



The Voice of the Human Services Community

City Council Governmental Operations Committee
Proposed Int. 502-B
Date: April 11, 2007

Good afternoon, Chairperson Felder and members of the Council Committee on Governmental Operations. Thank you for the opportunity to appear before you. My name is Allison Sesso and I am the Deputy Director of the Human Services Council of New York City (HSC) and am here to testify on the proposed amendments to the lobbying law as presented in Int. 502-B.

HSC is the organized voice of the not-for-profit providers of social services in New York City. HSC has existed for more than 15 years, with over 150 members consisting of federations, sub-sector-specific umbrella associations, advocacy groups, and direct service providers, both large and small. HSC applauds the City's efforts to limit conflicts of interest, improve transparency, and reduce the influence of high priced lobbying entities on local policy development. We want to thank you for revisiting this important legislation and addressing some of our concerns.

Confidentially Concerns Addressed

This bill amends Local Law 15 of 2006 by removing the requirement to list the names of lobbyists' unemancipated children unless a campaign contribution is made in the unemancipated child's name. It also requires registration statements to include the home and business addresses but not the telephone number of lobbyists' spouses or domestic partners. It is our understanding of this proposal that this information is intended to be kept confidential although it would be accessible to the Campaign Finance Board to ensure that campaign contributions are not matched.

If a contribution is made by or in the name of a lobbyists' spouse, domestic partner, or unemancipated child, then within 48 hours of such contribution, lobbyists are required to disclose additional information: the unemancipated child's name and home address, the lobbyist's home and business address and business telephone number, and the lobbyist's spouse or

130 East 59th Street • New York, NY 10022
Tel: 212-836-1230 • Fax: 212-836-1837
www.humanservicescouncil.org

domestic partner's home and business address and business telephone number. The City Clerk, however, will keep all home addresses and the business address of the lobbyist's spouse or domestic partner confidential and not subject to public inspection. It is our opinion, that this amended language adequately balances the need to maintain confidentiality of certain information while also ensuring the transparency of the process.

Our concern arises with respect to the monitoring of campaign contributions by employees in an "organization's division" that engages in lobbying activities.

Definition of "Lobbying Division"

Organizations that are registered as lobbyists are struggling with the bill's definition of "lobbying division." According to the law, "When a lobbyist is an organization, the term "lobbyist" shall mean only that division of the organization that engages in any lobbying activities or whose employment relates to the lobbying activities of the organization." Few not-for-profit organizations have a clear "division" or department dedicated to lobbying. Employees' responsibilities are more likely split between multiple tasks, some considered lobbying and others not. As it is currently written, we believe the term could be over inclusive, going so far as to capture administrative or support staff who we do not believe should be banned from participating in the campaign finance program. It is furthermore, unrealistic to expect organizations to monitor the campaign contributions of those employees that are not necessarily engaged in lobbying activities.

It is for this reason, that we are proposing that Int. 502-B be amended further to clarify that the term "division" is limited in its application to only those organizations that maintain a department, division, or bureau specifically designated to "lobby" as that term is defined by the law. Organizations that do not maintain such a "division," could be required to identify and report on those professional employees whose primary responsibilities encompass lobbying activities as defined under the law. And only those employees would be subject to the newly established campaign finance matching rule exclusions. We believe that revising the definition in this way adequately identifies those that are engaged in lobbying activities without unduly burdening those that are not.

Public hearing testimony not lobbying.

As we review the Administrative Code section defining "lobbying activity," we realize that it is not clear that those that offer public hearing testimony (such as that which we offer today) are not engaging in lobbying activity. As a result of this, we respectfully request that you revisit the definitions to clarify any ambiguity. This clarification is essential to the reporting required under the other sections of the bill currently proposed. We would be happy to work with you on revising the language to this effect.

Raise Dollar Threshold for Reporting

As a final point, for future consideration, we urge you to consider raising the dollar threshold for the reporting requirements from \$2,000 to \$5,000. This would make the City's reporting requirement consistent with that of the State. In addition, raising the threshold to \$5,000 could enable the City Clerk to better focus its resources on those organizations that the law is truly intended to regulate.

Like you, we have the interests of the public at heart, and we want to encourage you to draw on our experience when considering this bill. We thank you for your attention to our concerns and we look forward to continuing to work with you to collaboratively achieve efficient government practices and an excellent service delivery system for the City's residents.

Contact: Allison Sesso, Deputy Director
212-836-1127
sesso@humanservicescouncil.org