

Walker, Ardyth (COE)

INQ 03-78

From: Walker, Ardyth (COE)
Sent: Tuesday, August 05, 2003 4:42 PM
To: 'Renaud, Mark'
Subject: RE: Lobbyist Question

Mr.. Renaud,

The activities described in Statement #1 would not require lobbyist registration under Miami-Dade County's lobbying ordinance. Grassroots organization and activity would not fall within the definition of lobbying. A corporation may create flyers and urge the public to contact elected officials about a matter before them. Similarly, a corporation may hire a vendor to call the corporation's clients and urges those clients to contact their elected officials.

However, the activities described in Statement #2 might trigger lobbyist registration depending on the specific facts. If the donor corporation is seeking to encourage the passage or defeat of particular legislation or action by county personnel or officials and the coalitions and its lobbyist is seeking to directly influence the decision-making of public officials or employees, the corporation is engaged in lobbying activities as defined in the code. Section 2-11.1(s) defines a lobbyist as all persons, firms or corporations employed or retained by a principal whose seeks to encourage the passage, defeat or modifications of 1) ordinance, resolution, action or decision of the County Commission; 2) any action, decision, recommendation of the County Manager or any county board or committee; or 3) any action, decision or recommendation of any county personnel during the time period of the entire decision-making process on such action, decision or recommendation which foreseeable will be heard or reviewed by the County Commission or a county board or committee. Lobbyist specifically includes the principal as well as any employee whose normal scope of employment includes lobbying activities. Under this definition, the coalition is a corporation retained by the donor corporation to engage in lobbying activities. On the other hand, if the corporation and the coalition are involved in general political activities that are not directed toward a particular matter or action of county personnel, then the donor corporation would not be a principal for purposes of the ordinance. In order to give a definitive answer, I would need to have additional information regarding the donor corporation and the activities of the coalition.

Please call me at (306) 350-0616 if you have additional questions.

-----Original Message-----

From: Renaud, Mark [mailto:mrenaud@wrf.com]
Sent: Friday, August 01, 2003 10:44 AM
To: awalker@miami-dade.gov
Subject: Lobbyist Question

Ms. Walker,

As I previously stated on the phone, we would like to know whether the following activities trigger any types of lobbyist or lobbyist employer registration or reporting under Miami's lobbying ordinance. The activities are as follows:

1. Grassroots activity such as (1) a corporation's creating flyers, petitions, or signs asking the general public to contact their city/county council members and urge the members to support or oppose pending or proposed ordinances or other city/county legislation; and (2) a corporation's hiring an outside vendor to call the corporation's customers and the customers' employees, asking those persons to contact their city/county council members and urge the members to support or oppose pending or proposed ordinances or other city/county legislation.
2. A corporation's donating money to a coalition that is engaged in lobbying activities, where the coalition has hired a lobbyist who is duly registered under the Miami's lobbying ordinance.

I appreciate your assistance in this matter.

8/5/2003

Please do not hesitate to call me if you have any questions.

Sincerely,

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8/5/2003