

Levine, Martin (JCOPE)

From: Yohey, Aliss?
Sent: Monday, December 07, 2015 12:42 PM
To: Levine, Martin (JCOPE)
Cc: O'Brien, Alyssa
Subject: PROPOSED ADVISORY OPINION: LOBBYING ACT REPORTING OBLIGATIONS FOR CONSULTING SERVICES IN CONNECTION WITH LOBBYING ACTIVITY

Categories: Yellow Category

Hi Martin:

In accordance with your conversation with Alyssa O'Brien of my office, please find below comments to the proposed advisory opinion on lobbying act reporting obligations for consulting services in connection with lobbying activity, which we are forwarding to you on behalf of one of our clients. Please note that our client wishes to submit these comments anonymously. These comments are solely those of our client and in no way reflect the views or opinion of Wilson Elser on the proposed advisory opinion.

I appreciate your assistance with this matter. Should you have any questions or require anything further, please do not hesitate to contact me.

Thank you!

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- The guidance around third-party consultants that work on grassroots lobbying campaigns could potentially impact organizations such as communications or media relations companies/ Essentially, the guidance could require communication organizations that provide media or input on a campaign that is aimed at a lobbying goal to register as lobbyists and track time.
- This is problematic because:
 - It is not in-line with the purpose of the lobbying act
 - Ultimately, these consultants are not "lobbying" under the lobbying act, they are providing services that aid another organization in "lobbying."
 - The third-party consultants are not necessarily interested in moving their clients message forward, they are only providing a service to aide their client.
 - It is redundant

- Organizations that are engaging these consultants for lobbying campaigns are already required to report expenses for the campaign (including money spent on third party consultants).
 - Ultimately, the money spent engaging consultants is already accounted for by JCOPE and there is no need for the consultants themselves to track and report time.
- It may have a chilling effect on consultant work
 - This could dissuade consultants, such as communications companies, from taking certain clients or working on certain campaigns, which would impact organizations ability to run grassroots campaigns.

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Thank you.