Empire State Development
Lobbying Contacts Policy
May 2011

1. Definitions

   a. "lobbyist" shall mean every person or organization retained, employed or designated by any other person or organization to engage in Lobbying on behalf of such other person or organization. The term "lobbyist" shall not include any officer, director, trustee, employee, counsel or agent of the State of New York, or any municipality or subdivision thereof, when discharging his or her official duties.

   b. "lobbying" shall mean and include any attempt to influence the adoption or rejection by ESD of any rule or regulation having the force and effect of law.

   c. "contact" shall mean any conversation, in person or by telephonic or other remote means, or correspondence between any lobbyist engaged in the act of lobbying and any person within ESD who can make or influence a decision on the subject of the lobbying on behalf of ESD, and shall include, at a minimum, all members of the governing board and all officers of ESD.

   d. "ESD" shall mean the New York State Urban Development Corporation doing business as Empire State Development and the New York Job Development Authority doing business as Empire State Development.

   e. "Lobbying Contact Officer" shall mean the General Counsel of ESD.

2. Recording of Contacts

   Every member, officer or employee of ESD who is contacted by a lobbyist shall make a contemporaneous record of such contact containing the day and time of the contact, the identity of the lobbyist and a general summary of the substance of the contact and shall promptly deliver such record to the Lobbying Contact Officer.

3. Maintenance of Records of Contacts

   The Lobbying Contact Officer shall establish and maintain a file of all records of lobbying contacts delivered to the Lobbying Contact Officer. Such file shall organize the records in a manner so as to make such records useful to determine whether the decisions of the authority were influenced by lobbying contacts. Each record shall be maintained for not less than seven years from the date of the lobbying contact.

* * *