

Lobbying-State of Michigan Definition:

Communicating directly with an official in the executive branch of state government or an official in the legislative branch of state government for the purpose of influencing legislative or administrative action.

Influencing definition: promoting, supporting, affecting, modifying, opposing or delaying by any means, including the providing of or use of information, statistics, studies, or analysis. www.legislature.mi.gov Act472 of 1978

Lobbying IRS definition:

“Attempts to influence legislation by propaganda or otherwise”. Such activities can be conducted directly or indirectly.

Direct Lobbying: communication is any attempt to influence legislation through communication with any member of a legislative body or any government official or employee who may participate in the formulation of legislation. For the communication to be considered direct lobbying communication, it must refer to a specific legislation and reflect a view on such legislation.

Indirect Lobbying: are those “grassroots” lobbying communications that attempt to influence legislation through attempts to affect the opinions of the general public. Like direct lobbying communication, it must refer to specific legislation and reflect a view on such legislation, Furthermore, to be considered lobbying, it must also “encourage the recipients” of the communication to take action with respect to such legislation i.e. direct recipient to contact legislator or legislative body, provide address or telephone number of legislator or legislative body employee, provide tear off postcard or similar material to communicate with a legislator or any other person who may participate in the

formulation of legislation and specifically identifies one or more legislatures who will vote on legislation in support or opposing organizations view.

501c3 Guide for Organizations: Advocacy and Lobbying ...
nonprofitquarterly.org › advocacy-lobbying-501c3-charitable

Legislation includes action by Congress, any state legislature, any local council, or similar governing body, with respect to acts, bills, resolutions, or similar items (such as legislative confirmation of appointive office), or by the public in referendum, ballot initiative, constitutional amendment, or similar procedure. It does not include actions by executive, judicial, or administrative bodies.

An organization will be regarded as attempting to influence legislation if it contacts, or urges the public to contact, members or employees of a legislative body for the purpose of proposing, supporting, or opposing legislation, or if the organization advocates the adoption or rejection of legislation.

<https://www.irs.gov/charities-non-profits/lobbying>

Definition sources:

1. www.legislature.mi.gov

Act 472 of 1978 popular name "Lobby Act"

2. 501c3 Guide for Organizations: Advocacy and Lobbying ...
nonprofitquarterly.org › advocacy-lobbying-501c3-charitable

3. <https://www.irs.gov/charities-non-profits/lobbying>

Suggested changes to the Code of Conduct

- A. Commissioners shall demonstrate honesty, integrity, and professionalism in their duties.
- B. Commissioners shall conduct themselves in a manner which reflects positively on the Commission and shall put the responsibilities and integrity of the Commission above personal or political gain.
- C. Commissioners shall not lobby per the State of Michigan lobbying definition in Act 472 of 1978 except as permitted in the Michigan Constitution as it pertains to the Independent Citizens Redistricting Commission (Sec 6 Subsection 6) to carry out their duties. No Commissioner, while performing their duties, will publicly oppose nor support specific ballot or legislative bills prior to November 1, 2021 i.e. social media posts, interviews, public meetings, etc.
- D. Commissioners shall actively foster an environment of thoughtful and purposeful non-partisan collegiality at all times.
- E. Commissioners shall be respectful, tolerant and impartial towards their colleagues, staff, fellow governmental agency partners and the public.
- F. Commissioners shall uphold and abide by the Michigan Constitution, the Commissioner Code of Conduct and all rules and regulations set forth or enacted by the Commission.
- G. Commissioners shall refuse to engage in or sanction activities for personal gain at the expense of the Commission or in violation of government code.
- H. Commissioners shall maintain transparency in process and procedure so to instill public confidence in the Commission and the redistricting process.
- I. Commissioners will actively seek bipartisan and non-partisan representation in their presentations and demonstrations at Commission meetings, public hearings, or third party speaking engagements.

Changes made to original Code of Conduct suggestions (Appendix 4 on page 36 of Orientation material)

1. Left out letters A and I.....the exact wording for these particular lines are in the Constitution Sec 6 Subsection 10 and would be included in letter F of the current draft.
2. Changed bipartisan in original letter E to non-partisan in current letter D
3. Removed original letter D and replaced with current letter C

Good Afternoon Fellow Commissioners

I wanted to submit for your review the rewrite I did on the suggested Code of Conduct. I did research on both Michigan and IRS definition of "lobbying", which I am including, I also took into consideration the information Mike gave us in our last meeting regarding the Constitution and if we had to ask the legislature for more money. I hope the changes I made in the original letter D meet the necessary criteria.

Also, upon review of the Michigan Constitution I made a couple more changes which I am including a sheet to list the change and a copy of the draft I have done.

I look forward to your feedback at our next public meeting.

Thank you

Rhonda Lange