

# Closure of Capitol had ripple effects

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During a typical session of the Oregon Legislature, the hallways are filled with a cross-section of Oregonians not seen anywhere else in the state.

Professional lobbyists angling for a five-minute conversation with a lawmaker sit in every nook as schoolchildren tour the historic building and residents pack hearing rooms for the chance to testify on a bill.

Different interest groups take over the main lobby area on different days with booths, displays or free samples, more than willing to talk at length about the virtues of the bills they are backing.

Up in the offices, legislative aides field dozens of phone calls and in-person meetings per day from constituents and activists trying to sway a vote one way or another.

These are the sights and sounds of democracy in action at the Oregon Legislature, of regular people intersecting with the legislative process, with the bills that are going to impact their lives and with lawmakers sent to Salem to represent them.

But this year, the legislative session was unique in state history — closing its doors to in-person public participation. As with almost everything the past 16 months, the session needed to adapt to the coronavirus pandemic.

It was still legislative democracy, but not how the state has known it.

Lawmakers and staff were required to wear masks whenever they were in the building. Committee testimony on bills went fully virtual, with Microsoft Teams and phone calls replacing packed hearing rooms.

Raucous rallies and lobby days were replaced with virtual lobby weeks where organizers planned video conference meetings with as many lawmakers as possible. Lobbyists — absent a lobby to wait in — weren't as involved in the process.

On the other hand, for people who previously were unable to comment on legislation because they couldn't take the day off to travel to Salem or the distance to the Capitol was too great, virtual testimony offered new access.

"The issue of closing the building really was a headache, the mask issue was a problem, we had people who were mostly angry the entire session," Senate President Peter Courtney, D-Salem, said. "We somehow or another fought through it, and I think that's quite an accomplishment."

Lawmakers, lobbyists and activists said the pandemic-related restrictions changed how front-of-mind those outside the Capitol were and, perhaps, the outcome of one of the session's most noteworthy bills.



Senate President Peter Courtney, D-Salem, clacks the gavel during the legislative session in the Senate at Oregon State Capitol in Salem, Oregon on Wednesday, June 23, 2021. BRIAN HAYES / STATESMAN JOURNAL

Republicans argued early and often that keeping the building closed to the public was harming the legislative process and was a violation of the Oregon Constitution.

"Transparency suffered as public policy was rushed through behind closed doors," House Republican Leader Christine Drazan, R-Canby, said in her end-of-session statement. "As the Oregon economy recovers, businesses reopen and students return to school, we must ensure the policymaking process also returns to normal, which must include reopening Capitol to the voices of Oregonians."

## Impact of absent lobbyists

While the Constitution does state that deliberations of the Legislature "shall be open," it gives lawmakers the authority to set rules to comply with that requirement.

The building was first closed to the public in March 2020 by the presiding officers of the Legislature — Courtney and House Speaker Tina Kotek, D-Portland — on the advice of public health experts.

The building remained closed when the legislative session began in January and stayed that way through the end of the session — four days before Gov. Kate Brown dropped the COVID-19 restrictions and opened the state. The Capitol officially reopens to the public July 12.

The only people allowed in the building were staff members, legislative aides, lawmakers and journalists.

Committee hearings and floor sessions were all streamed live and, as in prior years, available to re-watch on the Oregon Legislative Information System. Information technology staff set up new

systems allowing the public the ability to testify via video or phone.

"Our going to virtual allowed people who had never participated in this process to participate," Kotek said. "For the folks who do this more on a regular basis ... we had to work extra time to make sure we could communicate."

"You had to do it multiple ways: emails, phone calls, text messages, Teams calls, Zoom calls, trying to make sure people could hear what needed to be heard. It happened. I think we crafted good legislation, and we're back in session in six months if there is a mistake or two here or there."

Paid lobbyists and lawmakers acknowledged that access was significantly reduced during session.

Much of the interactions lawmakers have with lobbyists are during five- to 15-minute conversations that happen organically throughout the day. This session, all of those meetings were scheduled via video conference or held over a phone call or through text — an insufficient substitute for some.

Lawmakers also fretted about not being able to read the body language of people while they were testifying or meeting with them.

"It's great that we have this technology as a substitute, not just in the Legislature but in life," House Democratic Leader Barbara Smith Warner said. "It's a substitute, but it's not the same thing."

Senate Republican Leader Fred Girod, R-Stayton, said lobbyists are critical to the legislative process because more often than not they understand the impacts a bill will have more than the lawmakers do.

"A good lobbyist ... will tell you both sides of the argument, and people don't realize that," Girod said.

Because of their absence, Girod expects lawmakers made far more mistakes in legislation this year than in previous sessions. He said lawmakers didn't spend nearly enough time "cleaning up" bills to avoid unintended consequences, a process particularly helped by lobbyists.

House Democratic Leader Barbara Smith Warner, D-Portland, said the absence of lobbyists meant lawmakers spent more time talking amongst themselves about legislation.

In the early months, widespread in-person conversations were not happening with any regularity due to strict distancing requirements and fear of COVID-19 before vaccinations.

But in the final month, Smith Warner said, the lobby outside the House chamber would often be dotted with small groups of lawmakers talking about legislation in a space where they would in previous sessions be hounded by lobbyists.

"Now you have this ability for members to interact with each other ... in a way you don't have when the building is swarming with lobbyists," Smith Warner said before the session adjourned. "It has let us really focus on the essentials."

Morgan Gratz-Weiser, legislative director for Oregon Environmental Council, said lobbyists had to focus more on building collaborative relationships within the lobby and with activists tracking the same bills to make up for the lack of traditional access.

Lobbyists also needed to be more intentional with their outreach, focusing on text messages and phone calls.

"For folks who are paid lobbyists who are accustomed to being in the building all the time, there was certainly frustration," Gratz-Weiser said.

However, she added that the expansion of virtual testimony was an "important success" for the Legislature and something that should be expanded in future sessions.

## Quiet without the people

The power of having crowds of people in the building was also absent this year.

Lawmakers said this was particularly notable surrounding the debate over Senate Bill 554, the session's major piece of gun control legislation. The bill, which was signed by Gov. Kate Brown on June 1, bans guns from the Capitol, allows public schools to adopt policies to ban guns and sets certain firearms storage requirements.

In previous sessions, attempts at passing legislation on guns were met with rallies in and around the Capitol, with opponents often bringing their

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## Tamanawas

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right, once you return to the trailhead, you can keep walking to your campsite at Sherwood Campground instead of jumping back in the car. It's a far better thing to celebrate a successful hike with a nap in a hammock than a long drive back to Salem.

### Tamanawas Falls and Sherwood Campground

**In a nutshell:** Moderately challenging and mostly kid-friendly hike to a powerful and misty 110-foot waterfall with basic campground next to trailhead.

**Location:** East side of Mount Hood, south of Hood River.

**Hike Length:** 3.8 miles

**Hike Climb:** 500 feet  
**Hike Difficulty:** Moderate  
**Campsite and hike Information:** Hood River Ranger Station, (541) 352-6002

**Where to reserve campsite:** <https://www.recreation.gov/camping/campgrounds/272093>

**Best bet for scoring a campsite:** Always smart to reserve a site ahead of time if possible. If you go midweek, there are typically first-come, first-served sites available, including ones along the East Fork Hood River.

*Zach Urness has been an outdoors reporter, photographer and videographer in Oregon for 13 years. Urness is the author of "Best Hikes with Kids: Oregon" and "Hiking Southern Oregon." He can be reached at [zurness@StatesmanJournal.com](mailto:zurness@StatesmanJournal.com) or (503) 399-6801. Find him on Twitter at @ZachsORoutdoors.*



Tamanawas Falls Trail, located on the east side of Mount Hood and south of Hood River, features old-growth forest and travels along Cold Spring Creek to 110-foot Tamanawas Falls. ZACH URNESS / STATESMAN JOURNAL



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## Miller

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to roughly 8 pounds of bun.

So now we're up to 15 pounds, in one sitting, in 10 minutes.

As mentioned earlier, no condiments; but professional eaters by and large, emphasis on that last word, soak each bun and wiener in water to make them easier to swallow.

At this point, I was too flagged to soak a bun and weigh it.

But Chestnut said in a 2019 interview that he usually gains about 24 pounds during the Nathan's competition, again in 10 minutes.

So about those "quarantine 15" pandemic pounds that we're all whining about, there's only one word that applies. Slackers!

### Give a 'hoot'

So-called hoot-owl restrictions are in effect for anglers pursuing hatchery Chinook salmon and steelhead and sturgeon on a lot of popular Salem-area waters.

Because of low, warming water and continuing hot weather, fishing is al-

lowed for those species from the start of legal fishing hours an hour before sunrise until 2 p.m. daily.

Affected waters include the Willamette River from the mouth at the Columbia, including Scappoose Bay, upriver to the mouth of the McKenzie.

Those restrictive fishing hours also are in effect for hatchery Chinook, hatchery steelhead and sturgeon on the Santiam rivers North and South, as well as the Clackamas up to River Mill Dam, the Mollala, Sandy, Middle Santiam, Yamhill, Breitenbush, Calapooia, Clatskanie, Tualatin, Mary's, Long Tom and Scappoose rivers as well as Quartzville and Rickreall creeks.

Along with the Willamette Zone, a host of rule changes are in effect on other bodies of water statewide.

Current updates are available online by clicking on links for each zone in the weekly recreation report at Fishing Report - Columbia Zone | Oregon Department of Fish & Wildlife ([myodfw.com](http://myodfw.com))

**Thought for the week:** If you are what you eat, and fish eat bugs and worms; what does that make an angler who eats what they catch?

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