

INSTRUCTIONS

UPDATED REGISTRATION STATEMENT

EXECUTIVE AGENCY LOBBYIST

A. General Information

Items 1 & 2: Provide your full name; your executive agency lobbyist number as found on your Executive Agency Lobbyist Registration Card; and the name of your employer. Update any changes in address, email, etc.

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 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: Indicate if you will remain active or terminate your registration for the employer(s) listed on the form. For reporting purposes, "termination" means the date you were no longer acting as an executive agency lobbyist for the employer either thru terminating a contract to represent the employer, a reassignment within the company, or you resigned your position with the employer. If terminating your engagement, provide a termination date.

Item 5: If your *Initial Registration Statement* indicated any real party(ies) in interest, you will record any additions/deletions in this table.

B. Executive Agency Decisions

If you are an executive agency lobbyist *who represents more than one employer*, you must complete Sections B and C for each employer you represent by copying the third page of the statement. At the top of the third page indicate the employer for which you are reporting, your name and lobbyist number. Then complete Section B and Section C as it relates to the employer you listed at the top of the page. Attach the additional copies of the third page to the Updated Registration Statement, making sure to include the signature page.

Item 1: List the specific executive agency decisions which you attempted to influence, on behalf of the employer during the reporting period and the specific agencies contacted. 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" "went before the Public Service Commission to request rate increase for XYZ Electric Utility."

Item 2: Since your *Initial Registration Statement* or most recent Updated Registration Statement, describe any additional types of executive agency decisions which relate to your engagement. For example, if your initial registration stated that you will be attempting to influence executive agency decisions related to "Contracts for data processing services" and now you will also be attempting to influence "Contracts for purchase of computer hardware", report the latter.

Item 3: Add or delete from the list of executive branch agencies originally provided on the *Initial Registration Statement* or last Updated Registration Statement.

C. Executive Agency Lobbyist Expenditure Statement

Report all expenditures made by you on behalf of your employer to, or for the benefit of, an elected executive official, the secretary of a cabinet listed in KRS 12.250, an executive agency official, or a member of the staff of any of these officials. Examples of expenditures to be reported include amounts for food and beverages, entertainment, tickets to sporting events, transportation, registration fees, lodging, honoraria, and miscellaneous expenditures. List the name of the official or employee for whom the expenditure was made; type of expenditure; for what meeting, event or occasion; when the expenditure occurred; and the amount of the expenditure. Any expenditure reported requires the naming of an official or employee, and 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 the statement is to be filed with the Commission.

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

D. Financial Transactions Involving Executive Agency Lobbyists

If you, or a member of your 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.

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 Commission.

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

E. Compensation

List the compensation paid to each lobbyist by each employer. "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.

Certification:

This section requires the signature of the executive agency lobbyist and the date on which the statement was signed. The signing of the statement attests to the completeness and accuracy of the statement and that the employer and the lobbyist have complied with KRS 11A.236 which prohibits lobbying on a contingency basis:

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.

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

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.

If you have questions, contact:

Executive Branch Ethics Commission
Capital Complex East
1025 Capital Center Drive, Suite 104
Frankfort, Kentucky 40601
(502) 564-7954
FAX (502) 695-5939
EMAIL: ethicsfiler@ky.gov