

# INSTRUCTIONS

## UPDATED REGISTRATION STATEMENT

### EMPLOYER OF EXECUTIVE AGENCY LOBBYIST

**Do not leave any section or question blank.** If the question does not apply, check the box “If None, Check Here”

#### **A. General Information**

**Items 1 & 2:** Provide full name of the company/organization engaging the executive agency lobbyist(s) as it appears on the Initial Registration Statement. Record any changes in employer name, employer contact, title, address, email and telephone.

**Item 3:** Indicate whether this is a regular, amended, or final statement. An amended statement should be filed if a correction needs to be made after the reporting deadline. If an amended statement is being filed, indicate which reporting year the statement is amending, and complete only those sections which are being changed by the amended filing. Final statements are filed upon termination of registration.

**Item 4:** Provide the full name of ALL executive agency lobbyists who were registered to represent the employer during the reporting period, including those executive agency lobbyists who are no longer engaged by the employer, but were active during any part of the reporting period. Fill in the EAL registration number(s) of each, if known.

Provide the compensation paid by the employer to each lobbyist listed under Item 4. “Compensation” means, “any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, as to be rendered, by himself or another” KRS 11A.201(1). The statute does not establish a specific method for the reporting of compensation i.e., monthly, annually, pro-rated amount based on percentage of time actually conducting lobbying activity, etc. For compliance purposes, provide a good faith answer to the best of your knowledge.

**Item 5:** If the engagement of an executive agency lobbyist was terminated, or a new executive agency lobbyist was engaged, during the reporting period, state the name(s) of the individual(s) and the applicable dates.

**Item 6:** If the Initial Registration Statement indicated any real party(ies) in interest, and the employer is adding or deleting a real party, list the name and indicate whether the real party is an addition or deletion.

## **B. Executive Agency Decisions**

List the specific executive agency decisions which your executive agency lobbyists attempted to influence during the reporting period. Examples of an executive agency decision to be listed: "contract for purchase of (commodity) by Kentucky Department of Corrections;" "met with officials of the Transportation Cabinet to discuss budget items for the State Road Fund" "appeared before the Public Service Commission to request rate increase for XYZ Electric Utility."

## **C. Employer Expenditures Statement**

Report ALL expenditures made by the employer, which were made to, or for the benefit of, an elected executive official, any secretary of a Cabinet listed in KRS 12.250, an executive agency official, or a member of the staff of any of those officials. List the name of the official or employee for whom the expenditure was made; type of expenditure; description of meeting, event, or occasion for which the expenditure was made; the date the expenditure occurred; and the amount of the expenditure. Examples of expenditures to be reported include the cost of a reception, entertainment, gifts, tickets to sporting events, food and beverage, registration fees, equipment, or travel for any of the state officials listed above.

Any expenditure reported requires the naming of an official or employee, and the delivery of a copy of the applicable section(s) of the expenditure statement to the identified official or employee at least ten (10) days before this statement is to be filed with the Commission.

*See KRS 11A.226 for the procedure to be followed relative to any dispute that may arise concerning the reported expenditure.*

## **D. Financial Transactions Involving Employer of Executive Agency Lobbyist**

If the employer, or a member of the employer's immediate family, had, during the reporting period, a financial transaction with, or for the benefit of, an official or employee so listed, state the name of the official or employee, the purpose and nature of the transaction, the date such transaction was made or entered into, and any other pertinent details.

A financial transaction is a transaction or activity that is conducted or undertaken for profit and arises from the joint ownership, or the ownership, or part ownership in common of any real or personal property or any commercial or business enterprise of any form or nature between:

The reporting of any financial transaction requires the naming of an official or employee, and requires that you deliver a copy of the financial transaction statement to the identified official or employee at least ten (10) days before the statement is to be filed with

the Executive Branch Ethics Commission.

*See KRS 11A.226 for the procedure to be followed relative to any dispute that may arise concerning a reported financial transaction.*

### **E. Registration Fee**

Each employer of one or more executive agency lobbyists is required to pay a registration fee of \$500 with the filing of the *Updated Registration Statement, Employer of Executive Agency Lobbyist(s)* whether the employer is submitting a regular or final report. KRS 11A. 211(5). Payment may be made by credit card, check, or money order payable to the “**KENTUCKY STATE TREASURER**”. For accuracy in recording, it is preferred that payment accompany the filing of the updated registration statement. Failure to submit the \$500 registration fee will constitute a deficiency in the filing of an updated registration statement and will subject the employer to penalties outlined in KRS 11A.990(5)

### **Certification:**

This section requires the signature of the employer contact and the date on which the statement was signed. The signing of the statement attests to the completeness and accuracy of the statement. The certification also states that both the lobbyist and employer designee have complied with KRS 11A.236 which states:

#### **11A.236 Prohibition against lobbying on a contingency basis -- Exception for incentive compensation plans and placement agents**

(1) Except as provided in subsection (2) of this section, no person shall engage any persons to influence executive agency decisions or conduct executive agency lobbying activity for compensation that is contingent in any way on the outcome of an executive agency decision, including payment based on the awarding of a contract or payment of a percentage of a government contract awarded, and no person shall accept any engagement to influence executive agency decisions or conduct executive agency lobbying activity for compensation that is contingent in any way on the outcome of an executive agency decision, including payment based on the awarding of a contract or payment of a percentage of a government contract awarded. An employer who pays an executive agency lobbyist based on the awarding of a contract or payment of a percentage of a government contract awarded shall be barred from doing business with the Commonwealth for a period of five (5) years from the date on which such a payment is revealed to the Executive Branch Ethics Commission.

(2) Subsection (1) of this section does not prohibit, and shall not be construed to prohibit: (a) any person from compensating his sales employees pursuant to an incentive compensation plan, such as commission sales, if the incentive compensation plan is the same plan used to compensate similarly situated sales employees who are not executive agency lobbyists; or (b) any person from engaging a placement agent to influence investment decisions of the Kentucky Retirement Systems and the Kentucky Teachers' Retirement System for compensation that is contingent on the outcome of investment decisions by the retirement systems' boards of trustees. The provisions of this paragraph shall not apply to

unregulated placement agents.

You may complete the statement electronically by accessing the form from the Commission's website. The signed statement may be submitted in original form via hand delivery, regular mail, delivery service, or electronically by facsimile, email, or through an online system established by the Commission.

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**Completed and Signed Statements are due at the end of each reporting year *ON OR BEFORE* July 31 on an annual basis. You will have July 1 - July 31 to complete and submit the statement and registration fee.**

If you have questions, contact:

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(502) 564-7954  
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