



Advocacy Efforts

Maryland State Geographic Information Committee

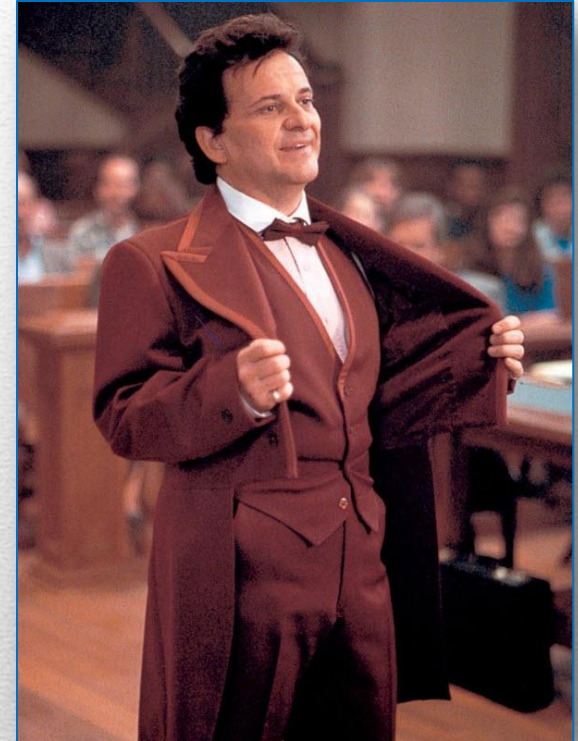
January 21, 2015

Bill Burgess, Washington Liaison

National States Geographic Information Council (NSGIC)

None of the following
information is legal advice
and it may contain mistakes.

You must seek qualified
legal counsel if you plan to
engage in advocacy efforts.
Lobbying registration laws
are detailed and there are
significant penalties for
violations.



Disclosure



NSGIC works through the states



Digital Coast Partnership



Working together to get the NOAA Digital Coast Program Authorized.

Digital Coast Act

NSGIC works with coalitions

Some of the issues with the National Spatial Data Infrastructure are:

- ✓ More Federal than National
- ✓ No Authority
- ✓ No Accountability
- ✓ No Congressional Oversight
- ✓ No Funding

Geospatial Data Act of 2015

NSGIC works directly with Members of Congress

Some of the issues with the National Spatial Data Infrastructure are:

- ✓ More Federal than National
- ✓ No Authority
- ✓ No Accountability
- ✓ No Congressional Oversight
- ✓ No Funding (2 years mandatory reporting before fund allocation)

Geospatial Data Act of 2015

NSGIC works directly with Members of Congress

- National Address Point Database
- National Road Centerline Database (ARNOLD)
- Roll-up Local Data for National Databases (e.g. addresses and parcels)
- Buy-up National Data to meet Local Needs (e.g. orthoimagery and LiDAR)

Visit our web site <http://www.nsgic.org> for more on NSGIC's efforts.

Consistent Messaging to Federal Partners and Programs

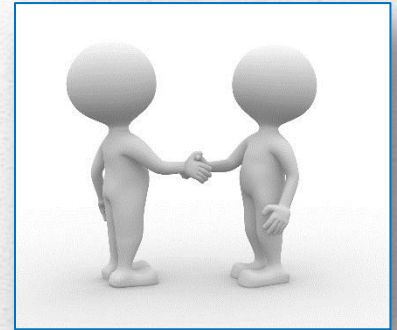
- Dictionary Definitions
 - **ADVOCACY:** “The act or process of supporting a cause or proposal.”
 - **LOBBY:** “To try to influence government officials to make decisions for or against something.”
- They are both lobbying when meeting with government program managers or legislators.
- You’re simply playing with semantics.
- No one wants to be referred to a lobbyist.



Advocacy v. Lobbying

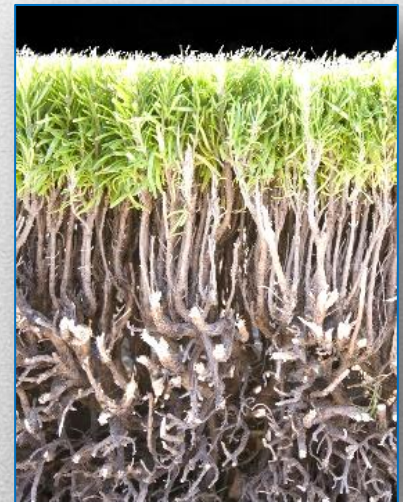
- **Direct**

Direct lobbying is the act of communicating a specific position directly to a legislator, staff member, or other public official who has a voice in a piece of legislation or manages a government program.



- **Grassroots**

Any type of communication that asks the reader to contact a legislator or public official, or provides the reader with their address, email and/or phone number is considered grassroots lobbying.

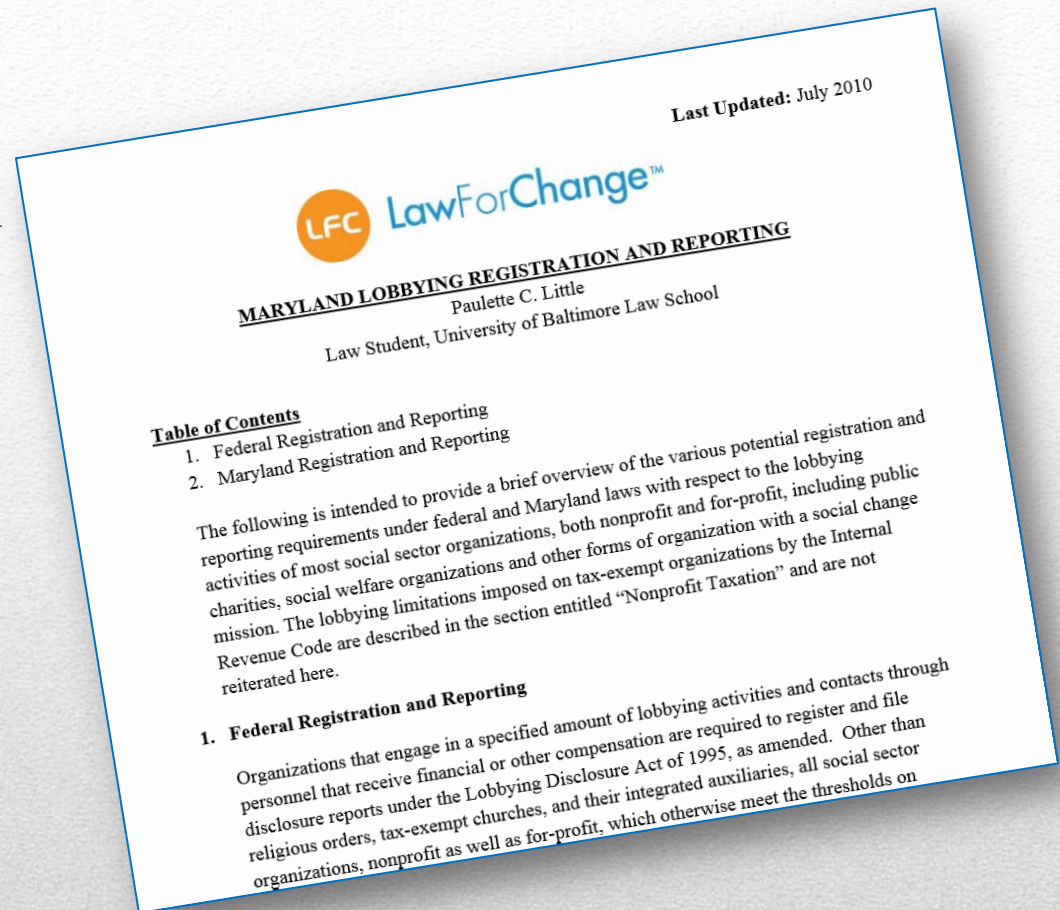


Types of Lobbying

MARYLAND LOBBYING REGISTRATION AND REPORTING

Paulette C. Little

Law Student, University of
Baltimore Law School



Great Resource for Maryland

<http://www.lawforchange.org/images/lfc/MarylandLobbying.pdf>



National States Geographic Information Council

- The Maryland State Ethics Commission administers a lobbying regulatory program including registration, disclosure, reporting and standards of conduct for executive, legislative and grassroots lobbying.
- Annotated Code, State Government Article, Title 15, Subtitle 7.
 - **LEGISLATIVE:** spend more than \$500 expenses for visits, earn more than \$2,500 salary, or have more than \$5,000 in cumulative expenses.
 - **EXECUTIVE:** spend more than \$100 expenses, earn more than \$2,500 salary, earn more than \$5,000 to influence the adoption of regulations or Executive Orders, or be compensated to influence a procurement or contract > \$100,000.00.
 - **GRASSROOTS:** spend more than \$2,000



MD Registration Quarterly Thresholds

Threshold Amounts for **Legislative Lobbying** in Maryland



About Reporting Thresholds

- 1) Official duties of a duly elected or appointed official or employee of the State or a political subdivision of the State.
- 2) News media in the ordinary course of gathering and disseminating news.
- 3) Religious organization.
- 4) Official duties of an officer, director, member, or employee of an association engaged exclusively in lobbying for counties and municipalities. MACO or MML
- 5) Official duties of a trustee, administrator, or a faculty member of a non-profit independent college or university in the State.
- 6) Volunteer or pro bono activities by attorneys (limited).

Maryland Exemptions (Partial List)

- **Congressional Registration Thresholds:**
 - A lobbying firm is exempt from registration for a particular client if its total income from that client for lobbying activities does not exceed and is not expected to exceed \$3,000 during a quarterly period.
 - An organization employing in-house lobbyists is exempt from registration if its total expenses for lobbying activities do not exceed and are not expected to exceed \$12,500 during a quarterly period.

Federal Registration Threshold



- NSGIC sought the advice of Legal Counsel on two separate occasions
- The relationship of NSGIC and BurGIS, LLC is slightly unique and our respective requirements are different
- On both occasions, we provided a complete accounting of our respective activities by type and frequency
- Result - we do advocate, but we are under the legal thresholds required for registration

**You must understand
the applicable laws**



- Stay under the limit and track your expenses each quarter.
 - **STOP** all activity if you are about to go over the limit.
- Register, track your activities/expenses, and report them as required.
- Don't do any advocacy activities.



You have choices

Federal Agency Contact				
Date	Hours	Purpose	Billable Expenses	Description
1/9/2015	6.50	Meet with XX Department Program Managers to convince them that allowing the states to 'roll up' local data to a national database is a better value	\$101.84	139 miles @\$.56 each + \$4.00 parking + \$6.00 Bridge Toll + \$14 lunch
Total Hours		6.50	\$101.84	
Congressional Outreach				
Date	Hours	Purpose	Billable Expenses	Description
1/9/2015	2.25	Speak at a Briefing on the GIS Act		
Total Hours		2.25	\$0.00	

8.75 Hours x \$80/Hour + \$101.84 in Expenses = \$801.84 for the day

You must track your costs

- 501(c)(1) - corporations organized under an Act of Congress
- 501(c)(2) – hold title to property for exempt organizations
- 501(c)(3) - most common nonprofit - religious, educational, charitable, scientific, and literary
- 501(c)(4) – social welfare organizations and associations of employees – there are many abuses in this category
- 501(c)(5) - labor, agricultural, and horticultural organizations
- 501(c)(6) - business leagues, chambers of commerce, real estate boards, etc. that seek to improve business conditions
- 501(c)(7) - social and recreation clubs
- 501(c)(8) - fraternal beneficiary societies and associations that provide life, sickness, accident, or other benefits to members
- >>>> (c)(25)

Types of Nonprofit Orgs.

Can IRC 501(c)(3) Organizations Engage in Attempts to Influence Legislation (Lobbying)?

- A 501(c)(3) is not allowed to engage in political activity and only limited lobbying. The organization can engage in general voter education about issues, even those that could affect its cause, as long as all points of view are represented.
- If the amount of exempt purpose expenditures is <\$500,000, then the Lobbying nontaxable amount is 20% of the exempt purpose expenditures.

Can IRC 501(c)(4), (c)(5), or (c)(6) Organizations Engage in Attempts to Influence Legislation (Lobbying)?

- Yes - Organizations described in IRC 501(c)(4), (c)(5), and (c)(6) may engage in an unlimited amount of lobbying, provided that the lobbying is related to the organization's exempt purpose.
- May engage in political campaigns on behalf of or in opposition to candidates for public office provided that such intervention does not constitute the organization's primary activity. Point of fact - NSGIC does not engage in political activity.

IRS Codes



Directors & Officers should ensure compliance



Thanks for Listening!
