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.
• 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:

<table>
<thead>
<tr>
<th>BI-MONTHLY REPORTING PERIOD</th>
<th>PERIOD COVERED</th>
<th>DUE DATE</th>
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<tbody>
<tr>
<td>January/February</td>
<td>January 1 – February 28</td>
<td>March 15</td>
</tr>
<tr>
<td>March/April</td>
<td>March 1 – April 30</td>
<td>May 15</td>
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<tr>
<td>May/June</td>
<td>May 1 – June 30</td>
<td>July 15</td>
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<td>July/August</td>
<td>July 1 – August 31</td>
<td>September 15</td>
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<td>September/October</td>
<td>September 1 – October 31</td>
<td>November 15</td>
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<tr>
<td>November/December</td>
<td>November 1 – December 31</td>
<td>January 15 (of the following year)</td>
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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**
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
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 Poospatuck Indian Tribe
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- 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

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<tr>
<th>Category</th>
<th>Subjects</th>
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<td>Agribusiness – General</td>
<td>Finance, Insurance &amp; Financial Services – Securities &amp; Investment</td>
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<tr>
<td>Agribusiness – Agricultural Services &amp; Products</td>
<td>Gaming – General</td>
</tr>
<tr>
<td>Agribusiness – Food Processing &amp; Sales</td>
<td>Gaming – Casinos</td>
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<tr>
<td>Agribusiness – Tobacco</td>
<td>Gaming – Horse Racing</td>
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<tr>
<td>Budget/Appropriations</td>
<td>Gaming – Lottery</td>
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<tr>
<td>Chemicals/Chemical Industry</td>
<td>Gaming – Recreation &amp; Live Entertainment</td>
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<tr>
<td>Construction – general</td>
<td>Health – General</td>
</tr>
<tr>
<td>Construction – Building Materials &amp; Equipment</td>
<td>Health – Health Professions</td>
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<tr>
<td>Construction – Construction Services</td>
<td>Health – Health Services / HMOs</td>
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<tr>
<td>Consumer Issues/Safety/Protection</td>
<td>Health – Hospitals &amp; Nursing Homes</td>
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<tr>
<td>Criminal Justice – General</td>
<td>Health – Pharmaceuticals/ Health Products</td>
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<tr>
<td>Criminal Justice – Criminal Law &amp; Procedures (includes sentencing)</td>
<td>Health – Medicine/ Medicaid</td>
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<td>Criminal Justice – Law Enforcement</td>
<td>Health – Cigarette/ Tobacco</td>
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<td>Criminal Justice – Police Issues</td>
<td>Human Rights/Civil Rights</td>
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<td>Corrections</td>
<td>Insurance – General</td>
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<td>Economic Development – general</td>
<td>Insurance – Auto</td>
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<td>Economic Development – Tourism</td>
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<td>Economic Development – Sports/Entertainment</td>
<td>Insurance – Life</td>
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<td>Economic Development – Tax Incentives</td>
<td>Insurance – Property &amp; Casualty</td>
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<td>Education – General</td>
<td>Labor – General</td>
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<td>Education – Testing</td>
<td>Labor - Labor Issues/ Unions</td>
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<td>Education – Funding</td>
<td>Labor – Prevailing wage/ Minimum Wage</td>
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<td>Education – Charter Schools</td>
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<td>Education – Evaluations</td>
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<td>Energy &amp; Natural Resources – general</td>
<td>Media – Printing &amp; Publishing</td>
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<td>Energy &amp; Natural Resources – Oil/Fuel/Gas</td>
<td>Media – Motion Picture/Television/Recorded</td>
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<td>Energy &amp; Natural Resources – Waste Management</td>
<td>Music/Music Production &amp; Distribution</td>
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<td>Finance, Insurance &amp; Financial Services – Commercial Banks &amp; Credit Unions</td>
<td>Miscellaneous Business – General</td>
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<td>Finance, Insurance &amp; Financial Services – Finance &amp; Credit Companies</td>
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<td>Veterans Affairs</td>
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<td>Transportation– Railroad/Canals</td>
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