

Minutes
Indiana Lobby Registration Commission
February 26, 2010
3:30 P.M.
&
April 20, 2010
9:30 a.m.
10 W. Market, Conference Room, Third Floor

Members present: Jan Abbs, Sue Scholer, Scott Mellinger, Katie Wolf

Staff present: Sarah Nagy, Executive Director/Counsel

On February 26, 2010, the meeting was called to order at approximately 3:30 p.m. The Commissioners reviewed and unanimously approved of the minutes for the November 6, 2009 public meeting.

Staff and Access Indiana provided a detailed report to commissioners regarding various IT matters and e-filing issues.

The Colts request for formal guidance was addressed. Representatives from the Colts were present to express their dissent regarding Counsel's informal guidance to them that Colts Super Bowl tickets "made available for sale to legislators at ordinary course of business terms" must be disclosed to the public in Section E-1 of the activity report. After hearing from the Colts, the Commission voted unanimously to table this matter until it could be determined whether any pending legislation may resolve that issue without formal guidance.

The Commissioners had already been provided with copies of Altria's supplemental materials. Representatives from Altria were present telephonically. The commissioners unanimously agreed that the full commission would decline the invitation to issue formal guidance on the questions presented by Altria, and so advised Altria's representatives. Commissioners advised Altria that it should follow the informal guidance issued by the Director, and asked that Altria amend any filings which did not comport with that guidance.

The Director requested additional guidance from the full Commission regarding the intended nature and content of the proposed language which would provide guidance to commissioners regarding ex parte communications between commissioners and regulated persons on matters which are pending before the commission. The commission voted 3-1 (Abbs dissenting) at the prior meeting to have the Director appear for this meeting with proposed ex parte policy language. In the interim, Chairmanship changed from Mellinger to Abbs and, being that it is the custom and practice of the ILRC that the Chairman set the agenda for public meetings, and that Counsel had been unable to clarify with Chairman Abbs her intentions regarding the

agenda for this and other pending matters, Counsel exercised discretion (as explained to the full commission) and requested more specific instructions about how this proposed language should read before she appeared at a public meeting with said language to offer. All commissioners recognized Counsel's expressed need for further guidance on the matter as acceptable, and it was determined that due to more pressing matters (statutory changes, e-filing), that this issue would be "tabled" until further notice to the Director from the full commission. A vote was taken, 4-0 in that favor.

Pending legislative bills SB 0114 and HB1001 were discussed.

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Staff report was given, which included lobbyist audit update, non-filer update, lobbyist training update, Legislative Conference panel update, lease issue update, and employee manual update, a pending legislation update, a lobbyist expenditure update and a FY 2010-2011 YTD expense budget update.

The Director was instructed by the full commission to follow closely any pending legislation which may affect our enabling statute. The Director again indicated that she had been contacted by legislative staff, LSA, and by legislators regarding possible legislation which may affect the ILRC enabling statute.

On April 20, 2010, the full commission gathered at 9:30 a.m. to address various issues relating to HB1001, as it had been passed by the legislature. Several issues were identified as requiring further input from the full commission. The Commission listened to the public comments and attempted to resolve what issues that it could at that time. Counsel was instructed to keep a running list of issues as they arise, and to present relevant and important issues to the full commission at future public meetings as she deemed it necessary. That meeting was adjourned at approximately 12:30 p.m.