

**MINUTES OF THE PUBLIC SESSION OF THE  
JUNE 27, 2017  
COMMISSION MEETING  
OF THE JOINT COMMISSION ON PUBLIC ETHICS  
HELD AT THE  
540 BROADWAY  
ALBANY, NEW YORK**

**Acting Chair:** Michael K. Rozen (NYC)

**Members:**

Robert Cohen (ALB)  
James E. Dering (ALB)  
Marvin Jacob (NYC)  
Seymour Knox, IV (BUF)  
Gary J. Lavine (ALB)  
J. Gerard McAuliffe, Jr. (ALB)  
Dawn L. Smalls (NYC)  
George H. Weissman (ALB)  
James A. Yates (NYC)

**Members**

**Absent:** Barry C. Sample

**Staff:**

Seth H. Agata, Executive Director  
Monica J. Stamm, General Counsel  
Martin L. Levine, Deputy General Counsel  
Stephen J. Boland, Director of Administration  
Keith C. St. John, Director of Ethics  
Andrew Bechard, Director of Lobbying  
Walter J. McClure, Director of Communications and Public Information  
Officer  
Pei Pei Cheng-deCastro, Director of Investigations and Enforcement  
Emily A. Logue, Deputy Director of Investigations and Enforcement  
Patrick E. Coultry, Chief Investigator  
Peter J. Smith, Investigator  
Michael Sande, Deputy Director of Ethics Guidance  
Stephanie Blattmachr, Deputy Director of FDS  
Carol C. Quinn, Deputy Director of Lobbying Guidance  
Meghann Hennigan, Deputy Director of Education  
Erin R. Lynch, Associate Counsel  
Lori Donadio, Principal Investigative Analyst  
Deborah Novak, Secretary to the Commission

**I. CALL TO ORDER**

Acting Chair Michael Rozen called the June 27, 2017 Commission Meeting to order. Chair Rozen welcomed new Commissioners James Dering, James Yates, and Barry Sample.

**II. APPROVAL OF MINUTES – PUBLIC SESSION**

**May 23, 2017**

A motion was made by Commissioner Weissman, seconded by Commissioner Jacob, to approve the Minutes from the Public Session of the May 23, 2017 Commission Meeting. The motion was approved by unanimous vote.

**III. REPORT FROM STAFF**

**Update on Outreach Activities**

Executive Director Seth Agata stated that the annual report was issued in the previous month. The Commission's Education department has been reaching out to agencies, such as Department of Health, to create specialized trainings, geared to the specific needs of each division within the agency. A spring/summer newsletter will be issued shortly.

With the legislative session over, the legislation that had the most impact on JCOPE was the CSEA pay bill to implement a collective bargaining agreement. The bill will change the job rate compensation that creates the statutory filing threshold for the financial disclosure statements. The bill is not effective until the Governor signs it and the Union ratifies it. JCOPE is in the process of reviewing how that bill that will impact FDS filers. Previously, it was discussed that the PEF agreement would increase the number of new threshold filers because the threshold remained the same but this legislation will raise the threshold. The staff will examine the legislation's impact and report back its findings. The legislators' financial disclosure statements will be posted by the week ending July 7, 2017.

### **Update on Proposed Comprehensive Lobbying Regulations**

Executive Director Agata stated that staff has taken all of the comments received from stakeholder groups and Commissioners and created a new redline version of the draft regulations that will be posted on the Commission's website. The staff will ask the Commission to vote to commence the SAPA process at the next meeting, which will provide for another comment period and possible hearing. Until that time, the draft regulations are available for review and comment.

Deputy General Counsel, Martin Levine explained that new drafts include both a clean version of the Comprehensive Lobbying Regulations, a redline version which reflects changes since the initial draft that was issued last summer, and a draft of the changes to Source of Funding Regulations. These regulations address weighty issues such as grassroots lobbying, social media, procurement, fees and penalties, filing procedures and filing requirements. Anybody with questions was invited to reach out to staff for further discussion.

Commissioner Jacob suggested that staff add in the regulations the legal basis for the Commission to draft the regulations, as it is important to understand the underlying sources in determining the meaning of regulations. Executive Director Agata stated that staff can spell out in the regulations that the basis for the text will take into account precedent, the existing guidelines, and agency practice.

#### **IV. NEW AND OTHER BUSINESS**

None

#### **V. MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO EXECUTIVE LAW §94(19)(b)**

A motion was made by Commissioner Yates, seconded by Commissioner Knox, to enter into Executive Session pursuant to Executive Law §94(19)(b). The motion was approved by unanimous vote.

**VI. PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE SESSION**

Chair Rozen announced that during the Executive Session pursuant to Executive Law §94(19)(b), the Commission discussed litigation, authorized communication related to compliance with Financial Disclosure filing requirements, issued an Advisory Opinion, closed a Substantial Basis Investigation, discussed several pending investigative matters and authorized communication on investigations.

**VII. MOTION TO ADJOURN THE PUBLIC MEETING**

A motion was made by Commissioner Jacob, seconded by Commissioner Smalls, to adjourn the Public Meeting. The motion was approved by unanimous vote.