



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

MEETING MINUTES

**JANUARY 30, 2020 AT 9:30 AM
ROOM 118
CAPITOL BUILDING
SPRINGFIELD, ILLINOIS**

Members Present in Person:

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

I. Call to Order

Co-Chair Harris called the January 30th meeting of the Joint Commission on Ethics and Lobbying Reform to order.

The hearing was moved from Room 114 to Room 118 to ensure all members of the Joint Commission had access to their seats. Room 114 is not wheelchair accessible.

II. Adopt Minutes of Prior Meeting

In adopting the minutes of the January 15th meeting, Member Werhli moved to make a correction to the minutes to specify that Member Radogno was not absent, but present. The motion was seconded by Member Stratton. There was also a request to allow a livestream of the hearing, pursuant to Senate Rules, no objections were made and request was granted.

III. Testimony on the Illinois Governmental Ethics Act, Conflicts and Disclosures of Public Officials and Employees

- a. Panel 1: Nicholas Birdsong, Police Specialist for the National Conference of State Legislatures (“NCSL”); Brad Cole, Executive Director of the Illinois Municipal League; Charles Northrup, General Counsel of the Illinois State Bar Association; David Weisbaum and Steve Roth, Secretary of State.

Each panelist discussed the particular issues related to disclosure of state and local officials’ financial interests, restrictions on conflicts and points of potential for change. The overarching agreement was that the questions and forms for the Statements of Economic Interest under the Illinois Governmental Ethics Act are in need of an update.

NCSL pointed out that while all 50 states restrict paid lobbying of General Assemblies by elected members of that body, none that he could find restricted local lobbying. While most states have some form of financial disclosure (only three do not) and some have mandatory recusal for voting when a financial interest becomes a conflict, only a minority have penalties. The issue of identifying and defining the parameters of when a financial interest becomes a conflict of interest was further discussed in the second panel. Also discussed were full time vs. part time legislators, and how other states regulate conflicts. Some states prohibit even teachers from holding elected office, while Utah explicitly requires members to vote even if they have a conflict because it is their duty to represent their constituents.

Other issues discussed were whether or not the State should have a clearing house for local disclosure and/or lobbying registration, what units of local government should be subject to such regulations, and why the definition of lobbying is so important to pin down.

The panel and Joint Commission discussed allowing for confidentiality in certain professions, legal and medical being the most common in other states. The issue of separation of powers with regulation the practice of law was also discussed. However, there is still a lot of gray area when it comes to whether a lawyer who is engaged in lobbying or a lawyer is an elected officials is engaged in the practice of law.

- b. Panel 2: Former Lt. Gov. Sheila Simon; Better Government Association; Change Illinois; Reform for Illinois; Common Cause; and Illinois Policy Institute

Sheila Simon, Former Lt. Governor
Marie Dillon, Better Government Association

Madeleine Doubek, Change Illinois
Alisa Kaplan, Reform for Illinois
Georgia Logothetis, Common Cause
Adam Schuster, Illinois Policy Institute

The panelists discussed the Statements of Economic Interest (“SOEIs”) filed by public officials and some employees. However, there were differing opinions on what function SOEIs should play in identifying conflicts and what action members should take with regard to voting, sponsoring bills, and general official action. Other issues identified were balancing transparency goals with privacy of officials and their family members.

Defining what a “conflict of interest” is was debated and discussed. While there appeared strong support to keep the citizen legislature of Illinois, there were various proposed definitions of what should constitute a conflict of interest for legislators, including: “when [a member’s] financial interests are at odds with the taxpayers’ interests;” “a direct financial benefit at the expense of the public;” “a substantial financial interest that benefits [the member] more than the general public;” and a “direct or indirect financial interest that conflicts with state financial interests.” Various hypotheticals were discussed.

Ms. Doubek of Change Illinois stated that corruption begins “when politicians start drawing their own district maps. That is the foundation of it all. Perhaps the people who engage in under-the-table deals never would have the chance to win and do that if we had equitable and competitive districts and elections.” Senators Curran, McConchie and Rep. Wehrli agreed with her.

IV. Public Comments

No public comments were offered.

V. Adjournment

The Joint Commission adjourned until Thursday, February 5th[sic], 2020 in Springfield at 10:00 am.