RESOLUTION 22-01

RECITALS

WHEREAS, Executive Law Section 94(19) provides that certain information and records of the Joint Commission on Public Ethics (the “Commission”) must be made publicly available;

WHEREAS, the Commission has instituted a series of additional measures to provide further transparency to its operations and activities;

WHEREAS, Executive Law Section 94(9)(l) and Legislative Law Section 1-d(g) require the Commission to prepare an annual report to the Legislature and Governor that, among other things, summarizes the activities of the Commission pursuant to those statutes during the previous year and provides certain specifically enumerated information;

WHEREAS, the Commission is charged with providing ethics training to individuals required to file an Annual Statement of Financial Disclosure and individuals registered to lobby, pursuant to Executive Law Section 94(10);

WHEREAS, pursuant to Legislative Law Section 1-e, 1-h and 1-j, filers submitting required lobbying disclosure reports after the statutory due date may be assessed a penalty not to exceed twenty-five dollars per day, or ten dollars per day for first-time filers;

WHEREAS, the Commission is authorized to issue guidance to those under its jurisdiction pursuant to Executive Law Section 94(16) and Legislative Law Section 1-d, and

WHEREAS, guidance issued under Executive Law Section 94(16) is confidential but may be published in a redacted form;

NOW THEREFORE, it is
RESOLVED, that, upon a vote of the Commission, in the event the recipient of guidance from the Commission or its staff makes misleading, inaccurate or incomplete public disclosure with respect to the nature or substance of the guidance received, the Commission may release information relating to the guidance request, including but not limited to an unredacted version of the request for guidance and of any guidance provided; and it is

FURTHER RESOLVED, that Commission shall include in its annual report statistics reflecting compliance with ethics training requirements for each state agency and lobbying entity; and it is

FURTHER RESOLVED, that, Commission staff shall include in its annual report all late fees assessed by the Commission against lobbying entities, including the status of such assessment, i.e., paid, waived, delinquent, or referred for collection to the Office of the Attorney General’s Civil Recoveries Bureau.

Approved: Jose L. Nieves
Chair
Richard F. Braun
Terryl L. Brown
Colleen C. DiPirro
William P. Fisher
Sharon Stern Gerstman
C. Randall Hinrichs
Marvin E. Jacob
Gary J. Lavine
James W. McCarthy
David J. McNamara
George H. Weissman
James A. Yates
Members

Dated: January 25, 2022