

# CHAPTER 9

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## OTHER PARTICIPANTS IN THE LEGISLATIVE PROCESS

The actions needed to pass bills take place not only in committees and the House and Senate chambers, but in a much broader environment, where a host of actors and institutions seek to influence those actions. No legislator suffers from a lack of advice. People representing agencies in the executive branch, various kinds of private lobbyists, the news media, and to some extent even the judiciary get involved in legislative action. As the session proceeds, busloads of constituents arrive. They fill the State House halls and grounds for demonstrations. They shout; they cheer; they sing. As the saying has it, "Everybody tries to get into the act."

### The Executive Branch

The Governor is the only executive-branch officer with a formal constitutional role in lawmaking. But other elected officials in the executive branch also have legislative agendas and seek to influence lawmaking.

The Governor exerts powerful influences over what laws are enacted. These influences start with the political (through ability to get press coverage and focus public attention on a legislative agenda) and end with the constitutional (through ability to reject, or propose changes in, bills passed by both houses).

The Governor gets the first official word at the start of each year's legislative process. Annual State of the State and budget messages set forth the Governor's legislative purposes. Arrangements between the Governor and legislators then begin to form. A Governor normally gets a core of support from legislators of his own party, and negotiates for any other votes needed to enact his program. In return for their support, legislators expect favorable consideration by the Governor of their interests. That can include things such as signing the legislator's bills; permitting the legislator to sponsor administration-backed bills that will raise the legislator's standing with constituents; funding projects in the legislator's district; providing appointments or jobs to constituents; appearing at an important public event in the district; and if of the same party, appearing at the legislator's political event.

Such favors are the coin of the legislative realm. Their use is not limited to members of the Governor's own party; the Governor's powers of persuasion can reach across the aisle for votes from the other party if his own party does not provide a needed majority. (A Governor may also try to develop support on the other side to establish bipartisan responsibility for a controversial bill.) A Governor also has a political constituency that can be invoked to help move bills in the General Assembly, and groups interested in some aspect of his program that can be enlisted in the cause.

When persuasion fails, the veto pen takes over. The Governor's extensive veto powers loom large in the background of the legislative process. It is difficult enough to pass a bill. But any bill that has passed faces a possible veto, in which case the sponsor may need to mount an override effort. It is almost always better to have the Governor favor your bill than oppose it. For this reason, legislators spend considerable time trying to read the Governor's mind.

Other Executive Officers

The other elected executive-branch officers have no constitutionally stated role in lawmaking. But each year they propose budgets for their own operations in the next fiscal year (which are examined first by the Governor's Office of Management and Budget) and seek to get needed appropriations passed and approved by the Governor. They also are interested in bills that would affect their offices' functioning. The Secretary of State and Attorney General often have their own legislative programs. Thus they seek to maintain good relations with legislators. The executive-branch officers usually appear before legislative committees when appropriations or other bills affecting them will be heard.

Legislative Liaisons

Each of the executive offices, and every department or major agency in state government, has one or more legislative liaisons to represent it to legislators and their staffs. Due to the Governor's extensive interest in bills, the Governor has a staff of legislative liaisons. These representatives of the Governor play an active role in legislative sessions. A Senate rule allows "the designated aide to the Governor" access to the floor during sessions.<sup>1</sup> A House rule does the same "except as limited by the Speaker."<sup>2</sup>

Each legislative liaison oversees all legislative matters of interest to the liaison's agency. The liaison's duties include alerting the agency to new bills that would affect it; arranging sponsorship for drafts that the agency wants to have introduced as bills; working with sponsors to have a bill amended if the agency considers that necessary; arranging for the agency to be represented when its testimony on a bill is needed; and contacting legislators to develop support for the agency's positions on bills.

Liaisons also help legislators with nonlegislative matters. Liaisons can help legislators on problems their constituents have with the agency; send information relating to the agency's work to constituents who need it; provide speakers for civic groups; and work with a legislator on any matter within the scope of the agency's activity.

In short, a legislative liaison is a combination diplomat, negotiator, errand-runner, counselor, and troubleshooter between an executive officer and the General Assembly.

## Lobbyists

The word "lobbyist" has acquired connotations not associated with the nobler virtues of representative government. But the role of lobbyist has a history reaching to the beginning of this nation. The Declaration of Independence complained that the colonists' repeated petitions for redress "have been answered only by repeated injury." The right to petition the government is guaranteed by both the U.S. and Illinois Bills of Rights.<sup>3</sup> The Illinois Constitution

says: “The people have the right . . . to make known their opinions to their representatives and to apply for redress of grievances.”<sup>4</sup> To offer opinions and petitions for redress, both amateur and professional lobbyists come to Springfield every year.

#### Lobbyist Registration Act

The Lobbyist Registration Act requires a broad class of persons to register as lobbyists.<sup>5</sup> The Act, and regulations issued by the Secretary of State seeking to interpret and modify it,<sup>6</sup> are a complex body of definitions and requirements. The following summarizes them, focusing on those directly affecting legislators. (The major direct effect of the Act on legislators is that it requires lobbyists to report all expenditures on behalf of legislators—even for items such as food and beverages—to a database accessible through the Internet. The Act also requires legislators to be informed that they will be named as having benefitted from such expenditures, and allows a legislator so named to dispute such a report.) The following is **not** a complete summary of the Act as it affects lobbyists.

#### *Who must register*

As restated and limited by the regulations, registration is required of anyone not exempted, who (whether or not for compensation, and whether acting individually or as an employee or contractor for someone else) “undertakes to influence executive, legislative or administrative action by any direct lobbying communication with an official of the executive or legislative branch of State government even if lobbying constitutes a small percentage of the employee’s job duties.”<sup>7</sup> Anyone (including a firm<sup>8</sup>) employing another person or entity for any of those purposes must also register.<sup>9</sup> At least three important terms in the definition quoted above are defined in the Act and/or regulations:

- The Act defines “influencing” as “any communication, action, reportable expenditure . . . or other means used to promote, . . . affect, . . . oppose or delay any executive, legislative or administrative action or to promote goodwill with officials . . . .”<sup>10</sup> The regulations define “goodwill” as “any expenditure made on behalf of officials which has no direct relation to a specific executive, legislative or administrative action regardless of whether the lobbyist making the expenditure is reimbursed . . . .”<sup>11</sup> Thus, read literally, the regulations require registration by every person, not exempt, who buys lunch for or otherwise spends any money on a public official.
- The regulations define “direct lobbying communication” in effect as any communication (whether in person, mailed, or sent electronically) with an official or with the official’s office, for the purpose of influencing executive, legislative, or administrative action, if made by a hired lobbyist or in conjunction with a reportable expenditure.<sup>12</sup>
- The Act defines “official” as anyone in the following categories: the six statewide elected officers; their chiefs of staff; their “cabinet members” including assistant directors and chief legal counsels; and legislators.<sup>13</sup> The regulations say that the definition includes other persons of “comparable ranking” who are considered part of the “cabinet” of a “Constitutional Officer” if that officer has designated them as officials.<sup>14</sup>

The Act and regulations contain extensive lists of persons exempted from registration. The persons exempted appear to include legislators, along with employees of the General Assembly, legislative commissions, and legislative agencies.<sup>15</sup> (The Act and regulations also list as exempted anyone who is not

compensated, other than by reimbursement of up to \$500 of annual expenses, to lobby state government—*if* the person makes no expenditures that must be reported under the Act.<sup>16</sup> But the sections of the Act and regulations on reporting expenditures say that every person who is required to register must report *all* lobbying expenditures,<sup>17</sup> resulting in some confusion about who may be exempt. The regulations attempt to limit the reach of that provision by adding that for purposes of that part of the regulations, “expenditures” means “reportable expenditures made on behalf of officials . . .” as defined above.<sup>18</sup>)

Each person required to register (a “registrant”) must file a statement within two business days after being employed to lobby,<sup>19</sup> and by each January 31 and July 31 while continuing to be a lobbyist. Each statement must report the registrant’s name and permanent address; e-mail address if any; fax number if any; business telephone number; and temporary address, if any, that the registrant will use while lobbying. The statement must also give the name and address of each entity employing the registrant to lobby; the nature of that client’s business; and which state agencies the registrant expects to lobby. Each year the registrant must give the Secretary of State either a picture of the registrant or authorization to use a picture already held by the Secretary of State (such as for driver licensing). Each registrant, including an organization required to register, must pay an annual fee of \$350 (\$150 for an organization exempt from federal income taxation under subsection 501(c)(3) of the Internal Revenue Code).<sup>20</sup>

*Filing of reports*

Each registrant must report on the first half of the calendar year (or through the last day of the regular legislative session if later) by July 31, and on the entire preceding calendar year by January 31. A registrant who ends activities for which registration is required must file a final report within 30 days.<sup>21</sup> Each report must include spending on items such as travel, lodging, meals, beverages, entertainment, gifts, and honoraria. Kinds of spending by a registrant that need *not* be reported include the registrant’s pay and personal living and lodging expenses; office and overhead costs; expenses incidental to serving as a member of a legislative or other state study commission; political contributions if reported to the State Board of Elections; and a gift or honorarium from the registrant that the legislator returned to the registrant, or for which the legislator reimbursed the registrant, within 30 days after receiving it.<sup>22</sup> (That last provision has an exception: If a lobbyist, when making a gift, notified the legislator that it was reportable, it must be reported even if the legislator later returns it or reimburses the lobbyist for it.<sup>23</sup>)

The law calls on the Secretary of State to provide an electronic filing system for lobbyists’ reports, including a searchable database of all filings accessible through the World Wide Web.<sup>24</sup>

*Naming of recipients*

The Act requires registrants’ reports to name every legislator on whose behalf any one reportable expenditure over \$100 was made.<sup>25</sup> Smaller expenditures are to be combined and categorized by the name of the legislator receiving them. The Act authorizes the Secretary of State to prescribe a way to do this<sup>26</sup> (which the Secretary has done by regulation<sup>27</sup>).

Every person who is required to register, and who will report an expenditure on behalf of a legislator, must notify that legislator at least 25 days before filing the report.<sup>28</sup> The legislator may reply to the registrant with written objections. If the registrant's report as filed disagrees with those objections, the legislator's objections must be filed along with it.<sup>29</sup> The regulations add that the registrant must send a second notice to the legislator within 30 days after filing the report (thus in non-leap years, by March 2 for the annual report or by August 30 for the semiannual report).<sup>30</sup> Copies of these notices do not go to the Secretary of State.<sup>31</sup> But a provision in the regulations (issued before a 1998 amendatory act added the provisions on legislators' responses) says the legislator can send a "letter of clarification" to the Secretary of State, disputing an expenditure that was reported as going to the legislator. The Secretary of State will forward the letter to the registrant, who must respond within 30 days. Both the legislator's letter and the registrant's response will be public information.<sup>32</sup>

In addition, registrants must report the name of each state government entity lobbied; the kind of action involved (executive, legislative, administrative, or a combination); a brief description of the action involved; and the names of the persons who lobbied.<sup>33</sup>

*Public access  
to reports*

All registration and expenditure reports are open for public inspection, and under the Secretary of State's regulations, for copying.<sup>34</sup>

*Lobbyists:  
Who They Are*

The legislature of a major state such as Illinois attracts lobbyists representing many interests. Some work for business or union interests, including the Illinois State Chamber of Commerce, Illinois AFL-CIO, and Illinois Education Association; professional associations such as the Illinois State Bar Association, Illinois State Medical Society, and Illinois Society of Professional Engineers; or associations representing particular industries, such as the Printing Industries of Illinois or Illinois Petroleum Council. There are also issue-oriented groups, such as the Taxpayers' Federation of Illinois and Illinois Public Action Council. Still other lobbyists represent very specific interests, such as individual major-league sports teams. As of June 2006, the Secretary of State's office had 2,067 persons and 1,625 other entities registered as lobbyists. Some have permanent Springfield offices; others come from elsewhere (primarily the Chicago metropolitan area) during sessions; still others with more limited legislative interests visit Springfield only when a situation requires their presence.

The Secretary of State updates a two-part list of registered lobbyists twice yearly. The first part is an alphabetic list of registered organizations, such as associations, companies, unions, and lobbying firms. The second part is an alphabetic list of individual lobbyists, with cross-references to their affiliations. The list can be downloaded from this Internet address:

[http://www.cyberdriveillinois.com/  
departments/index/lobbyist/home.html](http://www.cyberdriveillinois.com/departments/index/lobbyist/home.html)

by clicking on a link labeled "[Lobbyist List](#)" or "[Lobbyist Cross Reference List](#)" followed by the name of the computer format preferred for the download (PDF or ASCII).

**Lobbyists:  
How They Work** Lobbyists have been described as the Third House of a legislature. Lobbyists for groups that get state money (such as in highway construction, schools, and mental health agencies) often represent large constituencies. As those programs have grown in recent decades, so has the influence of their lobbyists. Some lobbyists have been in Springfield longer than many of the legislators with whom they deal. Experienced lobbyists can recall bills introduced over the years on many subjects; the circumstances leading to their introduction and passage; or why they failed. They will know the history of a particular law, and how and why it has been amended over the years. Lobbyists can also be a major source of information to legislators on pending bills that would affect the interests they represent, and how those interests might be affected if those bills become law. Reputable lobbyists will honestly describe their opponents' arguments and evidence, if asked.

Clients of a lobbyist have legislative agendas and seek to have bills introduced to enact them. A lobbyist looks for a friendly legislator to introduce bills for the client, and will help that legislator develop support from other legislators, allied interest groups, and interested government officials. If the client wants to seek amendment of a bill, the lobbyist contacts its sponsor, describes the client's position, and tries to get agreement to the proposed changes.

When a bill is to be heard in committee, the lobbyist may make the client's position known by registering with the committee clerk as a supporter or opponent; leaving a written statement with the clerk giving reasons for support or opposition; appearing as a witness on the bill; and/or arranging for friendly expert witnesses to appear and help the sponsor make a case for it.

The process of consultation between lobbyists and clients continues throughout the session. Bills can receive amendments that change a client's support into opposition, or vice versa.

As interest in what happens in Springfield has grown, the practice of "grass-roots lobbying" has expanded with it. Groups with legislative interests often keep their supporters advised of bills pending in Springfield through newsletters, Web sites, and/or mass e-mail messages. Such communications list bills of significant interest to the organization, their sponsors, a brief description of their contents, and the group's positions on them. This may be accompanied by commentary on what is happening in the General Assembly, and often will suggest action by members to further the organization's legislative program. Such actions might include writing to legislators, calling them in Springfield, or contacting them in their districts. After a session, and before elections, some interest groups use their newsletters and/or Web sites to compare the voting records of individual legislators to those groups' legislative positions.

When an interest group mounts a major legislative effort, it may bring voters to Springfield to visit legislators in small groups. Such visits may be part of a larger rally or demonstration in the State House rotunda or on the State House grounds, complete with speeches and songs. Such efforts usually occur in the middle to latter part of the spring session, when major bills are approaching Third Reading.

## Partisan Staffs

While legislators direct the legislative process, the General Assembly's operations are maintained by legislative staffs. There are various kinds of partisan staffers.

### Administrative Staffs

The House and the Senate offer essentially identical clerical and custodial services, but with differences in formal administrative structures. In the House, the Speaker is the chief administrative officer.<sup>35</sup> In the Senate the Senate Operations Commission is the chief administrative agency; the Secretary of the Senate is the Commission's secretary and administrator. (The Commission consists of the President and three assistant majority leaders; the Minority Leader; one assistant minority leader; and another senator appointed by the President.)<sup>36</sup> The administrative staff in each house includes the doorkeeper of the House and sergeant-at-arms of the Senate; clerks to keep accounts, process payrolls and vouchers, maintain personnel records and inventories, and operate the post offices and bill rooms; secretaries; custodians to maintain the chambers; and pages to run errands for members.

### *Clerk of the House and Secretary of the Senate*

The offices of the Clerk of the House and Secretary of the Senate are the administrative core of the General Assembly. From the wells of the House and Senate chambers, the Clerk and Secretary record all business during a legislative session. They receive the bills, amendments, and resolutions introduced or submitted for consideration, reports of standing committees, and messages from the other house and the Governor. From this record, they prepare the daily journal for publication and assemble the calendar for the next day's business. They engross the bills with adopted amendments for consideration on Third Reading; enroll bills that originated in their house; and keep a record of bills going to the Governor. They also arrange for printing all bills, amendments, and conference committee reports. The Clerk of the House and Secretary of the Senate are chosen by the majority party. The assistant clerk and assistant secretary are chosen by the minority party.

### Chiefs of Staff

Each of the four leaders has a chief of staff who is the executive officer directing and coordinating the administrative, committee, and other policy staffs for that leader.

The organization and role of the policy staffs varies from session to session and from leader to leader; but in general they develop partisan positions on legislative matters. Although staffers may develop areas of expertise, they are often called on to do other functions and work in other areas as needs arise.

### Press Relations Staff

Each partisan staff provides press relations assistance to its members by preparing press releases, speeches, and informational brochures to inform constituents about a legislator's activities in Springfield and in the district. Press releases are most often issued when a legislator introduces a bill or gets it passed (or in some cases, gets someone else's bill defeated). Press relations staff may also provide training for legislators on handling press inquiries, and on deportment at press conferences. They are also responsible for maintaining relations with both print and electronic news media.

**Constituent Services Staff** Although most constituents' complaints and requests for information or help are handled by legislators' district office staffs, some such "casework" may be assigned to regular committee staffers. A staff may have a person assigned to do casework, or may assign a person to a group of legislators to do both casework and press services.

**Issues Development and Policy Staff** The Senate Democratic Communications and Research Staff, House Democratic Issues Development Staff, and House Republican Policy Staff provide specialized, long-term planning and problem-solving services for legislators. The Senate Republicans have not formally designated a separate staff for these services. These staffers specialize in particular areas and try to identify issues for legislators to promote. They also act as contacts with interest groups. At the direction of their leadership, they often inform such groups of hearings on pending bills and muster support for favored ones.

**Technical Review Staff** The House Democrats have a group of staffers to provide technical review of pending bills. It is their job to check bills, amendments, and other documents for correctness in page numbers, spelling, punctuation, statute reference, and the like. Persons on other partisan staffs may do similar functions without being so labeled.

**Committee Staffs** The formal development of committee staffs dates back to 1967, after the temporary Commission on the Organization of the General Assembly recommended increased staff services for legislators and professional staffs for committees. An act on staff assistants<sup>37</sup> was enacted that year and the four partisan staffs were created. Generally each staff has two kinds of analysts—for substantive bills, and for appropriation bills—although the degree to which these staffs are formally separated varies by house and party.

*Substantive committee staffs* These staffs' structures parallel the standing committees. One or more staff members from each party work with each committee. These committee staffs analyze every bill sent to their committees. They are also called on to draft amendments and conference committee reports.

Staff members can provide background material for a legislator's speech, or to answer constituent mail. If time permits, they do research within their subject areas at the request of a legislator.

In the months after each session, the staffs prepare position papers and committee reports summarizing the important subjects covered during the session. During the veto session, they analyze veto messages and present analyses to legislators.

*Appropriation staffs* The appropriation staffs usually prepare an analysis of each bill for the appropriations committee before it meets. If committee members decide to amend a bill, their staff prepares the necessary amendments.

After committee meetings, the appropriation staff prepares material for the committee chairmen. The appropriation committee staff is available to answer questions, or to prepare amendments or conference committee reports needed for floor action. The staffs also maintain cumulative totals of all appropriations that have been approved in committee or on the floor.

In the summer, the appropriation staffs prepare reports summarizing the past session's activity; review agency appropriations and expenditures; respond to inquiries; and monitor the Governor's actions. They also analyze any item or reduction vetoes for the fall veto session.

## Legislative Support Agencies

The Joint Committee on Legislative Support Services (consisting of the Senate President, House Speaker, and Minority Leader in each house) sets general policy, coordinates activities, and assigns studies to be done by the eight legislative support agencies. Each such agency except the Architect of the Capitol is governed by a board of 12 legislators, with three appointed by each leader. Those boards are appointed for 2-year terms starting February 1 of each odd-numbered year. The Joint Committee appoints the two co-chairmen of each board.<sup>38</sup> The Board of the Architect of the Capitol consists of the Secretary and Assistant Secretary of the Senate, and the Clerk and Assistant Clerk of the House.<sup>39</sup> These boards administer the agencies under the laws establishing them, and policies and regulations established by the Joint Committee.

### Architect of the Capitol

The Architect of the Capitol is directed to prepare and implement a long-range master plan for the historic preservation, restoration, construction, and maintenance of the State House complex. The plan is to be submitted for review and comment to the advisory Capitol Historic Preservation Board.<sup>40</sup> The Architect is also to monitor any work in the complex that might alter its historic integrity, and keep an inventory and registry of all historic items there.<sup>41</sup>

All contracts for construction or major repair of state buildings in the area around the Capitol (except the Supreme and Appellate Court buildings) must have the Architect's approval.<sup>42</sup> The Office of the Architect of the Capitol is also responsible for allocating space for the General Assembly and its agencies.<sup>43</sup>

With approval from the Board of the Office of the Architect of the Capitol, the Architect can acquire nearby land to expand the complex.<sup>44</sup> The Office is the successor to the former Space Needs Commission.

### Commission on Government Forecasting and Accountability

The Commission on Government Forecasting and Accountability (formerly the Illinois Economic and Fiscal Commission) provides information on the Illinois economy, and on tax revenues and fiscal operations of the state government. It has a statutory duty to project annual state receipts. A major purpose of these projections is to help the General Assembly meet the constitutional mandate of a balanced budget. The Commission's projections also provide an alternative to projections by the Governor and Comptroller. The Commission monitors long-range debt; prepares State Debt Impact Notes; and publishes a Legislative Capital Plan Analysis at least annually.<sup>45</sup> The Commission prepares an annual state economic report giving information on economic development and trends in the state and its regions, and the effect of economic trends on long-range planning and budgeting by the state.<sup>46</sup> In another capacity, it advises the Department of Central Management Services on matters relating to policy and administration of the State Employees' Group Insurance Act of 1971.<sup>47</sup>

The Commission also prepares Pension Impact Notes; makes a continuing study of public pension laws and practices in Illinois; and recommends changes to such laws and practices, reporting to the General Assembly annually or as necessary.<sup>48</sup>

Joint Committee  
on Administrative  
Rules (JCAR)

The Joint Committee on Administrative Rules examines proposed regulations issued by state agencies, and can object to those it considers contrary to law.<sup>49</sup> If three-fifths of JCAR's board determines that a proposed regulation does not meet statutory requirements, and poses a serious threat to the public interest, it can bar the regulation from taking effect unless the General Assembly by joint resolution decides otherwise.<sup>50</sup> JCAR is also required to examine all existing regulations of executive agencies every 5 years; hear complaints about regulations; monitor agencies' compliance with laws; and study legislative, administrative, and court actions that may affect regulations and the rulemaking process.<sup>51</sup>

Legislative Audit  
Commission

The Legislative Audit Commission reviews and makes recommendations to the General Assembly on audits of state funds received and spent by state agencies. It reports its findings and recommendations in writing. The Commission receives reports of the Auditor General and other financial statements. It also recommends measures, including changes in law, to correct defects in fiscal procedures.<sup>52</sup> The Illinois State Auditing Act empowers the Commission to direct the Auditor General's office to do special audits or investigations.<sup>53</sup>

Legislative  
Information  
System (LIS)

The Legislative Information System operates the computer system that holds data for the General Assembly and its committees and service agencies. Services offered by LIS include the General Assembly's Web site, the laptop computer system for members, and a photocomposition system. The photocomposition system prepares copy ready for printing of legislative documents, such as the daily calendars, journals, and bill amendments.

The legislative Web site at <http://www.ilga.gov/> offers the following searchable databases, among others:

- summaries and texts of all bills, resolutions, adopted amendments, and conference committee reports
- indexing of bills by the chapters, acts, and sections of the Illinois Compiled Statutes that they would add, amend, or repeal (this database requires registration at the Web site, which is available without charge)
- texts of Public Acts of the current and recent General Assemblies
- the Illinois Compiled Statutes

It offers the following information on legislative activities:

- weekly schedules of floor sessions
- committees, committee members, and hearing schedules
- rules of each house

The site also offers live audio and video feeds of House and Senate sessions; transcripts of sessions from recent years; and various other information.

In cooperation with the Administrative Code Unit of the Secretary of State's office and JCAR, LIS maintains in a computer database the Illinois Administrative Code (the official compilation of state agency regulations) and the *Illinois Register* which updates the Code weekly.<sup>54</sup> This information is provided on the JCAR Web site, hosted by LIS and linked to the General Assembly Web site.

Legislative  
Printing Unit

The Legislative Printing Unit prints legislative documents and reports, including daily calendars, amendments, and conference reports. It also prints letterheads, envelopes, newsletters, notepads, and other items for legislators.<sup>55</sup> The Printing Unit has rules governing printing for legislators, under policies set by the Joint Committee.<sup>56</sup>

Legislative  
Reference Bureau  
(LRB)

The primary service of the Legislative Reference Bureau is drafting bills, amendments, and resolutions for legislators. Legislators describe provisions they want in bills, and the lawyers on the LRB drafting staff turn them into bill drafts. House and Senate bills, and most amendments to them, are either drafted or put into proper form by the LRB.

The LRB also prepares the revisory bills that are needed to bring Illinois laws into conformity with one another and with court decisions.<sup>57</sup> It drafts bills to implement executive reorganization orders that were not disapproved by the General Assembly.<sup>58</sup>

The LRB publishes the *Legislative Synopsis and Digest* each week during the legislative session, and a final issue early each year showing all the preceding year's actions. The *Digest*, as it is called, gives a brief summary of each bill or resolution still active that had been introduced, and of each amendment that had been adopted, by the end of the latest week. Below that information is a chronological synopsis of actions on the bill since its introduction. The *Digest* is indexed by subject, sponsor, and the parts of the Illinois Compiled Statutes to be affected by each bill. Two copies of the *Digest* are provided to each legislator. It is also sent to county clerks. Others can subscribe to it for a calendar year by sending a signed application with \$55 to the Legislative Reference Bureau, 112 State House, Springfield 62706.<sup>59</sup>

The LRB maintains a legal and legislative library for use by legislators and their staffs.<sup>60</sup> The library contains the annotated laws of all other states and of the United States; Illinois and federal court decisions, and digests that can be used to find those decisions by subject; past General Assemblies' *Digests*, journals, and session laws; and other materials useful in lawmaking.

The Bureau prepares an annual report on recent federal and Illinois court decisions that may require changes or raise substantive issues as to Illinois laws.<sup>61</sup>

The executive director of the Bureau is automatically a member of the Illinois delegation to the National Conference of Commissioners on Uniform State Laws, and the Bureau supervises Illinois' participation in that body.<sup>62</sup>

Legislative  
Research Unit  
(LRU)

The Legislative Research Unit is the general-purpose research agency for Illinois legislators and their staffs. On request by legislators, partisan staffs, and committees, the LRU provides legal, scientific, economic, statistical, historical, and social information and analyses, and surveys of other states' laws on specific issues. Results of research are sent as formal Research Responses, or in letters answering more specific inquiries. Urgent requests are answered by faxed or telephoned responses.

The LRU issues the following publications on a recurring basis:

- *Preface to Lawmaking*
- *1970 Illinois Constitution Annotated for Legislators*
- *Illinois Tax Handbook for Legislators*
- *Directory of State Officials*
- *Constituent Services Guide*
- *County Data Book*
- *State Government Organization Chart*
- *State Assistance to Local Governments*
- *Federal Funds to State Agencies*

The LRU's quarterly legislative newsletter *First Reading* contains articles on issues in state government, and abstracts of reports that state agencies send to the General Assembly. The summer issue of *First Reading* contains articles summarizing each major bill that passed both houses. The LRU also publishes booklets that legislators can distribute to constituents on topics such as laws of interest to young persons and older adults, and consumer laws.

All officials making appointments to independent or interagency boards or commissions in state government are required to send written notice of those appointments to the LRU,<sup>63</sup> which keeps a computerized database of them.<sup>64</sup> Information on each appointee includes name, county of residence, date appointed, and date of expiration of term.

The LRU helps members of the General Assembly learn about intergovernmental issues and communicate with federal, state, and local officials and agencies, and with the Council of State Governments and National Conference of State Legislatures. It is the official legislative agency for receiving grant information from federal agencies. A federal aid tracking system is administered jointly by the LRU and the Governor's Office of Management and Budget. The system provides data at least monthly to the General Assembly on federal grant applications, awards, and receipts.<sup>65</sup>

Members of the Legislative Research Unit board, along with four public members appointed by the Joint Committee on Legislative Support Services, constitute the Advisory Committee on Block Grants. The Committee holds public hearings on the intended uses and priorities of federal block grants to the state, and makes an advisory report to the Governor and General Assembly on funding levels for each block grant.<sup>66</sup>

Other LRU activities include the New Members' Conference for new legislators; a seminar for district office staff early in each General Assembly; and the

legislative staff internship program (administered in cooperation with the University of Illinois at Springfield).

## The Auditor General

The 1970 Constitution created the office of Auditor General to inform the General Assembly on use of public funds by state government. By establishing this office, the Constitution for the first time clearly put post-auditing of public funds under legislative jurisdiction. The Auditor General is chosen by vote of three-fifths of the members elected to each house. To ensure independence and objectivity, the Auditor General has a 10-year term, during which the salary for the office cannot be lowered. The Auditor General may be removed only for violating specific statutory provisions, and only by three-fifths vote of each house.<sup>67</sup>

By law, every state agency other than the Auditor General's office is subject to audit by the Auditor General at least once per biennium.<sup>68</sup> The Auditor General is to make a program audit of each state mental facility,<sup>69</sup> and other audits that are considered to be in the public interest or are directed by the Legislative Audit Commission or either legislative house.<sup>70</sup> Audits cover agency financial operations, program management, and compliance with state laws.<sup>71</sup> The audits are done principally by outside public accounting firms, acting as special assistant auditors under the direction of the Auditor General's staff.

The Auditor General's office has developed an information classification, storage, and retrieval system to enable data obtained in audits to be used to locate trends, pinpoint recurring agency and program problems, and study the cumulative effects of agency conduct.

### Notes

1. Senate Rule 4-3(a), 94th General Assembly.
2. House Rule 30(a), 94th General Assembly.
3. U.S. Const. Amdt. 1, cl. 3; Ill. Const., art. 1, sec. 5.
4. Ill. Const., art. 1, sec. 5.
5. See 25 ILCS 170/3(a).
6. The Secretary of State's regulations are codified in 2 Ill. Adm. Code secs. 560.100 to 560.420. They are still under revision to reflect changes made by the State Officers and Employees Ethics Act (5 ILCS 430/1-1 ff., enacted by P.A.'s 93-615 and 93-617 (2003)).
7. 2 Ill. Adm. Code subsec. 560.200(a). The part of that definition through "administrative action" is from the Act (25 ILCS 170/3(a)(1)); the remainder was added by the Secretary of State in the regulation.
8. See 25 ILCS 170/2(a) (definition of "Person").
9. 25 ILCS 170/3(a)(2); 2 Ill. Adm. Code subsec. 560.200(b).
10. 25 ILCS 170/2(f); 2 Ill. Adm. Code sec. 560.100.
11. 2 Ill. Adm. Code sec. 560.100.
12. 2 Ill. Adm. Code sec. 560.100.
13. 25 ILCS 170/2(c).
14. 2 Ill. Adm. Code sec. 560.100.
15. The Act's exemption for legislative personnel (25 ILCS 170/4(e)) exempts "Employees of the General Assembly legislators,[sic] legislative agencies and legislative commissions." The regulations (2 Ill. Adm. Code subsec. 560.210(e)) add the comma that apparently was meant after

- “General Assembly” to indicate that legislators are among those exempted.
16. 25 ILCS 170/4(h); 2 Ill. Adm. Code subsec. 560.210(b).
  17. 25 ILCS 170/6; 2 Ill. Adm. Code subsec. 560.300(a).
  18. 2 Ill. Adm. Code subsec. 560.300(a).
  19. 25 ILCS 170/3(b).
  20. 25 ILCS 170/5. The corresponding section of the regulations (2 Ill. Adm. Code sec. 560.220) is to be updated to reflect extensive additions to that section by P.A.’s 93-615 and 93-617.
  21. 25 ILCS 170/6(c). The corresponding regulation is 2 Ill. Adm. Code sec. 560.305.
  22. 25 ILCS 170/6(b). The corresponding regulations are 2 Ill. Adm. Code secs. 560.310 and 560.340 to 560.370.
  23. 25 ILCS 170/6(b), last paragraph.
  24. 25 ILCS 170/7.
  25. 25 ILCS 170/6(b). The corresponding section of the regulations is 2 Ill. Adm. Code subsec. 560.310(b).
  26. 25 ILCS 170/6(b), third unnumbered paragraph.
  27. 2 Ill. Adm. Code subsec. 560.310(c).
  28. 25 ILCS 170/6.5.
  29. 25 ILCS 170/6.5. The corresponding section of the regulations is 2 Ill. Adm. Code subsec. 560.371(a).
  30. 2 Ill. Adm. Code subsec. 560.371(b).
  31. 2 Ill. Adm. Code subsec. 560.371(c).
  32. 2 Ill. Adm. Code sec. 560.372.
  33. 25 ILCS 170/6(b), 11th unnumbered paragraph.
  34. 25 ILCS 170/7, first paragraph. Provisions in the regulations on disclosure are in 2 Ill. Adm. Code subsec. 560.400(b).
  35. 25 ILCS 10/5.
  36. 25 ILCS 10/4.
  37. Laws 1967, p. 280; now codified as 25 ILCS 160/0.01 ff.
  38. 25 ILCS 130/1-5(c).
  39. 25 ILCS 130/1-5(a)(2.5).
  40. 25 ILCS 130/8A-15(b).
  41. 25 ILCS 130/8A-15(e) and 130/8A-25.
  42. 25 ILCS 130/8A-30.
  43. 25 ILCS 130/8A-20.
  44. 25 ILCS 130/8A-30.
  45. 25 ILCS 155/3.
  46. 25 ILCS 155/3(4).
  47. 5 ILCS 375/3(e) and 375/4.
  48. 25 ILCS 130/3A-1.
  49. 5 ILCS 100/5-90 and 100/5-100 ff.
  50. 5 ILCS 100/5-115.
  51. 5 ILCS 100/5-100 to 100/5-130.
  52. 25 ILCS 150/3.
  53. 30 ILCS 5/3-15.
  54. 25 ILCS 145/5.08.
  55. 25 ILCS 130/9-2.
  56. 25 ILCS 130/9-2.5.
  57. 25 ILCS 135/5.04.
  58. 25 ILCS 135/5.06.
  59. 25 ILCS 135/5.02.

60. 25 ILCS 135/5.01.
61. 25 ILCS 135/5.05.
62. 25 ILCS 135/5.07.
63. 25 ILCS 110/1.
64. 25 ILCS 130/10-2, second paragraph.
65. 25 ILCS 130/4-2.1.
66. 25 ILCS 130/4-4.
67. Ill. Const., art. 8, sec. 3.
68. 30 ILCS 5/3-2, first paragraph.
69. 30 ILCS 5/3-2, third paragraph.
70. 30 ILCS 5/3-2, last paragraph and 5/3-3.
71. 30 ILCS 5/1-13 to 5/1-14.