To: Government Ethics Work Group and Interested Persons  
Re: Staff Analysis and Sub-Work Group Recommendations on LC 1225 Lobbying  
From: Sam Sears, Staff Attorney, Oregon Law Commission  
Date: September 29, 2006

LC 1225 will make changes to statutes regulating lobbying. Oregon Law Commission staff has reviewed the text of draft statutory provisions in LC 1225. Staff finds that the statutory draft appropriately reflects the decisions and recommendations made by the Government Ethics Standards Sub-Work Group (Group #1). Group #1 now forwards the draft to the full Government Ethics Work Group for consideration and action.

The Sub-Work Group agreed to make the following recommendations at its meeting on September 11, 2006. The draft reflects those decisions as follows:

1. Clarifies the definition of lobbying in regards to lobbying the executive to influence a legislative matter. **Section 1, subsection (8) and Section 2**

2. Clarifies that separate registration is required for each client and the “24 hour rule” and $100 spending limitation are aggregate, and not client-by-client, requirements. **Section 3, subsection (4)**

3. Requires clients to report: 1) aggregate payment to lobbyists; and 2) direct expenditures or reimbursements. **Section 6, subsection (1), paragraph (b)**

4. Requires clients to report expenditures over $75 on an itemized basis. **Section 6, subsection (1), paragraph (c)**

5. Requires clients to report gifts over $15 on an itemized basis. **Section 6, subsection (1), paragraph (d)**

6. Requires lobbyists or lobbying firms to report the total amount of money expended by the lobbyist or lobbying firm for food, refreshments, and entertainment. **Section 5, subsection (1), paragraph (a)**

7. Requires lobbyists or lobbying firms to report expenditures over $75 on an itemized basis. **Section 5, subsection (1), paragraph (b)**

8. Requires lobbyists or lobbying firms to report gifts over $15 on an itemized basis. **Section 5, subsection (1), paragraph (c)**

---

1 Statutory changes in LC 1225, except as specifically discussed in this memorandum, generally are technical changes to conform to Legislative Counsel’s form and style. Those technical changes are self-explanatory.
9. Clarifies that a lobbyist must either amend an existing registration or file an additional registration within 3 days of acquiring a new client to identify that client and that all other changes in the information provided on a lobbyist registration statement must be revised within 30 days. **Section 4, subsection (3)**

10. Clarifies that a registered lobbyist is not required to file a report or expenditure statements for a client where the lobbyist is not being compensated and does not exceed the twenty-four hour time limit or the $100 expenditure limit. **Section 4, subsection (4) and Section 5, subsection (3)**

11. Increases the maximum fine for violations of lobbying regulations from $1,000 to $5,000 and the authorizes a fine for late filing of lobbyist registration forms of $10 per day for the first 14 days and $50 per day thereafter, up to a maximum of $5,000. **Section 9, subsections (1) and (2)**

12. Restructures the Investigation and Review complaint process in a manner that parallels the proposed revisions of the process for investigation and review of complaints of violations of ethics law in ORS Chapter 244. **Section 8**

13. Directs the Government Standards and Practices Commission (GSPC) to prescribe by rule forms for lobbyist registration and expenditure statements. **Section 7**

14. Directs the GSPC to provide notice to the Legislative Assembly of lobbying law violations. Directs the GSPC to adopt rules to determine when violations based solely on late reporting must be sent to the Legislative Assembly. **Section 9, subsection (4)**