

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING

LANSING  
MICHIGAN 48918

August 29, 1984

Mark J. Bertler  
Public Affairs Coordinator  
Planned Parenthood Affiliates of Michigan  
P.O. Box 19104  
Lansing, Michigan 48901

Dear Mr. Bertler:

This is in response to your inquiry concerning applicability of the lobby act (the Act), 1978 PA 472, to members of Planned Parenthood Affiliates of Michigan (PPAM).

Specifically, you indicate PPAM is a membership organization and a registered lobbyist. You ask whether PPAM members must "count their dues amount towards their lobbying threshold." You also ask whether "lobbying activities and/or expenditures undertaken by individual members will count towards registration thresholds as a lobbyist or lobbyist agent."

Sections 5 and 7 of the Act (MCL 4.415 and 4.417) require a person who expends more than \$1,000 for lobbying, or more than \$250 on lobbying a single public official, in any 12 month period to register as a lobbyist. In addition, a person who receives more than \$250 in compensation or reimbursement for lobbying must register as a lobbyist agent.

Certain individuals, however, are exempt from these requirements. In particular, section 5(7)(d) provides:

"Sec. 5. (7) Lobbyist or lobbyist agent does not include:

(d) A member of a lobbyist, if the lobbyist is a membership organization or association, and if the member of a lobbyist does not separately qualify as a lobbyist under subsection (4)."

This section indicates that when a membership organization is registered as a lobbyist, its members are not subject to the Act's registration and reporting requirements unless they "separately qualify" as lobbyists. As noted previously, a person qualifies as a lobbyist by expending more than \$1,000 for lobbying or more than \$250 on lobbying a single public official.

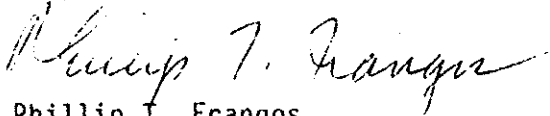
Mark J. Bertler

Page 2

In answer to your questions, PPAM members are not required to count the dues they pay toward the thresholds established in sections 5(4) and 5(5). Membership alone does not trigger the Act's reporting requirements. However, an individual member may become a lobbyist by making independent expenditures of more than \$1,000 for lobbying or more than \$250 on lobbying a single public official. Of course, a member may also become a lobbyist agent if the member receives more than \$250 in compensation or reimbursement for lobbying from a source other than PPAM.

This response is informational only and does not constitute a declaratory ruling.

Very truly yours,



Phillip T. Frangos  
Director  
Office of Hearings and Legislation

PTF/cw