

**Maryland-National Capital Park and Planning Commission**

6611 Kenilworth Avenue, Riverdale, MD 20737

Phone: 301-454-1740

<http://www.mncppc.org/>

**LOBBYING REGISTRATION FORM INSTRUCTIONS**

**BACKGROUND**

A regulated lobbyist is any person or organization who, for the purposes of influencing any legislative, quasi-legislative, or executive action of the M-NCPPC, during a reporting period:

1. Communicates orally, in writing, or in any other manner with any Commissioner or employee and expends at least \$500 or receives \$2,500 or more as compensation for all such communication;
2. Expends a cumulative sum of \$100 or more during a fiscal year to entertain a Commissioner or employee with meals and beverages, entertainment, or other gifts;
3. Receives compensation to influence any procurement contract that exceeds \$100,000, unless the person is a bona fide salesperson or commercial selling agency employed or retained by the employer;
4. Receives compensating from a business entity to influence securing a business grant or loan with a value of more than \$100,000, unless the person is a bona fide salesperson or commercial selling agency employed or retained by the employer;
5. Expends \$2,000, including postage, during any fiscal period for the express purpose of grassroots lobbying to solicit others to communicate with any Commissioner or employee to influence any Commission action; or
6. Expends \$2,500 or more for compensation of one or more regulated lobbyists in a fiscal year.

**Registration Exemptions:**

There are some general exemptions to the registration requirements. The exemptions generally apply only if the specific actions are limited to the particular item listed below. If the person, group, organization or business entity takes other actions not exempted from the registration requirements, then registration and reporting are required for **all** lobbying-related activity. Exempted activities include the following:

1. Appearances as part of the official duties of a duly elected or appointed official, or employee of the state, or a political subdivision of the state, or of the United States, and not on behalf of any other entity.
2. Actions of a publisher or working member of the press, radio, or television in the ordinary course of business of disseminating news or making editorial comment to the general public, but who does not engage in further or other lobbying that would directly and specifically benefit the economic, business, or professional interests of that person or that person's employer.
3. The representation of a bona fide religious organization solely for the purpose of protecting the rights of its own members.

## Registration Exemptions, continued

4. Professional services by any Commissioner or employee of the Commission in drafting or in advising and rendering opinions as to the construction and effect of proposed or pending actions where these services do not otherwise constitute activities as a regulated lobbyist.
5. Appearances before the Commission, Planning Board, or any committee, upon its specific invitation or request, but only if the person engages in no further or other activities in connection with the passage or defeat of proposed actions.
6. Appearances as a witness before the Commission, or Planning Board, or a committee at the specific invitation or request of a regulated lobbyist, provided no other act is undertaken for which reporting is required, and provided the witness identifies himself as appearing at the request of the lobbyist.
7. Actions as part of the official duties of a trustee, administrator, or faculty member of a non-profit independent college or university in the State, provided the official duties of the individual do not consist primarily of attempting to influence executive or administrative action.
8. Communication and related activities of an elementary, secondary, or postsecondary school student or student organization as part of a course or student activity.

### **GENERAL INFORMATION**

Notify the M-NCPPC if there is a change in the status of lobbying during the registration period. The M-NCPPC publishes information on lobbying law requirements that are available at its office and on its website, <http://www.m-ncppc.org>

**Exempt Employer:** An employer is exempt from registration under this provision if it reasonably believes that all expenditures requiring registration will be reported by its regulated lobbyist and if it will engage in no other act that requires registration. Failure of a regulated lobbyist to report any information makes the employer immediately subject to all the filing provisions of the Maryland Public Ethics Law.

**Non-Exempt Employer:** An employer who does not meet the criteria for exemption is a non-exempt employer who must register and file activity reports. A person, group, organization or business entity registering as a non-exempt employer should check the item (b) in Part C, "Exemption Status of Employer."

### **PART A. IDENTIFICATION OF REGISTRANT AND EMPLOYER**

**A.1.** Include the **name**, the **permanent address** (where the person can be reached throughout the year), **telephone number**, and **email address**. If an individual registrant is an employee or partner in a business, the name of that business should also be included with the business's permanent address. You must notify the M-NCPPC if the permanent address changes during the registration period or before all required reports have been submitted.

**A.2.** If anyone will be required to register on behalf of the registrant, list their names and contact information in Part A.2(b). These individuals will be required to file their own registrations. A non-exempt employer must list any additional regulated lobbyists employed.

## **PART A. IDENTIFICATION OF REGISTRANT AND EMPLOYER, continued**

**A.3.** In Part A.3(a), list information for the employer that will actually compensate or authorize the registrant to act. In Part A.3(b), list any additional entity that the registrant will be representing, even though compensation may actually be paid by the entity listed in Part A.3(a). For example, a registrant may be compensated by a member of a trade association (as identified in Part A.3(a)), but lobbying on behalf of the association itself (as identified in Part A.3(b)). **Part A.3(b) is not used to identify other employers for whom the registrant is required to file separate registrations.**

**A.4(a).** The maximum allowable period of registration is from November 1 to the following October 31. The period of registration may not exceed one year and must end by October 31<sup>st</sup>. Registration must be received by the Commission within five days after first performing an act requiring registration. **Failure to timely file may result in the imposition of late fees.**

**A.4(b).** Identify matters on which the registrant intends to act. **Be as specific as possible.** Statements such as “any and all matters” are not sufficient. Notify the M-NCPPC if the matters to be lobbied change substantially during the registration period.

## **PART B. REGISTRANT’S CERTIFICATION**

**B.1.** Registrant must indicate status of compliance with mandatory training requirements of Administrative Practice 5-61 (Lobbying Disclosure).

**B.2.** A registrant must certify that he/she is authorized to act on behalf of the person, group, organization or business entity named in Part A.3(a) (and Part A.3(b), if any) of the form. Identify the name, title and contact information of the individual who provided that authorization on behalf of the employer.

## **PART C. EXEMPTION STATUS OF EMPLOYER**

**Prior to completing this section, please review the section of these instructions under GENERAL INFORMATION entitled “Exempt Employer”.** Complete this section by **checking either a) or b)**. The purpose of this section is to ensure that all expenses in support of the lobbying activity are reported without duplication; Therefore, the registrant should coordinate the correct selection for this section with the employer and all other regulated lobbyists for that employer.

## **REGISTRANT’S SIGNATURE**

The registrant must sign his/her full name under oath or affirmation attesting that the contents of the registration are complete, true and correct and that he/she is authorized to engage in lobbying for the employer listed in Part A.3.

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**LOBBYING REGISTRATION FORM**

**GENERAL INFORMATION**

Regulated lobbyists shall file a separate registration for each employer.

**PART A. IDENTIFICATION OF REGISTRANT AND EMPLOYER**

1. Identifying Information:

- a) Lobbyist's Name: \_\_\_\_\_
  
- b) Permanent Address (include business name, if applicable):  
\_\_\_\_\_  
\_\_\_\_\_
  
- c) Business Telephone: ( ) \_\_\_\_\_
  
- d) Cell Phone: (optional) ( ) \_\_\_\_\_
  
- e) E-mail Address: (required) \_\_\_\_\_

2. Identification of Others Required to Register:

- a) Will any person be required to register as a regulated lobbyist on behalf of the person or organization identified in Part A.1(a)? Yes \_\_\_\_\_ No \_\_\_\_\_
  
- b) If the answer to a) is "Yes," identify each such person below and provide his/her contact information:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Identification of Employer:

- a) Identify the person or organization that compensates the registrant for activities requiring this registration:  
Name: \_\_\_\_\_  
  
Permanent Address: \_\_\_\_\_  
  
Business Telephone: ( ) \_\_\_\_\_  
  
Nature of Business: \_\_\_\_\_
  
- b) If, in the course of representing the employer identified in Part A.3(a), the registrant will also be representing other entities for which the registrant is not required to file separate registrations, identify those entities here. (If none, indicate "none.")  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Registration Information:

- a) State the period (include both beginning and ending month, day and year) for which this registration is effective: \_\_\_\_\_ to \_\_\_\_\_
- b) Identify the matters on which the registrant expects to act, or employ someone to act, during the registration period: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**PART B. REGISTRANT’S CERTIFICATION**

1. Certification of Training Compliance:

I hereby certify by checking one of the two options below that I am in compliance with the mandatory training requirements of §5-704.1 of the Public Ethics Law:

- I am current in my training status. Date of most recent training: \_\_\_\_\_
- I have not yet been a regulated lobbyist for 6 months, but will complete training prior to that time; or, if my initial registration is for a period less than 6 months, I will complete training before any subsequent registration.

2. Certification of Authorization to Lobby:

I am authorized to act on behalf of the employer/entity identified in Part A.3(a) (and Part A.3(b), if any) for the period set forth in Part A.4(a) and as to the matters set forth in Part A.4(b) herein unless this authority is terminated sooner. This authorization has been granted to me by (identity of official granting authorization):

Name and Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**PART C. EXEMPTION STATUS OF EMPLOYER**

An employer who compensates one or more regulated lobbyists is required to separately register as a lobbyist, **UNLESS** all expenditures requiring registration will be filed by one or more of the regulated lobbyists compensated by the employer. Please indicate status below (CHECK ONLY ONE).

- a)  The employer does claim an exemption from filing its own registration and activity reports because all expenditures requiring registration and reporting will be reported by the above or another registrant acting on its behalf, and the employer engages in no other lobbying activity that requires it to register and report.
- b)  The employer does not claim an exemption from filing its own registration and activity reports. The above registrant will report only expenditures and compensation regarding the above registrant's activity. A separate registration will be submitted by the employer listed in Part A.3.

I hereby make oath or affirm under the penalties of perjury that the contents of this registration are complete, true and correct to the best of my knowledge, information and belief and that I am authorized to engage in lobbying for the employer set forth in Part A.3. above.

[SEAL]

Signature of Regulated Lobbyist: \_\_\_\_\_

Date: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_\_

Signature of Notary Public: \_\_\_\_\_

Printed/typed Name of Notary Public:

\_\_\_\_\_  
My Commission Expires:

\_\_\_\_\_