



Loophole hides trail of lobbyists' largesse

Missouri rules allow them to keep secret the names of state lawmakers getting gifts as a group.

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Republican leaders of the Missouri House enjoyed a pair of dinners at an expensive Columbia steakhouse in February, racking up a combined tab of \$3,500 picked up by lobbyists for Ameren Missouri and the Missouri One Call System.

But the disclosure reports the lobbyists must file with the state made no mention of which lawmakers dined and passed the check.

Instead, the gifts were reported as going to the "Leadership for Missouri Issue Development" committee, a new type of legislative group that, among other things, creates another hurdle to pinpointing the beneficiaries of lobbyist expense accounts.

Speaker Tim Jones and Majority Leader John Diehl belong to the committee, for instance, but records don't reveal whether the utility industry paid for their chow.

An examination by The Kansas City Star of a decade of public records shows lobbyists spend nearly \$1 million a year in Missouri lavishing gifts on the people who set and carry out government policy. In January alone, the amount of gifts totaled more than \$165,000.

And while defenders of the system say the practice is transparent and open for all to see, when gifts are given to groups instead of individuals it can be difficult - and in some cases impossible - to tell who is getting goodies from whom.

Take, for example, the roughly \$8,200 spent by a handful of lobbyists to treat lawmakers to meals last July in Salt Lake City at the convention of the American Legislative Exchange Council, a conservative organization that has drawn criticism in recent years for its efforts to bring together corporations and lawmakers to craft bills for introduction in legislatures nationwide.

Which lawmakers made the trip to Utah and attended those get-togethers was not disclosed. Each of the lobbyists reported the gifts as going to the "entire General Assembly."

Critics argue that the massive amount of gifts, and the problems with transparency, demonstrate a need for reform.

"Our system is, if not the most broken in the country, at least one of the worst," said Secretary of State Jason Kander, who previously served six years in the Missouri House representing Kansas City.

Most legislative leaders say there is no need to ban lobbyists' gifts or even impose a limit. It is enough, they say, that lobbyists must publicly disclose what they spend and on whom they spend it. Gifts and meals provided by lobbyists are reported monthly to the state's Ethics Commission. Those reports are made public on the commission's website the following month.

"I didn't believe it until I got down here, but these things have no impact whatsoever on how people vote," said Assistant House Majority Leader Mike Cierpiot, a Lee's Summit Republican. "As long as the public knows where the money is coming from, I think the system is working."

Even critics concede that it is difficult to connect a lobbyist's spending with a specific outcome in the legislature, such as a bill being passed or another being killed. But, they counter, lobbyists aren't giving lawmakers tickets to the ball game or lavish dinners out of the kindness of their hearts.

"It's silly to assume that this money is being spent out of charity," said Sean Soendker Nicholson, the executive director of Progress Missouri, a liberal advocacy group. "It's about advancing the priorities of the lobbyist's clients, and it is a system that tilts toward people with very large checkbooks and large expense accounts."

Meals make up the largest chunk of gifts, with hearing rooms, legislative offices and the Capitol Rotunda all regularly featuring free food provided by lobbyists.

For example, over the course of last year, a lobbyist for the Missouri Insurance Coalition spent nearly \$4,000 on fruit and pastries for the offices of Republican leaders.

The gifts also extend after hours, and are divvied out in a bipartisan fashion. A lobbyist spent \$1,100 in November on tickets to a Lady Gaga concert for the staffs and families of two Democratic legislators. Laclede Gas Co. spent nearly \$700 for various legislators to attend World Wrestling Entertainment events in St. Louis.

The newest wrinkle in the system was created when the 2013 session convened in January. House Republicans changed the rules of the chamber to allow for lawmakers to form a new type of legislative committee aimed at "issues development." The change was decried by Democrats, who complained that it was an attempt to make it easier to hide lobbyist gifts.

The "Leadership for Missouri Issue Development" committee, comprising nine members of Republican House leadership, is one of these new committees, and it is the only one to report any lobbyist gifts thus far.

Cierpiot, who is listed as vice chairman of the committee, said it is designed simply to allow legislators with common interests to "get together and fact find."

"This is not hiding anything, " he said. "Every meal or gift is disclosed."

But making it difficult to find out who is attending these events hides the actual value of the gift, said Progress Missouri's Nicholson. If only two lawmakers attend a dinner that cost \$800, "that's a lot different than if 50 show up."

Missouri's system of no limits on lobbyist gifts stands out from many of its neighbors. Iowa employs what's referred to as the "cup of coffee" policy, which says no group can give a single legislator a gift worth more than \$3.

Kansas has had gift limits on the books since the 1970s, said Carol Williams, the executive director of Kansas Governmental Ethics Commission. Lawmakers are prohibited from receiving more than \$40 worth of gifts from a single entity - regardless of how many lobbyists that entity employs - in a single year. There is also a \$100 annual cap on recreational activities, such as golf outings. There are no limits on purchasing meals, but the buyer must be present when the lawmaker receives the meal and can't report the gift as going to a group, Williams said.

"Over the years, we've had lobbyists come to us and say they're glad they are in place, " Williams said.

While most lobbyists in Missouri are hesitant to criticize the current system, many privately admit that capping gifts or banning them outright would make their lives easier.

Even so, there is a good purpose for many of the gifts, said Steve Knorr, a lobbyist for the University of Missouri who fields requests for one of the most frequent items that shows up on disclosure reports: Missouri Tigers basketball tickets.

Many lawmakers have never set foot on Missouri's Columbia campus before, Knorr said. Sports tickets are a good way to get those people to visit, he said, and give the school the chance to interact with lawmakers.

"For them to come and see what a major research institution like Missouri is all about, " Knorr said, "I don't think that's a bad thing."

If someone's vote can be purchased with a sports ticket or a meal, they have no business being in the General Assembly, Cierpiot said.

Besides, he said, if food wasn't provided many lawmakers would simply not have time to eat.

"Most people don't realize that we are running around so much, a lot of days we simply don't have time to leave the Capitol, " he said. "That's just the life of this place."

Nicholson said that argument doesn't hold water.

"For everyone else in Missouri, if you don't have the money or time to buy lunch, you bring a bologna sandwich, " he said. "Everyone else in the world seems to somehow manage without free food and booze provided to them a couple times a day."

So far, lawmakers have been reluctant to make any changes to the system.

Rep. Kevin McManus, a Kansas City Democrat, has sponsored legislation to, among other things, cap the amount of gifts lawmakers can receive at \$1,000 a year. An outright ban on lobbyist gifts has been introduced in the Senate by St. Louis Democrat Scott Sifton.

Neither bill has received a hearing.

House Speaker Tim Jones, a Eureka Republican, said lawmakers are focused on other issues this session that "impact Missourians more than an inside the Beltway ethics discussion."

When he became secretary of state in January, Kander adopted a new ethics policy barring the staff in his office from accepting gifts from lobbyists. During his tenure in the legislature, he declined most lobbyist gifts and reimbursed lobbyists for any gifts he did receive.

The only way any ethics reform will ever clear the legislature, Kander said, is if the public demands it.

"There's no interest group called 'Big Ethics' that is going to force lawmakers to police themselves, " he said. "So it really does have to be a people powered movement."