

Since Registering Lobbyists is a Good Idea, Widen Net to Catch Slinkers, Skaters

by James E. “Jet” Toney

The Georgia Professional Lobbyists Association was formed in 2011 as public clamor for more regulation of lobbyists and elected officials rose to an unprecedented pitch. It was not formed to fight regulation but to educate members toward regulatory compliance and professionalism. Along the way, GPLA has grown from a handful of “old dog” lobbyists to more than 160 registered advocates of widely diverse interests who embrace with pride their enterprise, while seeking to expand accurate public awareness and appreciation of the industry.

Well documented is the notion that advocacy is protected two ways in the First Amendment to the U.S. Constitution. First, free speech assures that no lobbyist (registered or not, professional or citizen) is silenced with regard to providing comment and perspective to elected officials and government staff. Secondly and more powerfully, the First Amendment right to seek redress from government is a firm foundation on which individual citizens and communities of interests (organizations, businesses and trades) launch advocacy efforts and information sharing. Most often, these entities wisely choose to be represented by professional lobbyists who by preparation, experience and the development of relationships know when and how best to advance the perspective of a client.

In Georgia, these constitutional protections certainly apply to all citizens and entities who chose to engage

the political, regulatory and legislative processes. But the application of the regulation of lobbyists is not universal. In fact, the number of lobbyists registering and filing disclosures appears to be in decline relative to the growth of population and comparison of recent registration data.

If requiring lobbyists is a good idea (and I submit it is in the public interest) then it follows that requiring registration of all persons who are compensated for lobbying or are persistently advocating for organizations also serves the public interest. Georgians deserve access to the names of people and organizations who are regularly and purposely engaging the legislative and regulatory processes. Such knowledge empowers all citizens on each side of an issue to know who is impacted by proposed policy and who are overtly working to impact same. Equally, it provides elected officials and government staff a roster of those entities affected by proposed legislation and policy. In my experience, knowledge of the identities of other parties to an issue often leads to compromise if not solutions that move Georgia forward at little actual expense to any party.

This call for enforcement of Georgia’s lobbyist registration is not a criticism of lawmakers who design and adopt ethics legislation or the state ethics commission charged with registering and regulating lobbyist and candidate behavior. Quite the contrary, it is recognition that we have intentional disclosure laws on the books that are working but would be even



more effective if the slinkers and skaters who purposely avoid registration are identified and directed to join the effort.

Undocumented lobbyists are those who regularly engage in advocacy on behalf of others inside the Capitol building, in legislative districts or official offices of state government, or through paid or social media. Because these individuals do not register, they are not subject to the frequent deadlines for disclosing expenditures made on elected officials and, therefore, do not suffer the possibility of a \$250 to \$10,000 fine on an unreported or tardy expenditure of a \$6.95 cheeseburger.

Ours is a noble profession steeped in rich history—from the hallways or “lobbies” of Parliament to the Williard Hotel lobby where President Ulysses S. Grant would puff his evening cigar and listen to political advocates. Lobbyists have been around as long as government and will continue to inform and educate elected officials on behalf of interest groups. As an organization, GPLA simply seeks to raise the professional playing field to welcome all members of this industry, by encouraging transparency, registration, and disclosure.

We invite any interested individual to join and participate in GPLA training where we collectively challenge ourselves. With thoughtful speakers, academics, and even elected officials, we strive to coach and mentor our corporate body to become better at the craft of lobbying. While fondly referred to as the “second oldest profession,” we believe that practice makes the experience better for us all. We will continue to advocate for this industry as well as our respective interests, while maintaining the high standards established under our association.

Jet Toney is chairman of the Georgia Professional Lobbyists Association.

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