



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

MEETING MINUTES

**FEBRUARY 6, 2020 AT 10:00 AM
ROOM 118
CAPITOL BUILDING
SPRINGFIELD, ILLINOIS**

Members Present in Person:

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

Members Present Via Remote Viewing

Christine Radogno
Ann Spillane
Cristina Castro

I. Call to Order

Co-Chair Sims called the February 6th meeting of the Joint Commission on Ethics and Lobbying Reform to order.

II. Adopt Minutes of Prior Meeting

In adopting the minutes of the January 30th hearing, Member Werhli moved to amend the minutes of the January 30th hearing to include the discussion of redistricting that occurred during the second panel. There was also a request later in the hearing to allow a livestream of the hearing, pursuant to Senate Rules, no objections were made and request was granted.

III. Testimony on the State Officials and Employees Ethics Act

A. Panel 1: Executive Inspectors General

- i. Joanna Gunderson, Executive Inspector General for the Comptroller
- ii. Nathan Maddox, Executive Inspector General for the Secretary of State
- iii. Susan Haling, Executive Inspector General for the Agencies under the Governor

B. Panel 2: Executive Ethics Commission

- i. Michelle Casey, Executive Director
- ii. Steven Rotello, General Counsel
- iii. Shawn Denney, EEC Commissioner

C. Panel 3: Legislative Inspectors General

- i. Carol Pope, Legislative Inspector General—Current (Feb. 14, 2019-present)
- ii. Julie Porter, Special Legislative Inspector General (Nov. 4, 2017-Feb. 14, 2019)
- iii. Tom Homer, Legislative Inspector General (2004-2014)

Panels 1, 2, and 3 discussed the State Officials and Employees Ethics Act (“SOEEA”) and their roles in interpreting and applying the law to facts presented in either the executive branch or legislative branch. The members of the panels were asked a series of baseline questions regarding their activities and their jurisdiction. There were differing interpretations as to the jurisdiction and scope of the law between the executive inspectors general (“EIGs”) and the legislative inspectors general (“LIGs”). While the EIGs and former LIG Homer indicated there must be some nexus to state work or employment for them to investigate a complaint, LIGs Pope and Porter stated no such nexus is required and that their jurisdiction extends to any type of misconduct, including purely private or political activities.

The publishing of reports was discussed at length. Representatives from the Executive Ethics Commission (“EEC”) indicated there have been several instances when the EEC has declined to publish a report. The cited various reasons, including that the violation was minor or that the reported behavior did not rise to a violation of law. The LIGs Pope and Porter stated they had several reports of wrongdoing that they believed were not published by Legislative Ethics Commission (“LEC”) in an effort to “bury” reports. The LIGs advocated for full discretion on publishing founded and unfounded reports, with former LIG Porter responding that if someone disagreed with her, the respondent’s written response and the ultimate jurisdictional authority (“UJA”) response should be sufficient a backstop to any disagreements or abuse of discretion on her part.

The LIGs advocated for greater independence, particularly the ability to initiate investigations, issue subpoenas, and publish reports without approval of the LEC; however, LIG Homer did not believe the ability to issue subpoenas was of a primary concern. LIGs Porter and Pope advocated for the LEC to have jurisdiction that was identical to that of the LIG in order to hold members more accountable with penalties. Additionally, the LIGs proposed adding public members to the LEC, rather than only having legislative members.

The issue of legislator conflicts was also discussed with the LIGs. LIGs Pope and Porter advocated that members should be required to stand up and disclose any potential conflicts they may have on a bill before voting on it in committee or on the floor.

While most of the focus was on the legislative branch, the executive branch panelists also discussed changes they would like to see, such as allowing for more information exchange between IGs and agencies in “gray areas,” where there may be potential for wrongdoing or a gap in policy.

D. Panel 4: Better Government Association; Change Illinois; and Reform for Illinois

Marie Dillon, Better Government Association
Ryan Tolley, Change Illinois
Alisa Kaplan, Reform for Illinois

These panelists voiced their support for increasing independence of the LIG in their investigations and subpoena power, requiring publication of any reports where an IG finds that wrongdoing occurred, and requiring non-General Assembly members be appointed to the LEC.

IV. Public Comments

No public comments were offered.

V. Adjournment

The Joint Commission adjourned until a date to be determined later by the four caucus staffs.