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## 1.0 PURPOSE AND SCOPE

- 1.1.1. This procedure provides instructions for determining whether lobbying activities on behalf of any elected or appointed official, employee, or agency of a Federal or State government are allowed, in order to maintain compliance with Connecticut's lobbying requirements. |

## 2.0 REFERENCES

### 2.1 Associated Documents

- 2.1.1. |N/A|

### 2.2 Source Information

- 2.2.1. |Connecticut Birth to Three Lobbying Procedure, Revised April 1, 2002
- 2.2.2. Federal Part C Application: "Certification Regarding Lobbying"
- 2.2.3. U.S. Department of Education General Administrative Regulations §82.100
- 2.2.4. Connecticut General Statutes Section (C.G.S.) 1-210 - (Formerly Sec. 1-91). Access to public records. Exempt records.
- 2.2.5. Connecticut General Statutes (C.G.S.) 1-101aa(a) and (b). Provider participation in informal committees, task forces, and work groups of certain state agencies not deemed to be lobbying.
- 2.2.6. Connecticut General Statutes (C.G.S), Chapter 10, Part II. Penalty for ethics violation
- 2.2.7. State Ethics Commission Advisory Opinion No. 99-16. Two-year bar to a former employee. |

## 3.0 INSTRUCTIONS

### 3.1 General Lobbying Activities


- 3.1.1. **IF** a Birth to Three program staff member engages (in any form) in attempting to influence either:

- A state agency
- A member of the General Assembly

**THEN ENSURE** that Birth to Three program staff member registers with Connecticut's Office of State Ethics as a lobbyist.

### 3.2 Federal Agency Lobbying

- 3.2.1. **USE** of federal funding to influence or attempt to influence any of the following is **NOT** permitted:

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- Employees of federal agencies
  - Members of Congress
  - Officers of Congress
  - Employees of Congress
  - Employees of a member of Congress in connection with any federal action
1. For example: This would include funding (with Individuals with Disabilities Act (IDEA) Part C dollars) the travel of a provider, parent, or Interagency Coordinating Council (ICC) member to a national conference in Washington D.C., during which the individual takes the opportunity to look up a member of their state delegation to argue for increased funding for IDEA Part C.

3.2.2. **IF** Birth to Three System and Birth to Three programs lobby with federal funds,

**THEN KNOW** program is subject to a civil penalty of:

- **NOT** less than \$10,000
- **NOT** more than \$100,000


### 3.3 State Agency Lobbying

3.3.1. **IF** a provider is appointed to any of the following statutorily mandated:

- Council
- Committee
- Task force

**THEN ALLOW** provider's staff to participate and **DO NOT** consider it as lobbying.

- For example: Interagency Coordinating Council ( ICC) or Local ICCs

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3.3.2. **IF** Lead Agency invites a provider to participate in any of the following informal:

- Policy-Making Committee
- Task force
- Work group
- Other Ad hoc Committee established by department

**THEN ALLOW** provider's staff to participate and **DO NOT** consider provider's participation as lobbying.

3.3.3. **IF** a provider or organization engages in attempting to influence either:


- A state agency
- A member of the General Assembly

**THEN ENSURE** that Birth to Three program staff member registers with Connecticut's Office of State Ethics as a lobbyist.

3.3.4. **CONSIDER** a provider or organization as a lobbyist who:

- Expend or agrees to expend, or receives or agrees to receive \$2,000 or more in a calendar year, including the pro-rated value of a salary.
- Communicates directly or solicits others to communicate with any public official or their staff in the legislative or executive branch, or in a quasi-public agency, to influence legislative or administrative action.

1. **INFORM** provider or organization to register with Connecticut's Office of State Ethics as a lobbyist.

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3.3.5. **CONSIDER** normal interactions between a Birth to Three program and Lead Agency regarding a contract as normal.

1. **IF** either of the following apply:

- A program seeks to circumvent the usual process by asking a member of Connecticut General Assembly or Governor’s office to intervene.
- A program seeks intervention from an employee of the Lead Agency outside of the normal contract process.

**THEN CONSIDER** activity as administrative lobbying and **APPLY** the \$2,000 threshold.

- For example: Service coordinators distributing flyers urging parents to contact members of the Appropriations Committee to increase funding for the Birth to Three System. If the aggregate cost of the service coordinator’s time and the cost of the flyers exceeded \$2,000, then the program staff would need to register as lobbyists.

**NOTE**

The Office of State Ethics investigates alleged violations of Connecticut’s lobbying requirements.

3.3.6. **KNOW** any person who intentionally violates any provision of the Code of Ethics for Lobbyists in Chapter 10, Part II of the Connecticut General Statutes is subject to either:

- Imprisonment for a term **NOT** to exceed one year.
- A fine **NOT** to exceed \$2,000. |

**END of Instructions**

**4.0 REVISION HISTORY**

Location	Description of Change
All	New Human Factored Procedure in New Template

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