



2019-2020 Public Corporation Bi-monthly and Bi-monthly Amendment Information

Any Public Corporation required to file a Statement of Registration in a biennial period must also file Bi-monthly Reports, regardless of Compensation, Expenses, or Lobbying Activity.

PURPOSE

The purpose of this document is to assist Filers with the submission of Public Corporation Bi-monthly Reports and Bi-monthly Amendments in JCOPE's new Lobbying Application.

NOTE: This document is **not** intended to assist Public Corporations in determining whether their activities require registration and reporting to JCOPE. For assistance in determining whether your activities are considered Lobbying Activities which require Registration and Bi-monthly reporting, please refer to the Guide to Lobbying and the regulations available on the JCOPE website.

THINGS TO KNOW:

Unlike the Registration, which is a 'forward-looking' document that requires the Lobbyist to disclose the Lobbying Activities (Focuses and Parties) expected (or *anticipated*) to be lobbied during the biennial period, the Bi-monthly Report requires the **actual** Lobbying Activities that occurred during the specific reporting period be disclosed. Greater specificity is required, including the direct relationships that exist between a Focus and the Party(ies) lobbied.

- The Lobbying Act requires a registered Lobbyist (including Public Corporations) to submit a Bi-monthly Report for each reporting period their In-house Lobbyists engage in Lobbying Activities under an active Agreement/Contract (based on the Lobbying Agreement Start Date provided in the associated Public Corporation Statement of Registration).
- Bi-monthly Reports must be submitted even when Compensation, Expenses, or Lobbying Activity did not occur during a Bi-monthly reporting period. Bi-monthlies must continue to be submitted as long as their In-house Lobbyists engage in Lobbying Activities under an active Agreement/Contract, even if just for a portion of a Bi-monthly reporting period.
- Bi-monthly Reports must be submitted in chronological order based on the Lobbying Agreement Start Date provided in the associated Public Corporation Statement of Registration.
- A Bi-monthly Report may be started, saved, and submitted, up to two months prior to the Filing's due date; as long as the Lobbying Agreement is "active" during the reporting period for which the Bi-monthly Report is being filed.
- A Bi-monthly Report can be filed after a Lobbying Agreement Termination date, as long as the Lobbying Agreement was "active" during the reporting period for which the Bi-monthly Report is being filed.

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- Once submitted, a Bi-monthly Report cannot be deleted. The Filer must submit a Request to Withdraw to remove the Filing from public view.
- Once submitted, the Filer cannot make any changes to the Report. A Bi-monthly Amendment must be submitted.
- Online Filings will populate specific Information from existing Profiles, if available, and the most recently submitted Filing of the Public Corporation (Biennial Registration, Registration Amendment, Bi-monthly or Amendment):
 - Public Corporation Information
 - In-house Lobbyist Information
 - Retained Lobbyist Information

BI-MONTHLY REPORTING PERIODS & DUE DATES:

BI-MONTHLY REPORTING PERIOD	PERIOD COVERED	DUE DATE
January/February	January 1 – February 28	March 15
March/April	March 1 – April 30	May 15
May/June	May 1 – June 30	July 15
July/August	July 1 – August 31	September 15
September/October	September 1 – October 31	November 15
November/December	November 1 – December 31	January 15 (of the following year)

INFORMATION COLLECTED ON THE BI-MONTHLY REPORT

The new 2019-2020 online Bi-monthly Report contains its own main navigation menu and can be viewed in a “tabbed format” or in “full view”, depending on Filer preference.

The Bi-monthly Report contains the following fields. Items denoted with a red asterisk ‘*’ are required fields.

1. Biennial Registration Period*

2. Bi-monthly Reporting Period*

Indicate the Year and Bi-monthly Period:

- January/February
- March/April
- May/June
- July/August
- September/October

- November/December

3. Public Corporation Information*

4. In-House Lobbyist(s) Information*

List the name(s) of any In-House Lobbyist that performed Lobbying Activities on behalf of the Public Corporation during the specific Bi-monthly reporting period. The names of In-House Lobbyists included in the most recently submitted Bi-monthly and/or Registration or Registration Amendment will automatically populate this section of the online Bi-monthly Report.

Removing an In-House Lobbyist from a Bi-monthly Report who was listed on your original Registration has no impact on the associated Registration Filing.

If you file online, you may add *new* In-House Lobbyists directly to a Bi-monthly or Bi-monthly Amendment. This *new* In-House Lobbyist will be immediately available for selection on other Filings, and will be also be added to the list of In-House Lobbyists contained in your Organization's Profile. (If you do not file online, you must submit a Registration Amendment to add a *new* In-House Lobbyist.)

Select the '**Designated Lobbyist**' check-box if the In-House Lobbyist is lobbying as a board member, director or officer of the Public Corporation.

Note: At least one In-House Lobbyist must be listed on any Bi-monthly Report where "Direct Lobbying" is indicated as the Type of Lobbying Activity.

Compensation

Provide the **Total (Dollar Amount) of Compensation** of ALL In-House Lobbyists for the current Bi-monthly reporting period; you may indicate \$0.

All Compensation and Expenses associated with Lobbying Activity should be accounted for using accrual basis accounting, i.e., costs are reported in the period in which they are incurred.

5. Retained Lobbyist Information (if applicable)

Public Corporation are required to include any Retained Lobbyist(s) who also performed Lobbying Activities on behalf of the Public Corporation during the specific Bi-monthly reporting period.

The names of Retained Lobbyists registered to lobby on behalf of the Public Corporation, and those included in the most recently submitted Bi-monthly, will automatically populate this section of the online Bi-monthly Report.

Retained Lobbyists cannot be removed from a Bi-monthly Report; a Termination is required.

If you file online, you may add *new* Retained Lobbyists directly to a Bi-monthly or Bi-monthly Amendment. This *new* Retained Lobbyist will be immediately available for selection on other Filings, and will be also be added to the list of affiliated Lobbyists.

Compensation

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Provide the **Total (Dollar Amount) of Compensation** paid to EACH Retained Lobbyist for the current Bi-monthly reporting period.

All Compensation and Expenses associated with Lobbying Activity should be accounted for using accrual basis accounting, i.e., costs are reported in the period in which they are incurred.

6. Other Expenses for Bi-monthly Reporting Period*

- Report the Total (Dollar amount of) Expenses valued at \$75 or less (dollar amount can be \$0);
- Report the Total (Dollar amount of) Expenses for salaries of non-lobbying staff (dollar amount can be \$0); and
- You can indicate there are '**No Itemized Expenses to Report**'

OR

- You can indicate there are '**Itemized Expenses to Report**'

Information required when reporting Itemized Expenses valued at more than \$75.

1. **Name of Organization** or Individual the Expense was paid to
2. **Date of the Expense** (any date within the Bi-monthly reporting period)
3. **Total** (Dollar amount) of the Itemized Expense
4. **Expense Purpose**
 - Advertising - Billboards
 - Advertising - Flyers
 - Advertising - Print Media
 - Advertising - Television/Radio
 - Buses for lobby event
 - Cell Phone
 - Computer/Internet
 - Consulting
 - E-advocacy
 - Legislative Bill Tracking
 - Legislative Research
 - Lodging
 - Meals for lobby event
 - Photocopies
 - Rallies
 - Rent
 - Social Event/Reception/Banquet
 - Social Media – Websites
 - Travel Reimbursement - Train, Airfare, Car, Hotel
 - Other

Expense Detail

A Detail Section is required *if* an Itemized Expense is paid to an Organization *on behalf of an Individual (or Individuals)*. The Detail Section must include the following information:

- Name of individual(s) (Numerous individuals can be added)
- Amount of Detailed Expense that is attributed to the individual listed
 - ★ The dollar amount(s) attributable to each Expense Detail must, when added together, equal the Total (Dollar Amount) of the Itemized Expense paid to the

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Organization. (Expense Detail A + B + C = Total (Dollar amount) of the Itemized Expense.)

EXAMPLE: If Principal Lobbyist ABC Company paid an expense in the amount of \$300 to American Airlines (on behalf of Individuals affiliated to the Principal Lobbyist) during the January/February reporting period, the disclosure might look like this:

NAME OF ORGANIZATION: American Airlines

DATE OF THE EXPENSE: February 20, YEAR

TOTAL (Dollar amount) of the Itemized Expense: \$300

EXPENSE PURPOSE: Travel

EXPENSE DETAIL A

NAME OF INDIVIDUAL

Last Name: Smith

First Name: John

Middle [optional]

TITLE OF INDIVIDUAL: Lobbyist

AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL: \$100

EMPLOYER OF INDIVIDUAL: ABC Company

EXPENSE DETAIL B

NAME OF INDIVIDUAL

Last Name: Doe

First Name: Jane

Middle [optional]

TITLE OF INDIVIDUAL: Lobbyist

AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL: \$100

EMPLOYER OF INDIVIDUAL: ABC Company

EXPENSE DETAIL C

NAME OF INDIVIDUAL

Last Name: Smith

First Name: Peter

Middle [optional]

TITLE OF INDIVIDUAL: Lobbyist

AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL: \$100

EMPLOYER OF INDIVIDUAL: ABC Company

7. Lobbying Subjects for Bi-monthly Reporting Period*

Nature of Subjects*

Lobbying Subjects identify the specific subject matter area(s) on which Lobbying occurred. These Subjects identify the 'Nature of Business' conducted by the Public Corporation.

At least one Lobbying Subject is required to be disclosed on each Bi-monthly Report. Since 'Subjects' selected on your most recently submitted Filings (Bi-monthly, Bi-monthly Amendment, Registration, or Registration Amendment) populate this Section, you can add or remove 'Subjects' as needed. Multiple Lobbying Subjects can be selected from the drop-down menu. **Refer to Appendix A** for a complete list of Lobbying Subjects to choose from.

8. Lobbying Activities for Bi-monthly Reporting Period*

Lobbying Activity Information is populated from your Public Corporation Filings (Bi-monthly, Bi-monthly Amendment, Registration, or Registration Amendment).

Lobbying Activities can be modified—added or removed—on a Bi-monthly Report. (NOTE: changes to this section do not require a Registration Amendment.)

The **actual** Lobbying Activities that occurred during the specific reporting period must be disclosed by identifying the Focus Type, the Focus (Identifying Number or Description), the Type of Communication, and the Party Lobbied.

Level of Government Lobbied*

You must indicate the 'Level of Government' Lobbied during this reporting period.

- (a) State Lobbying
- (b) Municipal Lobbying
- (c) State/Municipal (Both)

Focus Type

A *Focus Type* (State or Municipal Level) must be identified for each Focus number (such as the bill or procurement number), or a brief description of the Focus area if the identifying number is unknown.

- State Bill
- State Executive Order
- State Law
- State Procurement
- State Resolution
- State Regulation/Rate-making/Rule
- State Tribal Compact Agreement - NYS Indian Nations
 - Cayuga Nation
 - St. Regis Mohawk Tribe
 - Oneida Nation of NY
 - Onondaga Nation
 - Seneca Nation of Indians
 - Tuscarora Nation of NY
 - Unkechague Poosepatuck Indian Tribe

- Shinnecock Indian Nation
- Tonawanda Band of Seneca Indians of NY

- Municipal Bill
- Municipal Executive Order
- Municipal Law
- Municipal Procurement
- Municipal Resolution
- Municipal Regulation/Rate-making-Rule

Type of Communication

A *Type of Communication* (Monitoring Only, Direct and/or Grassroots Lobbying) must be identified for each Focus number (such as the bill or procurement number), or a brief description of the Focus area if the identifying number is unknown.

- **Monitoring Only**
If 'Monitoring Only' is selected, you are not required to disclose any 'Parties Lobbied' for that specific Focus.

- **Direct Lobbying**
Direct Lobbying is an attempt to influence a Lobbying Activity through Direct or Preliminary Contact with a Public Official, or through communication or interaction directed to a Public Official, or the Public Official's staff.

If 'Direct Lobbying' is selected, you must disclose the name of the 'Government Body' and 'Party(ies) Lobbied for that specific Focus. (NOTE: The 'Government Body' information will populate for you once you provide the Party Name.)

- **Grassroots Lobbying**
Grassroots Lobbying is an attempt to influence a Public Official indirectly, or through a person or organization who solicits another to deliver a message to a Public Official.

If 'Grassroots Lobbying' is selected, you must disclose the State Agencies, Municipalities, or Legislative Bodies Lobbied for that specific Focus.

- **Both (Direct and Grassroots Lobbying)**
If both 'Direct' and 'Grassroots Lobbying' is selected, you must disclose the names of the 'Government Body(ies)' and 'Party(ies) Lobbied for that specific Focus. (NOTE: The 'Government Body' information will populate for you once you provide the Party Name.)

Focus Number (identifying number)

Identify Senate and Assembly Bills by entering a capital 'S' for a Senate Bill number, or a capital 'A' for an Assembly Bill number. *Do not add a space, hyphen, period, or other character between the capital letter and the bill number.*

Correct: A1234

Incorrect: a1234; a 1234; A 1234; A_1234

Note: If a State bill is amended, versions are denoted by a letter suffix A, B, C, D and so on for each time the bill is altered. Please ensure the letter at the end of the amended Bill number includes a dash before it.

Correct: A1345-A

Incorrect: a1234A; a 1234a; A 1234a; A_1234A

All other Focus numbers do not require specific formatting rules for data-entry.

Description of the Focus

If a Focus Number (identifying number) is **unknown**, you can provide a description of the Focus. For Municipal Level Focuses, indicate the originating locality in your description. *Example:* Municipal Bill on requiring single stream recycling in the Town of Delmar, New York.

- Select 'Add Description if Identifying Number is unknown', and provide a brief description; then click the 'Enter' key to add.

Load Multiple State and Municipal Bills

The LA offers Filers the ability to **upload multiple State and Municipal Bill numbers** and group them by *Type of Communication*.

- 1. Organize your bill numbers** into the following categories:
 - Direct Lobbying
 - Grassroots Lobbying
 - Both
- 2. Use commas to separate bill numbers.** Each State Bill number (Senate and Assembly) must be separated by a comma. Senate Bill numbers and Assembly Bill numbers do not need to be loaded separately.
 - **Correct:** A1234,S1234,A4567,A8790,S2345

Once you have added all your Focuses and Parties Lobbied for this reporting period, you need to identify the direct connection (one-to-one relationship) between the Focus and the target(s) of the reportable Lobbying Activity (referred to as 'Parties Lobbied').

Parties Lobbied (Targets of Lobbying Activity)

Add a Party Name by either typing in the first few characters of the applicable name, or by typing the asterisk symbol in the search field to view a full list of results. (NOTE: The 'Government Body' information will populate for you.)

Once you have added your Parties Lobbied for this reporting period, your selection will be added to the 'Parties Lobbied' section of your Filing to identify the direct connection (one-to-one relationship) between the Focuses and the target(s) of the Lobbying Activity.

Complete this process for each Focus/Party pairing. (NOTE: Multiple Parties can be selected per Focus.)

9. Attestation Information*

An Attestation is required before any Filing can be submitted. By attesting, the Filer acknowledges that the information (provided by the Filer) in all statements and reports required under Legislative Law Article 1-A is true, correct and complete to the best knowledge and belief of the signor under penalty of perjury. (See Section 1-p of the Lobbying Act)

BI-MONTHLY AMENDMENTS — WHEN TO FILE

Lobbyists, including Public Corporations, are required to submit an amended Bi-monthly Report for any change, permanent or temporary, to the following information during the specified reporting period, which should be completed and submitted to the Commission within 10 days of such change.

Each Amended Bi-monthly Report requires the Filer to provide a specific date the change(s) are (or will be) effective; known as an “Effective Date of Change”. Multiple changes can be made on an Amended Bi-monthly Report **as long as all the changes being made on the Filing have the same Effective Date of Change**. Otherwise, separate Amendments are required for each Effective Date of Change.

Filings may be saved, and then completed/submitted at a later time.

All information will pre-populate from existing Profiles and your most recently submitted Bi-monthly, Bi-monthly Amendment.

An Amended Bi-monthly Report is required to reflect any changes to:

1. In-House Lobbyists

If the name(s) of any In-House Lobbyist(s) that performed Lobbying Activities on behalf of the Public Corporation changes during the specific Bi-monthly reporting period:

- you may add *new* In-House Lobbyists directly to a Bi-monthly Amendment. This *new* In-House Lobbyist will automatically update the In-House Lobbyist list in your Organization Profile, and will be immediately available for selection on other Filings.
- you may *remove* an In-House Lobbyists by clicking the name of the In-House Lobbyist located in the ‘Selected Lobbyists’ column and click ‘Save changes’. Refer to the ‘*How to File a Statement of Registration and Reportable Business Relationship*’ instructions for detailed information.

2. Amounts and/or information relating to:

- Compensation

- Expenses

NOTE: A Lobbyist is not required to amend a Bi-monthly Report to reflect any changes to:

- any decision by a Lobbyist to waive, write-down, or otherwise reduce the prior Compensation and Expenses owed to the Lobbyist **after the termination of the Lobbying Agreement.**

3. Lobbying Activities

TICKETING IN THE NEW LOBBYING APPLICATION

The new Lobbying Application provides for a mechanism of communication between the Filer and JCOPE staff, facilitating filing issue awareness and deficiency resolution through a system of Ticketing. Tickets may be generated by Staff to address a specific issue, or in some cases, auto-generated by the Lobbying Application. Tickets will appear on your dashboard in the online application.

CONTACT US

For technical assistance, or help with specific Filings and other lobbying-related disclosure forms, the Lobbying line is available from 8:30 A.M. to 4:30 P.M. Eastern Time, Monday through Friday, by contacting the phone number or email addresses below.

By phone:

Hotline - Press '1' to speak to the Lobbying Unit 800-87-ETHICS (873-8442)

By email:

Helpdesk@jcope.ny.gov

Registrations@jcope.ny.gov

Bimonthlies@jcope.ny.gov

CSA@jcope.ny.gov

Discrepancies@jcope.ny.gov

For Legal Questions and to speak to the JCOPE 'Attorney of the Day' contact

By phone:

Hotline - Press "2" to speak to the attorney of the day 800-87-ETHICS (873-8442)

By email:

legal@jcope.ny.gov

APPENDIX A

LOBBYING SUBJECTS

Agribusiness – General
Agribusiness – Agricultural Services & Products
Agribusiness – Food Processing & Sales
Agribusiness – Tobacco
Budget/Appropriations
Chemicals/Chemical Industry
Construction – general
Construction – Building Materials & Equipment
Construction – Construction Services
Consumer Issues/Safety/Protection
Criminal Justice – General
Criminal Justice – Criminal Law & Procedures
(includes sentencing)
Criminal Justice – Law Enforcement
Criminal Justice – Police Issues
Corrections
Economic Development – general
Economic Development – Tourism
Economic Development – Sports/Entertainment
Economic Development – Tax Incentives
Education – General
Education – Testing
Education – Funding
Education – Charter Schools
Education – Evaluations
Energy & Natural Resources – general
Energy & Natural Resources– Alternative Energy
Production & Services
Energy & Natural Resources – Oil/Fuel/Gas
Energy & Natural Resources – Waste
Management
Energy & Natural Resources – Environmental
Conservation/Preservation
Energy & Natural Resources – Parks &
Recreational Activities
Ethics including Lobby Reg.
Finance, Insurance & Financial Services –
general
Finance, Insurance & Financial Services –
Commercial Banks & Credit Unions
Finance, Insurance & Financial Services –
Finance & Credit Companies
Finance, Insurance & Financial Services –
Mortgage Finance
Finance, Insurance & Financial Services –
Securities & Investment
Gaming – General
Gaming – Casinos
Gaming – Horse Racing
Gaming – Lottery
Gaming – Recreation & Live Entertainment
Health – General
Health – Health Professions
Health – Health Services / HMOs
Health – Hospitals & Nursing Homes
Health – Pharmaceuticals/ Health Products
Health – Medicine/ Medicaid
Health – Cigarette/ Tobacco
Human Rights/Civil Rights
Insurance – General
Insurance – Auto
Insurance – Health
Insurance – Life
Insurance – Property & Casualty
Labor – General
Labor - Labor Issues/ Unions
Labor – Prevailing wage/ Minimum Wage
Labor – Pensions/ Retirement
Media – General
Media – Printing & Publishing
Media – Books, Magazines & Newspapers
Media – Motion Picture/Television/Recorded
Music/Music Production & Distribution
Media – First Amendment – Press
Miscellaneous Business – General
Miscellaneous Business – Advertising/ Public
Relations
Public Utilities – General
Public Utilities – Telecommunications
Public Utilities – Cable/Broadband
Public Utilities – Water
Public Utilities – Gas
Public Utilities – Electric
Real Estate – General
Real Estate – Affordable Housing
Real Estate – Construction
Tax – General
Tax – Corporate

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Tax – Exempt Organizations

Tax – Personal Income

Tax – Real Property

Tax – School

Tax – Development Credits

Transportation – General

Transportation– Railroad/Canals

Transportation – Safety

Transportation – Trucking

Transportation – Air Transport

Transportation – Automotive Industry/

Manufacturers

Veterans Affairs