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Lobbyist gifts decline amid citizen outcry

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By **Chris Joyner**

The Atlanta Journal-Constitution

Athens resident Eugenia Stephens is unstoppable when it comes to lobbyists' gifts to public officials.

In the past year, Stephens, a retired IRS auditor, has emailed every member of the General Assembly urging them to end the practice of unlimited gift-giving by lobbyists. Her favorite address is david.ralston@house.ga.gov, which belongs to the speaker of the House. Ralston has proposed an outright ban on gifts.

"I've sent six messages since Christmas Day, all to the speaker," she said. "I want him to keep his promise about the total ban."

That kind of public pressure, coupled with widespread media scrutiny of lobbying at the Capitol, appears to have chilled some lobbying activity even without a change in the law: In 2012, lobbyists reported spending 24 percent less on meals, sports tickets and other gifts to public officials — the first time in five years that spending has dropped.

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Last summer, voters in both primaries overwhelmingly voted in favor of limiting gifts to public officials in non-binding ballot questions.

Rep. Tom Dickson, R-Cohutta, said he believes legislators have pulled back in anticipation of new rules.

"What you are seeing now is we know we are working on news rules in the Senate and new rules (in the House)," he said. That may have led some lawmakers to take a lower-profile approach while the politics sorts itself out, he said.

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Dickson is a case in point.

His 2012 tab of \$1,685 is about half the size of the prior year.

Dickson notes that most lawmakers and lobbyists are not guilty of the excessive spending that so enrages voters, and a new law may not prevent those outrages.

"We've got all kinds of heavy penalties for murder and we still have murder," he said.

But William Perry, executive director of Common Cause Georgia, said merely the threat of a change in the law has had a "good chilling effect" on spending. Georgia is one of just three states with no limit on gifts to public officials.

"This is directly affected by the visibility this issue has had. It's why we have tried to make it the marquee issue of the bigger ethics reform plan," he said. "All eyes are on this issue."

Up in January, then ...

From the start, 2012 looked as if it would be a banner year for lobbyist generosity. Lobbyists reported spending \$368,948 in January, up 20 percent over the prior January. Much of that spending came before discussion of lobbyist gift reform had yet to gain steam.

After January, spending was down for 10 of the remaining 11 months, an AJC analysis of lobbyist disclosures found.

The disclosures suggest legislators became more sensitive to the appearance of impropriety accepting all those meals and other goodies presented. The decline was especially evident after the party primaries last July.

Spending was already down – from January to July, lobbying spending was off by 15 percent – but after the primary the total amount reported plummeted by 49 percent over the prior year.

"That is evidence that people listen," said Sen. Jason Carter, D-Decatur.

Carter supported a \$100 cap last session, even trying to revive the idea last year on the Legislature's final day when he attempted to tack the measure onto another bill. He said he noticed a number of his fellow legislators sought some distance between themselves and lobbyists in 2012 as public attention focused on lobbyist-paid meals and other gifts.

"I think more people are paying their own way," he said. "People talk about whether it's worth it to let lobbyists pay."

This month, senators adopted a new rule limiting lobbying gifts to \$100. The rule only binds the Senate and has been criticized for numerous loopholes, but it is the first limit ever imposed on such gifts.

Cagle gifts down 66%

A review of disclosures finds that last year's exercise in restraint started at the top.

Lobbyists spent \$3,367 on Lt. Gov. Casey Cagle last year, dramatically less than the \$10,072 spent on him in 2011. On the House side, Ralston took more than \$6,000 in 2012, but not a dime following the primary vote and his announcement that he would support an outright ban on gifts. In all, Ralston's gifts in 2012 were only a third of what he took in during 2011.

Through a spokesman, Cagle said he would abide by the new Senate rule. Most of his gifts last year would have fallen under the \$100 cap. He accepted just three meals valued at more than \$100 last year.

Sen. Don Balfour, R-Snellville, was Rules Committee chairman in the past legislative session and



the Bands at the Georgia Dome on Saturday, Jan. 26, 2013.



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something of a poster child for lobbyist gifts, having drawn dozens of sports and concert tickets along with the usual meals and trips.

In 2011, lobbyists recorded \$15,027 in gifts attributed to Balfour. Last year, his total dropped to \$4,742, much of which was incurred prior to his decision to sign a pledge to co-sponsor gift cap legislation this year.

The public's antipathy toward lobbying gifts made less of an impression on others. House Majority Leader Larry O'Neal, R-Bonaire, attracted \$11,939 in gifts in 2011 and \$10,455 last year. That's a decrease of 12 percent, but well under the overall drop in spending.

'That's inherently wrong'

Rudy Underwood, a lobbyist for the Georgia Chemistry Council, said he is not positive what is behind the decrease. "Some of it is the result of the economy," he said. Underwood's own spending dropped 30 percent last year, a fact he attributed to taking a sharper pencil to some group events he sponsored.

Underwood said the debate over lobby spending is a net positive.

"I think it hopefully is going to lead toward a better understanding of the whole process and clarification of what a reportable type of activity is and how it should be reported," he said.

That's an oblique reference to a feature of the current system that is particularly annoying to lobbyists, like Underwood, who pride themselves on playing by the rules: Spending by people who don't register as lobbyists but act (and spend) like one.

"There are still a vast number of people who lobby that are not registered," he said. "There are a vast number of expenditures that are made to affect legislation that are not reported."

Underwood said the public's view of lobbying is skewed because current state law only requires lobbyists to report gifts. Costs associated with voter outreach campaigns, studies and polls are not reported, but groups — including those pushing for the gift cap — use those methods to influence legislators, he said.

"I think that's inherently wrong," he said.

The trend of lower spending on gifts has continued in 2013. While the first two weeks of the year represent a very small sample, lobbyists reported spending about \$27,000 on public officials during that period. Much of the total went toward the large receptions that mark the start of the session.

Last year, lobbyists reported spending more than \$102,000 in the same time period.

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