

Minutes
Indiana Lobby Registration Commission
November 6, 2009
11:00 AM
10 W. Market, Conference Room, Third Floor

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

Staff present: Sarah Nagy, Executive Director/Counsel

The meeting was called to order at approximately 11 a.m.

The Commissioners reviewed and unanimously approved the minutes of the August 28, 2009, public meeting.

Amy Moore presented an update to the commissioners regarding mandatory e-filing preparations and other e-filing matters. General Counsel reported about the process which must be utilized in promulgating rules which shall require that all lobbyist reports be filed electronically. The Director recommended postponing administrative rule making hearings on this issue until such time as GASI representatives and other interested persons could participate in the rule promulgation and drafting process. It was agreed to include interested third parties in that process. The Director indicated that she would seek out the input and participation of affected and/or interested persons for this project.

The 2010 Lobbyist Handbook is complete and shall be emailed to Commissioners and posted on web site for public.

The Director presented several examples from various State and federal jurisdictions of *ex parte* communication policies, procedures, and rules. A vote was taken and the commissioners voted 3-1 (Abbs dissenting, vigorously), that the Director appear at the next scheduled meeting with proposed language for an ILRC Commissioner *Ex Parte* Policy.

The Altria request for Formal Advisory Opinion was discussed, with representatives from Altria present by telephone. Extensive discussion was had and several questions were asked and answered between the Commissioners and the Altria representatives. The ILRC Counsel/Director then provided the Commissioners with a visual overview of what she determined the issues to be. Various current FOA's of the ILRC were discussed, as they may have related to this pending issue presented by Altria. The Commissioners instructed the Director to appear at the next scheduled meeting with a proposed advisory opinion, written in memorandum form, which summarizes the issues, the current law in Indiana, and all ILRC FAO's which may influence the outcome of this final disposition. The Director was also instructed to appear with a separate memorandum which outlined how the other states approach this pending issue.

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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 indicated that she had been contacted by legislative staff, LSA, and by legislators regarding possible legislation which may affect the ILRC enabling statute.

The meeting was adjourned at approximately 12:00 p.m.