

## What NOT to keep secret

Jane Healy  
Feet to the Fire

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With the recent revelation that Allan Keen hit up vendors for more than \$468,000 in political contributions while he was chair of the Orlando-Orange County Expressway Authority, it's a good time to ask how something this egregious is allowed to be kept so secret. The answer, unfortunately, is that Florida's public-records laws do nothing to stop it.

Failure No. 1: Allowing a board member like Keen to strong-arm others for political donations without even disclosing it.

It took a just-released grand-jury report to expose the full extent of developer Keen's dealings at the Expressway Authority from 2002-07. It turns out that Keen had expressway public-relations consultant Ron Pecora and other "collection agents" lean on expressway consultants, such as the Tampa-based PBS&J engineering firm, for donations to 18 candidates. In one case, Pecora urged at least nine authority contractors to notify his office whether they were contributing to one campaign "so we can note your support."

There are so many things wrong with this scenario, it's hard to know where to begin. For one thing, no one at the Expressway Authority — board members or hired attorneys — should be allowed to hit up current or potential vendors for political contributions. That goes for other boards, such as the Greater Orlando Aviation Authority, which also dispenses hundreds of millions in contracts. It's a huge conflict of interest. It's called "pay-to-play" and, unfortunately, aptly describes the ugly practice. No donation, forget getting work with this agency.

No wonder seven states have banned it. They did so by attacking it from the other end — lobbyists and government contractors such as engineering firms are forbidden from contributing to campaigns. That solves the problem: If they are banned from contributing, there's no point in hitting them up.

The Securities and Exchange Commission also bans municipal-bond dealers from donating more than \$250 to a candidate — and then only to a candidate for whom a person is eligible to vote. If they have made such a donation in the previous two years, they can't be hired. They can't raise money for a candidate, either. That, too, arose after pay-to-play scandals in road-building, where there's lots and lots of money for consultants if they are willing to play along.

But the Florida Legislature won't touch legislation that clamps down — or even exposes — pay-to-play for all to see in public records.

Failure No. 2: Not insisting that lobbyists disclose their ties to donations.

Florida doesn't require even registered lobbyists to own up to how much they are raising from others in exchange for getting in a politician's good graces. All lobbyists pretty much have to do now in Florida is disclose how much money they are earning lobbying the Legislature. And — surprise, surprise — it's millions upon millions of dollars.

The federal government is on to this for its races, at least partly. Beginning this month, political campaigns for federal offices such as Congress will have to make public how many donations to a fundraiser that a lobbyist is responsible for. That will expose the games played for fundraising events, in which a lobbyist is assigned a certain amount of tickets to sell. Now the campaign will have to own up to it so everyone knows how indebted that candidate might be to that lobbyist for the insurance industry or whatever.

Even that doesn't go far enough because it doesn't get at the shenanigans by people like Keen, in which much of the strong-arming is done not at official fundraising events but through phone calls or letters. Mayor Rich Crotty, now chair of the Expressway Authority, disputes a statement in the grand-jury report that Keen and his agents raised a whopping \$63,000 for him.

If lobbyists and others had to disclose how much they raised for a candidate, it would not be the subject of such a dispute. It would be there for any interested citizen to see — and judge as to how much influence fundraisers really have when a candidate takes office.

Today is Sunshine Sunday in Florida. What better place to let the light shine than on those peddling influence?

You can contact Jane Healy at [janehealy49@gmail.com](mailto:janehealy49@gmail.com). She'd like to hear about public officials who need their feet kept to the fire.

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