

An Act Improving the Law Relating to Ethics and Lobbying – H95

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The League of Women Voters urges you to support “An Act Improving the Law Relating to Ethics and Lobbying” – H95.

Lead Sponsor: Governor Deval Patrick

Background: In October, 2008 Governor Patrick announced plans to form a bipartisan task force on public integrity, which was charged with proposing specific recommendations to improve the Commonwealth’s ethics and lobbying laws.

The task force determined “existing ethics rules that govern the conduct of government employees are, for the most part, comprehensive, appropriately strong, and relatively clear;” “rules governing lobbyists are few and lacking in clarity;” “existing civil and criminal penalties for violations of the ethics and lobbying laws (are) inadequate for effective enforcement and deterrence;” and “ in both the areas of ethics and lobbying.... there are insufficient mechanisms in place to ensure that those who must comply with rules have a necessary understanding of what those rules require and what steps they can take to ensure their own compliance.” The task force’s recommendations to address these issues are the basis for this bill.

Purpose of the Bill: The bill proposes a system regarding ethics and lobbying laws that is clearer, has better understood rules, has more efficient investigatory and enforcement mechanisms, and penalties more in keeping with current circumstances

Talking Points:

- Public concern and loss of trust in its elected officials is very high at this time because of many recent scandals within the state and across the country.
- The financial rewards available to lobbyists have grown significantly over the past several years, and unethical and illegal actions by lobbyists have become increasingly more difficult to detect.
- The Attorney General's office and the Secretary of State's office will have an expanded ability to monitor ethics violations and lobbying activities and to prosecute offenders.
- Volunteers, such as League lobbyists, are not subject to this bill.
- The bill is backed by every law enforcement agency in the state, current and former Attorneys General and prosecutors, MassPIRG, Common Cause, etc.
- Because one of the concerns expressed by the task force was that existing civil penalties are inadequate, while we appreciate that monetary components of legislation are not generally indexed, we recommend that fines be indexed to the Consumer Price Index.