

League Day in Dover 2012 Summary remarks Janet Wright, Esq., Counsel, Delaware Public Integrity Commission (PIC):

Ms. Wright opened her remarks by underlining the importance of transparency in government, in spite of the fact that the PIC's severely limited budget prevents it from providing full transparency.

She presented an overview of the PIC responsibilities, which include oversight and administration of:

- Lobbyist registration
- Ethics laws
- Financial disclosure laws, and
- Dual compensation (Elected officials who have other jobs in State Government)

The annual budget is \$34,700.

Delaware was one of the first to implement an online lobbyist registration process in 2002. There are over 300 lobbyists in Delaware registered to represent the interests of over 900 entities, but only 40 receive compensation. The others are volunteers, that is, they report no direct expenditures of \$50 or more on any covered individual per quarter.

All registered lobbyists are sent electronic notices of filing requirements, and reminders are sent to those who do not do so within the requisite time. Non-compliers are removed from the list.

Lobbyists' badges are available upon request; these have the dual advantage of identifying lobbyists in the General Assembly, and eliminating the need for individual lobbyists to sign in at Legislative Hall on each visit.

Those who should register include three categories:

- Those who receive direct compensation as lobbyists
- Those who are authorized to lobby for an organization, and
- Volunteers who lobby

SB 141, now under consideration, would exempt some who are now covered.

There is also discussion of imposing a fee, but she is not in favor of it.

Part of the PIC's responsibilities include comparing over 3,000 lobbyists' reports with over 300 public officials' financial disclosure reports to see if they match. Even though the database in its current form is not searchable, any individual can go to the office in Dover and obtain more detailed information of financial disclosure reports.

An attendee asked whether the public can determine what issue a lobbyist is working on at a given time. She said not at present, and there is discussion of the issue, but that it would be inordinately complex to implement.

There was a question about whether SB 141 has a fiscal note attached to it. Ms. Wright said no, and that this type of legislation without an accompanying fiscal note is very like an "unfunded mandate."

When asked to differentiate between those who consider themselves to be educating or informing legislators, and those who are directly in favor of or opposed to a particular bill, she said that in her opinion there isn't a difference – that all lobbyists are educating and informing, and that, either way, any attempt to influence the outcome of a particular piece of legislation constitutes lobbying, and should, therefore be registered with the PIC. The consequences can be unpleasant for those who do not register, since they may be publicly identified as not having registered, and as such, not be permitted to speak to a bill.