

# Lobbyists remain a powerful constant in Salem

Special interests spent \$39 million on influence in 2017

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*Oregon Capital Bureau*

SALEM — As the Legislature steams ahead, an army of 1,000 lobbyists is at work to gain political favors from the state legislators.

Two years ago, special interests reported to the state that they spent \$39 million on that effort.

The most expensive lobbying effort in 2017 was staged by the Oregon Association of Realtors, followed by Western States Petroleum Association and the Oregon Nurses Association, according to spending reports required by the state.

Oregon law requires anyone who hires a lobbyist to report what they spend to try to bend the Legislature to their will.

That transparency is intended to hold legislators and lobbyists accountable, providing the public a way to judge who's serving whom.

Housing advocates and hospitals have already secured big wins with a first-of-its-kind rent control bill signed into law Thursday and a Medicaid bill awaiting signature by Gov. Kate Brown.

Still to come are significant proposals such as carbon pricing, campaign finance reform and education spending, as well as a tobacco tax and pharmaceutical pricing bills. To date, more than 2,000 bills have been introduced.

Lobbyists will have a say in which ones make it and which ones get nothing more than an introduction followed by a quiet political burial. The 1,079 lobbyists registered with the state are beholden only to the 1,150 clients who pay them. Employers can have several lobbyists. The labor union SEIU Local 503 and sports-wear giant Nike, for instance, each has nine registered lobbyists.

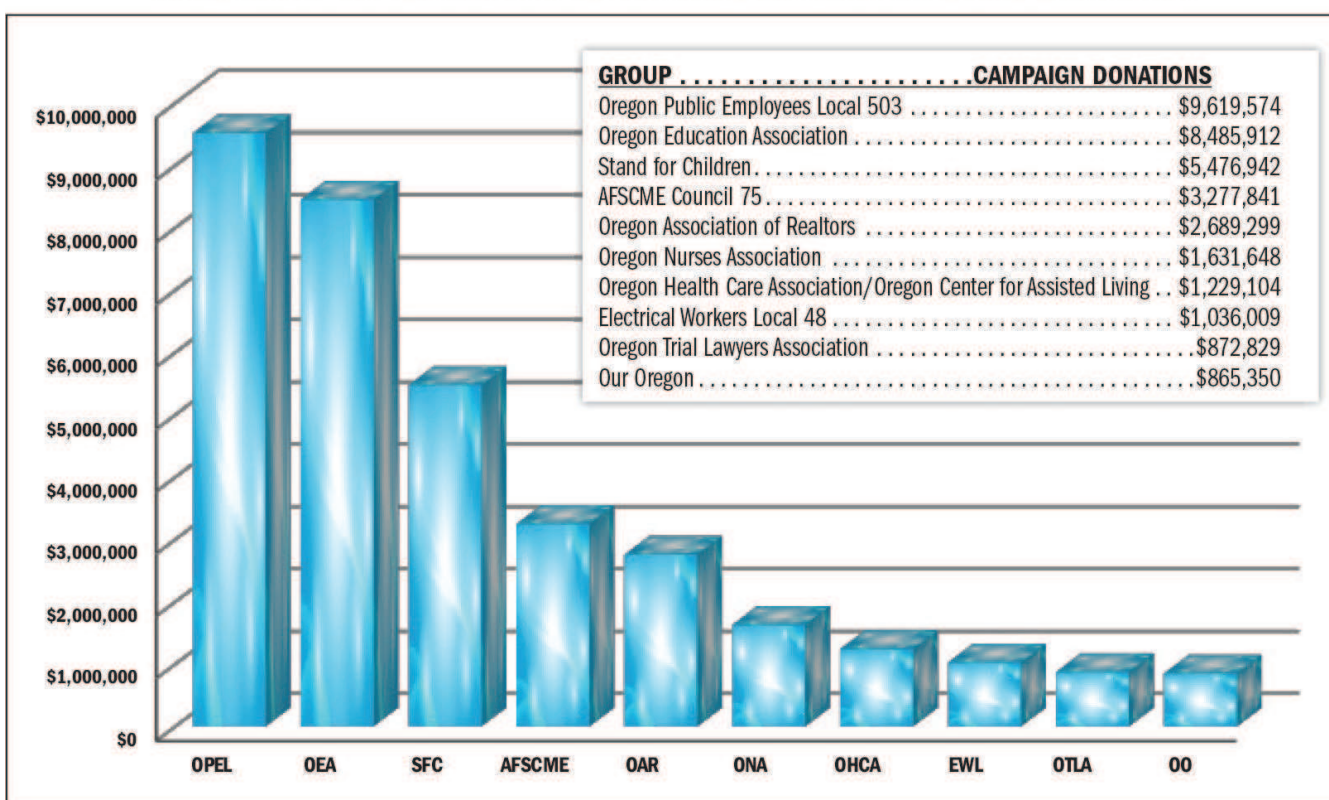
The lobbyists return year after year, some decade after decade. In contrast, some legislators last only a term, serving two years in the House and four in the Senate.

"In a Legislature that has extremely high turnover, there are different institutional forces that have impact on the outcomes of legislation," said state Rep. Dan Rayfield, D-Corvallis. "And some of the people that are institutional forces are legislators that have been around for a while, that have a historical knowledge of things. But the one constant in Salem is gonna be the lobby."

In 2017, interest groups spent \$12 million more on lobbying than they did a decade earlier, according to the Oregon Government Ethics Commission.

That spending on lobbying is only part of the cost of doing political business in Oregon. Donating to legislators' campaigns and other

**Top 10 donors to state political campaigns in the past two election cycles (years 2015–2018), courtesy the National Institute on Money in Politics:**



political operations is routine. Interest groups sank \$25 million into last year's state elections.

But now the focus is on trying to shape the laws and state spending that will touch every Oregonian.

### 'Everyone has a lobbyist'

Hasina Wittenberg is an independent lobbyist who has worked in the Capitol since 1995.

She mostly represents businesses such as Schnitzer Steel Industries and pharmaceutical companies.

"Everyone has a lobbyist, whether or not they are some high-paid, power-wielding person who has notable wins or losses," Wittenberg said. "Basic associations have lobbyists, like AARP, the Humane Society. The food bank has a lobbyist because they want to feed more people."

For that money, interest groups expect to have influence, raising the question of whether lawmakers are voting on behalf of their constituents back home or for the interest groups filling their schedules and campaign coffers.

"At its least harmful, it creates a significant bias in what stories legislators hear," said John Wonderlich, executive director of the Sunlight Foundation, a Washington, D.C., group that advocates nationally for open government.

"Beyond that, it can certainly become much more harmful," Wonderlich said. "Especially when there's a quid pro quo, or an offer of either supporting on the basis of a decision, or withholding support in order to prevent a decision from happening."

Common Cause Oregon, a nonpartisan public interest group, has studied lobbying at the Capitol in the past, but in recent years has turned

its focus to expanding voting access and campaign finance reform, said Kate Titus, the group's executive director.

A review of lobby expenditure reports from 2017 showed that the top spender was the Oregon Association of Realtors at \$864,500.

The Realtors had two top priorities at the 2017 Legislature, according to lobbyist Shawn Cleave.

They fought legislation that would have allowed cities and counties to cap rent increases, while supporting legislation creating a tax deduction and savings program for Oregonians buying their first homes.

That local rent cap idea didn't pass, after a defining vote in the Senate in which four Democrats joined Republicans in opposition. The most vocal Democratic opponent was then-Sen. Rod Monroe of Portland.

"Rent control ultimately reduces the supply of low-income housing and will actually make the problem worse than better," Monroe said in an interview explaining his stand.

Last year, the Realtors stuck with Monroe as he sought re-election, donating \$19,000 to Monroe's campaign and spending another \$200,000 to fend off a primary challenge from Shemia Fagan. She won.

"He stuck his neck out on an issue that was important to us," Cleave said. "He understands the economic concerns that come along with rent control, and we wanted to demonstrate to him that we support his position, and we support his re-election. Unfortunately, we weren't successful there."

Just this week, the Legislature approved statewide rent controls that were signed into law by Brown.

**Subtle effect**  
Not all lobbying is about

They set up shop in the Capitol hallway, giving out everything from cookies to scarves.

The nurses association reimburses its members for travel costs to get to Salem, said Martin Taylor, the organization's executive director. Earlier this month, 125 nurses showed up to lobby for the day.

When such one-day advocates go home, the paid lobbyists stay behind to tend to legislation and legislators.

Lobbyists are considered by legislators and their staffs as vital sources of information to explain what legislation would do — or not do.

A good lobbyist shares their client's perspective — and the opposition's, Wittenberg said.

"We have this wealth of information and a tremendous amount of knowledge based upon longevity," said Wittenberg.

"A reputation is the only thing you can protect as a lobbyist," Wittenberg said. "If you are dishonest, unethical and don't tell the full story, people will eventually see through that."

### 'Advocacy process'

"To be a lobbyist is not to do evil," said Phil Keisling, director of the Center for Public Service at the Mark Hatfield School of Government at Portland State University. "It's an advocacy process."

Some are influential because they're persuasive.

Keisling worked in the Legislature as an assistant to then-Speaker Vera Katz in the late 1980s, served one term in the House and was secretary of state from 1991 to 1999.

In his experience, the most effective lobbyists provided lawmakers the best argument against their own position and then refute it.

According to Wonderlich, state lawmakers generally have fewer staff to evaluate legislation.

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