

POLICY REGARDING LOBBYING CONTACTS
RELATING TO AUTHORITY RULEMAKING AND RATEMAKING ACTIVITIES

Purpose

This policy implements the requirements of Public Authorities Law §2987(4) and advises members, management and staff of their responsibilities with respect to communication with lobbyists regarding rulemaking and ratemaking activities of the Authority. These reporting responsibilities are in addition to (and not in lieu of) the responsibilities of members, management and staff under the Authority's 2005 Procurement Lobbying Law Policy and Procedures implementing the requirements of State Finance Law §139-j and §139-k. The Authority is also required to file periodic lobbying reports with the Public Integrity Commission as required by Article 1-A of the Legislative Law. The Legislative Law also prohibits registered lobbyists from offering or giving gifts to public officials or their spouses or their unemancipated children except that this prohibition does not apply to members of the Authority who serve without compensation unless the lobbyist has matters pending before the Authority.

Background

Public Authorities Law § 2987(4) requires every state authority to adopt a policy regarding lobbying contacts as defined in that section of law.

Definitions

For purposes of this Policy, the following terms shall have the following meanings:

“Lobbyist” means every person or organization retained, employed or designated by any client to engage in lobbying but does not include an officer, director, trustee, employee, counsel or agent of the State or a municipality (including State public authorities) thereof engaged in the discharge of official duties (other than officers, directors, trustees, employees, counsels, or agents of public institutions of higher education engaged as lobbyists).

“Lobbying” means and includes any attempt to influence:

- (i) the adoption or rejection of any rule or regulation having the force and effect of law by the Authority; and
- (ii) the outcome of any rate making proceeding by the Authority.

“Contact” means any conversation (either in person or by telephone or other remote means) or correspondence between any lobbyist engaged in the act of lobbying and any person within the Authority who can make or influence a decision on the subject of the lobbying, including but not limited to the Authority's members and officers.

Policy

It is the policy of the Authority to maintain a record of all lobbying contacts made with the Authority. Accordingly, each member, officer or employee of the Authority who is contacted by a lobbyist shall make a contemporaneous record of such lobbying contact. Such record shall include the day and time of the contact, the identity of the lobbyist and a general summary of the substance of the contact.

Procedures

Each record of a lobbying contact shall be made on a form provided by the Authority for such purpose and shall be submitted to the Authority's Ethics Officer who shall receive and maintain a record of such lobbying contacts in accordance with the requirements of Public Authorities Law §2987(4) .

Dated: March 30, 2011