

Minutes
Indiana Lobby Registration Commission
Public Meeting
November 27, 2012 10:30 a.m.
Room 125, State House
200 W. Washington Street
Indianapolis, Indiana 46204

Members Present: Jan Abbs, Sue Scholer, John Whikehart, and Joe Micon

Member Unable to Attend: None

Staff Present: Charles Harris, Executive Director & General Counsel, and Amy Nicholson, Assistant Director

Others in Attendance: Caryl Auslander, Darla Barnett, Robin Beck, Joan Bullock, Anne Doran, Emily Heimann, Christi Heiney, Elizabeth Hodge, Brenda Kirch, Debbie Rolfsen, and Mindy Westrick

Call to Order

On November 27, 2012, the public meeting of the Indiana Lobby Registration Commission was called to order at approximately 10:35 a.m. by the Chairperson of the Commission, Jan Abbs.

Approval of Minutes

Commissioner Whikehart moved approval of the minutes of the Commission's public meeting held on October 4, 2012. His motion was seconded by Commissioner Micon and unanimously approved by a voice vote of the Commissioners.

Late Fee Appeals

Mr. Harris reported that 5 appeals of late fees filed after the October 4, 2012 public meeting were successfully resolved by staff administratively by applying the revised guidelines approved by the Commission at that meeting. He said that late fees of \$1,700 were collected from the lobbyists who submitted the resolved appeals.

Consideration of Possible Legislation

The Commission discussed a draft of possible amendments to IC 2-7 and IC 5-14-7 that Mr. Harris had prepared for consideration by the Commission. Most of the discussion was focused on the following issues:

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- (1) requiring that each lobbyist file registration statements and activity reports electronically, unless the Commission grants an exception to the lobbyist;
- (2) increasing annual registration fees from \$100 to \$200 for most lobbyists and from \$50 to \$100 for lobbyists who are Section 501 (c) (3) or (4) organizations or employees of those organizations; and
- (3) changing the annual registration year from a calendar year to November 1 through October 31, which is the same as the reporting year for lobbyists.

During a discussion of the draft, the Commissioners agreed that a lobbyist should be required to pay a separate fee in addition to the annual registration fee if the Commission grants the lobbyist an exception to the electronic filing requirement. The Commissioners also agreed that the separate fee should equal the fee that a lobbyist is required to pay IN.gov to be able to file electronically. Commissioner Scholer moved that the Commission recommend the draft as so modified to the General Assembly for consideration during its 2013 session. Her motion was seconded by Commissioner Micon and unanimously approved by a voice vote of the Commissioners. Chairperson Abbs then directed Mr. Harris to prepare a revised draft of the amendments that includes the approved medications, to send the draft to the Commissioners for their review, and to provide a copy of the final draft to the staff attorney for each of the four caucuses after the Commissioners have had an opportunity for review and comment.

Accessibility of Informal Advice

The Commission next considered making informal advice provided to lobbyists by the Executive Director and General Counsel more accessible to the lobbyists. A compilation of that advice was included in the agenda packet for the meeting. Mr. Harris said that the only change between that version of the compilation and the one that was included in the Commission's agenda packet for its October 4, 2012 public meeting was putting some text on the introductory page in bold as previously suggested by Commissioner Scholer. The text set forth in bold includes a disclaimer indicating that informal advice provided by the Executive Director and General Counsel does not represent the official opinion of the Commission and should not be relied upon as such. It was agreed that staff will post the compilation on the Commission's website. It also was agreed that Mr. Harris will circulate proposed additions to the compilation to the Commissioners for review and comment.

Revisions to Fiscal Year 2012-2013 Budget

Mr. Harris reviewed new revisions to the Commission's budget for fiscal year 2012-2013. He said that it was necessary to increase the data services line item by \$900 or from \$500 to \$1,400 to track with revised projections based on expenditures through November 11, 2012. To offset the \$900, he stated that the line item for supplies was reduced by \$500 and that the miscellaneous line item was reduced by \$400.

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Database Project

Amy Nicholson briefly reported on the status of the project to build a new online system for the Commission. She said that she has compiled about 30 pages of material covering issues with the current system and desired changes to be incorporated into the new system. Ms. Nicholson said that the target is to have the new system tested and operational for registration year that would begin on November 1, 2013 under the amendments to IC 2-7 previously approved by the Commission.

Staff Reports

Ms. Nicholson stated that the number of non-filers for the second period of 2011 and the first period of 2012 has been reduced to just eight employer lobbyists and six compensated lobbyists. She also indicated that there was no significant change in the amount of lobbyists' expenditures included on her handout for the October 4, 2012 public meeting.

Other Business

Chairperson Abbs reported that the Commission had met in executive session before the public meeting to discuss a job performance evaluation of an individual employee and that no other business was discussed nor was any action taken by the Commission during the executive session.

Commissioner Whikehart then moved that the Executive Director and General Counsel:

- (1) conduct annual evaluations of administrative staff in December;
- (2) evaluate the organizational structure of the Commission's administrative office for recommended changes, if any;
- (3) bring any resulting recommendations back to the Commission at its January 2013 meeting; and
- (4) consult, if needed, with Commissioner Jan Abbs regarding such matters prior to the January 2013 meeting.

His motion was seconded by Commissioner Micon and unanimously approved by a voice vote of the Commissioners.

Comments

Some of those in attendance said that a recent email alert about the filing deadline was causing confusion with those who had already filed activity reports for the May 1 through October 31 reporting period. Ms. Nicholson said that it had been the Commission's practice to send out two email notices—one 30 days before the filing deadline and other 15 days before the deadline. It was suggested that one 30-day notice is sufficient. Chairperson Abbs directed Mr. Harris to review the Commission's practice and determine if it should be changed.

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Adjournment

There being no further business to come before the Commission, Commissioner Whikehart moved to adjourn the meeting. His motion was seconded by Commissioner Scholer and unanimously approved by a voice vote of the Commissioners. The time of adjournment was approximately 11:40 p.m.