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OPINION

## Toney: Ethics reform should address unregistered lobbyists

By JAMES E. "JET" TONEY published Tuesday, January 8, 2013



When the Georgia General Assembly convenes next week, state lawmakers will focus on ethics reform. Many expect the legislature to pass a law to reduce lobbyist expenditures and to restrict how lobbyists interact with elected officials.

Once the law becomes effective, registered lobbyists will comply. But unregistered lobbyists will not.

As lawmakers consider the regulatory framework governing lobbyists' activities in 2013 and forward, perhaps the first step should be to more adequately define "influence" and to clarify the definition of who should register as a lobbyist. With this accomplished, the public and the media will be better equipped to make more informed decisions regarding those elected to serve at the state and local levels of government.

Under Georgia's current ethics framework, individuals who are paid to promote or oppose state or local legislation, regulations or ordinances, and who invest more than 10 percent of their time in such advocacy, are required to register as a lobbyist with the Georgia Transparency and Campaign Finance Commission, formerly known as the state ethics commission. Individuals who expend more than \$1,000 to influence public policy also must register.

Once registered with the ethics commission, lobbyists must file frequent and comprehensive reports, which disclose what the lobbyist or their client has expended in the course of advocacy. Under this regulatory framework, the public and the media have nearly immediate and convenient access to lobbyists' spending via the Internet.

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Individuals who are conducting lobbying activities but who do not register with the ethics commission are not subject to disclosure requirements. Thus, Georgia citizens and the media never know of the activities of these unregistered lobbyists who may be entertaining elected officials, engineering substantial grassroots advocacy networks, or promoting business location or expansion in our state.

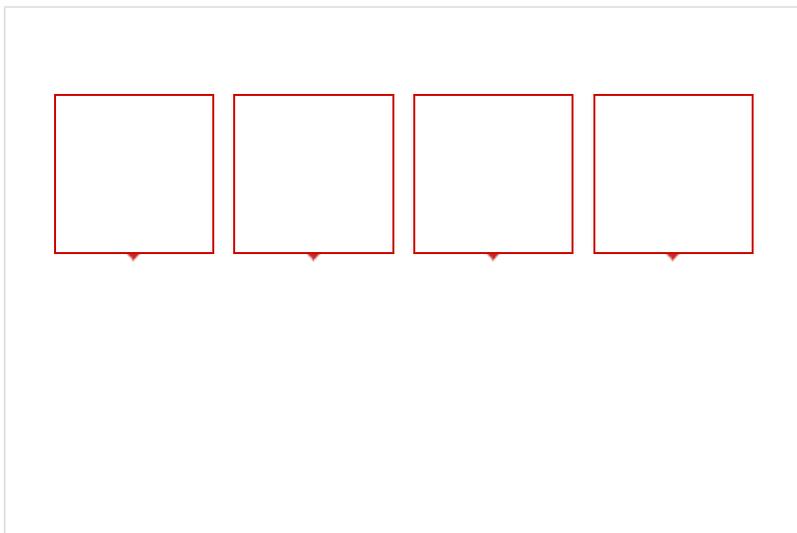
Currently, more than 1,200 people are registered with the state ethics commission. Most file timely and complete reports disclosing their spending on elected officials, agency heads and key staff. Those who fail to file timely reports are hit with significant fines that must be paid before they can renew their registration for the next legislative session.

Professional lobbyists pursue a reputation of honesty, integrity and reliability of information. Few risk the negative notoriety associated with compliance problems. Last year, several career lobbyists established the Georgia Professional Lobbyists Association with a mission of providing high-quality professional development training seminars for registered lobbyists, advocates for underserved communities, and other citizens who desire to more effectively communicate their causes to elected officials.

To date, GPLA has provided more than 22 hours of professional education. Much of the content of GPLA seminars focuses on regulatory compliance and disclosure. Also, at least one hour of instruction at every seminar is provided by an expert on professional ethics or a former ethics regulator. These experts help lobbyists protect their personal and professional image by demonstrating how to make sound behavioral and career choices in the turbulent environment of government and politics.

The public, the media and lobbyists themselves benefit from knowing what registered lobbyists are spending as they represent their clients and their issues. Georgia's current ethics framework provides a wealth of information to the public and the media about the activities and expenditures of registered lobbyists and their organizations. But it tells nothing of the influence of unregistered lobbyists.

- James E. "Jet" Toney chairs the Georgia Professional Lobbyists Association. Toney has participated in 37 regular sessions of the Georgia General Assembly.



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