Panel OKs Lobbyist, Contractor Donation Curbs

By Sean Olson
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Registered lobbyists and some state contractors would be banned from giving campaign contributions in New Mexico under a bill that passed its first committee Thursday.

House Bill 604, sponsored by Reps. Brian Egolf, D-Santa Fe, and Nate Gentry, R-Albuquerque, would ban all lobbyists registered with the state and contractors that have $50,000 of business or more with the state from giving money to candidates for state government or a local political party. It would also force any group or person who participates in election advocacy to disclose their sources of funding for the advocacy.

The bill, which was developed and championed by nonprofit Think New Mexico, was approved 10-1 by the House Voters and Elections Committee.

"This bill goes to the heart of pay-to-play corruption by removing the 'pay' part of the equation," said Fred Nathan, executive director of Think New Mexico. "These reforms will level the playing field so that lobbyists are competing on the merits of their arguments and state contractors are competing on the basis of price and quality, rather than on political contributions."

Aside from the ban on contributions directly to candidates, the bill would prevent lobbyists from soliciting contributions on behalf of a candidate — a process often called bundling.

Contractors and lobbyists could still donate to federal candidates and national political parties.

The disclosure aspect of the bill uses the definition of "express advocacy" — a term that means any paid advertisement that advocates for the election or defeat of a candidate — and the "functional equivalent of express advocacy" — or ads that don't specifically mention electing or defeating a candidate but can't be reasonably interpreted any other way — as the basis for what ads would be required to disclose donors. Only ads costing $2,000 or more would apply.

The bill will next be heard in the House Judiciary Committee, which is also considering several other disclosure bills.