing investigation," the statement said. "We will continue to enforce the laws of the State of Alabama vigorously and professionally without regard to political affiliation or position."

The Alabama Medicaid Agency has been exploring the possibility of a pharmacy benefit manager (PBM) in order to bring down the costs of prescription drugs in the program. The plea agreement says the **APCI** provided language to Wren early in the 2013 legislative session to put in the General Fund budget. The language would effectively mean the co-op would be the only company that could meet the requirements of any contract authorized by the Alabama Medicaid Agency.

As Wren was shopping the language around to legislative leadership, the agreement says, senior management with the cooperative helped Wren secure a contract with **RxAlly**, partly owned by the **APCI**, for consulting, worth a total of \$24,000. Rumors have swirled for several months over a grand jury convened in Lee County, part of which is represented by House Speaker Mike Hubbard of Auburn.

James Anderson, an attorney representing Wren, said the representative "has been to the grand jury in Lee County" and has a "relationship" worked out with investigators and prosecutors.

Former Assemblyman Jeff Miller fined for accepting improper gift

CALIFORNIA – Los Angeles Times -- By Patrick McGreevy -- April 7, 2014

Sacramento -- Former state Assemblyman Jeff Miller of Corona has agreed to pay a \$1,000 fine for improperly accepting a gift of two tickets, arranged by a lobbyist, to a **San Francisco 49ers** football game.

The fine is continuing fallout from the state Fair Political Practices Commission investigation into the lobbyist firm Sloat Higgins Jensen & Associates. The probe resulted in a \$133,500 fine against the firm in February for improperly making campaign contributions to about 40 politicians and gifts to three others, including Miller. It was a record fine against a lobbyist firm.

The state ethics agency determined that then-Assemblyman Miller "knowingly received a gift arranged by lobbying firm Sloat Higgins Jensen & Associates in violation of" the state Political Reform Act in 2011, according to documents. The tickets were worth \$258 and at the time, lobbyist Kevin Sloat and his firm were registered as lobbyists for the **49ers**.

State law prohibits elected officials from accepting gifts arranged by lobbyists "to prevent improper influence on public officials," according to the investigative report in the case. Gifts arranged by lobbyists "presumably present a greater threat of improper influence," the commission report says.

Rep. Eric Turner will avoid discipline

INDIANA – WISH TV – by Jim Shella - April 23, 2014

Indianapolis -- Members of the House Ethics Committee indicated Wednesday that State Representative Eric Turner will not be disciplined for a private lobbying effort that could benefit his family business.

The bottom line is that Eric Turner, apparently, broke no rules, but his behavior may yet lead to the adoption of new ones.

When the Ethics Committee met to consider actions by Turner he wasn't there. His attorney, Toby McClamroch, sat in the front row but never spoke.

Turner, of Cicero, did send written responses to committee questions and Chairman Greg Steuerwald read some of them aloud including one where Turner said, "I violated neither House rules, nor the code of ethics."

It's all about legislation that could benefit the **Mainstreet Property Group**, a nursing home company that builds upscale facilities. It's owned by Rep. Turner's son and Turner is an investor. During a private legislative caucus, Turner argued against a nursing home moratorium that would hurt the company. He admitted to doing so in a written response.

"I offered my particular expertise on the nursing home industry and the nursing home moratorium," he said in answer read aloud by Steuerwald. The committee found that there are no rules that apply to private caucuses.

"What went on in caucus, stays in caucus," said Rep. Clyde Kersey of Terre Haute. "As far as everything else, he followed the rules."

A government watchdog says it's not fair to the public. "If you can act one way in public and behave totally differently privately," said Julia Vaughn of Common Cause, "that really raises concerns and I think it makes the public part of the process a charade."

The committee will meet later in the year to consider changes in the House rules that could include new reporting requirements. That's because Turner reported ownership in a parent corporation but didn't report ownership in the nursing home company, unless it was inside the private caucus.

Proposed ban on lobbyist gifts dropped after debate

MISSOURI – *Springfield News-Leader* – By Jonathan Shorman -- April 15, 2014

Jefferson City -- An attempt at ethics reform fell flat in the Senate after the bill's sponsor withdrew the latest version of his legislation. The move came after a Senate leader expressed concern with the proposal.

Sen. Brad Lager of Savannah took back a substitute version of Senate Bill 966 after the chamber debated the measure. The substitute would largely end lobbyist gifts to lawmakers. Gifts, such as meals and event tickets, would have to be reimbursed within 30 days. The original bill did not contain a gifts ban and instead focused on implementing a two-year cooling off period for lawmakers after they leave office before they can become lobbyists.

Debate on the bill focused on an effort to limit campaign contributions. Lager was resistant to an amendment from Sen. Jason Holsman of Kansas City that would create contribution caps of \$2,500 for representative races, \$5,000 for Senate races and \$10,000 for statewide races. Holsman argued that a lobbyist buying a steak dinner for a lawmaker pales in comparison to donors funneling hundreds of thousands of dollars into campaigns.

Coupling contribution limits with lobbying reform does not have the support of Senate leadership. Senate President Pro Tem Tom Dempsey, St. Charles, told reporters he wants to see the two issues tackled separately.

Lawmakers take trips to Israel, California, New Orleans on lobbyists' dime

MISSOURI – *St. Louis Post-Dispatch* – by Kevin McDermott – April 21, 2014

With Missouri struggling to fund basic services like education and health care, some might be surprised to learn that a bill pending in the Legislature would require the state to establish an economic office in Israel.

The proposal, which is projected to cost the state \$250,000 in its first year, is sponsored by state Sen. Mike Parson of Bolivar. In February, Parson argued it would be well worth the money, providing "a tremendous opportunity for the state of Missouri" to benefit from Israel's booming biotechnology sector.

Parson saw that booming sector for himself in December 2012, on a trip he and a half-dozen other legislators and their spouses took to Israel. They traveled there, in part, courtesy of the **Jewish Federation of St. Louis** and the **Missouri Biotechnology Association**, which together spent more than \$25,000 to host the trip. The Israel trip was part of more than \$200,000 that various industry and special interest groups have expended to pay for shuttling, lodging, food and activities — including golf — for Missouri lawmakers on trips to New Orleans, California, Utah and elsewhere in the past three years, according to a *Post-Dispatch* analysis of public records.

The records show the travel-related spending in many cases includes airline tickets and hotel rooms. It also comes in the form of meals while on trips, convention fees and other related spending. In lobbyist gift records, the actual spending is generally attributed to a company, industry or trade organization, but it is linked in the records to specific lobbyists — that is, people whose job is to influence legislators.

Lobbyists represent the companies or associations that pay for the travel, and they are the ones who know the lawmakers and arrange the trips. Perhaps not surprisingly, they vehemently defend the travel as crucial educational outings rather than pleasure junkets. "This was a pretty tough trip. It was five days on the ground, a lot of meetings," Dave Winton, a lobbyist for the **Jewish Federation of St. Louis**, said of the Israel trip that the group co-sponsored.

The trips are perfectly legal in Missouri, but critics say the practice creates conflicts of interest when those legislators go to vote on issues important to those lobbyists and industries. "It's a very expensive version of the rationalization of a cup of coffee or a steak dinner," said John Messmer, founder of Missourians for Government Reform. "Make no mistake: These are vacations that are masquerading as something else.

It was a busy month for traveling Missouri legislators. Right around the time the four Missouri lawmakers were in Seattle, others of their Jefferson City colleagues were in San Jose, Calif., attending a different technology conference, courtesy of different corporate sponsors, records show.

Missouri Secretary of State Jason Kander is seeking a law that would ban all lobbyist gifts to lawmakers. Such a gift ban would apparently encompass the travel perks, which are listed in the same records and sports tickets, concert seats, meals and other typical lobbyist gifts. "There's really no justification for any lobbyist gifts," Kander said last week.

States look harder at rules on gifts to lawmakers

PENNSYLVANIA – Philadelphia Inquirer -- By Amy Worden – April 7, 2014

Harrisburg -- At the turn of the 20th century, when robber barons ruled the Capitol, lobbyists were known to toss bags of cash through the transom vents above the doors of lawmakers' rooms at the Penn-Harris hotel.

The ethical climate in Harrisburg has vastly improved since. But news last month that four Philadelphia lawmakers were caught on tape allegedly taking cash or gifts from a lobbyist has stoked new calls for reform. Pennsylvania is not alone. Organizations that monitor ethics laws nationwide say the last decade has brought tighter state laws involving gift-giving, lobbying, and conflict of interest, some driven by similar scandals.

In New Jersey, a string of lobbyist-funded junkets, including trips to Hawaii and New York Yankees tickets, led to restrictions on what lobbyists could give and lawmakers could receive. Florida imposed a sweeping gift ban after revelations about a slot-machine company's spending on legislators. After enduring its own graft allegations, the California legislature is considering bills that would put a \$200 limit on gifts from a single source.

"It is a trend both in receiving and giving of gifts to lawmakers," said Peggy Kerns, executive director of the Center for Ethics in Government at the **National Conference of State Legislatures**. "Many times, it's the public perception of what gifts can provide, the quid pro quo. You can't always say there's a quid pro quo, but the public is skeptical."

No charges have been filed against the Philadelphia legislators who together allegedly accepted \$23,000 in cash and gifts from a lobbyist working secretly for the state Attorney General's Office. But the case has already stirred change.

Last week, a bipartisan joint committee issued new House and Senate rules banning most cash gifts, with the exception of gifts between close family members and non-lobbyist friends. The document allows members to continue to accept campaign contributions that are "otherwise authorized by law."

A similar scandal was the driving factor in Virginia. After reports last year that the departing governor, Bob McDonnell, and his wife had accepted \$165,000 in loans and luxury gifts from a businessman, the new governor, Terry McAuliffe, acted on a campaign promise within days of taking office. In January, he signed an executive order imposing a strict \$100 gift cap on members of the executive branch and their families. He also established the state's first Ethics Commission.

There is still no such limit on Virginia lawmakers, nor does an ethics commission oversee its legislative branch. Eight states have no ethics commission. Others, such as Delaware, have no gift reporting requirements or limits on a gift's value.

Pennsylvania has had an Ethics Commission since 1979 and stricter thresholds on gift reporting since 2006. Lawmakers and the governor must now report any source who hands them at least \$650 in gifts in a year or any single gift worth \$250 or more.

The commonwealth still places no limit on the value of such gifts, including travel and meals. "Taxpayers are justifiably irate at the corrupt and unethical actions they have seen over the past several years, and the most recent revelations of improper conduct have made the situation much worse," said Sen. Lloyd Smucker of Lancaster, who wants to ban cash gifts and will hold hearings in the next month on the issue.

Nine states have adopted zero-tolerance policies.

Florida is among those with a "no-cup-of-coffee" law, which bans virtually all gifts. Its only exception: flowers delivered on the opening day of the legislative session.

Many in Pennsylvania, among them good-government advocate Barry Kauffman, say nothing short of a full ban will stop what he called "the ongoing litany of scandalous behavior" from lawmakers and other governmental agencies. Members of the Liquor Control Board and Pennsylvania Turnpike Commission have also been stung by allegations of ethics violations or pay-to-play corruption in the last year.

Rep. Greg Vitali of Delaware has been pushing for tougher ethics laws, including a gift ban, for 22 years. "You feel like the toy robot that keeps hitting the wall," he said.

Since 2006, the New Jersey Assembly has had among the nation's toughest gift laws. There is no ban on cash gifts, but the policy applies to any gift, favor, service, or other thing of value, including cash gifts, Mark Holmes, deputy director of the New Jersey Ethics Commission, wrote in an e-mail. The strict reporting requirements there led to a record low last year in lobbyist spending on Garden State lawmakers - \$4,100, less than half the amount in 2009 and down from \$163,375 in 1992.

Va. Gov. McAuliffe wants lobbyists to report gifts to lawmakers' families

VIRGINIA – Associated Press – by Alan Suderman – April 8, 2014

Richmond -- Gov. Terry McAuliffe wants lobbyists to disclose what they give to lawmakers' families. The governor amended an ethics bill Monday that passed the General Assembly in the wake of a gifts scandal that led to corruption charges against former Gov. Bob McDonnell.

McAuliffe's proposed changes would require lobbyists to report what they spend on gifts and entertainment for both lawmakers and their families. The bill initially proposed by the General Assembly only required lobbyists to report what they spent on lawmakers, not their families.

The General Assembly will have to approve the governor's changes.

Lawmakers passed an ethics bill that caps gifts from lobbyists at \$250 and includes greater reporting requirements. The legislation was an attempt to restore public confidence after news reports outlined various gifts received by McDonnell and his family members while in office.

Some of the more than \$165,000 in loans and gifts that federal prosecutors say McDonnell and his wife, Maureen, improperly took from a dietary supplement maker in exchange for promoting his products include a Rolex watch, designer clothes and \$15,000 in catering costs at their daughter's wedding.

McAuliffe did not make any other substantive changes to the ethics bill, which critics have said would still allow the type of behavior that ensnared the McDonnells. The bill would limit "tangible" gifts from lobbyists to \$250 per item, but would not prevent lawmakers from accepting expensive trips and meals from special interests.

Ethics board hears call to end free meals for lawmakers

WASHINGTON – The Olympian – By Brad Shannon -- April 15, 2014

Olympia -- State Sen. Jamie Pedersen said he thinks Washington lawmakers should have to file a monthly statement listing any free meals and drink they have accepted from lobbyists and interest groups. The filing would be done as part of legislators' monthly expense reimbursement claims that entitle them up to \$120 a day for food and lodging while in session.

Pedersen offered his idea during a Legislative Ethics Board hearing on a proposal to limit the amount of free food and drink lawmakers can accept. Three people had showed up to testify in favor of tighter rules in light of news reports that some lawmakers last year accepted more than 40 meals in just a few months.

Two speakers – including former Olympia mayor Bob Jacobs – asked for an outright ban on such freebies. Nine states already do that but practices vary widely across the states.

"I think, No. 1, legislators would be more diligent than lobbyists," Pedersen, a board member, said in an interview later. "I suspect the number of gifted meals would drop precipitously."

Washington state ethics law allows lawmakers to accept free food and drink while in the course of doing legislative business but only on an infrequent basis – a term that has never been defined.

The ethics board is looking at the issue because a news project by reporters at *The Associated Press* and *Northwest Public Radio* last year found some legislators received dozens of free meals over the course of several months, and one received in excess of \$2,000 of free meals spread over 62 or more occasions in which at least \$25 was spent by the interest group.

Those news reports then generated an ethics complaint from Seattle resident Richard Hodgins, but the board declined to act on grounds the term "infrequent" was too vague.

Hodgins told the board he went to Thesaurus.com and looked for synonyms for the word infrequent, and he found these: "occasional, rare, sparse, sporadic, uncommon, exceptional, few, few and far behind, limited, isolated, scant, scarce, seldom, unusual."

Jacobs, the former mayor, said he thinks a no-gifts rule makes sense. He said he studied the issue in the 1970s as a policy staffer in the Office of Financial Management and also found from experience as a mayor that "it was better to accept nothing ... to keep it clean."

"My suggestion to you is simply say no free meals, no free lodging. None of that is acceptable," said citizen activist Rob Kavanaugh, who contrasted the lack of access to lawmakers that someone like himself gets compared to well-heeled interest groups. "We cannot compete with the **Boeings** and the **Microsofts** ..."

Drug industry lobbyist had fundraiser for delegates

WEST VIRGINIA – *Charleston Gazette* -- By Eric Eyre -- April 7, 2014

Charleston -- Two days after the House of Delegates killed legislation designed to decrease methamphetamine labs in West Virginia, a drug industry lobbyist hosted a fundraiser for Delegate Mark Hunt, who voted against an amendment on the House floor that would have required a doctor's prescription for cold medications that fuel the clandestine labs.

Charleston lobbyist Nelson Robinson's reception also raised funds for Delegate Danny Wells of Kanawha, who said he supported making cold medications containing pseudoephedrine prescription-only, but Wells didn't cast a vote on the measure when it reached the House floor.

Hunt and Wells said Robinson's fundraiser - detailed in campaign filings posted Monday - didn't influence their position on the meth lab legislation. Robinson represents a Washington, D.C.-based drug industry trade group that opposed the bill.

Hunt, of Kanawha, said he voted against the House-floor amendment requiring a prescription for pseudoephedrine, to keep a watered-down version of the legislation alive. "There weren't the votes to pass the prescription-only amendment," Hunt said. "If we made it prescription-only, ultimately the bill would have failed. By voting for that amendment you were voting to defeat the bill."

Wells said he didn't attend the floor session and vote on the amended bill because of a "family obligation." Wells said he believes it was the first time he's missed a vote on the House floor in 10 years. "I didn't think [the prescription requirement] had a prayer," Wells said. "I thought it was a done deal. I hated missing the vote."

Hunt noted that he voted for another House-floor amendment the same night that would have reduced the amount of pseudoephedrine that people could buy from 48 grams to 12 grams per year — or from about 20 boxes to five boxes.

Robinson and other lobbyists hired by the **Consumer Healthcare Products Association** opposed reducing yearly pseudoephedrine purchase limits. The House ultimately passed legislation that would have dropped purchase limits to 24 grams, the same amount allowed under Kentucky law.

Hunt also voted for the 24-gram limit - an action he believes would have helped reduce meth labs across the state. "You have to be realistic on these things in the Legislature," he said. "You can be Don Quixote all you want, but Don Quixote won't get you anything in the legislative process."

Earlier, the West Virginia Senate approved a bill that would have required a prescription for pseudoephedrine — sold under brand names such as Sudafed and Allegra-D.

The anti-meth lab legislation died on the final night of the legislative session, after the House missed a deadline to file a compromise agreement on the bill. Robinson's party raised \$2,800 for Hunt's campaign. Wells' campaign finance report for the May primary wasn't immediately available on the Secretary of State's website.

Robinson, who also lobbies for casinos and chiropractors, hosted the fundraiser at his office on California Avenue across the street from the state Capitol. Thirteen people, including lobbyists Phil Reale, Richard Stevens and Paul Hardesty, contributed money to Hunt's campaign at the event.

Wells said Robinson's son, Chad Robinson, who also represents the **Consumer Healthcare Products Association** and lobbied against the pseudoephedrine prescription requirement, serves as Wells' campaign manager. Wells said Chad Robinson twice talked to him about the pseudoephedrine bill before the House vote. Wells said he didn't switch his position on the legislation.

"I told him, 'You're wasting your time,' " Wells recalled. "They realized they didn't need me."

Hunt said he and Robinson have been friends for more than 20 years. "Nelson said, 'I'd like to hold a fundraiser for you and Danny, and you don't have to do anything but show up,' " Hunt recalled Monday. "The universal answer to that is 'yes, and thank you, sir.' "

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