

**MINUTES OF THE PUBLIC SESSION
OF THE MARCH 25, 2026
MEETING OF THE COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT**

**25 BEAVER STREET, 5TH FLOOR
NEW YORK, NEW YORK 10004**

**540 BROADWAY
ALBANY, NEW YORK 12207**

Chair: Seymour W. James, Jr. (ALB)

Vice Chair: Ava Ayers (ALB)

Members: Leonard B. Austin (WebEx)
Dolly Caraballo (ALB)
James W. Caras (ALB)
Claudia L. Edwards (ALB)
Nancy G. Groenwegen (ALB)
Linda E. Scott (ALB)

Staff: Sanford N. Berland, Executive Director (ALB)
Keith C. St. John, General Counsel (ALB)
Kavita K. Bhatt, Deputy General Counsel (NYC)
Emily DeSantis, Chief of Staff and Director of External Affairs (WebEx)
Michael Sande, Director of Ethics (NYC)
Carol Quinn, Director of Lobbying (ALB)
Sarah Giacomini, Director of Administration (ALB)
Erin Lynch, Senior Deputy Director of Ethics (ALB)
Meghann Hennigan, Deputy Director of Advice and Guidance (WebEx)
Melinda Funk, Deputy Director of FDS (WebEx)
Megan Mutolo, Deputy Director of Lobbying (ALB)
Jeanne Beattie, Assistant Director of Communications (WebEx)
Jennifer Bliss, Senior Counsel (ALB)
Sajaa Ahmed, Investigative Counsel (ALB)
Theresa Wells, Associate Counsel (WebEx)
Maureen Daley, Confidential Assistant (WebEx)
Gaetana Baldwin, Confidential Clerk (ALB)

CALL TO ORDER

Chair James called the March 25, 2026 meeting to order. Executive Director Sanford Berland announced that the meeting was being held pursuant to notice and in accordance with the provisions of the state's Open Meetings Law and Executive Law § 94. He noted that the conference room at the Commission's offices at 540 Broadway in Albany and the conference room at the Commission's offices at 25 Beaver Street in Manhattan were open to the public during the public session, and that the public session was also being livestreamed, with the link found on the Commission's website at ethics.ny.gov. He further noted that Commissioner Austin was participating remotely pursuant to Public Officers Law § 103-a and the Commission's rules and regulations regarding remote participation on account of extraordinary circumstances. Executive Director Berland confirmed that a quorum was present.

APPROVAL OF MINUTES – PUBLIC SESSION*

VIDEO 1:27

Chair James asked if there were corrections to the February minutes. There were none.

Commissioner Caras moved, seconded by Commissioner Groenwegen, to approve the minutes as presented. The motion carried unanimously.

REPORT FROM STAFF

VIDEO 2:00

Operations Update

Executive Director Berland presented the March Operations Updates behind Tab B of the meeting book. In addition to the updates listed in the chart, he reported that the volume of total guidance continues to increase from year to year. Client Terminations are now automated through the Lobbying Application, as was originally planned in 2019. Of the 329 Failure to File notices issued by the Financial Disclosure Unit in February, 21 filings remain outstanding, and although the count has improved, training numbers this year remain problematic, averaging barely half of the level needed to meet mandatory annual ethical training requirements.

In response to questions from commissioners, Executive Director Berland clarified that inconsistencies between numbers in the February 2026 and 2026 YTD columns are the result of adjustments with respect to figures from the previous month, and Director of Ethics Michael Sande explained that the Miscellaneous category in the Ethics update consists of non-substantive inquiries, including questions about the outside activity approval process, the financial disclosure system, honoraria reporting, lobbying and other questions on matters that do not require a further response.

FY 2025-2026 and FY 2026-2027 Budget Updates with One-House Bills

VIDEO 8:02

Executive Director Berland referred to Tab C, the 2025-2026 Budget Report, noting that, as previously discussed, the agency is expecting to have no surplus and has entered into preliminary arrangements with ITS to begin the initial steps toward upgrading certain technology.

Commissioner Caras referred to the \$1.5 million difference between the cash allowance and year-to-date cash disbursements and asked whether the agency would spend it all in March. Executive Director Berland replied that the agency will spend it all in March and noted that, so far this month, they have paid \$575,000 to ITS for computer system upgrades. Depending on how much funding the agency receives, the money will be put towards upgrades or new systems.

Executive Director Berland stated that for the new fiscal year, they have requested the same funding as in the previous year. The agency provided a side letter requesting \$750,000 to begin replacing the lobbying application and the public search query, which is intended to provide the public with “easy” access to lobbying data, but it is a very labor-intensive process to obtain granular data. On the Open NY platform, where COELIG has the largest data collection of any agency, more data manipulation and analysis are possible, but very few individuals have the computer skills to do that. COELIG is seeking to replace the lobbying application and the outdated financial disclosure systems, the latter dating back to 2015, neither of which has ever been completed. Executive Director Berland stated that if COELIG receives \$750,000 in addition to the amount it has provided to ITS this year and previously, we can begin taking meaningful steps towards replacing the systems.

VIDEO 11:29

At the request of the Division of the Budget (“DOB”) during the budget cycle, staff drafted and provided proposed legislative language to amend portions of the Lobbying Act to increase lobbying registration fees from \$200 biennially to \$250 annually. Staff have also prepared amendments to the Lobbying Act to change the ethics training cycle for lobbyists and clients to two years rather than three, and to impose late fees on lobbyists and clients who do not complete ethics training on time. Those amendments included a provision allocating a portion of the resulting new revenue - \$750,000 in the first year, \$375,000 in succeeding years – to upgrading and/or replacing the Commission’s aging technology. Thus far, those proposed amendments have been incorporated into the Governor’s and both legislative chambers’ Article VII bill, with the sole exception of the provision allocating a portion of the new revenue to COELIG’s technology needs.

COELIG has been working with the Executive Chamber, the Assembly, and the Senate to resolve the omission, with no fix in place so far. At this point, it is unclear how much technology funding the agency will have moving forward, and the H300 process, which theoretically began last year but was initiated late, makes it likely that the process for approving technology allocations will not be active until the following fiscal year. If funding is available, the agency and ITS will move forward with proposals and explore one or more systems procurements. If not, we will explore implementing smaller, incremental changes using the payments we have made to ITS for technology improvement projects, payments that were authorized by both the Comptroller’s Office and the DOB.

Executive Director Berland turned to tab D, where two spending plans are provided. One reflects the full budget appropriation we requested and which appears qualifiedly in the Senate’s one-house budget bill, and the other reflects the \$250,000 reduction in the Governor’s proposed budget and the Assembly’s one-house bill. The result under the latter will be a reduction in headcount from 67 or 68 to 63 or 64, leaving vacancies across most units. Turning to the one-house budget bills under Tab E, he noted that the Senate proposal affords COELIG an additional \$250,000 appropriation over the Executive Budget proposal as a special item, meaning it will not automatically carry over to subsequent budgets, creating potential complications in its use by COELIG to support additional hiring because before approving the filling of vacant positions,

DOB is now requiring agencies to demonstrate not only that they have ability to pay for the position in the current budgetary cycle, but that they also will have the ability to fund the position in subsequent fiscal years assuming an ongoing “flat” budget.

A discussion was held that included existing vacancies in the education unit and the impact of those on the unit’s ability to meet required ethics training mandates, how the agency has suspended the filling of five open positions until it has clarity on its budget for the current fiscal year, how better technology will help free staff from a variety of processes that are now being handled largely manually, and how non-personnel costs were severely trimmed in the agency’s budget submission to comply with DOB’s call for a flat budget.

Commissioner Per Diem Payments

VIDEO 24:33

Executive Director Berland called Commissioners’ attention to the per diem payment report under Tab F, noting that it covered the February Commission meeting, the Legislative and Education Committee meetings, and prep time for some Commissioners for November 2025 through February 2026. He noted the fiscal year-to-date per diems paid to Commissioners now total \$208,755.64, lower than last year’s final figure.

Staffing Update

VIDEO 25:53

Executive Director Berland reported that a new employee would be starting the next day, filling one of the two vacant auditor positions in the Compliance Audit and Review Unit. He noted that the agency is actively recruiting to fill a training position in anticipation of an impending second trainer vacancy in the Education Unit.

CHAIR REPORT AND COMMITTEE REPORTS

VIDEO 27:09

(There was no Chair Report.)

Administration Committee

(There was no Administration Committee Report.)

Education Committee

VIDEO 27:31

Commissioner Edwards, Chair of the Education Committee, reported that the committee met on March 11th and that the agenda included two discussion items. One was a staff proposal for ethics training in 2026, and the other was to review ethics training accomplishments against the 2025-2028 goals approved last year. The goal of the education training program is to deliver ethics training to an estimated 330,000 employees. While about 90% of the workforce completed at least one training session in 2024-25, roughly 32,000 employees did not. Further, up to 66,000 individuals who received training in 2024 did not complete training in 2025. The Education Committee has reviewed and supports the staff's proposal to address this issue.

Executive Director Berland turned to Tab G and reviewed the proposal's details. A discussion was held on how to provide training to those who have not taken any in the last two years, how budgetary constraints may be impeding the abilities of some agencies to carry out training, and how the Commission's budgetary constraints do not currently allow for measuring the effectiveness of training.

Commissioner Edwards moved to adopt the 2026 training proposal, seconded by Commissioner Caraballo. The motion carried unanimously.

Legislation Committee

VIDEO 47:22

Commissioner Caraballo, Chair of the Legislation Committee, reported that the committee also met on March 11th and that she was pleased to report that two of the Commission's legislative proposals are moving forward in the legislature: the proposed Open Meetings Law amendment and the proposal to require electronic filing for all lobbying submissions. She reported that committee members discussed the proposed rulemaking to codify sexual harassment as a violation of Public Officers Law § 74(3)(d), (f) and (h), which the Committee is moving forward and the proposal to change the Commission's voting requirements, which the committee is not recommending at this time.

Vice Chair Ayers commented on the voting threshold and the unfortunate application of the prevailing-vote requirement (a majority of the body's members, without vacancy). Though she

appreciates that even though the committee is not recommending approval of a change in the voting requirement, she would still have brought the measure to the full body for consideration but recognizes that she would have lost that vote because three members of the committee would have been able to defeat the measure when the full body voted. Commissioner Groenwegen concurred with Vice Chair Ayers' illustration of the predicament the Commission faces, because of the continued absence of two members appointed by the two legislative minority leaders.

PROPOSED RULEMAKING TO ADOPT AMENDMENTS TO THE COMMISSION'S OUTSIDE ACTIVITY RESTRICTIONS AND APPROVAL PROCEDURES AT 19 NYCRR PART 932

VIDEO 1:01:57

Director Michael Sande presented the three proposed amendments to 19 NYCRR Part 932 and the documents to be sent to the Department of State, which are located behind Tab I. The Commission had agreed to proceed with the proposed amendments at the previous meeting.

Vice Chair Ayers moved, seconded by Commissioner Caraballo, to authorize the proposed rulemaking. Discussion followed.

Commissioner Caras brought to the Staff's attention some apparent typographical errors in the amendments, which the Staff will resolve by consistently using "Policymaker" in place of "Policy Maker" and by removing a reference to numbers in a chart that had previously been edited to exclude them.

Commissioner Caraballo maintained her objection to State officers being required to obtain outside activity approval for owning real property through a limited liability company (LLC) instead of in their personal name, viewing it as an unfair burden or penalty to those employees who want to protect their property and assets by putting it in the name of an LLC. Also, she noted that any income from rental property or investments is already disclosed in their FDS.

Director Sande explained that if a state employee is engaged in acquiring investment property, they will be more engaged in commerce with vendors and tenants, which could give rise to a conflict of interest or neglect of their state duties. Putting investment property in the name of an LLC is a

business venture, and agencies and COELIG should be aware of this activity so the employee can better understand the application of the ethics laws to it. Deputy General Counsel Kavita Bhatt stated that the purpose of the outside activity regulations is not to stop state workers from engaging in business ventures, but to raise awareness of potential conflicts that may arise. Executive Director Berland added that there is a transparency issue when a state employee holds property through a business entity rather than in their own name, making it less evident to the public and to COELIG when it conducts reviews of FDSs.

Commissioner Austin noted a potential inconsistency between provisions of Public Officers Law 73-a and Part 932 regarding the definition of a policymaker. Staff stated that the definition in Part 932 refers to the determination made by the employing agency, not the policymaker.

The motion to authorize the proposed rulemaking carried 7-1-0, with Commissioner Caraballo voting in the negative.

NEW AND OTHER BUSINESS

VIDEO 1:14:47

There was no new or other business.

MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS LAW § 105 AND EXECUTIVE LAW § 94(11) TO ADDRESS MATTERS CONCERNING EMPLOYMENT OF PERSONNEL, PENDING LITIGATION, AND INVESTIGATIVE AND ENFORCEMENT MATTERS THAT ARE CONFIDENTIAL PURSUANT TO § 94 OF THE EXECUTIVE LAW*

VIDEO 1:14:55

Commissioner Caras moved, seconded by Commissioner Groenwegen, to enter into Executive Session, in accordance with Public Officers Law § 105 and Executive Law § 94(11), to address matters concerning employment of personnel, pending litigation, and investigative and enforcement matters that are confidential pursuant to § 94 of the Executive Law. The motion carried unanimously.

**PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE
SESSION**

VIDEO 1:15:46

Executive Director Berland reported that the Commission discussed matters in Executive Session related to litigation and legal advice. The Commission discussed a formal opinion pursuant to Executive Law § 94(7)(c). The Commission approved two Staff Executive Law § 94(10)(f) reports. The Commission discussed a potential rulemaking. The Commission discussed and authorized steps in several investigative matters and closed 21 matters.

Executive Director Berland announced the promotion of Sarah Giacomini from Deputy Director of Administration to Director of Administration. Mariana Cadiz has assumed the role of Senior Administrative Officer. He commended their work throughout the budgetary process.

MOTION TO ADJOURN THE PUBLIC MEETING

VIDEO 1:18:03

Commissioner Caraballo moved, seconded by Commissioner Edwards, to adjourn the meeting. The motion carried unanimously. The meeting adjourned.