



Date: 1/15/2020

Subject: CHANGE Illinois' public comment on lobbying regulations

To: The Joint Commission on Ethics and Lobbying Reform

From: CHANGE Illinois

Dear members of the commission,

My name is Ryan Tolley and I am the Policy Director for CHANGE Illinois. CHANGE Illinois is a nonpartisan nonprofit focused on achieving more ethical, efficient governments and elections. Thank you all for serving on this commission and for dedicating your time to weigh how we can achieve higher ethical standards for the way state government operates in Illinois. We need a concerted effort to restore Illinoisans' trust in government. Undoubtedly, it has been shaken by the ongoing, months-long FBI investigation that is engulfing lawmakers, lobbyists, and private interests seeking to influence our government for their personal gain.

Recent events and arrests have placed us in this room and given us the opportunity to make meaningful improvements to reassure the people that elected officials have their best interests at heart. But, in order to do so, we need to seriously address the shortcomings in state law that helped enable our current predicament. When elected officials abuse their office and transparency is lacking, people lose faith in their elected officials and their government. They believe their public servants are gaming them and institutions are rigged against them.

It's my understanding the commission has planned that we focus solely on lobbying issues today. As such, CHANGE Illinois' recommendations will be focused on lobbying regulations and we hope to have the opportunity to present other recommendations and comments at future dates. It is important to point out that solely changing lobbying regulations will not be enough to move us forward. Broad, sweeping change is needed.

I'll start with additional disclosures for lobbyists. Lobbyists have better access to lawmakers than average people. Due to lobbyists' sphere of influence, it is important to disclose to the public the extent of their contacts with officials. One of the ways to better inform the public is to require lobbyists to disclose information about whether they are serving as bundler fundraisers. Bundling donations provides a way for lobbyists to serve as influential conduits for candidates and gives them a way to leverage more money for candidates than is permissible by law for an individual. Bundling allows lobbyists, and others, to use their influence with others to gather multiple donations to give to a candidate or campaign committee.

Whether it is an employer leveraging his or her employees to donate, or a person with access to an affluent network of people, disclosing those lobbyists who bundle donations gives us a fuller picture



of their overall influence. The federal government realized this issue and addressed it by requiring federally registered lobbyists to disclose if they bundle more than \$18,700. States have been slow to address this practice and many don't require any disclosures other than direct contributions. It would be in the public's best interest to require lobbyists to disclose how much they actually are raising for candidates and political action committees.

Another needed change to lobbying laws is to ban state lawmakers from lobbying units of local government. There is an inherent problem with allowing state lawmakers, who grant authority to local governments, to lobby local officials on behalf of private interests. Allowing this practice to continue undermines the notion that state officials can speak about matters of local government impartially. Local officials should not feel pressured when a state official, who has some power over their local authority, asks them to act a certain way on behalf of a private client. That state official, working as a lobbyist on behalf of a private client, naturally will have outsized influence compared to a lobbyist who is not an elected official. Banning this practice is a common-sense change that will restore faith in activities at both levels of government.

The third change we recommend in regard to lobbying is to require a revolving-door cooling-off policy. Lawmakers should wait for at least two years before registering and working as lobbyists following their departure from office. Too often, a lawmaker's retirement or resignation is immediately followed by that lawmaker's registration as a lobbyist. When this occurs, often the practice and frequently the perception is that the former lawmaker is taking advantage; using and benefitting from relationships made while in office for personal gain. Allowing lawmakers to quit and immediately work as lobbyists also raises questions about whether the former lawmaker truly had her or his constituents' best interests in mind during his or her tenure in office. It damages public perception of officials and costs our government some of its credibility.

Most states stop the revolving-door that immediately allows lawmakers to lobby. Illinois is one of only eleven states without a prohibition in place. Recently, Illinois lawmakers have recognized the problem of elected officials immediately profiting from their work and relationships within government. In 2019, the bill to legalize cannabis required that for two years after passage, lawmakers cannot hold ownership interests in a cannabis businesses licensed under the act. We need to be implementing such cooling-off periods more. A practical place to start is to expand such a prohibition to stop former lawmakers from immediately working as lobbyists for private clients and other organizations.

We encourage the commission to include these three policy changes in their recommendations to the Illinois General Assembly. I would be happy to answer any questions.

Thank you,



Ryan Tolley
Policy Director
CHANGE Illinois