

## Water Management District Lobbyist Registration Process

### Questions & Answers

*During its 2014 session, the Florida Legislature passed Senate Bill 846 to create Florida Statute 112.3261 entitled "Lobbying before water management districts; registration and reporting." Lobbyists and/or their attorneys are urged to read the full text of the law and other referenced sections. The South Florida Water Management District (SFWMD) cannot provide legal advice or guidance in this matter.*

#### **1. What is lobbying?**

According to the statute, "lobbies" or "lobbying" means seeking, on behalf of another person, to influence a water management district with respect to a decision of the district in an area of policy or procurement or an attempt to obtain the goodwill of a district official or employee.

#### **2. Who is required to register in order to lobby?**

A "lobbyist" is anyone who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby an agency on behalf of that other person or governmental entity.

#### **3. Are permit-related activities considered lobbying?**

No. Representation of a client before the SFWMD regarding the approval or denial of a water management permit or at a public rulemaking workshop is not considered lobbying. The lobbyist registration requirement is focused on policy and procurement issues, not routine regulatory matters.

#### **4. What does policy mean as related to lobbying?**

"Policy" means a course of action, such as a rule under Chapter 120, that is applicable to a class of persons and designed to influence or determine the subsequent decisions and actions of an agency. The term does not include the determination of any rights, duties or obligations of a person made on a case-by-case basis, such as would be involved in the issuance or denial of a permit. *(See Executive Branch Lobbyist Registration Rule 34-12.020.)*

#### **5. When do lobbyists register?**

A lobbyist must register prior to lobbying a water management district for each principal represented. Registration expires December 31 each year, and annual renewals must be submitted before January 1. New registrations are accepted throughout the calendar year, with a December 31 expiration date.

#### **6. What is a principal?**

A "principal" is the person, firm, corporation, governmental entity, or other entity that has employed or retained a lobbyist.

#### **7. Must lobbyists have permission of a principal in order to register for that principal?**

Yes. Their principals must authorize them to lobby. A required Principal's Authorization must be submitted with the Registration Form.

#### **8. How do lobbyists register/renew with the SFWMD?**

Instructions and registration material are available online at [www.sfwmd.gov/opengov](http://www.sfwmd.gov/opengov) or from the District Clerk's Office in West Palm Beach. Fill out the SFWMD Lobbyist Registration Form (signature must be notarized) and the Principal's Authorization, and submit both to the SFWMD Clerk's Office. Submittals may be made by hand delivery or mail delivery to 3301 Gun Club Road, West Palm Beach, FL, 33406, or via email (with PDF attachment) to [clerk@sfwmd.gov](mailto:clerk@sfwmd.gov).

**9. What is the registration fee?**

None. At this time, there is no cost to register with the South Florida Water Management District.

**10. Where may lobbyists obtain the required documents?**

Instructions and documents are available online at [www.sfwmd.gov/opengov](http://www.sfwmd.gov/opengov) and from the Clerk's Office at District headquarters in West Palm Beach.

**11. When are new registrations/renewals effective?**

Registrations are deemed complete and effective when all of the required items have been received by the SFWMD District Clerk.

**12. How long are registrations effective?**

The registration period extends through December 31 of each calendar year. Registrations do not carry over to the following year. To lobby the SFWMD, renewals or new registrations must be submitted each year.

**13. What information is required on the Lobbying Registration Form?**

- The lobbyist's name, mailing address and telephone number.
- The name, mailing address and telephone number of the principal represented.
- The existence of any direct or indirect business association, partnership or financial relationship with any officer or employee of the South Florida Water Management District.
- The registration information must be stated under oath, with a notarized signature.

**14. What information is required on the Principal's Authorization?**

- The lobbyist's name.
- The principal's name, a description of the principal's main business and the NAICS 6-digit code.
- The name, title and signature of the principal or the principal's representative.

**15. Does the SFWMD maintain a public database of currently registered lobbyists and principals?**

Yes. A database of registered lobbyists and their principal(s) is available on the District website at [www.sfwmd.gov/opengov](http://www.sfwmd.gov/opengov).

**16. What is the process for registration changes or cancellations?**

Lobbyist or principal name, address or other changes require a prompt written notification to the District Clerk from either the lobbyist or the principal being represented. Please complete and submit the SFWMD Lobbyist Registration Form (check the box labeled "Changes to filed information") to provide the formal notice. To cancel a current registration, please complete and submit the SFWMD Lobbyist Registration Cancellation form. Cancellations may be submitted by either the lobbyist or the principal. Cancellations are effective upon receipt by the District Clerk.

**17. Does registration with SFWMD apply to other water management districts?**

No. Separate registrations must be sent to each water management district that an individual intends to lobby. Registration instructions for the other four districts can be found on their websites.

***For more information:***

*The law references consistency with Section 112.3215, Florida Statutes, regarding Executive Branch lobbying. Details on the provisions of that law and its implementing rules, including examples of what is considered lobbying activities and what is not considered lobbying activities, is available online at [www.sfwmd.gov/opengov](http://www.sfwmd.gov/opengov).*