

**Minutes  
Indiana Lobby Registration Commission  
Public Meeting  
December 13, 2013, 9:30 a.m.  
Market Tower Conference Room  
10 W. Market Street  
Indianapolis, Indiana 46204**

**Members Present:** Sue Scholer, Jan Abbs, 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, Christi Heiney, Ashley Miller, and Mindy Westrick.

**Call to Order**

On December 13, 2013, the public meeting of the Indiana Lobby Registration Commission was called to order at approximately 9:35 a.m. by the Chairperson of the Commission, Sue Scholer.

**Approval of Minutes**

Commissioner Abbs moved approval of the minutes of the Commission's Executive Session and the minutes of its Public Meeting both held on June 3, 2013. Her motion was seconded by Commissioner White and unanimously approved by a voice vote of the Commissioners.

**Late Fee Appeals**

Mr. Harris then reported on the 51 appeals of late fees received after May 27, 2012 and before December 5, 2013. He said 50 of the 51 appeals were resolved administratively and that late fees totaling \$22,500 were collected from those 50 lobbyists.

Mr. Harris stated that the only remaining appeal was filed for Charles Burhan, who is an employee of and the compensated lobbyist for Liberty Mutual Insurance. He noted that payment of the late fee settlement of \$1,000 that had been offered to Mr. Burhan by a letter dated November 6, 2013 had not yet been received and that staff had already granted an extension to December 6, 2013 for payment of the settlement amount. Mr. Harris said it was staff's recommendation that that the settlement amount for Charles Burhan's appeal of late fees be set at \$2,000 rather than the initial offer of \$1,000 if the \$1,000 payment is not received by the Commission on or before Monday, December 16, 2013. Commissioner Abbs moved approval of

staff's recommendation, and Commissioner Micon seconded her motion. During the discussion of the motion, Commissioner White suggested that it might be more appropriate to increase the settlement amount to \$4,500 if payment is not received by December 16<sup>th</sup>. After further discussion, Commissioner Abbs moved that staff's recommendation be amended to provided that the settlement amount of \$2,000 apply if payment is received after December 16 and before December 21 and that the maximum late fees of \$9,000 apply if payment of the applicable settlement amount is not received before December 21, 2013. Commissioner Abbs' motion to amend was seconded by Commissioner White and unanimously approved by a voice vote of the Commissioners.

### **Personnel Rules**

Chairperson Scholer thanked Commissioner Micon for the work he did with staff to develop the proposed personnel rule that were submitted to the Commission for consideration as part of the agenda packet. Mr. Harris said that staff also appreciated all the good advice and suggestions that Commissioner Micon provided during the process to draft the proposed personnel rules. Commissioner Abbs moved approval of the personnel rules as submitted to the Commission. Her motion was seconded by Commissioner Micon and unanimously approved by a voice vote of the Commissioners.

### **Fiscal Year 2013-2014 Budget Report**

Mr. Harris reported on the status of the Commission's budget for fiscal year 2013-2014. He distributed a spreadsheet that included for each budget line item the original amount budgeted, any revisions made to the line item, the expenditures through December 6, 2013 charged to the line item, and the remaining balance. Mr. Harris advised the Commissioners that his projections continue to indicate that the Commission will be able to close out the fiscal year without exceeding its appropriation.

### **Data Base**

Assistant Director Amy Nicholson first reported on the work done to update the current data system to incorporate the changes to the registration year and fees included in HEA 1222. She said that the change from a calendar year to a fiscal year beginning November 1 was a challenge. She noted that the work was completed on time and that the system was operational for the new registration year that began November 1, 2013. She stated that it required her and staff of Indiana Interactive to devote a significant amount of time on weekends and late nights to achieve that goal.

With respect to the project to build a new data base, Ms. Nicholson said that she has worked with a focus group to determine changes that users of the system would like to see built into the system. She stated that she is now working with staff of Indiana Interactive to develop the new system.

### **Staff Reports**

Ms. Nicholson reviewed a handout that she prepared for the Commission comparing the number of on-line and paper registrations for what had been the 2013 calendar year with the number of registrations received to date for the new registration year that began November 1, 2013. The handout documents that 1,454 lobbyists have registered with the Commission to date for the new registration year and that 88 lobbyists have made the change from paper filing to on-line filing within the last year.

Mr. Harris reviewed his report on the latest round of audits completed by the Commission. In the report, he noted that IC 2-7-4-6 requires the Commission to “inspect and audit at least five percent (5%) of all registration statements and reports filed with the commission” under IC 2-7. Mr. Harris also indicated in his report that far more than 5% of registration statements are inspected for compliance with the requirements of IC 2-7-2-3 and IC 2-7-2-4 and that virtually all of the gift reports filed with the Commission are inspected for compliance with IC 2-7-3-3.3. With respect to activity reports filed with the commission for the November 1, 2011 through October 31, 2012 reporting year, Mr. Harris said 101 lobbyists were audited, which is over 6.85% of the 1,474 lobbyists registered for 2012. Mr. Harris then described the process used to randomly select the lobbyists to be audited. In addition, he stated that the audit process is used by staff to help lobbyists understand proper reporting procedures and to secure amendments to reports that need to be corrected.

### **Comments**

Chairperson Scholer called for other comments from Commissioners or others in attendance. No comments were offered.

### **Adjournment**

There being no further business to come before the Commission, Commissioner Abbs 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 10:27 a.m.