

OBJECTIVE To provide a uniform policy for the monitoring and regulation of the activities of Lobbyists dealing with the Authority. Compliance with this policy is the sole responsibility of the Lobbyist.

DEFINITIONS **Lobbyist.** Any individual, entity or legal counsel who on behalf of another individual, firm, association, business or organization engages in Lobbying activities as defined below. Further, Lobbyist means any principal of any such business entity, or any employee of a principal, when communicating with governmental agencies is a primary or substantial part of the employee's ongoing job responsibilities. Authority officials, employees, attorneys or other consultants operating under an existing contract with the Authority, or representatives of other governmental entities, acting in that official capacity shall not be considered a Lobbyist for purposes of this policy.

Lobbying. Communicating with Authority staff or Board members directly or indirectly to seek to encourage the approval, disapproval, adoption, repeal, rescission, passage, defeat or modification of any action, resolution, agreement, recommendation, decision or other foreseeable action to be made by staff members or the Board. Lobbying shall include all such communications, regardless of whether initiated by the Lobbyist or another individual and regardless of whether oral, written or electronic. Notwithstanding the foregoing, it shall not be deemed Lobbying for the purposes of this policy for an attorney to represent any client in connection with an existing contract with the Authority or in connection with the negotiation of any contract with the Authority.

Expenditure. A payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a Lobbyist, principal, or other entity for the purpose of Lobbying.

REGISTRATION AND RE-REGISTRATION OF LOBBYISTS All Lobbyists shall register and re-register prior to January first of each year or prior to any Lobbying activities, whichever is earlier. Lobbyists will register with the Senior Director of Administration using designated forms. Each Lobbyist who ceases Lobbying for a particular principal shall file a written notice of withdrawal with the Senior Director of Administration within seven (7) calendar days of such withdrawal.

FORMS

The Executive Director may prescribe forms for the registration and re-registration of Lobbyists and may require, at a minimum, the following information:

- The Lobbyist's name and business
- The name and business address of each principal
- The specific areas of the principal's governmental interest
- Where the principal is a corporation or association, the name of the chief executive officer
- Where the principal is a general partnership or joint venture, the names of all general partners
- Where the principal is a limited partnership, the name of the general partners and limited partners
- Where the principal is a trust, the names of all trustees and beneficiaries
- Where the principal is a partnership, joint venture, corporation, association, trust or non-governmental entity other than a natural person, the names of all natural persons holding, directly or indirectly, a five (5) percent or more ownership interest in the entity; and
- Disclosure of any business, professional, or familial relationship that the Lobbyist or any employee of the Lobbyist may have with any Authority staff and/or Board members.

PROCEDURES

Record of Lobbying Contacts. All Lobbyists shall provide written notice detailing each instance of Lobbying to the Senior Director of Administration within seven (7) calendar days of such Lobbying. The Notice provided by the Lobbyist shall state his or her name; the name of each principal represented in the course of the particular contact; and the topic of the Lobbying contact.

Statement of Lobbying Expenditures. On or before April first of each year, all Lobbyists shall submit to the office of the Senior Director of Administration, a statement listing all expenditures incurred by the Lobbyist during the preceding calendar year for the purpose of Lobbying.

Prohibition of Lobbying. Lobbying any Authority staff and/or Board member who is a member of any committee constituted for the purposes of ranking proposals or bids and thereafter forwarding recommendations to the Board is prohibited from the time that a Request For Proposal or Bid is released to the time that the applicable committee ranks proposals or bids. In addition, Lobbying any Authority Board member from the time that the

applicable committee ranks proposals or bids to the time that the Board makes an award is prohibited.

Investigation of Violations, Penalties, Validity of Actions. The Senior Director of Administration shall inform the Authority's General Counsel, the Executive Director, or his designee, of any person engaged in Lobbying activities who has failed to comply with the registration and expenditure reporting requirements of this policy. In each such instance, the General Counsel, Executive Director, or his designee, may request further information and may conduct such investigation as he or she shall deem necessary under the circumstances. The results of each investigation shall be reported to the Board.

The Authority Board may warn, reprimand or censure the violator or may suspend or prohibit the violator from Lobbying the Authority Board or any advisory body of the Authority for a period of time; provided, however that any suspension or prohibition may not exceed a period of two (2) years, and no sanction shall be imposed unless the Lobbyist allegedly in violation has been afforded reasonable notice and an opportunity to be heard. The penalties provided in this subsection shall be the exclusive penalties imposed for violation of the registration and reporting requirements of this policy. The failure or refusal of any Lobbyist to comply with any order of the Board suspending or prohibiting the Lobbyist from Lobbying shall be subject to lawful remedies as the Authority may pursue, including injunctive relief.

The validity of any action taken by the Board or any Authority officers or employees or advisory bodies shall not be affected by the failure of any person to comply with the provisions of this policy.

**APPROVAL AND
UPDATE HISTORY**

Last Approval Authority Board: September 19, 2001

Supersedes