

Lawmakers come and go, but the lobby remains a powerful constant

By Claire Withycombe, Aubrey Wieber and Paris Achen

Oregon Capital Bureau

By Claire Withycombe, Aubrey Wieber and Paris Achen
Oregon Capital Bureau

As the 2019 Legislature steams ahead, an army of 1,000 lobbyists is at work to gain political favors from the state's 90 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.

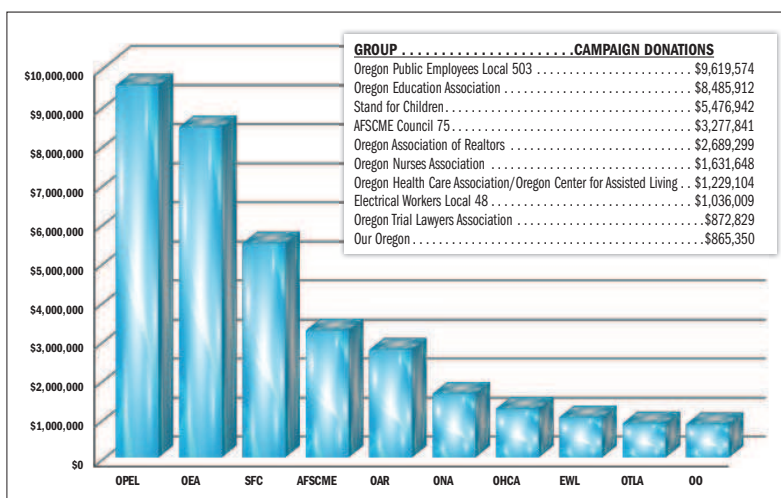
Lobbyists will have a say in which ones make it and which ones get nothing more than an introduction followed by a quiet political burial. The 1,079 lobbyists registered with the state are beholden only to the 1,150 clients who pay them. Employers can have several lobbyists. The labor union SEIU Local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

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



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 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.

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 non-partisan public interest group, has studied lobbying at the Capitol in the past, but in recent years has turned its focus to expanding vot-

ing access and campaign finance reform, said Executive Director Kate Titus.

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.

Not all lobbying is about backing or fighting a proposal. Often, the political work focuses on amending legislation in detailed

ways that often escape public attention.

"I think the effect on legislators is more subtle than some people think," said Sen. Jeff Golden, D-Ashland. "People don't walk in here with big bags of money and say, 'Here's how you gotta vote.' I think it's more subtle than that."

Golden said at times it can be hard for lawmakers to not consider campaign donors' interests before casting a vote.

Associations increasingly recognize the importance of being active at the Capitol, such as the Oregon Nurses Association. Between 2007 and 2017, the amount the association spent on lobbying more than doubled, public reports show.

The group ranked third in lobbying spending in 2017, shelling out \$416,362. A decade earlier, it ranked 19th, spending \$194,412.

Kevin Mealy, spokesman for the Oregon Nurses Association, said in the past decade membership rose from 11,000 to 15,000. Those members have increasingly taken on new roles such as nurse practitioners, home care nurses and school nurses.

Mealy said that in 2015 the association decided to expand its political interests beyond direct health care to livability issues such as education, housing and clean air and water.

Groups such as the nurses association also deploy their members as a lobbying force, picking one day for members to flood the Capitol, shake hands and make their points with legislators. In recent days, the advocacy days were conducted by the Oregon School Based Health Alliance and the Northwest Credit Union Association.

Some bring hundreds, others thousands, armed with signs and matching T-shirts. 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 staff 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."

"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.

Legislators in Oregon receive about \$61,000 per session for staff, services and supplies. Legislative assistants make \$2,806 to \$4,727 per month, depending on experience. Most lawmakers have one to three staff members.

Wonderlich said having fewer staff to vet proposals can make state lawmakers easier targets for lobbyists.

"Each state's decisions have a massive impact on the amount of profits they have," Wonderlich said. "That fact is not lost on interests that are behind lobbying."

Lobbyists testify in committee hearings on behalf of their clients, but they also work to influence decisions behind the scenes, whether it's a meeting in a lawmaker's office or grabbing a quick chat in a hallway as a legislator goes from meeting to meeting.

Two years ago, Rayfield pushed to make lobbying more transparent.

House Bill 2577 would have required lobbyists to disclose which bills they were lobbying, their positions on the bills and what topics they were lobbying.

The effort "set the building on fire," Rayfield said.

Nonetheless, he rounded up 34 representatives to co-sponsor the proposal, which passed the House with 51 votes.

But when legislators adjourned July 7, 2017, the bill sat on the desk of Senate President Peter Courtney, no vote ever taken in that chamber.

"There's a lot of things that could have gone on, so I don't want to speculate as to ill will," Rayfield said.

Hundreds turn out for heated, emotional testimony on vaccination bill

Bill would remove religious, philosophical exemptions

By Aubrey Wieber
Oregon Capital Bureau

The Capitol swelled with a sea of red Thursday as hundreds came to Salem to testify on legislation that would remove parents' ability to decide whether to vaccinate their child and keep them in public or private school.

The proposal, House Bill 3063, would remove religious and philosophical exemptions for Oregon's required vaccines, leaving in place only a medical reason for a child to avoid vaccinations. The House Committee on Health Care held the first hearing on the bill, which was introduced last Friday.

Safety and harassment was at issue as much as public policy. Many witnesses favoring the change noted the threats they and

others have received from vaccine skeptics. Opponents who want autonomy on whether to vaccinate, most wearing red shirts to signal opposition, pushed back on being called "anti-vaxxers" or crazy.

Multnomah County Commissioner Sharon Meieran, in support, said she was nervous to testify because of death threats some have received.

"The tenor of this debate has gotten unhealthy, and frankly, dangerous," she said.

Hours before the hearing, House Speaker Tina Kotek, D-Portland, told reporters of how heated the issue has become, and that some people feel they can't safely testify. She said some have received threats at their workplace.

"If you want to testify and someone shows up at your workplace, that's harassment," Kotek said. "That's not a free speech issue, that's harassment."

Rep. Andrea Salinas, D-Lake Oswego, chair of the committee,

opened the hearing warning that anyone being disruptive or harassing would be removed by state police.

About 75 people testified while another 180 were left waiting to do so despite the hearing going three hours. Hundreds more were there to listen.

If the bill becomes law, parents who receive a medical exemption could still keep their children in school. Those unable to get a medical exemption and who still didn't want to vaccinate their children would have to home school them.

The vaccine debate is always heated and provokes accusations of government overreach and sometimes conspiracy theories about ill will on behalf of public health officials. But with the backdrop of the largest measles outbreak in the region in decades — 66 confirmed cases, all but one being in southwest Washington — the debate has become especially charged.

overreaction.

Greenlick disagreed, and said the measles outbreak should prompt lawmakers to act where they have failed in the past.

"It turns out, no, it's not a theoretical discussion," he said. "It's a very practical discussion."

Language in testimony often turned dramatic. Sen. Kim Thatcher, R-Keizer, said the bill would take medical decisions from parents and give them to Oregon Health Authority officials.

"Our children are not lab rats," she said, garnering a loud applause.

Sen. Dennis Linthicum, R-Klamath Falls, said the proposal was the "Russian roulette" of public policy.

Several public health officials and medical doctors testified that diseases like polio have been essentially eradicated through vaccines. They talked about children with immune deficiencies scared to go to school because of low vaccination rates.

HOPE 4 PAWS
GRANT COUNTY

Dessert Auction

Spitfire Cocktails

Auctioneer:
Jack Southworth

Special Guest:
Herd U Needed A Home

SPAY-ghetti Dinner & Auction

Wednesday, March 13th, 5:00PM - 8PM
at GC Fairgrounds Pavilion

Please help support your local Animal Rescue Spay and Neuter Programs

Admission by donation

Dinner sponsored by Squeeze In Restaurant

Grant SWCD Weed Control Dept.

Working for You in 2019

Thanks to the Grant County Court and Northeast Oregon Forests Resource Advisory Committee, Grant Weed Control is able to offer a **25% Cost share program for Noxious Weed Control on Private Grazing Lands**, through a Title II funded Grant Project. This program will provide a maximum \$5,000 of noxious weed control services with a \$1,250 maximum landowner contribution to qualifying participants. To be eligible for participation, the treatment property must not be actively irrigated and must be primarily managed for livestock grazing, minimum of 20 acres in size, located within Grant County, and must contain priority noxious weed species. Applications for this limited weed control assistance opportunity will be ranked and funded according to a priority noxious weed list.

Contact the Grant Soil and Water Conservation District Office at (541) 575-1554 or visit 721 S. Canyon Blvd., John Day, OR 97845 for applications and additional information.

The application deadline for this program is April 12th, 2019.

107997