

INTRODUCTION:

In order to further promote a fair and transparent government, the Board of Commissioners of the Metropolitan Water Reclamation District (MWRD) passed by unanimous vote an amended Ethics Ordinance on January 23, 2020. The new Lobbyist Registration and Reporting Requirements are contained in Article IV of the amended Ethics Ordinance. The MWRD Ethics Ordinance is easily accessible by visiting mwrld.org, clicking on the “Documents” tab and selecting “Rules and Ordinances.”

In simple terms, lobbying occurs when someone undertakes to influence any executive, legislative or administrative action of the MWRD. If you determine that you and/or your organization are lobbyists as defined by the MWRD Ethics Ordinance, then you must determine whether an exemption applies which may exempt you from the registration and reporting requirements under the Ethics Ordinance. If no exemption(s) apply, then you are required to register as a lobbyist. Please refer to the Lobbying Registration and Reporting Requirements listed in Article IV of the Ethics Ordinance (mwrld.org/mwrld-lobbyist-system).

If you have any questions, please refer to the contact people listed at mwrld.org/mwrld-lobbyist-system. It is the obligation of each potential lobbyist to consider their own circumstances when determining whether registration and reporting is required. This is a step-by-step guide created only to assist in understanding the requirements of the Ethics Ordinance and is not to be construed as legal advice. A potential lobbyist is encouraged to contact their attorney for legal advice, if necessary.

STEP-BY-STEP GUIDE:

STEP 1: Determine whether you are a lobbyist as defined by the MWRD Ethics Ordinance.

A lobbyist is one who undertakes to influence an executive, legislative or administrative action of the District. This includes:

- The introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the Board of Commissioner;
- Preparation of contract specifications;
- The solicitation, award, or administration of a contract or permit;
- The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or
- Any other determination made by a Commissioner, Officer or Employee with the respect to procurement of goods, services or construction.

Lobbying does not include:

- Responding to formal requests for proposals;
- Submitting an application for a permit; or
- An attorney representing a client in a formal adversarial hearing.

For the MWRD Ethics Ordinance’s definition of “Lobby” and “Lobbying”, see Article I, Section C (25) and (26).

STEP 2: If you are a lobbyist, then you must determine whether an exemption applies.

The following list is a summary of the exemptions.

Exemption 1: Bona fide news media exemption.

Exemption 2: Officers and employees of government agencies acting in their official capacities.

Exemption 3: Units of local government and school districts.

Exemption 4: Officials and employees of units of local governments and school districts while engaged in lobbying activities on behalf of their employer.

Exemption 5: Employees of the District and legislative agencies engaged in lobbying activities.

Exemption 6: Persons providing public testimony before the district (unless they make reportable expenditures).

Exemption 7: Constituents with a direct, non-commercial interest whose contact is for the redress of grievances in their capacity as constituents (unless they make reportable expenditures).

Exemption 8: Certain activities of vendors of the District (unless they make reportable expenditures).

Exemption 9: Persons whose technical skills and knowledge would be helpful to MWRD when considering Executive, Legislative or Administrative Actions in certain circumstances (unless they make reportable expenditures).

Exemption 10: Persons providing professional services to their clients.

Exemption 11: Bona fide church and religious organizations.

Exemption 12: Persons engaged in lobbying who receive no compensation (unless they make reportable expenditures).

Exemption 13: Attorneys representing clients in administrative or judicial proceedings (unless they make reportable expenditures).

Exemption 14: Attorneys representing their clients in administrative or executive action in certain circumstances (unless they make reportable expenditures).

To determine whether you make Expenditures that are reportable, see Article IV, Section F.

Please refer to Article IV, Section B (1-14) for more detail concerning the available exemptions.

STEP 3: If none of the exemptions apply, you must register as a lobbyist. You may register by visiting mwrld.org, clicking on the “Doing Business” tab, selecting “Lobbyist Registration” and clicking on the “Lobbyist Registration Statement” icon.