



Senate Bill 974

Public Ethics - Lobbyists - Gift Exception and Regulated Activities Exemption

MACo Position: **OPPOSE**

To: Education, Health, and Environmental
Affairs Committee

Date: February 20, 2020

From: Michael Sanderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 974. This bill would require a range of government employees and representatives to follow State ethics regulations currently applicable to registered private lobbyists. One portion of the bill singles out employees of representative associations, creating an unfair dichotomy between large and small governments.

Current Maryland law properly recognizes the basic differences between public sector representatives and private lobbyists. State, county, and municipal officials and employees are routinely – and appropriately – sought by policymakers for input on administrative, implementation, and enforcement issues. The General Assembly and its staff regularly rely on government agencies and associations for insight into its fiscal and policy notes, budget analyses, and other reports. Indeed, legislation passed by the General Assembly just last session called on MACo and MML to serve as conduits for state policy, reflecting the strong collaborative relationship that a representative association often plays in public policy.

This government-to-government relationship is distinct from outside actors, for whom the tracing of client relationships and monetary interests may serve an important public need. There is no ambiguity about representation when a county employee, or MACo employee, appears before the General Assembly or otherwise advocates policy positions.

SB 974, in this respect, misinterprets the role of governments, especially local governments, in the policy process. County officials and employees should be welcomed into the policymaking process for their insight and expertise. Association staff, essentially representing jurisdictions without the means to employ staff for these focused purposes, should be similarly recognized. At the federal level, a similar distinction has applied for decades – making the same recognition that Maryland law has for many years.

Accordingly, MACo urges the Committee to issue an **UNFAVORABLE** report on SB 974.