

**THIS IS AN INFORMATIONAL NOTIFICATION ONLY
NO ACTION ON YOUR PART IS REQUIRED**

March 27, 2015

To All Affected Parties:

Subject: Notice of Proposed Rule for Lobbyist Registration

On March 12, 2015, the Governing Board of the South Florida Water Management District (District) authorized the re-initiation of Rulemaking for Lobbyist Registration Administrative Code, in an effort to provide a uniform system of lobbyist registrations.

BACKGROUND

The purpose of this rule is to implement Section 112.3261, F.S., regarding the lobbyist registration process for Water Management Districts, in an effort to provide a uniform system of lobbyist registrations.

For further information please contact me at 1-800-432-2045, extension 6293 or 561-682-6293 (internet: cfollins@sfwmd.gov)

Sincerely,


Charron Follins
Senior Paralegal

Attachment: Notice of Proposed Rulemaking for Lobbyist Registration

Notice of Proposed Rule

WATER MANAGEMENT DISTRICTS **South Florida Water Management District**

RULE NO.: RULE TITLE:

40E-1.800: Lobbyist Registration and Reporting Process Before Water Management Districts

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to establish procedures for registering to lobby the South Florida Water Management District and to adopt two forms for use in registration, changing information, renewing registration, and cancelling registration; along with incorporation of a business classification system for the principals of the registering lobbyists.

SUMMARY: Chapter 2014-183, Laws of Florida, requires lobbyists to register with a water management district, if they seek to influence that district with respect to a decision of the district in an area of policy or procurement or seek to obtain the goodwill of a district official or employee. The proposed registration form requests general information about the lobbyist, including the existence of any direct or indirect business or financial relationship between the lobbyist and a District officer or employee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) the "Is a SERC Required?" form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed "Is a SERC Required?" form and summary and the analysis performed by the District in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 112.3261(8) FS

LAW IMPLEMENTED: 112.3261 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at 1(800)432-2045, x 2087 or (561)682-2087.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Derek Brown, Senior Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 2603 or (561)682-6278 or by email: debrown@sfwmd.gov. For procedural questions, please contact Charron Follins, Senior Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 6293 or (561)682-6293 or by email: cfollins@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.800 Lobbyist Registration.

(1) A person who is a “lobbyist” as defined in Section 112.3215, F.S., may not lobby the South Florida Water Management District (the “District”) until he or she has registered as a lobbyist with the District. Registration shall be made by completing, under oath, the “Lobbyist Registration Form,” which is incorporated by reference in subsection (7) below, and submitting that form to the District Clerk at the mail or email address provided in the form.

(2) A separate completed Lobbyist Registration Form must be submitted for each principal represented by the lobbyist before the District.

(3) For identifying and designating a principal’s main business on the Authorization to Represent the Principal part of the Lobbyist Registration Form, the District adopts and incorporates by reference the 6-digit NAICS code published in the *North American Industry Classification System – United States, 2012*. Classification system information can be obtained by contacting the NAICS Association, 129 Lakeshore Drive, Rockaway, NJ 07866, or by visiting its website: www.naics.com.

(4) Changes to the information provided on a Lobbyist Registration Form must be reported to the District within 15 days by submitting a completed Lobbyist Registration Form and checking the box indicating the submitted form is for the purpose of changing previously filed information.

(5) A lobbyist may renew his or her registration to lobby by filing a completed Lobbyist Registration Form with the District and checking the box indicating the submitted form is for renewal purposes. Renewals must be filed before January 1 of each year.

(6) The principal of a lobbyist may cancel the lobbyist's registration by submitting a completed "Lobbyist Registration Cancellation Form," which is incorporated by reference in subsection (7) below, informing the District that a particular lobbyist is no longer authorized to represent that principal. A lobbyist must cancel his or her registration with the District upon termination of his or her contract or other such employment relationship with the principal by promptly submitting a completed Lobbyist Registration Cancellation Form.

(7) The Lobbyist Registration Form, form number 1400, (effective date) (hyperlink), and the Lobbyist Registration Cancellation Form, form number 1402, (effective date) (hyperlink), are hereby incorporated by reference and may be obtained without cost from the District Clerk either at South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, or at clerk@sfwmd.gov. These forms may also be downloaded from the District's website at: www.sfwmd.gov/opengov.

Rulemaking Authority 112.3261(8) FS. Law Implemented 112.3261 FS. History—New .

NAME OF PERSON ORIGINATING PROPOSED RULE: Derek Brown, Senior Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 2603 or (561)682-6278 or by email: debrown@sfwmd.gov.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the South Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 16, 2015