

From: [Bud Ground](#)
To: [ethics](#)
Subject: [EXTERNAL] RULE COMMENT
Date: Thursday, December 10, 2020 2:48:22 PM
Attachments: [image002.png](#)

Commissioners:

My name is Howard L. Ground (ID:7000) and I would like to provide the following comments on the proposed Amendment 2021-02 which changes Rule 5.8 - Gift Limits for Legislative Liaison or Legislative Lobbyist.

The inclusion of “informational materials” as a reportable item in Rule 5.8 is contrary to the many years of ethics education programs that I have attended in order to understand and be able to comply with the complex laws and rules governing lobbying in Oklahoma. The Ethics Commission Guide documents outline in plain language the explanation of topics including the “Guide For Lobbyist” which defines what lobbying is according to the Ethics Commission. It includes the following:

What Lobbying Is

“Lobbying” generally means oral or **written communications** with regard to the passage, defeat, formulation, modification, interpretation, amendment, adoption, approval or veto of any legislation, rule, regulation, executive order or any other program, policy or position of state government. Lobbying must be on behalf of a lobbyist principal.

The Ethics Commission identified and recognizes that written communications are a critical part of lobbying. It is a standard practice for lobbyist to develop position papers, talking points and other handouts regarding pieces of legislation or regulation. The informational materials left behind with a legislator are normally one sheet of paper and may have material on both sides of the paper. The desire by a lobbyist is to make it as short and succinct as possible so that the legislator will take the time to read it and understand the issue. These informational materials are worth only pennies and the burden on a lobbyist to report these materials would be enormous. I do not believe that in aggregate over a session would exceed the \$10.00 value described in 5.13. The written materials given to regulatory agency personnel regarding proposed changes in regulations are usually much more detailed and lengthy when dealing with scientific or engineering issues.

I also believe that it is illogical to compare a gift presented to a legislator where it is intended to benefit or acknowledge a legislator to informational materials which are to benefit the lobbyist principal as described in “What a Lobbyist is” as shown above. In addition to it not being a logical comparison, I find it contrary to the Ethics rules which allow a legislator to use public funds, time and facilities to indicate their positions on issues as well as produce and distribute newsletters or similar informational materials to constituents and others and not allow a lobbyist to use informational materials without reporting the exchange.

I ask that you strike “informational materials” from your proposed rules.



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