

Changing the Culture: 9 Steps to Restoring Trust in Illinois Government

Background: We believe the purpose of Illinois government is to represent the needs and concerns of the people of our state and enact programs and policies to reflect those concerns, protecting the most vulnerable and providing opportunity for every person to succeed. That purpose is undermined when state government is used to advance the interests of the powerful and well-connected at the expense of the people and taxpayers it is meant to serve.

Over the course of this legislature, we have witnessed the indictments and resignations of a number of members as well as ongoing federal investigations involving bribery, influence peddling and insider-dealing. The recent deferred prosecution agreement between the U.S. Justice Department and Commonwealth Edison documented a series of alleged illegalities involving those at the highest level of leadership in the Illinois House of Representatives. **To regain the confidence of the people and taxpayers of our state, it is clearly time for a change.** We need to tighten rules, add transparency and change the very culture in Springfield, where the interests of the powerful and well-connected too often undermine the public good.

Recognizing the need for serious ethics reform, **the Illinois House and Senate last year voted to empanel a Joint Commission on Ethics and Lobbying Reform**, consisting of 16 members appointed by the Governor (4), the four legislative leaders (8), the Attorney General (2) and Secretary of State (2). The Commission was charged with holding hearings and issuing a report and recommendations by March 31, 2020. Although hearings began early this year, the Covid-19 pandemic has delayed the commission's work and final report.

With recent developments surrounding Commonwealth Edison's lobbying efforts and its admission of inappropriate efforts to influence legislation of importance to millions of Illinois residents, we believe it is time for the Joint Commission to resume its important work **with a goal of issuing recommendations for consideration in the veto session.** In addition, we are submitting to the commission a list of nine proposals for ethics reform that should be included in the recommendations it places before the legislature and governor for action. These proposals cover the areas of lobbying reform, legislative reform, and leadership reform.

Lobbying Reform

1. **Prohibit legislator-lobbyists.** We would prohibit any sitting legislator from simultaneously lobbying other units of government, including city, county or federal entities. This ban should apply to lobbying elected officials; performing legal or regulatory work should still be allowed.
2. **Stop the legislator-lobbyist revolving-door.** We would establish at least a one-year prohibition on legislators and senior management within each caucus (those who file statements of economic interest) leaving their offices and immediately going to work as lobbyists.
3. **Better define who is a lobbyist.** We urge the Joint Commission to consider changing the current definition of what constitutes a lobbyist to cover additional individuals or consulting firms. Consultants and lawyers should not be able to use loopholes to perform lobbying and skirt registration as a lobbyist.

Legislative Reform:

4. **Fuller disclosure of outside income.** We would expand current requirements for legislators to disclose the sources and amounts of their outside income and increase penalties for those who refuse to comply in full. This must be done in a way that protects confidentiality rules of professional conduct, and avoids disproportionately impacting legislators and candidates who are not independently wealthy.
5. **Initiate an official censure.** We would establish a process to officially censure a legislator who has violated ethics laws, similar to that which is practiced in the United States Congress.
6. **Strengthen the Legislative IG.** We encourage changes to the Legislative Inspector General's Office to increase its independence, such as allowing the IG to self-initiate investigations and making it an independent agency for the purposes of budgets and hiring.
7. **End exemption from Human Rights Act.** We would remove the current exemption of legislators' direct employees from the state's Human Rights Act, so those employees receive the same protections afforded to other employees.

Leadership Reform:

8. **Term-limits for leaders.** Establish term-limits for the period that legislators can serve in leadership positions, including the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate.
9. **Removal of leaders and committee chairs.** We urge creation of a policy calling for the temporary removal of a legislative leader or committee chair during any criminal investigation relevant to job duties involving that member or an actual charge/indictment. The individual can be reinstated upon completion of said investigation or upon their acquittal.

Conclusion: As people and communities across our state struggle with the Covid-19 pandemic and its economic consequences, they must have complete confidence that their representatives in state government are putting their interests first. The revelations contained in the recent deferred prosecution agreement involving ComEd documents some loopholes in current ethics laws that must be addressed.

The Joint Commission on Ethics and Lobbying Reform has an opportunity to recommend meaningful reform for consideration in the upcoming veto session. **We encourage members of the commission to embrace these proposals we are putting forward in time for their enactment by the end of this year.**

Senator Melinda Bush
Representative Kelly Cassidy
Representative Daniel Didech
Representative Mary Edly-Allen
Senator Sara Feigenholtz
Senator Laura Fine
Representative Robyn Gabel
Representative Jennifer Gong-Gershowitz

Representative Lindsey LaPointe
Senator Kimberly Lightford
Senator Andy Manar
Senator Iris Martinez
Representative Bob Morgan
Representative Jonathan "Yoni" Pizer
Representative Delia Ramirez
Senator Heather Steans