

Georgia Professional Lobbyists Association

1231 Collier Rd NW - Suite J
Atlanta, GA 30318

November 14, 2012

Re: Georgia Government Transparency and Campaign Finance Commission Motion to Deny Renewal of Registration for Lobbyists with Unpaid Fees, Fines and Unfiled Reports

Mr. Chairman,

The mission of the Georgia Professional Lobbyists Association is to promote the development of professionalism, competence and professional standards for advocates in the public policy arena. GPLA membership, now at 160, is limited to lobbyists registered in the State of Georgia. GPLA conducts educational seminars for its members on effective advocacy strategies and regulatory compliance. To that end, the Association encourages all members to comply in full with the state's regulations and laws governing lobbyists' activities.

The GPLA Board has received a number of contacts from members who express concern about the potential adverse impact of the proposed policy. While it would be premature to characterize the comments below as the official position of the GPLA, it is accurate to state the concerns are shared by many registered lobbyists. These stated concerns include the following:

1. Several GPLA members have stated the opinion that it is unfair for the Commission to levy fines when the Commission's technology infrastructure may be a contributing factor in the tardiness or incompleteness of required filings which result in fines,
2. Other GPLA members have stated a concern that while enforcement of fines or fees is a lawful regulatory function of the Commission, the right to speak freely and to petition the government is protected under the 1st Amendment to the Constitution. As such, the possibility that a lobbyist (a citizen of this state) could be barred by a state regulatory policy from approaching lawmakers because the lobbyist has not paid a fine appears to be a severe enforcement and counter to what is intended in the Constitutional prohibition of laws which infringe on free speech and right to petition.
3. Finally, other GPLA members have asked if the Commission will, in fairness, extend the policy to apply to elected officials who are required by law to file transparency reports and who may owe fines. A similar question might be made of a policy for persons who are responsible for filing disclosures for PACs and Campaign Committees.

Thank you for allowing GPLA to submit these comments. We look forward to working with members of the Commission in the future and wish to be a resource for members and staff.

Respectfully,

James E. "Jet" Toney, Chair