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# PENNSYLVANIA LIBRARY ASSOCIATION

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*A Chapter of the American Library Association*

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June 27, 2013

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

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DEPARTMENT OF STATE  
BUREAU OF CEL

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Dear Ms. Bailey:

On behalf of the Board of Directors of the Pennsylvania Library Association and our 1400 members, I offer these comments and strong objections to the proposal to raise dramatically Pennsylvania's Lobbying Disclosure Registration fee.

The Pennsylvania Library Association (PaLA), a 501(c)(3) not-for-profit charitable organization founded in 1901, seeks to improve and advance library services in the Commonwealth, and represents the interests of librarians, library staff, volunteers, trustees, friends of libraries, and library users all across our state. PaLA is a small organization with a small staff (4 employees) and a small budget (\$650,000.) Since the passage of Act 134 of 2006, the Lobbying Disclosure Act, PaLA has registered with the Department under the Act as a "principal organization" and we have faithfully reported our activities and expenditures as required.

The proposal by the Department of State to raise the annual registration fees for principal organizations from \$200 to \$700 places an undue and disproportionate hardship on small non-profit organizations. Increases of the magnitude proposed under this rule fail to recognize the vast differences in size and financial capacity among principal organizations. Major corporations, major labor organizations, and major non-profit organizations will pay the same increase as the Pennsylvania Library Association. These organizations may object—just as PaLA objects—to this increase of 250% in the registration fee and, I suppose, reasonable people can argue the merits of such an increase. But what is inarguable is that an across-the-board fee increase of this magnitude disproportionately harms small non-profits and, in the case of PaLA, diminishes our capacity to fulfill our educational and charitable mission, a mission which strives to improve Pennsylvania's educational infrastructure, add to our quality of life, strengthen individual career and small business opportunities, and enhance citizens' knowledge of and engagement in the world around them.

Further, in the proposed rulemaking, the Department advances an argument that raising registration fees will hasten the day when administration and enforcement of the Lobbying Disclosure Act will become a self-sufficient operation. Without question, while efficient operation of state government is a worthy goal, the notion that every function of government should operate at zero cost to the public flies in the face of shared public good. In our view, the goal here rather should be balance—that registration fees should help to offset the cost of Act 134 not exclusively fund administration of the act. The passage of Act 134 by the General Assembly represents the will of the people of Pennsylvania that lobbying activities be transparent. This transparency serves the public interest and, as such, the public fairly can and should share some portion of the cost of an act passed in the public interest.

The Pennsylvania Library Association offers these observations in the hope that the Department will reconsider the wisdom of a 250% fee increase; recognize the disproportionate negative impact that such an increase has on small non-profit organizations and charities; and reduce the proposed increase to a level that more fairly reflects an ability to pay.

Thank you for this opportunity to submit comments and for your serious consideration of our association's concerns.

Sincerely,

Glenn R. Miller  
Executive Director