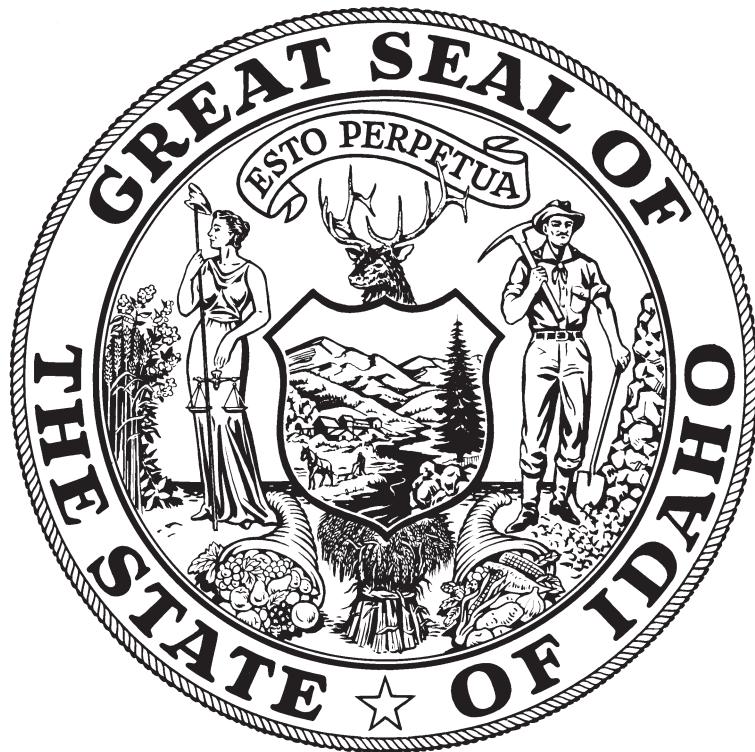


# Reporting Manual for State Entities



Compiled under the authority of  
Lawerence Denney  
Secretary of State  
State of Idaho

2017



## **INSTRUCTIONS FOR AGENCY AND OFFICE REPORTING**

### **Introduction**

Title 67, Chapter 66, Idaho Code, The “Sunshine Law for Political Funds and Lobbyist Activity Disclosure” requires any office, or agency of state government or a state funded educational institution that offers gifts of any kind through interaction with the legislative or executive department of state government to file the same reports as lobbyists are required to file.

**67-6619A. REPORTS BY STATE ENTITIES.** Any office or agency of state government or a state funded educational institution that offers gifts of any kind through interaction with the legislative or executive department of state government shall file the same reports lobbyists are required to file pursuant to section 67-6619, Idaho Code, with the exception of reporting under section 67-6619(2)(d), Idaho Code, unless the office, agency or state funded educational institution is otherwise represented by a lobbyist who files all necessary reports and documentation as provided by law.



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## **Identifying a Contact Person and Reporting**

Each office or agency of state government or a state funded educational institution that offers gifts of any kind through interaction with the legislative or executive department of state government should file a Form A-1 "Agency Contact Statement" to identify the contact person for the entity. This form will identify the name of the entity, contact person for reporting purposes, identifies which branch of government activity will be focused on along with the name of the individual who will have custody of the accounts, bills, receipts, books, papers and documents required to be kept under this act.

Each office or agency of state government or a state funded educational institution that are required to file with the Secretary of State's Office are required to use the following forms:

Form A-1: Agency Contact Statement  
(If the contact person changes, this form also serves as the Amended Statement as well.)

Form A-2: Agency Annual Report

Form A-3: Agency Monthly Report

Any individual may file a formal complaint on the L-5 form alleging that a person has violated provisions of Title 67, Chapter 66, Idaho Code, The Sunshine Law for Political Funds and Lobbyist Disclosure.

The L-5 form is available upon request from the Secretary of State's Office.

### **Form A-1**

An A-1 Agency Contact Statement should be filed before engaging in any reportable activity. There is no fee associated with the filing of the A-1 Agency Contact Statement. A new A-1 form should be filed each year on or before January 10 to update the filing information for the new reporting year. ***A new A-1 should also be filed within one week of a modification of the agency contact designee.***

### **Completing the Form A-1**

Each Agency or Office who is required to file reports with our office should designate a single point of contact for reporting purposes. This is the individual who will be responsible for filing the required reports, who should receive any reminders or notices and would be responding to any questions regarding filings.

List the name of the Agency or Office Contact, the name of the Agency or Office, the telephone number(s), the mailing address and the email address of the contact person. We will be sending out reminders and notifications via email and by mail.

## **Form A-1 (continued)**

Identify if the filing is an original or an amendment and whether the reportable activities will be directed at either the Legislature or Executive Officials or, if activities will be directed at both, please mark both boxes.

Enter the name and address of the person who will have custody of the books required to be kept. This may be the Contact person or it may be another individual in the Agency or Office. However, the individual listed here should have custody of the accounts, bills, receipts, books, papers and documents required to be kept.

### **Certification**

Each A-1 Agency Contact Statement must be signed and dated by the designated contact person.

### **Amended Registration**

In order to amend a contact statement due to a change of any contact information, including the name of the contact person or custodian of the books, or any other update to contact information, the Agency or Office must file an amended A-1 Agency Contact Statement and mark the check box to the left of "Amendment."

## **Form A-2**

### **Who Must File**

Each Agency required to file with our office under Section 67-6619A, Idaho Code, will file an Annual Report. Form A-2 is provided for this purpose.

***Note: Statutory filing requirements must be met even though no reportable expenditures have been made during the reporting period.***

### **Filing Deadline**

Annual Reports must be filed by January 31 after the end of each year. The Secretary of State has adopted a rule which deems the postmark date of mailed statements as the date of filing.

### **Reporting Period**

The expenditure totals on the Annual Report shall be cumulative and shall reflect the total expenditures during the year.

### **To Be Filed With**

Reports may be filed by any of the following methods:

- 1) Hand delivered to Lawerence Denney, Secretary of State, 700 W. Jefferson, Room E205
- 2) Mailed to P.O. Box 83720, Boise, Idaho 83720-0080

## **Form A-2 (continued)**

- 3) Faxed to (208) 334-2282
- 4) Signed reports may be scanned and emailed to [elections@sos.idaho.gov](mailto:elections@sos.idaho.gov)

### **Signatures**

The Agency or Office Contact person must sign the Annual Report. Currently, only paper reports are being accepted for Agency or Office filings. In the future, electronic filings will be available.

### **Termination**

The filing requirements of Section 67-6619A, Idaho Code, continue throughout the year until a completed A-2 Agency Annual Report is filed. The receipt of the A-2 Agency Annual Report will terminate the filing requirements of the Agency or Office and indicates that no further reportable activities will be made for the remainder of the year.

### **Item 1**

Expenditures made or incurred directly or indirectly by any Agency or Office required to file with our office shall be reported. Reported expenditures for entertainment, food and refreshments for legislators and other public officeholders shall be the actual cost of the entertainment, food and refreshments.

#### **A. Entertainment, Food and Refreshment**

This category includes all amounts expended for entertainment, including but not limited to food and refreshment.

#### **B. Living Accommodations**

This category includes all expenditures for the Agency or Office's contact person if the individual is being reimbursed for any living expenses due to traveling on behalf of the Agency or Office. This includes expenditures pertaining to lodging, groceries, meals and other expenditures necessary for the individual's subsistence. ***If the Agency or Office contact is reimbursed for these expenses, they do not have to be reported.***

#### **Examples of Expenditures in A and B**

Agency C contact invites three legislators to lunch to discuss a certain piece of legislation. The total bill is \$38.00 excluding the contact's portion. The contact reports the \$38.00 expenditure under the category of Entertainment, Food and Refreshment.

The contact for Agency T works in Pocatello and travels to Boise to meet with an Executive Official. He stays in Boise for two nights and receives \$90 for meals. The cost of the hotel and the \$90 for meals is listed under the category of Living Accommodations since it did not pertain to entertainment, but was a personal living expense necessary for the individual's subsistence.

## **Form A-2 (continued)**

### **C. Advertising, Travel, Telephone**

These categories are self-explanatory and should include all amounts expended for such purposes named in the category. ***If the individual is reimbursed for personal travel, such travel expense does not have to be reported.***

### **D. Other Expenses or Services**

This includes those expenses not listed in the other categories and includes contributions of tangible or intangible property to or on behalf of any legislator or executive official or member(s) of their household. This does not include entertainment which is listed under the Entertainment, Food and Refreshment category.

#### **Item 2**

The totals of each expenditure of more than one hundred ten dollars (\$110) for a legislator, other holder of public office, executive official or member(s) of their households shall be identified by date, place and amount along with the names of the legislators, holders of public office or executive officials and member(s) of their household in the group.

***Note: The Agency or Office contact's portion of the expenditure is excluded in determining the one hundred ten dollar (\$110) amount.***

#### **Item 3**

The report must be signed and dated by the designated Agency or Office Contact.

## **Form A-3**

### **Who Must File**

Each Agency required to file with our office under Section 67-6619A, Idaho Code, will file monthly reports for each month or portion thereof that the legislature is in session. Form A-3 is provided for this purpose.

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***Note: A Monthly report is to be filed by each Agency Contact every month or portion thereof while the legislature is in session. Statutory filing requirements must be met even though there may have been no activity during the month.***

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### **Filing Deadline**

Monthly reports shall be filed within fifteen (15) days of the first day of the month for the activities of the month just passed. The Secretary of State has adopted a rule which deems the postmark date of mailed statements as the date of filing.

## Form A-3 (*continued*)

### To Be Filed With

Reports may be filed by any of the following methods:

- 1) Hand delivered to Lawerence Denney, Secretary of State, 700 W. Jefferson, Room E205
- 2) Mailed to P.O. Box 83720, Boise, Idaho 83720-0080
- 3) Faxed to (208) 334-2282
- 4) Signed reports may be scanned and emailed to [elections@sos.idaho.gov](mailto:elections@sos.idaho.gov)

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***Note: Monthly reports are only required to be filed during the legislative session.***

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### Information Required

The A-3 Monthly Report is to be completed in the same manner as the A-2 Annual Report.

### Signatures

The report must be signed and dated by the designated Agency or Office Contact.

### Penalties for Violation

Section 67-6625, Idaho Code, "Violations - Civil Fine - Misdemeanor Penalty - Prosecution - Limitation - Venue.

- (a) Any person who violates the provisions of section 67-6603 through 67-6614A, 67-6617, 67-6619, 67-6620, 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, shall be liable for a civil fine not to exceed two hundred fifty dollars (\$250) if an individual, and not more than two thousand five hundred dollars (\$2,500) if a person other than an individual. The burden of proof for such civil liability shall be met by showing a preponderance of the evidence.
- (b) Any person who violates section 67-6605 or 67-6621(b), Idaho Code, and any person who knowingly and willfully violates section 67-6603 through 67-6614A, 67-6617, 67-6619, 67-6620, 67-6621(a), 67-6624, 67-6629 or 67-6630, Idaho Code, is guilty of a misdemeanor and, upon conviction, in addition to the fines set forth in subsection (a) of this section, may be imprisoned for not more than six (6) months or be both fined and imprisoned.
- (c) The attorney general or the appropriate prosecuting attorney may prosecute any violations of this act.
- (d) Prosecution for violation of this act must be commenced within two (2) years after the date on which the violation occurred.
- (e) Venue for prosecution under the provisions of this chapter shall be in the county of residence of the defendant if the defendant is a resident of the state of Idaho, otherwise venue shall be in Ada county."

Section 67-6625A, Idaho Code, "Late Filing of Statement or Report - Fees.

If any person fails to file a report or statement on or before a specified date, he shall be liable in an amount of fifty dollars (\$50) per day after the deadline until the statement or report is filed, to the secretary of state. Liability need not be enforced by the secretary of state if on an impartial basis he determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the act, except that no liability shall be waived if a statement or report is not filed within five (5) days after receiving written notice of the filing requirement from the secretary of state.

The remedy provided in this section is cumulative and does not exclude any other remedy or penalty prescribed in section 67-6625, Idaho Code."

### **Duties of an Agency or Office Contact**

A person designated as the Agency or Office contact shall also have the following obligations, the violation of which shall constitute cause of revocation of his appointment, and may subject such person, and such person's employer, if such employer aids, abets, ratifies or confirms any such act, to other civil liabilities, as provided by this act:

- (a) Such persons shall obtain and preserve all accounts, bills, receipts, books, papers, and documents necessary to substantiate the financial reports required to be made under this act for a period of at least three (3) years from the date of the filing of the statement containing such items, which accounts, bills, receipts, books, papers and documents shall be made available for inspection by the secretary of state at any reasonable time during such three (3) year period; provided, however, that if an Agency or Office contact is required to turn any records over to his employer, responsibility for the preservation of such records under this subsection shall rest with such employer.
- (b) In addition, an Agency or Office required to file with the Secretary of State's Office will not:
  - (1) Engage in any reportable activity before submitting the A-1 Agency Contact Statement;
  - (2) Knowingly deceive or attempt to deceive any legislator to any fact pertaining to any pending or proposed legislation;
  - (3) Cause or influence the introduction of any bill or amendment thereto for the purpose of thereafter being employed to secure its defeat;
  - (4) Knowingly represent an interest adverse to his Agency or Office without first obtaining consent from the Agency or Office Management after full disclosure of such adverse interest;
  - (5) Exercise any economic reprisal, extortion, or unlawful retaliation upon any legislator by reason of such legislator's position with respect to, or his vote upon, any pending

or proposed legislation;

- (6) Accept any employment as a lobbyist for a compensation dependent in any manner upon the passage or defeat of any proposed or pending legislation or upon any other contingency connected with the action of the legislature or of either branch thereof or of any committee thereof.

## **Filing Reports**

Reports may be filed by any of the following methods:

- 1) Hand delivered to Lawerence Denney, Secretary of State, 700 W. Jefferson, Room E205
- 2) Mailed to P.O. Box 83720, Boise, Idaho 83720-0080
- 3) Faxed to (208) 334-2282
- 4) Signed reports may be scanned and emailed to [elections@sos.idaho.gov](mailto:elections@sos.idaho.gov)

The date of postmark shall be deemed the date of filing for Monthly and Annual reports.

For further information or assistance contact the Secretary of State's Office at (208) 334-2852 or at [elections@sos.idaho.gov](mailto:elections@sos.idaho.gov).



## **APPENDIX A**

### **Reporting Dates for Agencies and State Offices**

<b>Report</b>	<b>Period Covered</b>	<b>Due</b>
1st Monthly	January	February 15
2nd Monthly	February	March 15
3rd Monthly	March	April 15
Annual	Jan.1-Dec. 31	January 31

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***Note: A Monthly report is to be filed every month or portion thereof while the legislature is in session.***

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## **APPENDIX B**

### **Samples of Completed Agency Forms**



# Agency Contact Statement

Rev. 12/2016

## AGENCY CONTACT STATEMENT

THIS SPACE FOR OFFICE USE ONLY



State of Idaho

Lawerence Denney  
Secretary of State

To Be Filed By: AGENCY CONTACTS

A-1

(Type or print clearly in blue or black ink)  
See instructions at bottom of page

Reporting Year 2017

Name of Agency/ Office Contact:	Jane Doe		
Name of Agency/Office:	Secretary of State's Office		
Home Phone: (208) 555-5555	Work Phone: (208) 334-2852	Cell Phone: (208) 555-4444	
Mailing Address: PO Box 83720; Boise, ID 83720-0080			
email address: elections@sos.idaho.gov			

This filing is an:  Original  Amendment

Activities will be directed at:  Legislature  Executive Officials

Name and contact information of the person who will have custody of the accounts, bills, receipts, books, papers and documents required to be kept under this act.

Name: Jane Doe
Work Phone: (208) 334-2852
Mailing Address: PO Box 83720; Boise, ID 83720-0080
email address: elections@sos.idaho.gov

### INSTRUCTIONS

**Who should file this form:** All individuals who will be primary contact for reporting State Agency and Office activities.

**Filing deadline:** At the start of each year or before doing any activity.

**New Filing Required:** When the agency or office contact person changes.

**Filing fee:** No fee required.

TO BE FILED WITH:  
Lawerence Denney  
Secretary of State  
PO Box 83720  
Boise, ID 83720-0080  
elections@sos.idaho.gov  
Phone: (208) 334-2852 Fax: (208) 334-2282

Certification: I hereby certify that the above is a true, complete and correct statement in accordance with Section 67-6624 Idaho Code of this law.

*Jane Doe*

Lobbyist's Signature

01/03/17

Date

# Agency Annual Report Form

A-2

Rev. 12/2016

## AGENCY ANNUAL REPORT FORM

Page 1 of 1 Page(s)  
THIS SPACE FOR OFFICE USE ONLY



**State of Idaho**

Lawerence Denney  
Secretary of State

To Be Filed By:

**A-2** AGENCIES  
(Sec. 67-6619A)

**2017**

(Type or print clearly in black ink)  
See instructions at bottom of page

Name of Agency/Office: <b>Secretary of State</b>
--

Name of Contact: <b>Jane Doe</b>
----------------------------------

Work Phone: <b>(208) 334-2852</b>
-----------------------------------

Mailing Address: <b>PO Box 83720; Boise, ID 83720-0080</b>
--

Date Prepared: <b>01/16/2018</b>
----------------------------------

Period Covered: <b>12   31   2017</b>	(Mo.) (Day) (Yr.)
---------------------------------------	-------------------

**NOTE:** Totals should include all expenses for the full year. Please include all previously reported totals plus an expenses made from the end of the Legislative Session to December 31st.

Item 1	Totals of all reportable expenditures made or incurred by the Agency or Department.	
Category of Expenditure	Reimbursed Personal Living and Travel Expenses Pertaining to Lobbying Activity	Do Not Have to be Reported
Entertainment	\$ 125.00	*Total Amount for All Employers
Food and Refreshment	0.00	
Living Accommodations	0.00	
Advertising	0.00	
Travel	0.00	
Telephone	0.00	
Other Expenses or Services	0.00	
<b>Total</b>	<b>\$ 125.00</b>	

Item- <b>2</b>	The totals of each expenditure of more than one hundred ten dollars (\$110) for a legislator, other holder of public office, executive officials and member(s) of their household.			
	Date	Place	Amount	
	Feb. 21	Doubletree - Boise	110.00	Names of Legislators, Public and Executive Officials and Household Members in Group Representative T

<b>INSTRUCTIONS</b>	<b>Item 3</b> CERTIFICATION: I hereby certify that the above is a true, complete and correct statement in accordance with Section 67-6624 <b>Idaho Code</b> .
<b>Who should file this form:</b> Any State Agency or Office who is required to report interactions with the Legislative or Executive Departments under Section 67-6619A, Idaho Code.  <b>Filing deadline:</b> Annual report is due on January 31st.  <b>TO BE FILED WITH:</b> Lawerence Denney Secretary of State PO Box 83720 Boise, ID 83720-0080 elections@sos.idaho.gov Phone: (208) 334-2852 Fax: (208) 334-2282	

*Jane Doe*

Agency Contact Signature

01/16/2018

Date

# Agency Monthly Report Form

A-3

Rev. 12/2016

## AGENCY MONTHLY REPORT FORM



**State of Idaho**

Lawerence Denney  
Secretary of State

To Be Filed By:  
**A-3** AGENCIES  
(Sec. 67-6619A)

Page 1 of 1 Page(s)  
THIS SPACE FOR OFFICE USE ONLY

(Type or print clearly in black ink)  
See instructions at bottom of page

Name of Agency/Office: <b>Secretary of State</b>		Name of Contact: <b>Jane Doe</b> Work Phone: <b>(208) 334-2852</b> Mailing Address: <b>PO Box 83720; Boise, ID 83720-0080</b> Date Prepared: <b>03/03/2017</b> Period Covered: <b><input checked="" type="checkbox"/> month ending</b> (Mo.) <b>2</b> (Day) <b>28</b> (Yr.) <b>2017</b>																						
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Item</th> <th style="width: 85%;">Totals of all reportable expenditures made or incurred by the Agency or Department.</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><b>1</b></td> <td>Category of Expenditure Reimbursed Personal Living and Travel Expenses Pertaining to Lobbying Activity Do Not Have to be Reported</td> </tr> <tr> <td style="text-align: right; vertical-align: bottom;"><b>Total</b></td> <td style="text-align: right; vertical-align: bottom;"><b>\$ 125.00</b></td> </tr> <tr> <td colspan="2" style="text-align: center; padding-top: 10px;">*Total Amount for All Employers</td> </tr> <tr> <td style="text-align: center; vertical-align: bottom;"><b>Entertainment</b></td> <td style="text-align: right; vertical-align: bottom;"><b>\$ 125.00</b></td> </tr> <tr> <td style="text-align: center; vertical-align: bottom;"><b>Food and Refreshment</b></td> <td style="text-align: right; vertical-align: bottom;"><b>0.00</b></td> </tr> <tr> <td style="text-align: center; vertical-align: bottom;"><b>Living Accommodations</b></td> <td style="text-align: right; vertical-align: bottom;"><b>0.00</b></td> </tr> <tr> <td style="text-align: center; vertical-align: bottom;"><b>Advertising</b></td> <td style="text-align: right; vertical-align: bottom;"><b>0.00</b></td> </tr> <tr> <td style="text-align: center; vertical-align: bottom;"><b>Travel</b></td> <td style="text-align: right; vertical-align: bottom;"><b>0.00</b></td> </tr> <tr> <td style="text-align: center; vertical-align: bottom;"><b>Telephone</b></td> <td style="text-align: right; vertical-align: bottom;"><b>0.00</b></td> </tr> <tr> <td style="text-align: center; vertical-align: bottom;"><b>Other Expenses or Services</b></td> <td style="text-align: right; vertical-align: bottom;"><b>0.00</b></td> </tr> </tbody> </table>	Item	Totals of all reportable expenditures made or incurred by the Agency or Department.	<b>1</b>	Category of Expenditure Reimbursed Personal Living and Travel Expenses Pertaining to Lobbying Activity Do Not Have to be Reported	<b>Total</b>	<b>\$ 125.00</b>	*Total Amount for All Employers		<b>Entertainment</b>	<b>\$ 125.00</b>	<b>Food and Refreshment</b>	<b>0.00</b>	<b>Living Accommodations</b>	<b>0.00</b>	<b>Advertising</b>	<b>0.00</b>	<b>Travel</b>	<b>0.00</b>	<b>Telephone</b>	<b>0.00</b>	<b>Other Expenses or Services</b>	<b>0.00</b>
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