



**STATE OF ILLINOIS
101ST GENERAL ASSEMBLY
JOINT COMMISSION ON ETHICS AND LOBBYING REFORM**

MEETING MINUTES

**JANUARY 15, 2020 AT 10:00 AM
JAMES R. THOMPSON CENTER
C-600, 6TH FLOOR
160 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60601**

Members Present in Person:

Greg Harris
Elgie Sims
Kelly Burke
James Burns
Cristina Castro
Richard Cenar
John Curran
David Harris
Nathan Maddox
Dan McConchie
Diane Saltoun
Ann Spillane
Juliana Stratton
Grant Werhli
Patrick Windhorst

Members Viewing Via Video:

Christine Radogno

I. Call to Order

Co-Chair Sims called the January 15th meeting of the Joint Commission on Ethics and Lobbying Reform to order.

II. Adopt Minutes of Prior Meeting

Member Castro moved to adopt the minutes of the prior meeting. Member Spillane seconded. With all members present voting “aye” pursuant to a voice vote, the motion carried.

III. Adopt Rules

Member Stratton moved to adopt the Rules of the Joint Commission, proposed at the previous meeting. Member Werhli seconded the motion, and with all members present in person voting “aye” pursuant to a voice vote, the motion carried.

IV. Testimony on the Lobbyist Registration Act and the Regulation of Lobbying

- a. Panel 1: City of Chicago Board of Ethics; Cook County Clerk’s Office; Illinois Municipal League; Illinois State Association of Counties; Office of the Secretary of State

Representatives from Chicago (Steve Berlin, Exec. Dir. Chicago Bd. of Ethics), Cook County (John Mirkovic, Deputy Clerk Office of the Cook County Clerk) and the Secretary of State (Paul Thompson, Deputy Inspector General) provided brief summaries of the laws or ordinances governing lobbying in their jurisdictions, the penalties and enforcement procedures therein and recent changes.

Brad Cole representing the Illinois Municipal League (IML) and Joe McCoy representing the Illinois State Assoc. of Counties (ISAC) provided testimony on how other units of local government, specifically municipalities and counties, regulate lobbying and the attendant challenges.

The Joint Commission and the Panel discussed possibilities to consider in how to define “lobbying” across the State and within units of local government. This included discussions about how much a person’s job duties constitute “lobbying on behalf of another” as opposed to a person advocating on behalf of a change that affects their job; how to draw the line between lobbying and legal advice from an attorney; whether compensation should be included in the definition, including Chicago’s own issues implementing their recent changes regarding lobbying registration by non-profits; and generally how to legally distinguish between the citizen advocate and the professional lobbyist.

Enforcement of the State’s Lobbyist Registration Act by the Secretary of State was also discussed, including possible loopholes bad actors may exploit, specifically the 30-day window for lobbyists to complete their ethics and harassment prevention training, consultants, local training programs, and oversight of compliance.

- b. Panel 2: Better Government Association; Center for Illinois Politics; Change Illinois; Common Cause; Reform for Illinois

Marie Dillon, Better Government Association

Brendan Rigney, Center for Illinois Politics
Ryan Tolley, Change Illinois
Jay Young, Common Cause
Alisa Kaplan, Reform for Illinois

Representatives from these organizations identified key reforms or topics they hoped to see addressed in the regulation of lobbying at the state and local level, while acknowledging the importance of ensuring elected officials and their constituents are free to interact and communicate.

Key issues identified were: instituting a revolving door prohibition on lobbying by former members of the General Assembly, prohibiting elected officials from influencing public initiatives or actions in other jurisdictions outside the scope of their official duties for compensation, increased financial disclosures by lobbyists and elected officials, and regulating lobbying by unregistered individuals as “consultants.”

The Joint Commission and Panel also discussed how to articulate the boundaries of elected officials’ duties to advocate on behalf of their constituents in various layers of government, *i.e.*, presumptively civic functions, aiding in matters of “public benefit”, as opposed to individual private gain achieved by access or inappropriate and undue use of power. There was general agreement that the facts, circumstances, intent and motivation in any given matter would be necessary to discern whether an individual is engaged in “lobbying” or “constituent services.”

V. Public Comments

No public comments were offered.

VI. Adjournment

The Joint Commission adjourned until Thursday January 30th in Springfield. To be held in the morning at a time to be determined by staff, pending House and Senate Session day schedules.