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June 18, 2013

Caroline A. Bailey
Assistant Counsel
Department of State
210 North Office Building
Harrisburg, PA 17120

Re: Biennial Filing Fee for Lobbyists

Dear Ms. Bailey:

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2013 JUN 20 PM 10:15
DEPARTMENT OF STATE
BUREAU OF CEI

The Disability Rights Network of Pennsylvania opposes the proposed amendment to 51 Pa. Code §53.1, which would increase the biennial filing fee paid by lobbyists from \$200 to \$700. DRN is a non-profit corporation authorized under federal law to provide legal and advocacy services to people with disabilities in Pennsylvania.

In order to fulfill its mission of advocating on behalf of people with disabilities, DRN employees often interact with executive branch officials as well as state legislators and their staff. DRN needs to have these contacts to protect the interests of people with disabilities and their families on budget issues and wide range of other policy and legislative matters. The

Protecting and advancing the rights of people with disabilities

429 Fourth Avenue, Suite 701
Pittsburgh, PA 15219-1505
(412) 391-5225 (Voice)

1315 Walnut St., Suite 500
Philadelphia, PA 19107-4705
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lobbying disclosure statute is written in such a way that, at any given time, as many as 8-10 DRN employees are registered as lobbyists, with DRN being each of those employees sole principal.

Under the proposed amendment, which will more than triple the biennial filing fee to be paid by each lobbyist, the Department of State will unintentionally impose far more significant financial burdens on non-profit advocacy groups than it will impose on even the most profitable and powerful lobbying firms. First, DRN, like most if not all advocacy groups, does not have paying clients to whom it can pass on this increased cost, and thus this large fee increase will have to be absorbed, which will leave fewer dollars to provide vital services for people with disabilities.

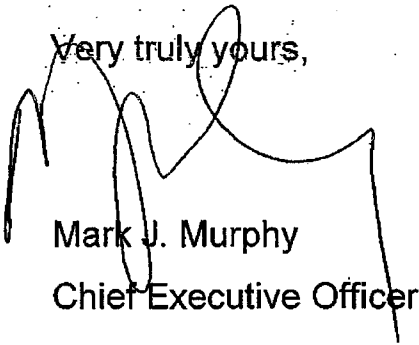
In addition, the proposed regulation would impose on DRN, a single principal with employees who lobby some of the time (but only on behalf of DRN), a disproportionate financial burden compared to traditional lobbying firms, which frequently employ multiple people but who lobby most of the time on behalf of numerous principals. Such disparate treatment effectively amounts to a tax on the free-speech rights of non-profit advocacy organizations, especially when compared to for-profit entities, trade organizations, and other groups that frequently hire lobbyists.

One alternative that could address some of this unfairness would be to charge a single fee, rather than a per lobbyist fee, to any principal 1) that is a non-profit, 501(C)(3) charitable organization; and 2) whose employees' lobbying activities are done solely on behalf of their employer. It seems reasonable for the Department of State to acknowledge the obvious reality

that non-profit organizations that use their own employees to lobby in order to advance their charitable mission are different than for-profit lobbying firms that are retained by multiple, for-profit principals.

Accordingly, DRN requests that the proposed regulation not be approved or implemented in its current form. Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark J. Murphy', is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

Mark J. Murphy
Chief Executive Officer
