

Minutes
Indiana Lobby Registration Commission
Public Meeting
January 24, 2011 10:30 a.m.
Conference Room, Market Tower
10 W. Market Street
Indianapolis, Indiana 46204

Members Present: Jan Abbs, Sue Scholer, Joe Micon, and Terry White

Member Unable to Attend: None

Staff Present: Charles Harris, Executive Director & General Counsel, Amy Nicholson, Assistant Director, and Kaytie Barrett, Office Administrator.

Others in Attendance: Robin Beck and Justin Wisser.

Call to Order

On January 24, 2014, the public meeting of the Indiana Lobby Registration Commission was called to order at approximately 10:37 a.m. by the Chairperson of the Commission, Jan Abbs. She stated that the Commission met in executive session earlier that morning to discuss the job performance evaluation of an individual employee and that no action was taken by the Commission during the executive session.

Approval of Minutes

Commissioner White moved for approval of the minutes of the Commission's Public Meeting held on December 13, 2013. His motion was seconded by Commissioner Micon and unanimously approved by a voice vote of the Commissioners.

Late Fees

Mr. Harris reported that 19 of the 28 late fee appeals filed after December 4, 2013 and before January 18, 2014 had been resolved administratively by applying the guidelines previously approved by the Commission. He said that \$6,400 had been collected from those 19 lobbyists. Mr. Harris indicated that staff fully expects that 8 of the 9 remaining appeals will be resolved administratively and that an additional \$2,800 in late fees will be collected from those 8 lobbyists. He stated that the deadline for each of those 8 lobbyists to accept the administrative settlement and pay the late fee has not yet expired.

Mr. Harris said that the one remaining unresolved appeal was filed by Emory Lencke, who formerly served as the compensated lobbyist for the Hendricks County Tourism

Commission. In his appeal, Mr. Lencke indicated that he suffered a heart attack in August of 2013 and experienced further complications thereafter. Subsequent to the heart attack, he did not return to his position as Executive Director of the Hendricks County Tourism Commission and retired from that position on December 31, 2013. Even with his health issues, Mr. Lencke filed his final activity report due November 30, 2013 just 11 days after the due date. Because of Mr. Lencke's health issues, staff recommended that the late fee be waived. Commissioner Micon moved for approval of staff's recommendation to waive the late fee for Mr. Lencke. His motion was seconded by Commissioner Scholer and unanimously approved by a voice vote of the Commissioners.

Fiscal Year 2013-2014 Budget Report

Mr. Harris reported on new revisions to the Commission's budget for fiscal year 2013-2014. He said that the line item for personal services needed to be increased by \$1,050 taking it from \$221,700 to \$222,750. He said that the primary reason for that increase is a recent change in state policy under which the per diem payments made to Commissioners for attending Commission meetings are now classified as compensation rather than expense reimbursements. He said that other line items also had been adjusted to offset the increase in the personal services line item and to provide a workable reserve for the remainder of the fiscal year. The other adjustments as set forth in the revised budget are a reduction of \$1,500 in the line item for furniture and equipment and an increase of \$450 in the internal reserve line item. Mr. Harris stated that the budget for fiscal year 2013-2014 is tight but workable barring any unforeseen circumstances.

Staff Reports

Mr. Harris reviewed the reporting requirements under IC 5-14-7 for those state executive department agencies and state colleges and universities that employ one or more legislative liaisons. He briefly commented on the two part test that determines whether one is a "legislative liaison" as defined in IC 5-14-7-3. He emphasized that a state agency or a state college or university is not required to file an annual report with the Commission if the entities does not have a legislative liaison. Ms. Nicholson then reviewed the spreadsheet that she put together to track the expenditure reported by employers of legislative liaisons for the November 1, 2012 through October 31, 2013 reporting year.

Ms. Nicholson then reviewed the preliminary report of expenditures by registered legislative lobbyists that she has compiled. She noted that the information is not final because there are still some activity reports that need to be corrected. Ms. Nicholson's preliminary report shows total expenditures for the November 1, 2012 through October 31, 2013 reporting year of \$2,490,445.87 by compensated lobbyists and \$21,795,915.77 by employer lobbyists.

Next, Ms. Nicholson provided a brief update on the Commission's new data system project. She said that she has completed most of what she needs to do to help prepare the statement of work to be done by the staff of Indiana Interactive. She stated that Andrew Hoff

has been functioning as Indiana Interactive's project manager. She noted that Andrew is very familiar with the work of the Commission and its system requirements, and she expressed her hope that Andrew will continue to function as the project manager. At that time, Commissioners expressed their willingness to do what they can to see that Andrew continues to have a lead role with development of the Commission's new data system. The need for thorough testing of the new data system before it goes live was emphasized by staff. Staff assured the Commissioners that the migration from the current system to the new system will not take place until the new system has been so tested.

Comments

Chairperson Abbs called for other comments from Commissioners or others in attendance. Commissioner Scholer said that she is pleased for staff's sake that the current system has been working well. Commissioner Micon said that the only negative comments that he has heard about the current system are related to the process to become authorized to use the system. Staff indicated that the process to establish an account with IN.gov and enter into a memorandum of understanding with the Commission can and often does take just two days. The persons who become frustrated with the process are those who want instant access to the on-line system.

Commissioner White suggested that the legislature be advised that the Commission will need additional staff if the provisions for a lobbyist code of conduct as set forth in the introduced version of House Bill 1329 become law. He also stated his intent to ask Legislative Council to amend its policies so that a Commission member can be reimbursed for overnight travel expenses even when a Commission meeting is held in Marion County.

No comments were offered by others in attendance at the meeting.

Adjournment

There being no further business to come before the Commission, Commissioner Scholer moved to adjourn the meeting. Her motion was seconded by Commissioner White and unanimously approved by a voice vote of the Commissioners. The time of adjournment was approximately 11:19 a.m.