

Lobbying Registration Code

6 Month Review

Lobbying Registration

- Increases transparency in City government decision making
- Provides the public with information about lobbying activities in City government
- Separates individual advocacy from organizational opinion
- Discloses city officials' calendars to the public

What is Lobbying?

- Lobbying is when an organization or business attempts to influence an official action of a City Official.
- Lobbying is not individual advocacy for a citizen's own point of view.
- Lobbying includes time spent preparing emails, letters and preparing for oral communication with a City Official.

Who is a lobbyist?

- A lobbyist is an individual authorized to speak on behalf of an organization.
- The organization designates its lobbyist.
- If an individual claims to speak for an organization that individual should be designated as a lobbyist.

Who is a lobbying entity?

- Any individual, business association, corporation, partnership, association, club, company, business trust, organization or other group who lobbies either by employing or otherwise authorizing a lobbyist to lobby on their behalf.

What must be reported by the lobbying entity?

- Currently, a lobbying entity must report its lobbying activities each calendar quarter when it spends 16 hours or more lobbying.
- “Report” includes:
 - Subject matter of lobbying activity and descriptions of contact with city officials;
 - A good faith estimate of lobbying expenditures that exceed \$1000.00; and
 - Information about City Officials benefited by expenditures in excess of \$25.00.

Six-Month Review Report

1. The enforcement mechanism of the registration system;
2. The classification of a lobbyist as designated by the enacted system;
3. The reporting requirements for the system;
4. The exemptions specified in the system;
5. The hourly threshold per quarter; and
6. Any other issues that impact the effectiveness of the system.

Seeking public input

- Met individually with and users of the registration system
- Attended neighborhood coalition meeting
- Collaborated with the Office of Neighborhood Involvement
- Hosted town hall
 - Both critics and supporters
- Met with Auditors office and BTS to work to improve the mechanics of the system
- Ongoing conversations with community

2nd Quarter 24 Entities Registered

- ROSE Community Development
- Home Builders Association of Metropolitan
- Oregon University System
- BOMA
- Portland Metropolitan Association of Realtors
- Portland Business Alliance
- Portland Streetcar Citizens Advisory Committee
c/o Portland Streetcar, Inc.
- League of Women Voters of Portland
- Community Development Network
- Associated General Contractors Oregon-
Columbia Chapter
- Portland General Electric Company
- Ron Paul Consulting Company

- Qwest
- Pacific Power
- City Club of Portland
- Ron Tonkin Family of Dealerships
- Northwest Strategies
- Portland State University
- Port of Portland
- Friends of Burnside/Couch, Inc.
- Western States Petroleum Association
- Money in Politics Research Action Project
- Bicycle Transportation Alliance
- OHSU

3rd Quarter 27 Entities Registered

- ACLU of Oregon
- City Club of Portland
- Columbia Corridor Association
- Community Development Network
- Dan Petrusich
- Friends of Burnside/Couch, Inc
- Home Builders Association of Metropolitan Portland
- League of Women Voters of Portland
- Metro Regional Government
- Money in Politics Research Action Project
- Northwest Strategies, Inc
- OHSU

- Pacific Power
- Port of Portland
- Portland Business Alliance
- Portland General Electric Company
- Portland Metropolitan Association of Realtors
- Portland Public School District
- Portland State University
- Portland Streetcar Citizens Advisory Committee
- Portland Streetcar, Inc.
- Ron Tonkin Family of Dealerships
- ROSE Community Development
- Portland Water Users Coalition c/o The Gallatin Group
- The Romaine Group, LLC
- Tri-County Council
- William Reilly

Subjects Addressed by Lobbying Entities

- Business and Economic Development
- Transportation
- Education
- Cable Franchise
- Planning
- Housing and Livability Development
- Fire and Police Disability and Retirement
- Police and Public Safety

What is working?

- Day-lighting
 - Registration
- Cross check
 - Calendar
- Reporting
 - Lobbyist expense reports
 - Public official declarations

Enforcement is yet untested.

- Enforcement mechanisms in place as of October 1, 2006
- Persons who violate the code shall be subjected to fines not to exceed \$500 per violation
- Enforced by the Auditor's office
- Can be referred to the City Attorney for civil penalties

Suggested Refinements

- Include lobbyist name who met with the public official on the reporting form
 - Reinforces cross check
 - Transparency
- Decrease threshold from 16 hours
 - Currently there is not support on council to decrease the threshold, however this is a matter that we can revisit at the next review

Include Definition of Gift in Code

- “Gift” means something of economic value given to a City official or the City official’s relative without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not City officials or the relatives of City officials on the same terms and conditions; and something of economic value given to a City official or the City official’s relative for valuable consideration less than that required from others who are not City officials.
- However, “gift” does not mean:
 - 1) Campaign contributions, as described in ORS chapter 260.
 - 2) Gifts from family members.

Ability to amend the report

- Currently, the Code does not include a process to amend reports.
 - The Lobbying Registration Code seeks accurate reporting to provide the public information.
 - The system is constructed to encourage disclosure.

Allow amendment by both city officials and lobbying entities during a ten-day grace period without penalty.

The Code will require filing on the 15th day after the end of the quarter and then allow for an amended filing ten days after that deadline.

Edit code to reflect the fact that
Oregon non profits are defined by
the Oregon Secretary of State

Other refinements

- Add exemption for elected officials acting in their official capacity from Lobbying Registration Code reporting requirements.
- Add exemption for contractors acting within the scope of work of a City contract.
- Neighborhood and Business associations provided process and resources to post meeting agendas and minutes on web.

Recommend that all officials
declare gifts received over
\$25.00 or declare that they
have not received any gifts.

Attempts to remove any
appearance of impropriety.

Administrative Changes

- List of committees recognized by council maintained on the Auditor's web site.
- Required fields will be in effect only after the reporting period ends to allow registrants easier entry of information.
- Add the name of the registered lobbyist to the contact reporting form.
- Have the reports available as a spreadsheet so they are more user friendly.

Goal is transparency in
City government
decision making.

Accomplishing the Goal
through participation of the public
and open decision making.

**Additional review scheduled
for October 31, 2007.**