

BEFORE THE METRO COUNCIL

AMENDING THE PROVISIONS OF METRO)	ORDINANCE NO. 06-1112
CODE CHAPTER 2.17 TO MODIFY THE)	
EXPIRATION DATES OF LOBBYIST)	Introduced by Chief Operating Officer
REGISTRATIONS AND TO REPEAL)	Michael J. Jordan, with the concurrence of
REFERENCES TO STATE GOVERNMENT)	Council President David Bragdon
STANDARDS & PRACTICES COMMISSION)	

WHEREAS, in 1999 the Metro Council adopted Metro Code Chapter 2.17, the Code of Ethics for Metro Officials and Requirements for Lobbyists, to ensure that Metro serves the public and informs the public fully concerning its decision making; and

WHEREAS, the provisions of Metro Code Chapter 2.17 specify that the date of expiration of a lobbyist’s registration shall be one year following the date on which the lobbyist files or refiles a lobbyist registration; and

WHEREAS, amending the provisions for the dates of expiration of lobbyists’ registrations to a date certain and providing for a two-year period of registration would improve and provide for more efficient administration of lobbyists’ registrations; now therefore,

THE METRO COUNCIL ORDAINS as follows:

Section 1. Metro Code Section 2.17.110 is amended to read as follows:

2.17.110 Registration of Lobbyists

(a) Within three (3) working days after exceeding the limit of time specified in Code Section 2.17.120(a)(5), each lobbyist shall register ~~with the Oregon Government Standards and Practices Commission~~ by filing with the ~~Commission and Metro~~ Council a statement containing the following information:

- (1) The name and address of the lobbyist.
- (2) The name and address of each person or agency by whom the lobbyist is employed or in whose interest the lobbyist appears or works, a description of the trade, business, profession or area of endeavor of that person or agency, and a designation by each such person or agency that the lobbyist is officially authorized to lobby for that person or agency.
- (3) The name of any member of the Metro Council who is in any way employed by the lobbyist employer designated in paragraph (b) of this subsection or who is employed by the lobbyist or whether the lobbyist and member are associated with the same business. Ownership of stock in a publicly traded corporation in which a member of the Metro Council also owns stock is not a relationship which need be stated.
- (4) The general subject or subjects of the legislative interest of the lobbyist.

(b) The designation of official authorization to lobby shall be signed by an officer of each such corporation, association, organization or other group or by each individual by whom the lobbyist is employed or in whose interest the lobbyist appears or works.

(c) A lobbyist must revise the statements required by subsection (a) of this section if any of the information contained therein changes within 30 days of the change.

(d) (1) Except as provided in subsection (d)(2), A lobbyist registration expires ~~one year~~ on January 31 of the next odd-numbered year after the date of filing or refiling.

(2) A lobbyist registration filed on or after July 1 of any even-numbered year expires on January 31 of the second odd-numbered year after the date of filing or refiling.

Section 2. Metro Code Section 2.17.130 is amended to read as follows:

2.17.130 Statements of Lobbying Expenses

~~(a) — Any lobbyist who engages in any lobbying activities shall file with the Oregon Standards and Practices Commission and the Council on by January 31 of each year a statement for the preceding calendar year showing the name of any Metro official who attended a fund raising event for a non-profit tax exempt entity as a guest of the lobbyist, including the date, name of the non-profit entity and amount of that expenditure. showing:~~

~~(1) — The name of any Metro official who attended a fund raising event for a non-profit tax exempt entity as a guest of the lobbyist including the date, name of the non-profit entity and amount of that expenditure.~~

Section 3. Metro Code Section 2.17.140 is amended to read as follows:

2.17.140 Employers of Lobbyists Expense Statements

~~(a) — Any person which employsemploying a lobbyist who was registered or who was required to register with the Oregon Government Standards and Practices Commission shall file with the Commission and the Council by January 31 a statement showing for the preceding calendar year showing the name of any Metro official who attended a fund raising event for a non-profit tax exempt entity as a guest of the employer of a lobbyist, but not including information previously reported in compliance with Section 2.17.130 and the date, name of the non-profit entity and amount of expenditure.:~~

~~(1) — The name of any Metro official who attended a fund raising event for a non-profit tax exempt entity as a guest of the employer of a lobbyist, but not including information previously reported in compliance with Section 2.17.130 and the date, name of the non-profit entity and amount of expenditure.~~

Section 4. Metro Code Section 2.17.170 is amended to read as follows:

2.17.170 Sanctions for Violations

~~Pending the Oregon Government Standards and Practices Commission obtaining jurisdiction to enforce this chapter and notwithstanding any other provision of the Metro Code, a~~ person who violates any provision of this Chapter or fails to file any report, registration or statement or to furnish any information

required by this Chapter shall be subject to a civil penalty in an amount not greater than \$500.—When authorized by law the Commission shall require that any person who violates any provision of this Chapter is subject to the provisions of ORS 171.990 and ORS 171.992.

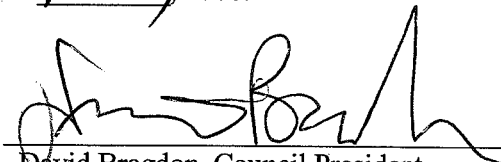
However, no Metro official shall be subject to any sanction for a violation of this eChapter that resulted from the receipt of any gift, meal, or entertainment from any person who is not currently registered with Metro as a lobbyist or is not designated on a lobbyist's registration as the employer of a lobbyist.

Section 5. Metro Code Section 2.17.180 is repealed.

2.17.180 Pending Enforcement by Oregon Government Standards and Practices Commission

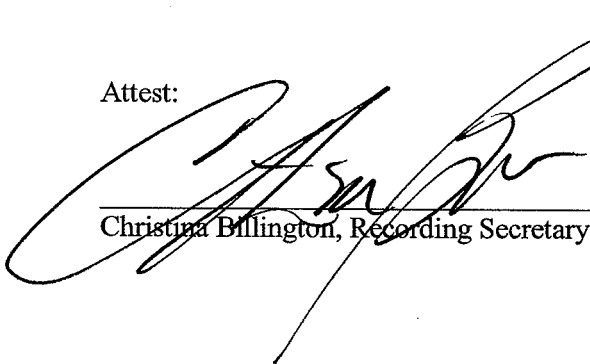
Prior to the Oregon Government Standards and Practices Commission becoming the administrative and enforcement authority for the provisions of this Chapter pursuant to an intergovernmental agreement or action of the Oregon Legislative as appropriate, all reports and registrations required by this Chapter shall be filed solely with the Council.

ADOPTED by the Metro Council this 2nd day of February 2006.



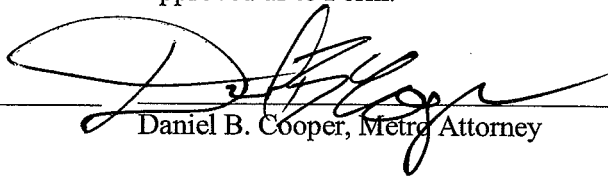
David Bragdon, Council President

Attest:

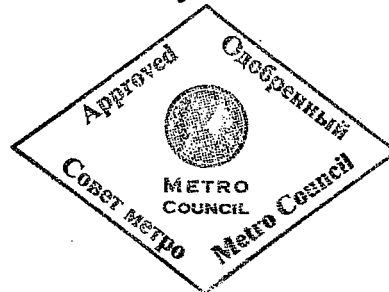


Christina Billington, Recording Secretary

Approved as to Form:



Daniel B. Cooper, Metro Attorney



STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 06-1112, AMENDING THE PROVISIONS OF METRO CODE CHAPTER 2.17 TO MODIFY THE EXPIRATION DATES OF LOBBYIST REGISTRATIONS AND TO REPEAL REFERENCES TO STATE GOVERNMENT STANDARDS & PRACTICES COMMISSION

Date: January 10, 2006

Prepared by: Randy Tucker

BACKGROUND

In Ordinance 99-795B, For the Purpose of Adopting a Code of Ethics for Metro Officials and Requiring Registration of Lobbyists, adopted March 4, 1999, the Metro Council established a Code of Ethics for Metro and requirements, including registration requirements, for lobbyists appearing before Metro. The registration requirements are intended to provide transparent information to the public about the interests who regularly attempt to influence actions by the Metro Council.

Ordinance 99-795B, codified in Chapter 2.17 of the Metro Code, specifies that lobbyist registrations expire one year after the date of filing. In practice this means that registrations expire at random times throughout the year, which results in piecemeal efforts by both lobbyists and Metro staff to ensure registrations are kept current. Administrative efficiency can be achieved by setting a uniform expiration date and sending out renewal notices all at once. Moreover, the benefit of annual registration is unclear; biennial registration seems sufficient to satisfy the public's interest in transparent information.

Accordingly, staff recommends that the duration of lobbyist registrations be extended from one year to two years, and that all registrations expire on January 31 of odd-numbered years, which would align lobbyist registrations with the beginning of a new biennial session of the Council.

Finally, Ordinance 99-795B contemplated the possibility that the Oregon Government Standards and Practices Commission (GSPC) might in the future assume administrative and enforcement authority over the requirements of Metro's Code of Ethics. This now seems highly unlikely, and the provisions of Chapter 2.17 that refer to the GSPC are confusing to lobbyists and the public. Staff recommends deleting these references. Staff also recommends several non-substantive housekeeping edits.

ANALYSIS/INFORMATION

1. **Known Opposition:** none
2. **Legal Antecedents:** Ordinance 99-795B
3. **Anticipated Effects:** Improve clarity of Metro lobbyist registration requirements; improve efficiency of administering these requirements.
4. **Budget Impacts:** None

RECOMMENDED ACTION

Staff recommends approval of Resolution No. 06-1112.