

Washoe County
Employee Lobbying Policy:
State Legislature

I. Policy Overview

Washoe County has determined that in order to provide for the security and welfare of the inhabitants of Washoe County it is necessary for county officers and employees to participate in the State of Nevada’s biennial legislative process, including legislative and lobbying activities, and in so doing, those county officers and employees are carrying out public business. The *Washoe County Lobbying Policy: State Legislature* provides guidelines and requirements that must be followed by all county officers, employees and contract lobbyists while engaged in such legislative and lobbying activities.

a. Intent: the intent of the *Washoe County Lobbying Policy: State Legislature* is to:

- i. Provide guidance and consistent procedures for appropriate lobbying at the state legislature; and to:
- ii. Provide clear guidance and procedures for required state and county lobbying reporting requirements; and to:
- iii. Provide coordinated and effective lobbying activities by Washoe County officers, employees and contract lobbyists at the Nevada State Legislature.

b. Definitions: for the purpose of this policy, the following definitions apply:

1. “Board” means the Washoe County Board of Commissioners.
2. “County officer” means any elected or appointed official of Washoe County.
3. “County employee” means any individual currently under employment by Washoe County.
4. A member of a “board, commission, or task force” means any individual appointed by the Washoe County Commission to a board, commission or task force, regardless of whether the board, commission or task force is advisory or regulatory in nature.
5. “Contract lobbyist” means any individual or firm the County has contracted with Washoe County or any agency or department of Washoe County for legislative lobbying services.
6. “County lobbyist” means, except as excluded below, a county officer, employee or contract lobbyist who:
 - (a) Appears in person in the legislative building or any other building in which

the legislature or any of its standing committees hold meetings; and
(b) Communicates directly with a member of the legislative branch on behalf of Washoe County to influence legislative action whether or not any compensation is received for the communication.

“County Lobbyist” does not include:

(c) A County “issue expert” as defined below.

(d) Elected county officers (including elected department heads) who ***confine their lobbying activities to issues directly related to the scope of the office to which they were elected (NRS 218H.080).***

7. “County issue expert” means a county officer or employee who confines their legislative activities to formal appearances before official legislative committee hearings (either at the request of a County Lobbyist, a Legislator, or a Committee of the Legislature), or confine their lobbying activities to communicating directly with one or more members of the Legislative Branch only on an infrequent or irregular basis and who do not otherwise engage in any lobbying activities, and who clearly identifies themselves as a county officer or employee and presents information or testimony that includes an identification of the interest or interests of Washoe County. A County issue expert is not required to register as a lobbyist with the State of Nevada Legislative Counsel Bureau, unless their contact with the Legislature and or one or more members of the Legislature is frequent, regular or substantial enough to constitute lobbying (NRS 218H.080(h)). A County issue expert must report their legislative and lobbying activities to the Legislative Affairs Manager.
8. “Legislative Affairs Manager” means the specific Washoe County Government Affairs Liaison designated by the Washoe County Manager to manage Washoe County’s overall State legislative affairs program.
9. “County Lobby Team” means the county officers, employees and contract lobbyists who are registered with the Legislative Counsel Bureau to represent Washoe County or any agency or department of Washoe County.
10. “Legislative action” means introduction, sponsorship, debate, voting and any other official action on any bill, resolution, amendment, nomination, appointment, report and any other matter pending or proposed in a legislative committee, in either house of the legislature, or is before the Governor for consideration, or on any matter which may be the subject of action by the legislature.

II. Washoe County Lobbying Policy: State Legislature

A. When appearing before the Nevada State Legislature, any committee of the

Legislature, or when meeting with individual Legislators, as representing the interests of Washoe County, a County employee, County officer, or contract lobbyist:

1. Must have approval of the County Manager or their designee to register as a lobbyist for Washoe County; or in the case of an elected department, with the approval of the elected department head, may register to represent that elected official and shall inform the County Manager of such registration.
2. When appearing as a County issue expert, must have approval of the County Manager or their designee; or in the case of an elected department, must have approval of the elected department head; and shall inform the Legislative Affairs Manager prior to or as soon after as possible of such appearance.
3. Must communicate to the Legislative Affairs Manager all legislative activity performed on behalf of Washoe County, including contacts with legislators, lobbyists, and staff of the Legislature; appearances before committees and individual legislators (as a lobbyist or a County issue expert); and shall provide the Legislative Affairs Manager copies of all correspondence, written testimony, exhibits, etc. provided to the Legislature on behalf of Washoe County. Members of the County lobby team, with agreement of the Legislative Affairs Manager, may develop procedures to expedite any or all of these communication requirements.
4. In addition to filing required reports to the State of Nevada, must report on a monthly basis to the Legislative Affairs Manager (on the supplied standard form) all expenses related to lobbying, including hourly wages spent on lobbying activities, transportation, lodging and meals, telephone, entertainment, gifts, or other expenses required to be reported pursuant to NRS218H.400 to 218H.410, inclusive.
5. Shall confine position statements to Board of County Commissioners approved policy positions, or in absence of such policy position, must confine position statements to those approved by the County Manager or their designee; or when representing an elected department head, position statements must be confined to approved policy positions of the elected department head.
6. Shall coordinate and report all contact with the media regarding any legislation or lobbying efforts with the Legislative Affairs Manager, who shall inform and coordinate such contact with the Communications Division of the Office of the County Manager; or in the case of an elected department, shall coordinate with and report all contact with the media regarding any legislation or lobbying efforts to the public information/communications division of their respective department.

7. When lobbying in the capacity as a member of a professional organization or association, must note in testimony or statement that they are speaking as a member of that professional organization or association, not as an employee or representative of Washoe County.
 8. Shall not advocate a position for a professional organization or association that is inconsistent with County Board policy or an adopted legislative position if Washoe County has funded payment of dues for membership in that professional association, and/or the employee is appearing before the Legislature on County time.
- B. Members of a board, commission or task force appointed by the Washoe County Board of County Commissioners are not authorized to appear before the Nevada State Legislature, Committees of the Legislature, or to meet with individual Legislators, as representing the interests of Washoe County unless specifically authorized to do so by the Washoe County Manager or the Board of County Commissioners.
- C. In accordance with NRS 218H.930 (6) and (7), an elected officer or employee of Washoe County shall not receive compensation or reimbursement other than from Washoe County for personally engaging in lobbying at the State Legislature; except that an elected officer or employee of Washoe County may receive compensation or reimbursement from any organization whose membership consists of elected or appointed public officers.

II. Registration and Expense Reporting Procedures

1. **Lobbyist Registration:** Prior to appearing before the Legislature as a lobbyist representing Washoe County, a County employee, County Officer, or contract lobbyist shall register as a paid lobbyist with the Legislative Counsel Bureau in accordance with procedures and policies of the Legislative Commission, and the *Washoe County Employee Lobbying Policy: State Legislature*. Fees for lobbyist registration for County employees and officers are paid through the Legislative Affairs Program. County employees and officers intending to register as a lobbyist should contact the Legislative Affairs Manager prior to registering with the Legislative Counsel Bureau. NRS 218H.080 defines lobbyist and provides for certain exceptions. If an exception applies, the County employee or County Officer should not register as a lobbyist to avoid the unnecessary expense of the lobbyist registration fee.
2. **Monthly Expenditure Reports and End of Session Reports:** In accordance with NRS 218H.400, all registered lobbyists are required to file a monthly expenditure report with the Legislative Counsel Bureau, irrespective of whether they had expenditures that month or not during all months when the Legislature is in session (including lobbyists registered for Special Sessions). Expenditure reports on lobbying activities during the previous month must be filed with the Legislative Counsel Bureau's Lobbyist Registration Office, and copies shall be sent to the Washoe County Legislative Affairs Manager. The monthly report must be filed with the LCB between the 1st and 10th day of the following month of the

expenditure. Failure to file a report within 30 days will result in the revocation of your registration. Monthly expenditure reports are submitted during - legislative sessions only.

The *Termination/Final Report of Activity* report must be filed within 30 days after the end of a legislative session or within 30 days of when a lobbyist terminates lobbying activities.

There is a statutory fee of \$10 per day for late filing of monthly reports and end of session reports (NRS 218H.410). County employees, County Officers, and contract lobbyists are personally responsible for payment of fees for the late filing of monthly expenditure reports and the *Termination/Final Report of Activity*.

- 3. Expense Reimbursement:** All Legislative expenses and requests for reimbursements shall be made in accordance with *Washoe County Code 5.365*: Legislative and Lobbying Expenses, utilizing the supplied standard form for reimbursement requests.

III. Obligations

County officials, County employees, and contract lobbyists who lobby or act as a County issue expert before the Nevada State Legislature on behalf of Washoe County shall:

- Abide by all applicable Washoe County policies, including the *Washoe County Employee Lobbying Policy: State Legislature*;
- Abide by all applicable Washoe County Code requirements;
- Abide by all applicable Nevada Revised Statutes and Nevada Administrative Code requirements; and
- Abide by all policies of the Nevada Legislature.

Questions on this policy should be directed to the Legislative Affairs Manager.