

SB 43 A STAFF MEASURE SUMMARY

Carrier: Sen. Boquist

Senate Committee On Rules

Action Date: 05/10/17
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 5-0-0-0
Yeas: 5 - Beyer, Boquist, Burdick, Ferrioli, Roblan
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Cherie Stone, LPRO Analyst

WHAT THE MEASURE DOES:

Expands provisions excluding specified individuals from lobbyist registration and expenditure statement filing requirement exemptions to additionally include elected officials, representatives supervising an entity's lobbying activity and individuals meeting with members in personal capacity. Excludes person who holds position with public body or private entity, and whose work responsibilities include lobbying, from lobbyist registration and expenditure statement requirement exemptions. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Current application of exemption to lobbyists, public officials and members of public
- Threshold for reimbursement of expenses and per diem
- Difference between providing information and influencing legislation

EFFECT OF AMENDMENT:

Expands current exemption related to lobbyist registration and expenditure statement filing requirements to include elected officials, certain representatives supervising an entity's lobbying activities and individuals meeting with legislative members in a personal capacity. Adds that a public official who holds a position with a public body with a written job description that includes lobbying and a person who provides professional services to an entity who meets specified criteria is not exempt from lobbyist filing requirements. Adds emergency clause and conditional enactment language.

BACKGROUND:

According to ORS 171.725, a *lobbyist* includes any of the following: 1) any individual who agrees to provide personal services for compensation or other consideration for the purpose of lobbying; 2) any individual who provides personal services as a representative of a corporation, association, organization or other entity for the purpose of lobbying; or 3) any public official who lobbies. Current statute defines *lobbying* to mean influencing, or attempting to influence, legislative action through communication with legislative officials, solicitation of executive officials or other individuals to influence legislative action or obtain the goodwill of legislative officials.

ORS 171.740 requires an individual to register as a lobbyist with the Oregon Government Ethics Commission (OGEC) by filing a prescribed statement within three days of exceeding an aggregate of 24 hours spent lobbying or spending an aggregate amount that exceeds \$100 lobbying during any calendar quarter. Additionally, individuals must register with OGEC as a lobbyist the day after they first appear or work for an entity they are not already registered to represent or after agreeing to provide personal services for compensation or other consideration for the purpose of lobbying. Individuals who meet the criteria for lobbyist registration are further required to file expenditure statement information with OGEC as prescribed.

Senate Bill 43-A expands current exemptions with regard to lobbyist registration and expenditure statement filing requirements to additionally include elected public officials, certain representatives supervising an entity's lobbying activities and individuals who meet with legislative members in a personal capacity. The measure stipulates that a
 This Summary has not been adopted or officially endorsed by action of the committee.

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public official who holds a position with a public body and whose written job description includes lobbying and a person who provides professional services to an entity who meets specified criteria is not exempt from prescribed lobbyist registration and expenditure filing requirements.