

INSTRUCTIONS FOR FORM L1-A

ANNUAL REPORT OF GOVERNMENTAL AFFAIRS AGENT

It is strongly recommended that you review “The Filing Process” and the information presented under “Forms and Instructions.” There is a short video and Step-by-step instructions to enable the “Trust This Document” security feature for accepting the Registration Number and PIN to display your name on the signature line.

- To download, enter information, save and ELECTRONICALLY file the Form L1-A, you must have the latest version of Adobe Reader. The latest version is FREE at www.adobe.com.
- Once at the Adobe site, close all other Internet connections. Click on “Get Adobe Reader,” and follow the instructions. After installing or upgrading to Adobe’s latest version return to the Commission’s website at www.elec.state.nj.us to download, complete, save and electronically file the Form L1-A.
- A registration number and personal identification number (PIN) is also required to file electronically.
- Use of the TAB key to move between fields is recommended but the mouse can also be used to navigate the fields.
- The Form is **expandable** and will **automatically** calculate any amount(s) put on a schedule. Therefore, do not add dollar signs (\$) or commas (,) to the amount(s).

GENERAL INFORMATION

Enter the calendar year of the activity covered in the report. This will be the year **prior** to the filing year of this Annual Report. The field for the year can be edited. The year entered will automatically be entered on the certification page.

Check the amendment box if this is an amended report.

Enter the name, full business address, and telephone number of the "Governmental Affairs Agent" or the "Governmental Affairs Agent Firm" on whose behalf this report is filed. Do not include the telephone number if that number is unlisted.

"Governmental Affairs Agent" or "Governmental Affairs Agent Firm" in this report can include, but is not limited to, the following:

- John Doe (individual Governmental Affairs Agent)
- Doe, Jones & Smith (law firm)
- ABC Government Advisors (firm, corporation, partnership, etc. engaging in lobbying activities for Represented Entities)
- XYZ Public Relations (public relations firm)

If the business address of the Agent or Firm is not in New Jersey, file Form L-3, “Consent to Service of Process.” The Form L-3 must be filed electronically when submitted as an annual report.

Question 1 - Information regarding the Governmental Affairs Agent(s) on whose behalf this report is filed.

Enter the name, registration number (badge number), occupation or business, business address, and telephone number, of the Governmental Affairs Agent(s) on whose behalf this report is filed. Do not include the telephone number if that number is unlisted.

Note: Entering an Agent's name in this field will automatically place the Agent's name on Schedule B (Salary & Compensation). Click on 'Delete Item' to delete entries. Utilizing the delete button will also delete the entry from Schedule B. Click on 'Add Item' to add entries.

Question 2 - Information concerning all Represented Entities.

Enter the name, business address, type of business, and receipt amount concerning **all** Entities. If an Entity **only** engaged in communication with the general public ("grassroots lobbying"), place a check mark in the appropriate box. If an Entity is designating this report to include all of their activity, place a check mark in the appropriate box. For each Entity who designates this report to include all of their activity, a separate Form L-2 must be filed in addition to this report. The Form L-2 must also be filed electronically. Click on 'Delete Item' to delete entries and click on 'Add Item' to add entries.

Note: A Represented Entity or a person or Entity that engages in communication with the general public ("grassroots lobbying") can designate a Governmental Affairs Agent or Governmental Affairs Agent Firm to file a report (L1-A) on its behalf provided that:

1. All lobbying activity was performed by the Governmental Affairs Agent or Governmental Affairs Agent Firm; and,
2. All lobbying expenditures consisted of the payment of a fee, retainer, or other compensation to the Governmental Affairs Agent or Governmental Affairs Agent Firm; and
3. Form L-2 is filed.

ADDITIONAL INFORMATION ON REPORTING OF RECEIPTS

Receipts of a Governmental Affairs Agent or Governmental Affairs Agent Firm which relate to communication with, or providing a benefit to, a State official covered by the Act, for the purpose of influencing legislation, regulations, governmental processes, or for the purpose of communication with the general public are reportable in the **Receipt Amount boxes**. "Receipt" includes compensation by way of fees, retainers, allowances, reimbursement of expenses, or other similar compensation.

When entering a receipt amount(s), do not use dollar signs (\$) or commas (,). Example: enter \$5,000.50 as 5000.50. The receipt total will automatically be calculated.

A law firm, contract lobbyist firm, advertising agency, public relations firm, or a similar business or organization which spends only a portion of its time lobbying on behalf of a Represented Entity must report only that portion of its fees, retainers, allowances, etc. as are related to influencing legislation, regulations, governmental processes, or for the purpose of communication with the general public.

SCHEDULE A Question 1

Identify any Governmental Affairs Agent named on page 1, Question 1 who is employed by the Governmental Affairs Agent or Agent Firm filing this Annual Report who, during the calendar year covered by the Annual Report, served as a member of:

- any independent State authority;
- any county improvement authority;
- any municipal utilities authority;
- any inter-State or bi-State authority (as a member from New Jersey); or,
- any board or commission established by statute or resolution, or by executive order of the Governor, or by the Legislature, or by any Agency, Department, or other instrumentality of the State.

Click on 'Delete Item' to delete entries and click on 'Add Item' to add entries.

SCHEDULE A Question 2

If all required Notices of Representation and Quarterly Reports of Lobbying Activity for the four quarters covered by this report were filed by the Governmental Affairs Agents named on this report, check the "Yes" box. Any Agents who were new during the calendar year covered by this report need only file the required Notices of Representation and the Quarterly Reports due as of the quarter that Agent status commenced. Check "No" if any required Notices of Representation and Quarterly Reports of Lobbying Activity for the four quarters covered by this report were not filed. File all necessary reports immediately.

REPORTING OF EXPENDITURES

SCHEDULES B through **G** are designed to assist with the reporting of expenditures. Expenditures which relate to communication with, or providing a benefit to, a State official covered by the Act, as well as expenditures made to communicate with the general public must be reported.

SCHEDULE B - SALARY & COMPENSATION

All Governmental Affairs Agents listed on Question 1, page 1 will automatically be listed on this schedule.

Enter the salary, compensation and any amount(s) of reimbursed expenses paid to each Governmental Affairs Agent, in the "**Amount**" column. Do not add dollar signs (\$) or commas (.). Example: enter \$5,000.50 as 5000.50. The total will automatically be calculated. "Salary and other compensation paid" includes the amount reported by the employer as wages for the purposes of the Internal Revenue Service on the Form W-2. Note that the employer's share of Social Security, Medicare or health insurance does not have to be included. "Salary and other compensation paid" also includes all amounts of voluntarily deferred compensation, and dedicated special pre-tax funds for child care, medical expenses, etc. Costs of employer payments for life or disability insurance premiums or pension benefits are also includable as "salary and other compensation paid" if any such insurance cost exceeds \$1,000 in a calendar year for an employee Governmental Affairs Agent. "Expenses" include the cost of food, beverages and entertainment for the Governmental Affairs Agent when in the company of a State official covered by the Act. "Expenses" do not include, however, the cost of providing a benefit (i.e., food, beverages, and entertainment) to a State official covered by the Act. (The cost of providing a benefit to a State official covered by the Act is reportable on either Schedule G-1 or G-2.) Only the pro rata share of each Agent's salary need be included if an Agent spends only a portion of his/her time lobbying. For example, if an Agent is a practicing attorney earning \$100,000 per year and spends 50% of his/her time lobbying, \$50,000 is the amount of salary reported. The amount of reimbursed expenses for lobbying must be added to the total reportable amount.

SCHEDULE C - SUPPORT PERSONNEL

Review the activities of those persons who supported the activities of the Governmental Affairs Agent(s) in influencing legislation, regulations, governmental processes, or communicating with the general public. Determine which persons **individually** spent 450 or more hours in support activities. Such persons qualify as "support personnel" and may be either clerical (secretaries, clerks, etc.) or professional (attorneys, engineers, chemists, etc.). The term "support personnel" also includes costs related to the communication by an expert or employee, when the communication is made in the company of a Governmental Affairs Agent for the sole purpose of providing technical or expert advice.

Report the pro rata share of the costs of support personnel attributable to supporting the activities of the Governmental Affairs Agent(s) in influencing legislation, regulations, governmental processes, or communicating with the general public.

SCHEDULE C TOTAL: Enter the total of all the pro rated support personnel costs. Do not add dollar signs (\$) or commas (.). Example: enter \$5,000.50 as 5000.50.

SCHEDULE D

THERE IS NO SCHEDULE D FOR GOVERNMENTAL AFFAIRS AGENTS FILING FORM L1-A.

SCHEDULE E - COMMUNICATION EXPENSES

Costs of preparation and distribution of materials related to influencing legislation, regulations, governmental processes, or conducting communications with the general public are to be reported on Schedule E. Included in this category are the costs of printed materials, (i.e., correspondence, flyers, and publications), postage, films, slides, video, audio, and distribution via TV (network or cable), radio, other broadcast medium, the Internet, telephone, and facsimile. When entering an amount, do not use dollar signs (\$) or commas (.). Example: enter \$5,000.50 as 5000.50. The total will automatically be calculated.

Pro Rata Overhead Costs of Specific Events

Report the pro rata portion of overhead costs of events such as a conference, reception, or industry seminar where a State official covered by the Act is in attendance. Overhead costs include speakers' fees, room rental, flowers, entertainment, and any other ancillary costs of the event that are not reportable as providing benefits to State officials covered by the Act on Schedules G-1 and G-2.

Example: The Governmental Advisors Group, a Governmental Affairs Agent Firm specializing in the representation of entities whose interests concern environmental issues, sponsors a conference at a large hotel. There are ten State officials covered by the Act and 100 persons, total, in attendance. The cost of the conference overhead (hotel ballroom, speakers' fees, flowers, and invitations) is \$10,000, not including the cost of any direct benefit to a State official covered by the Act. The reportable amount would be calculated by dividing the cost by the number of persons in attendance and then multiplying by the number of covered officials. ($\$10,000 \div 100 \text{ persons} \times 10 \text{ officials} = \$1,000$). Any direct benefit (entertainment, food, beverages, etc.) in excess of \$5 to a State official covered by the Act shall be reported separately and shall be included in the \$25 per day, \$200 per calendar year thresholds. See Schedules G-1 and G-2; also, note exception for "invited speaker" in the instructions for Schedules G-1 and G-2.

Click on the X to delete entries and click on 'Add Item' to add entries.

Other

If there is a communication expense which does not fit any of the categories listed, report the expense in the "Other" category, with a brief description.

Click on the X to delete entries and click on 'Add Item' to add entries.

All the communication expenses listed in each category will be calculated and shown in the **Schedule E TOTAL**.

SCHEDULE F - TRAVEL AND LODGING

Report the costs of travel and lodging for the Governmental Affairs Agent(s) named in this report related to influencing legislation, regulations, governmental processes, or communicating with the general public.

- Enter the name of the Agent;
- Enter the amount of travel and lodging costs; do not use dollar signs (\$) or commas (.). Example: enter \$5,000.50 as 5000.50.
- Click on the X to delete entries and click on 'Add Item' to add entries.
- The travel amounts listed will be automatically calculated and shown in the **Schedule F TOTAL**.

SCHEDULE G-1 - ITEMIZATION OF BENEFITS WHICH EXCEEDED \$25 PER DAY OR \$200 PER CALENDAR YEAR

Expenditures Providing a Benefit to a State Official Covered by the Act

If an expenditure providing a benefit to a State official covered by the Act or the State official's immediate family member exceeded \$25 per day or \$200 per calendar year, Schedule G-1 must be completed. Note that when calculating the \$25 per day or \$200 per calendar year thresholds, the cost of the entertainment or food and beverages for the Governmental Affairs Agent when in the company of the State official should not be included in the calculation for determining whether the threshold was reached.

Any expenditure in excess of \$5 made to provide a benefit to a State official covered by the Act, attending or participating in a specific event, shall be included in the calculation of the \$25 per day or \$200 per calendar year thresholds. Note, however, that if a State official covered by the Act participates in part of an event at which no food, beverages, or other benefits are being passed, no reportable benefit is considered to have resulted from the official's attendance.

When a State official covered by the Act is an **invited speaker** to an event and the official receives the same food and beverages provided to the attendees, no food and beverages benefit has been passed. "Invited speaker" means a person who is announced as a speaker in advance of the event and does not include a person who is merely identified and introduced to persons attending the event.

Benefit Recipient

When reporting information concerning the benefit recipient, provide a full description of each recipient.

If the recipient is a member of the Senate or Assembly, report the full name and office. *Example: Ryan Jones, Senator.* If the recipient is a legislative staff person, report the full name of the recipient and the name of the State official or staff organization which employs the recipient. *Example: Tom Adams, aide to Senator Jones or Jane Smith, Senate/Assembly Republican/Democratic staff.* If the

recipient is an immediate family member of a State official covered by the Act, report the name of the immediate family member recipient and the relationship to the State official covered by the Act, along with all the information required above. *Example: (Where the spouse of a State official receives a benefit) Susan Jones, spouse of Senator Ryan Jones.* An immediate family member includes a spouse, child, parent, or sibling residing in the same household. Group recipient names alphabetically and chronologically. For example, if *Senator Jones* received benefits six times during the year, his name would appear at "J" and the six times benefits were received would be listed chronologically.

Date - Use the calendar provided in the date field to select the date the benefit was received by the benefit recipient.

Description - Each benefit must be categorized by type by reporting "E" Entertainment, "F" Food and Beverages, "T" Travel, "L" Lodging, "H" Honoraria, "Loan" Loans, "G" Gifts, and "O" Other. A description of each of these categories of benefits follows.

Select one benefit passing item for each entry from the drop down box. When selecting "O" for Other, enter a description in the space provided next to the "O".

Entertainment "E" - Includes, but is not limited to, sporting, theatrical and musical events paid for or provided to State officials covered by the Act and their immediate family members. The cost of the entertainment for a Governmental Affairs Agent when in the company of a State official covered by the Act is reportable on Schedule B as salary or the reimbursement of expenses.

Food and Beverages "F" - Includes food and beverages paid for or provided to State officials covered by the Act and their immediate family members. The cost of the food and beverages for a Governmental Affairs Agent when in the company of a State official covered by the Act is reportable on Schedule B as salary or the reimbursement of expenses. Also included is food and beverages for State officials covered by the Act and their immediate family members at conferences, conventions, banquets or other similar functions. Note: This section does not apply to the food and beverages provided to State officials covered by the Act who is an invited speaker when the food and beverages are provided to all persons who attend the event. "Invited speaker" is a person who is announced as a speaker in advance of the event and is not a person who is merely identified and introduced to persons attending the event.

Travel "T" - Includes travel paid for or provided by a Governmental Affairs Agent on behalf of State officials covered by the Act and their immediate family members.

Lodging "L" - Includes lodging paid for or provided by a Governmental Affairs Agent on behalf of State officials covered by the Act and their immediate family members.

Honoraria "H" - Honoraria paid or provided to State officials covered by the Act and their immediate family members.

Loans "Loan" - Loans to State officials covered by the Act and their immediate family members from a Represented Entity or Governmental Affairs Agent except for loans from financial institutions made in the ordinary course of business on substantially the same terms as those prevailing for comparable transactions with other persons.

Gifts "G" - Gifts paid for or provided to State officials covered by the Act and their immediate family members, including, but not limited to, material goods or other things of value.

Other "O" - If there are benefits passed to State officials covered by the Act and their immediate family members which do not fit any of the description categories listed, report as "Other" and describe.

Amount- Enter the full amount of the benefit. Do not use dollar signs (\$) or commas (.). Example: enter \$5,000.50 as 5000.50. The amount(s) entered on Schedule G-1 will automatically appear on the Summary of Benefit Passing according to the category entered on Schedule G-1.

Name/Address of Payee/Vendor

Report the full name and address of any person or entity to whom or which the Represented Entity or Governmental Affairs Agent incurred any cost or obligation for providing a benefit. *For Example:*

ABC RESTAURANT	or	ABC ORCHESTRA
123 Main Street		2 Doe Lane
Trenton, NJ		Newark, NJ

Click on 'Delete Item' to delete entries and click on 'Add Item' to add entries.

Reporting of Reimbursements of Benefits

If a benefit is fully or partially reimbursed, report the reimbursement directly below the original itemization. When reporting a reimbursement, report the date of the reimbursement, the amount reimbursed, and the description. Do not use dollar signs (\$) or commas (.). A reimbursed benefit, however, does not become reduced or eliminated for computational purposes when adding together the amount of benefits passed. Once a benefit has passed, it is includable in the total amount of benefits. The total amount of reimbursements will automatically be reported on the **Total Amount of Reimbursed Benefits Line** on the Summary of Benefit Passing on the L1-A. This amount will not be deducted from the Summary of Benefit Passing.

NOTICE OF LOBBYING BENEFIT

A certified benefit notice shall be transmitted to all benefit recipients itemized on Schedule G-1 no later than **FEBRUARY 1ST** OF THE YEAR IN WHICH THE REPORT IS DUE TO BE FILED (the year following the year in which the benefit was received). Proof of service of the benefit notice shall be obtained and maintained for a period of at least three years.

A suggested manner of satisfying the requirement of providing certified notice of a benefit is to transmit the first and last page of the Annual Report (making sure that the last page is properly certified), along with the Schedule G-1, to the benefit recipients named on the Schedule G-1, no later than February 1st. A Governmental Affairs Agent may choose another manner of satisfying the certified notice requirement, provided that the notice is in writing, certified as correct, contains all the information required on the Schedule G-1, and is transmitted to the benefit recipient no later than **February 1st.**

SUMMARY OF BENEFIT PASSING

The Summary of Benefit Passing must reflect a complete picture of benefit passing. After itemizing on Schedule G-1 those benefits which exceeded \$25/day or \$200/calendar year, the total amount by each category (entertainment, food and beverages, etc.) will appear on the summary table.

Schedule G-2 requires reporting of the amount of benefits which **did not** exceed the \$25/day or \$200/calendar year thresholds. Enter the amount of benefit passed by category in the Schedule G-2 column. Do not use dollar signs (\$) or commas (.). Example: enter \$5,000.50 as 5000.50. Note that there is no benefit notice required for a benefit which did not exceed the \$25/day or \$200/calendar year thresholds.

The sum of the Schedules G-1 and G-2 will automatically be entered in the "Schedule G-1 and G-2 Total."

SUMMARY OF LOBBYING EXPENDITURES

There are five categories of lobbying expenditures. The **TOTAL** amount from each of the five schedules will automatically be transferred to the **SUMMARY**. The amounts from the five categories will automatically be calculated to provide the **TOTAL LOBBYING EXPENDITURES**.

SUMMARY OF TOTAL RECEIPTS FROM REPRESENTED ENTITIES

The receipt amount(s) entered under question 2 will automatically be totaled and transferred to the Summary of Total Receipts.

CERTIFICATION

The CERTIFICATION must be signed electronically by the Governmental Affairs Agent filing this report, or the Managing or Principal Partner, or the Chief Executive Officer, of the Governmental Affairs Agent Firm. The individual signing this report must have sufficient knowledge of, and access to, all information which formed the basis of the reported items and which concerns the lobbying activity of all Governmental Affairs Agents on whose behalf this report is filed. To sign electronically, you must be connected to the Internet. Enter the registration number and PIN of the person signing the form. The registration number and PIN will take the place of the signer's signature. If the registration number and PIN are entered correctly, the signer's name will be retrieved from the Internet and appear on the signature line. *It is strongly recommended that you review "The Filing Process" and the information presented under "Forms and Instructions." There is a short video and Step-by-step instructions to enable the "Trust This Document" security feature for accepting the Registration Number and PIN to display your name on the signature line.*

If you need further assistance to electronically file this report, please contact the Commission at (609) 292-8700 or toll free within NJ at 1-888-313-3532 and ask for the electronic filing help desk.