

City Hall re-evaluates lobbying regulation's teeth

Influence - Portland officials discuss changes, including expanding the definition of lobbyist

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When Portland City Commissioner Sam Adams ran for office in 2004, he promised to shine a light on the lobbying that goes on in City Hall.

The resulting ordinance, adopted last year, opened a window on how city government works. Commissioners must publish their calendars, and top officials report any gifts with a value of more than \$25.

But a provision requiring lobbyists to report the time they spend trying to influence city policy has proved somewhat less than enlightening.

The rules say lobbying groups and individuals must report contacts with elected officials and bureau heads if their total time, including preparation, exceeds 16 hours in a quarter.

But many folks roaming the halls of city government with an agenda are either exempt under the rules or find it easy to stay under the 16-hour cap.

And there's no way to verify how much time lobbyists spend getting ready for an appointment or writing letters and e-mails to officials. It's the honor system, said Andrew Carlstrom, who administers the program for the city auditor's office.

In the most recent three-month reporting period, only six lobbyists reported their activities out of five-dozen groups or individuals registered with the city.

Topping the list: the Port of Portland with 72 lobbying contacts. Second was the Portland Business Alliance with 55 contacts.

"It's a work in progress," Adams conceded.

The City Council on Wednesday signaled a willingness to lower the time threshold to eight hours to draw in more lobbying. But the council balked at suggestions to expand the definition of lobbyists to include groups such as neighborhood associations and nonprofit groups that are now exempt.

Adams agreed to explore that idea over the next three months.

The lobbying regulation wasn't initially popular inside City Hall, and Adams said the 16-hour threshold was the best he could get when he proposed the ordinance last year.

No one testified for or against the change on Wednesday, but lobbyist Len Bergstein listened to the discussion from a seat in the council chamber.

Bergstein, who represents various clients with business before the council, has never had to report his lobbying contacts because they always stay under 16 hours in a quarter.

"I make my point quickly," he said.

Bergstein said the idea of disclosing who's trying to influence policy is worthwhile but the city's ordinance is "something of a solution in search of a problem."

He favors broadening the definition of lobbyist to capture neighborhood associations and other groups. "Everybody ought to know who is playing the game," he said.

Commissioners Randy Leonard and Dan Saltzman said they supported broadening the definition. Saltzman said the ordinance "misses a lot of people who have influence."

Saltzman's suggestion that the ordinance didn't go far enough annoyed Adams, who said that Saltzman had asked for compromises that weakened the original proposal.

Commissioner Erik Sten said he was unlikely to support broadening the definition to include community organizations. He suggested an economic interest test might be worth exploring, however.

Chris Smith, a citizen activist and registered lobbyist for the Portland Streetcar Citizen Advisory Committee, said lowering the threshold to eight hours is a good idea. "It will be harder for lobbyists to say with a straight face" that they don't meet the test, he said.

But he said the risk in expanding the definition is that the paperwork burden and the official scrutiny might discourage citizens from becoming involved.

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