

MICHIGAN DEPARTMENT OF STATE  
RICHARD H. AUSTIN SECRETARY OF STATE



13-84-LI

LANSING  
MICHIGAN 48918

March 1, 1984

Laura J. Hess, Attorney  
Public Affairs Coordinator  
UCS of Metropolitan Detroit  
51 W. Warren  
Detroit, MI 48201

Dear Ms. Hess:

This is in response to your request for information concerning the responsibilities of community agencies under the lobby act (the "Act"), 1978 PA 472, in regard to certain transactions.

Your question is set out below:

What is the responsibility of an agency that provides rent either free or at a reduced cost to another agency that lobbies public officials. In some instances, the issues on which the receiving agency lobbies are related to those issues championed by the giver agency and in other instances they are not. The same question applies for those agencies that make phone service or other kinds of service or equipment available to a lobbying organization."

Your letter further clarifies that the responsibilities to which you are referring are those relating to registration and perhaps reporting requirements under the Act.

It appears that the "giver agency" in your set of facts is concerned about a possible expenditure. The definition of "expenditure" in section 3(2) of the Act (MCL 4.413) includes "anything of value." An abatement of rent and free use of telephone and other equipment is indeed something of value. However, if the expenditure is not made for the purpose of lobbying, it is not an "expenditure" under the Act and is not reportable. Your letter does not indicate that the "receiving agencies" are lobbying on behalf of the "giver agency." Consequently, since there is no lobbyist-lobbyist agent relationship between the agencies, neither agency should report the benefits given or received. The "giver agency" is not required to register as a lobbyist based solely on the transaction cited in your letter.

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

Sincerely,

A handwritten signature in cursive script that reads "Phillip T. Frangos".

Phillip T. Frangos, Director  
Office of Hearings and Legislation

PTF/jep