

## **DIRECTIONS FOR LOBBYING ACTIVITY REPORT**

**NOTE:** Consult the attached glossary for the definition of all underline terms.

**NOTE:** Failure of a lobbyist to report any information required by the WSSC Code of Ethics makes the employer immediately subject to the reporting provisions of the Code.

### **WHO MUST FILE:**

Every lobbyist registered for any part of a reporting period must file a lobbying report for each registration even if you did not engage in any lobbying activities, receive any compensation, are due any compensation or incur any expenses for lobbying during the reporting period. **If you had no activity, check the box on page 1, first paragraph of the WSSC Lobbying Activity Report and complete Parts A, B, E, F and G.**

A lobbyist who receives compensation from and is registered to lobby on behalf more than one person must file a separate form for each employer. Additionally, a separate report must be filed for each lobbying activity.

### **WHEN TO FILE:**

Activity Reports must be filed twice each year as follows: July 31 – covering the period from January 1 through June 30, and January 31 covering the period from July 1 through December 31. **(\*\*In that the effective date of the WSSC Code of Ethics was November 1, 2003, the activity report due on January 31, 2004 shall cover the period from November 1, 2003 through December 31, 2003)**

### **NOTICE OF TERMINATION:**

Each lobbyist may file a notice of termination with the Commission within 30 days after stopping any lobbying activity and filing the reports required under Article 6 of the WSSC Code of Ethics. There is no special form for this purpose.

### **COMPENSATION MUST NOT BE CONTINGENT:**

Any person must not pay another person compensation that depends on or varies with the success or defeat of any administrative or executive action by WSSC.

### **GENERAL LOBBYING ACTIVITY REPORT:**

A regulated lobbyist who is registered to lobby on behalf of more than one employer must file a separate form for each employer. Use one activity report form for each registration.

Each form should disclose all funds expended in support of the lobbying effort. Each expenditure should be reported only once on the form. If there is more than one lobbyist for an employer or if both the employer and the lobbyist are reporting, you should coordinate report preparation with the other party so that no expenditure is reported on more than one form.

**PARTS A. – C.** Follow directions for Lobbying Registration Form.

**PART D. COMPENSATION AND EXPENSES:**

**Section 1.** List the total expenses incurred for meals and beverages for the Commissioners, WSSC employees, immediate families, qualifying relatives or significant others. Do not include expenses for meals and beverages, which are part of special events or meetings and are reported in Section D-2 or Section D-3 below.

**Section 2.** List the date, location and total expense incurred for each special event to which any of the Commissioners, WSSC employees, immediate families, qualifying relatives or significant others were invited. The term “special event” includes such functions as parties, dinners, athletic events and entertainment. Place the total expense for each event in the space provided. Place the total for all events in the right-hand column. The names of all Commissioners or WSSC employees who attended must be entered.

**Section 3.** List the date, location and total expense incurred for food, lodging, or scheduled entertainment of WSSC Commissioners and/or employees for a meeting which was given in return for participation in a panel or speaking engagement at the meetings. If there is more than one panel or meeting, list date, location, and total expense for each panel or meeting. This section includes the formal role as a participant on a panel or engagement as a speaker at a meeting that has a published agenda. It does not include mere attendance at a meeting or incidental dialogue at a meeting. Place the total expense for each panel/event in the space provided. Place the total for all panels/events in the right-hand column. The names of all WSSC Commissioners or employees who attended must be listed.

**Section 4.** List the value of all other gifts (other than food or beverages, special events, or panels/meetings reported in Sections D-1, D-2, or D-3) made to, or for the benefit of, WSSC Commissioners or employees or their immediate families, qualifying relatives or significant others. If the recipient is immediate family, qualifying relative or significant other list employee name and relationship. Include expenses for a ticket or free admissions.

**Subtotal within Sections D-1 through D-4 then add these subtotals and enter result on the Form.**

**Section 5.** List the total compensation paid or to be paid to the regulated lobbyist for lobbying activities during the reporting period. Include expenses incurred by the staff, which were reimbursed by the lobbyist. If the lobbying activities addressed in Part B are only a portion of the services for which the employer compensated the lobbyist, put the prorated amount for lobbying services in this section. If the reported compensation has been prorated, check the box below item D-10. If there are multiple-fee or contract lobbyists within a firm registered for a client, you need to document the basis for the fee allocation.

**Section 6.** List the total expenses incurred for operating the regulated lobbyist's office in connection with lobbying activities included in this report. Office expenses may include rent, telephone, utilities, transportation, parking, etc. Do not include expenses reported in Section D-5. If a fee or contract lobbyist is not billing office costs directly, it may be sufficient to assume that these costs are included in the amount reported as compensation.

**Section 7.** List the total cost of professional and technical research and other assistance in support of the lobbying activities included in this report. Do not include expenses reported in Sections D-5, D-6 or D-10.

**Section 8.** List the total cost of preparing, printing, and distributing publications or other expenses that expressly encourage people to communicate with WSSC officials or employees for the purpose of influencing administrative or executive action. This may include salaries, contractual employees, postage, telecommunications, electronic services, advertising, delivery services, or radio, television or billboard advertising. This amount may be prorated to reflect a portion of the publication related to lobbying.

**Section 9.** List the name of each witness who testified in any proceeding before the Commissioner and the fees and expenses paid to each witness. Put the total amount of fees and expenses paid to all witnesses on the line in the column on the right.

**Section 10.** List the total amount of all expenses not otherwise reported that were incurred in support of the lobbying activities included in this report. The lobbyist's own meals and lodging, and mileage or travel reimbursements are listed in this section.

**Total Sections D-1 through D-10 and enter the result on the Form.**

## **PART E. BENEFICIARIES OF GIFTS WITH CUMULATIVE VALUE OF \$100 OR MORE:**

In this section, please identify the Commissioners, WSSC employees, immediate families, qualifying relatives or significant others, to whom the lobbyist or anyone on his or her behalf has given gifts with a cumulative value of at least \$100 during the reporting period. If the recipient is immediate family, qualifying relative or significant other list employee name and relationship. Gifts must be reported whether or not given in connection with

lobbying activities.

Tickets or free admissions provided to the Commissioners, WSSC employees, immediate families, qualifying relatives or significant others, or a gift of two or more tickets or free admissions count toward the \$100 threshold and are included in Part E. Expenses for meals and beverages are gifts and are reportable on this report if above the \$100 threshold and not reportable in Sections D-2, D-3 or D-4.

When the cumulative value of \$100 has been reached in a six-month reporting period with respect to any official or employee, the beneficiary of the gifts must be identified on this form. This form must also be completed if the total non-qualifying gift of multiple registrations for a particular employer reaches \$100 even if a single lobbyist for that employer did not reach that level. If any of the gifts reported was only a portion of a gift because it was partially paid by others, you must note this on the form.

Lobbyists Involved in Gifts of \$100 or More - (§ 15-704). A regulated lobbyist must disclose the name of an official or employee, and related information, if the lobbyist has used the funds of one or more employers or the lobbyist's personal funds to provide a total of \$100 or more in gifts during a reporting period. The gifts are reported whether or not they were given in connection with lobbying activities.

#### **PART F. BUSINESS TRANSACTIONS WITH A COMMISSIONER OR GENERAL MANAGER:**

An individual regulated lobbyist must report any business transaction(s) with a Commissioner, the General Manager, WSSC employees or their immediate families, qualifying relatives, significant others or related business entity involving the exchange of value of \$1,000 or more for a single transaction or of \$5,000 or more for a series of transactions in the previous 6 months. If the recipient is immediate family, qualifying relative or significant other list employee name and relationship. A related business entity is one in which the individual participates as a, proprietor, or partner or if these persons have a 30% or more ownership interest in the entity. Both direct and indirect transactions must be included in this report.

#### **PART G. SIGNATURE AND OATH AND NOTARY:**

All Activity Reports must be signed, dated and notarized. Activity Reports that are not properly and completely sworn will not be accepted as valid submissions.

### **DEFINITIONS**

Unless the context clearly indicates otherwise, the following words or phrases have the following meanings in the Lobbyist Registration form and the Lobbying Activity Report form:

**Board** means the WSSC Board of Ethics.

**Commission** means the Washington Suburban Sanitary Commission and *Commissioner* means a member of the Commission appointed under Article 29 of the Annotated Code of Maryland.

**Code of Ethics** means the WSSC Code of Ethics Resolution No. 2003-1669 adopted June 11, 2003.

**Compensation** means any money or thing of value, regardless of form, including the sale or delivery of tangible or intangible property, that an employer pays or agrees to pay for services rendered. If lobbying is only a portion of a person's employment, compensation means a prorated amount based on the time devoted to lobbying compared to the time spent on other employment duties.

**Do(ing) business with WSSC** means: being a party with WSSC to a transaction that is at least \$5,000, on a cumulative basis, during a year regardless of when the consideration is paid; negotiating a transaction with WSSC that is at least \$5,000, on a cumulative basis, during a year regardless of when the consideration is paid; submitting a bid or proposal to WSSC for a transaction that is at least \$5,000 during a year regardless of when the consideration is paid; being a regulated lobbyist; or being an entity regulated by WSSC.

**Employee** means any person employed or appointed by WSSC whether or not employed or appointed on a merit, non-merit, contract, temporary, permanent, or part-time basis.

**Employer** means any person who pays or agrees to pay compensation for services rendered.

**Employment** or **Employ** means engaging in an activity for compensation.

**Executive or Administrative Action** means any action taken or decision made by any WSSC Commissioner or employee.

**Gift** means the transfer of anything of economic value, regardless of form, without an exchange of consideration of at least equal value. Gift does not include a transfer regulated by state or federal law governing political campaigns or elections.

**Honorarium** means the payment of money or anything of value for: (1) for speaking to, participating in, or attending a meeting or other function; or (2) writing an article that has been or is intended to be published. Honorarium does not include payment for writing a book that has been or is intended to be published.

**Immediate family** means an individual's spouse, significant other, and dependent children. A child is considered a dependent if the child is eligible to be claimed as dependent on a person's federal income tax filing.

***Lobbying*** means any attempt to influence any decision or action by the General Manager, the Commissioners or any WSSC employee.

***Lobbyist*** means any individual or organization who spends money or is compensated to influence any decision or action by the General Manager, the Commissioners or any WSSC employee or that requires registration under Article 6 of the WSSC Code of Ethics.

***Person*** means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind and any partnership, firm, association, corporation, or other entity.

***Qualifying Relative*** means a spouse, significant other, parent, child, brother, or sister.

***Relative*** means the public employee's siblings, parents, grandparents, children, or grandchildren; the public employee's spouse or domestic partner receiving WSSC benefits, and the spouse's or partner's siblings, parents, grandparents, children, grandchildren; and the spouses of these relatives.

***Reporting Period*** means a period covered by a lobbying activity report: either January 1 through June 30, or July 1 through December 31.

***Significant Other*** means an employee's partner over the age of 18 years, of either sex, who with the employee share a close personal relationship and are responsible for each other's welfare; have shared the same legal residence for at least 12 months; and have a joint financial relationship such as a joint housing, lease mortgage or deed; joint ownership of a motor vehicle; joint checking or credit account; or designation of as a primary beneficiary on the employee's life insurance, retirement benefits, or residuary estate under a will.

***WSSC*** means the Washington Suburban Sanitary Commission