



House Bill 1193

*Ethics- Lobbying Registration – State and Local
Government Entities and Associations*

MACo Position: **OPPOSE**

To: Environmental Matters Committee

Date: February 26, 2013

From: Michael Sanderson

The Maryland Association of Counties (MACo) **OPPOSES** HB 1193. This bill would require a very wide range of government employees and representatives to follow needless State ethics regulations currently applicable to registered lobbyists.

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. 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.

HB 1193 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. Under the bill, even county elected and appointed officials who join Annapolis policy discussions on behalf of MACo would be obliged to register as multi-client professional lobbyists. MACo employees, whose clearly defined membership is unambiguous, would similarly be captured.

Governmental legislative activities are already subject to a high degree of public scrutiny and accountability. All counties have enacted, as required under State law, local public ethics laws requiring extensive reporting. In addition, county budgets, including salaries and expenses of legislative employees, are public records. Current law provides a sufficient and appropriate level of public access to information about the investment in developing public policy.

Accordingly, MACo urges the Committee to issue an **UNFAVORABLE** report on HB 1193.