



**TESTIMONY OF COMMON CAUSE/PENNSYLVANIA  
ON THE APPLICATION OF THE  
LOBBYIST REGISTRATION AND DISCLOSURE ACT**

**Joint Hearing of the  
Senate Community, Economic and Recreational Development Committee  
and the  
House Gaming Oversight Committee**

**February 2, 2010 – Harrisburg, PA**

Good morning Chairlady Earll and Chairman Santoni. I am Barry Kauffman, Executive Director of Common Cause/PA. Common Cause is a citizens' government integrity advocacy organization with over 5,000 members and affiliates throughout Pennsylvania. We have over thirty five years experience in working for more open, accountable and responsive government.

I was invited here today to comment on what Common Cause/PA believes Act 134 of 2006 requires with regard to the registration and financial disclosure of lobbyists and those who hire or contract with lobbyists. As you probably know, Common Cause/PA worked for over 30 years to achieve the passage of this law and was involved nearly every phase of its development.

It is our belief that the lobbyist disclosure law must mean what it clearly states and that it must be interpreted and enforced in that manner. Therefore, in our view the law concerning registration contains three specific triggers – all three of which must be accomplished to require registration and disclosure.

1. The person, organization or company must be engaged in an activity that is intended to have an impact on the creation, modification or preservation of a state law or regulation or official policy; the promotion or hindrance of the appointment of a person to public office; or the securing of a contract from a legislative or executive branch agency of state government; and
2. The person, organization or company engaged in the activity in number one above must be compensated to engage in this activity or spend money on the above activities – and/or provide gifts, meals, entertainment, travel and other hospitality to engender good will with, or achieve access to, public officials; and

3. The person, organization or company must expend funds, utilize resources or receive compensation for activities included in numbers one and two above in an aggregate amount of more than \$2,500 in a calendar quarter. This includes salaries, benefits, expenses, support staff, offices, consultants, equipment, supplies, telephones and communication services, and other support services.

If all three of the above conditions are met, then the person, organization, or company expending the resources, as well as the person being compensated to obtain the benefit of the affected public policy or contract, must register and begin filing quarterly disclosure reports for the remainder of the legislative session.

These are the general rules. There are a variety of exemptions that could excuse a person or organization from filing or reporting.

When being asked for advice by lobbyists and organizations regarding registration and reporting, we always have urged people to err on the side of disclosure. It is much better to protect one's reputation and ability to lobby than to discredit or diminish one's integrity and ability to lobby by failing to register and report. We have encouraged people to register and report at the point at which they realize they are likely to hit the threshold triggers even if they have not yet formally reached the threshold.

We believe the General Assembly and the special committee assigned to draft related regulations have done a good job of establishing the registration and reporting requirements in clear, understandable and enforceable language – although we do contend certain standards should be made more comprehensive and rigorous. In the event that there is ambiguity or lack of clarity, a registrant or potential registrant has the ability to receive advice and guidance from the State Ethics Commission.

This concludes my formal comments. I would be happy to attempt to respond to any questions you may have.

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