In my position as Salt Lake County Mayor, I have completed almost a year and a half in office. Learning about the role of lobbyists has really been a wake up call about how things get done in government.

My perception is that lobbyists operate with two currencies: access and information. In order to be effective, a lobbyist must have both. Access allows them to talk to the decision makers. Information makes them accurate and reliable. In addition to those currencies, a good lobbyist must also be timely. Political climates can change almost instantaneously. Unless the information and access come about quickly, they are void.

I believe the best lobbyists for a cause are citizens and current elected officials promoting a cause. Unfortunately, most citizens are not familiar with the legislative process and most elected officials do not have the large amounts of time necessary to follow legislation. As the Salt Lake County Mayor, I operate a government with approximately 6,000 employees and hundreds of different services. Although I spend some time on Utah’s Capitol Hill during the six-week legislative session, I do not have time to be there all day, every day. Legislation changes quickly and without a full-time lobbyist watching the many bills that affect Salt Lake County, our citizens would miss out on potential benefits of some legislation. As a result, Salt Lake County government hires lobbyists. Lobbying is a legal and necessary activity in order to achieve the goals that I have to support our citizens. Lobbyists help us receive funding for important initiatives and help stop legislation that might negatively impact our residents. That being said, I wish we did not have a political system that necessitates the use of lobbyists.

Often, former elected officials make good lobbyists because their former professions give them the currencies of access, information and timeliness. A former elected official knows many of the current elected
officials because they previously worked together. As in much of life, people like to do business with people they know and with whom they feel comfortable. As a result, these elected officials-turned-lobbyists will have the ability to contact an existing elected official and get a call back. They understand the issues because generally they are lobbyists for the industries that they dealt with as elected officials. They also know where to get information quickly because of their previous work within the system.

However, there is a flip side to having elected officials become lobbyists. I believe that elected officials-turned-lobbyists taint the political system. The following are a few of the reasons I see a problem.

First, the legislative process becomes suspect when there are many elected officials who return as lobbyists. Joe and Jane Public perceive that you have to be one of the good ol’ boys (or girls) to get laws passed, and that the average citizen no longer has a voice. If citizens believe they have lost their voices in government, they will disavow the political system and disengage themselves from it. They will eventually stop voting.

Second, elected officials themselves become suspect, especially in their last term of office. If an elected official becomes a lobbyist for an industry that he or she previously passed laws in favor of, wouldn’t you wonder if there was not some kind of quid-pro-quo while they were in office? If legislation was passed on his or her way out the door and then the elected official becomes the lobbyist for a firm that was benefited by the legislation, the sirens certainly go off. Citizens will suspect that the lobbying contract was exchanged for passing legislation favorable to the firm.

Third, elected officials-turned-lobbyists may have an unfair advantage over citizens or other lobbyists that were not elected officials. The elected officials may have information about their former government that was not available to the general public. This information can be used to their advantage. For example, if a retiring elected official became aware of an impending law change that was being drafted to benefit an industry, he or she might then use that information as a future lobbyist to the advantage of certain clients over others. A similar situation might arise regarding a proposed zoning change that would increase the value of property. This information can be passed on to a lobbyist’s developer client to the client’s advantage.

In addition, the lobbyist still has close ties to the government and the public might perceive that any favorable legislation received by the
lobbyist was more a result of the relationship than the merits of the legislation.

In Salt Lake County government, we have several lobbyists, some of whom are former elected officials. Frankly, I believe this has been a benefit because of the access provided and the relationships they have.

However, our government also recognized the inherent unfairness of allowing elected officials or others in top government positions to become lobbyists who then lobby our government. Therefore, we passed an ordinance that prohibits these officials from lobbying Salt Lake County for a period of one year after they leave office. While this does not eliminate some of the problems mentioned above, it does allow a cooling-off period. This one-year period should allow any proposed legislation or zoning matters to pass through the system so by the time an elected official-turned-lobbyist can work on a matter, hopefully the lobbyist will not have an unfair advantage because of his or her former employment.

In conclusion, lobbyists have become a necessary tool in our political system. Lobbyists represent public education, private education, business, government employees, retirees, labor, management, defense contractors, space exploration, environmentalists, organized religion, resource developers and nearly every special interest imaginable. However, as more and more elected officials leave their positions to become lobbyists, I believe it will lead to more distrust of the political system.