

DELEGATE SCANLAN: No. I would assume that once it was adopted by the Convention, it would be in effect. We do have, of course, an administrative lag to prepare the forms, but I believe the committee intended it to be effective when this Convention approved it.

THE PRESIDENT: Delegate Gleason.

DELEGATE GLEASON: Mr. President, first of all I would like to complain that I think there may be some members of the Convention who are under the impression that either Mrs. Gill or myself are starting to work our influence on this Convention because our microphone is missing. Secondly, I might ask the Chairman of the Rules Committee to consider a hypothetical case of a regular employee of a corporation who is hired for public relations in the ordinary course of his duties. Now that the Convention is in session, the executive vice president of that corporation tells that particular employee, to go to Annapolis and start working his influence on a particular aspect or a particular piece of legislation, or proposal before the Convention.

Would such a person be included in those engaged for a salary to promote a matter pending before the Convention?

DELEGATE SCANLAN: Yes, he would be, and the manner in which he would report, I believe, is covered by proposed section 5 [Appendix A], especially the second paragraph thereof which reads "an agent who has been engaged or hired for an additional purpose by the person, firm, corporation, association, political subdivision, or agency of the State of Maryland, or of any other political subdivision for whom he acts as agent, shall report among his receipts that part of his fee, salary, or other compensation reasonably allocable for the performance of his duties as agent, and shall state the basis for the allocation."

DELEGATE GLEASON: I really wanted a clarification of what that other purpose was.

DELEGATE SCANLAN: If the chair would permit, I would like Delegate Bamberger to further reply in the event that I have not captured all of it.

DELEGATE BAMBERGER: I would only add that in section 1(a) [Appendix A], the definition of an agent as a person engaged or hired to lobby includes persons engaged or hired for an additional purpose.

DELEGATE SCANLAN: So the answer to your question, Delegate Gleason, is yes, such a person would be covered.

DELEGATE GLEASON: The other question I had, if I may pursue the matter, is whether the committee in the case of an agent who fails to comply with the rule considered also requesting the employer of such person to come before the committee to so testify.

DELEGATE SCANLAN: The Convention has no power, as discussed back in July, to subpoena anybody or to require anyone to testify. We could invite the employer to come, and if he came to express his own views, he would certainly be immune from registration because he was not appearing in a representative capacity. It would be very nice, as Delegate Bamberger and the subcommittee reminded us, if we had the power to reach out and some way get out those who employ the agents. I am sure I am not letting any secrets out, but there have been a number of organizations that have been besieging the delegates with full blown copies of proposed constitutions, and other matters. It would be very nice if we had a way of finding out just who all these people are, what they represent, how much money they are spending in the publicity effort, but the statute is silent on that. It gives us no powers to get there and so I am afraid that our answer there again is there is not much we can do about that. As I said, maybe this is an example of a regulation which creates a net to catch gnats but lets the wasps go free. Mr. Bamberger, do you have anything else?

THE PRESIDENT: Delegate Freedlander.

DELEGATE FREEDLANDER: Mr. President, and, Mr. Scanlan, under category 8, "exceptions," would this apply to delegates who are members of this body who are also in their spare time or otherwise counsel to local governments, for instance, those who may be advising and lobbying in their fashion in a category other than the committee on which they would serve?

DELEGATE SCANLAN: Senator Della raised this with us. The answer is no. If you are a delegate to this Convention, you are here and there is nothing more you have to do except vote your conscience.

THE PRESIDENT: Are there any other questions for clarification? Delegate Kiefer?

DELEGATE KIEFER: Delegate Scanlan, I have a letter here from an attorney representing a commercial group or organization specifically written to me and advocating a particular proposition. Would this require registration by this particular person?