

The Vermont Statutes Online

Title 2 : Legislature

Chapter 011 : Registration Of Lobbyists

(Cite as: 2 V.S.A. § 261)

§ 261. Definitions

As used in this chapter:

(1) "Administrative action" means any action taken by an administrative official or by any agency, department, division, office, board, or commission of State government with regard to any proposal, drafting, development, or consideration of a policy, practice, or rule. Actions as defined by this section do not include decisions of quasi-judicial boards in contested cases.

(2) "Administrative official" means a State officer, or an officer, employee, or consultant of any agency, department, division, office, board, or commission of State government who as part of his or her official duties participates in any administrative action, other than in a solely clerical, secretarial, or ministerial capacity.

(3) "Compensation" means any salary, reward, retainer, or reimbursement received or to be received by one acting as a lobbyist, whether in the form of a fee, salary, forbearance, forgiveness, or any other form of recompense, reward, retainer, reimbursement, or combination thereof.

(4) "Employer" means any person, other than a lobbying firm, who engages the services of a lobbyist for compensation for the purpose of lobbying. A lobbyist who employs another lobbyist shall be required to register and report both as an employer and a lobbyist.

(5) "Expenditure" means a payment, distribution, loan, advance, deposit, or gift of money or anything else of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" includes sums expended in connection with lobbying, including research, consulting, and other lobbying preparation and travel, meals, and lodging.

(6)(A) "Gift" means:

(i) a political contribution;

(ii) anything of value, tangible or intangible, that is bestowed for less than adequate consideration, including travel expenses such as travel fare, room and board, and other expenses associated with travel;

(iii) a meal or alcoholic beverage;

(iv) a ticket, fee, or expenses for or to any sporting, recreational, or entertainment events;

(v) a speaking fee or honorarium, except actual and reasonable travel expenses;

(vi) a loan made on terms more favorable than those made generally available to the public in the normal course of business.

(B) "Gift" does not mean:

(i) anything given between immediate family members;

(ii) printed educational material such as books, reports, pamphlets, or periodicals;

(iii) a gift which is not used and which, within 30 days after receipt, is returned to the donor or for which the donor is reimbursed for its fair market value; and

(iv) a devise or inheritance.

(7) "Legislator" means any member or member-elect of the General Assembly.

(8) "Legislative action" means any action by a legislator with regard to introduction of a bill, resolution, or amendment or with regard to any bill, resolution, amendment, report, appointment, recommendation, nomination, election, proposed or final proposed rule, or other matter proposed for consideration by or pending in the General Assembly or in any committee of the General Assembly.

(9) "Lobby" or "lobbying" means:

(A) to communicate orally or in writing with any legislator or administrative official for the purpose of influencing legislative or administrative action;

(B) solicitation of others to influence legislative or administrative action;

(C) an attempt to obtain the goodwill of a legislator or administrative official by communications or activities with that legislator or administrative official intended ultimately to influence legislative or administrative action; or

(D) activities sponsored by an employer or lobbyist on behalf of or for the benefit of the members of an interest group, if a principal purpose of the activity is to enable such members to communicate orally with one or more legislators or administrative officials for the purpose of influencing legislative or administrative action or to obtain their goodwill.

(10) "Lobbyist" means a person who receives or is entitled to receive, either by employment or contract, \$500.00 or more in monetary or in-kind compensation in any calendar year for engaging in lobbying, either personally or through his or her agents, or

a person who expends more than \$500.00 on lobbying in any calendar year.

(11) "State officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, and Auditor of Accounts.

(12) "Lobbying firm" means a sole proprietorship, partnership, corporation, limited liability corporation, or unincorporated association which receives or is entitled to receive \$500.00 or more in monetary or in-kind compensation for engaging in lobbying, either personally or through its agents, in any calendar year and employs more than one individual lobbyist, contracts with at least one other lobbyist, or is affiliated with at least one other lobbyist.

(13) "Immediate family" means a person's spouse or civil union partner, parent, sibling, child, or in-law, including a parent, sibling, or child of a spouse or civil union partner. (Added 1989, No. 160 (Adj. Sess.), § 2, eff. April 30, 1990; amended 1993, No. 101, § 1; 2005, No. 99 (Adj. Sess.), § 1, eff. Jan. 1, 2007; 2007, No. 5, § 1, eff. April 12, 2007.)