

Group asks states to investigate Utah lawmaker's lands push

By MICHELLE L. PRICE, Associated Press

SALT LAKE CITY (AP) — A Washington, D.C.-based watchdog group has asked three state attorneys general to investigate a Utah lawmaker who has led a push for western states to take control of federal public lands.

The Campaign for Accountability sent letters Monday to officials in Utah, Montana and Arizona asking them to investigate Utah Republican state Rep. Ken Ivory and a nonprofit group he runs, the American Lands Council.

In the letters, the Campaign for Accountability says Ivory's organization is raising money for the federal government to turn over land to the states, a push they argue Ivory knows is unconstitutional. A significant portion of the money raised by the American Lands Council goes to Ivory and his wife.

"By soliciting taxpayer funds for an organization that exists largely to funnel money to both Rep. Ivory and his wife, Rep. Ivory appears to be engaging in fraud," the Campaign for Accountability said in the letters.

Ivory, of West Jordan, called the complaints shameful and "bullying tactics to stifle legitimate political debate."

Representatives for the Utah and Montana attorneys general said they received the letter Monday and would review it. Kristen Keogh, a spokeswoman for the Arizona attorney general, did not have any information about the letter Monday.

The American Lands Council earned about \$228,000 in 2013, according to the group's most recently filed tax forms. For his role as president of the organization, Ken Ivory was paid \$95,000 in salary, and his wife, Rebecca Ivory, received \$19,715. In 2012, the American Lands Council raised about \$123,000, and Ken Ivory was paid a \$40,000 salary. His wife's salary for that year was not disclosed.

"It's a fledgling organization that's devoted to education. I'm the primary educator, and so they pay my salary," Ivory said.

He said he has set aside his law practice, making his work for the American Lands Council largely his primary job. His pay is a small fraction of the salaries that environmental groups pay their top officers, Ivory said.

The group raises money by offering memberships to individuals, businesses and counties that range from \$50 a year to \$25,000 a year. Counties in Washington, Idaho, Oregon, Colorado, Nevada, Wyoming, New Mexico, Arizona and Utah have contributed money to the group.

The American Lands Council tells donors that their contribution will help support the transfer of public lands back to local control, a claim the Campaign for Accountability called "completely spurious."

The Campaign for Accountability notes that when Utah passed a law in 2012 demanding the federal government give up about 31 million acres of public land, the Legislature's own attorneys warned that the demand and any attempt to enforce it would likely be found unconstitutional.

Ivory said Campaign for Accountability is ignoring legal opinions from several groups that support the argument for state control. "This question has never gone to the Supreme Court, so how can they say it's unconstitutional?" Ivory said.

The Campaign for Accountability also argues that Ken Ivory appears to be operating as a lobbyist but has not complied with state lobbying requirements.

As a state lawmaker, Ivory is exempt from Utah requirements to register as a lobbyist and disclose lobbying expenditures, said Mark Thomas, the director of elections at the Utah lieutenant governor's office.

It's unclear if he's required to register in Montana and Arizona, but a Colorado ethics group has asked the Colorado secretary of state to investigate if the American Lands Council needs to comply with lobbying laws in that state.

In April, the American Lands Council sent an email to Colorado residents urging them to contact lawmakers in support of a bill to study the transfer of public lands in that state.

Suzanne Staiert, the deputy Secretary of State in Colorado, said in a May 7 letter to Ivory that the office was investigating the complaint and asked for a response to the allegations by June 6.

Ivory said the group isn't lobbying but has "simply been educating in principles." He said a Colorado lawmaker asked his group to send the email and he plans to respond to the Colorado complaint.

Utah has led several western states in a renewed push over the past few years to take control of public lands managed by the federal government. Supporters argue the states would be better managers and could make money from taxes and development on the land.

In addition to his work with the American Lands Council, Ivory serves as the executive director of another nonprofit, the Where's the Line, America? Foundation. Tax records show that in 2013, he was paid \$30,000 for his work with that group, which says it educates people about the proper role of state and federal government.

Ivory's wife founded another nonprofit in December, A Most Sacred Trust, which says it educates people about the realities of sexual abuse in schools.

The organization has not yet had to file disclosures, and Ken Ivory said he does not work for that organization.

At least one county in Idaho and 10 counties in Nevada have also contributed money to the group.

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