

February 20, 2020

Testimony on SB 974
Public Ethics- Lobbyists-Gift Exception and Regulated Activities Exemption
Education, Health, and Environmental affairs

Position: Favorable

Common Cause Maryland supports SB 974 which expands the regulations around lobbyist gift giving to lobbyists who work for the government.

This legislation expands the meaning of “entity” under the Maryland Public Ethics Law for the acceptance of gifts by specified officials and employees to include a governmental unit that employs an individual regulated lobbyist. Currently, under the ethics law, an official may not knowingly accept a gift from an entity that the official knows is a regulated lobbyist for matters under their jurisdiction. Because the government is not considered an entity under the law, lobbyists for counties and municipal corporations can still give gifts to legislators. This bill will also repeal the exemption for lobbyists representing counties or municipal corporations and it states that they are subject to the lobbying provisions of the Maryland Public Ethics Law.

Lobbying is important and can be an educational tool for legislators. It is an inherent part of participatory democracy because it allows citizens to inform legislators of the interests, needs, and desires of the people. Even when lobbyists work for the government, they influence legislative action that affects all Marylanders. This is why their needs to be protection to make sure that ALL lobbying that is taking place is ethical. Currently, gifts offered by governmental entities are not regulated by the Maryland Public Ethics Law. This exemption leaves room for external influences that may be affecting decision making in the government.

Allowing some lobbyists to participate in activities that are prohibited for other lobbyists is not fair. It also sends the message that the government is permitted to have their lobbyists use any means necessary to influence legislation, while those representing the people must be limited in their advocacy. In actuality, both sets of lobbyists must meet ethical requirements. We need to be sure that the individuals who impact the lives of everyone are adhering to ethics laws.

An ethical and transparent government is critical to ensure that special interests do not hold special influence, and for building voter trust and confidence in the political process. We urge a favorable report on SB 974.