



City of Chicago
Eugene Sawyer, Acting Mayor

March 25, 1988

Board of Ethics
Harriet McCullough
Executive Director

[REDACTED]

Sol Brandzel
Chair

Case Number 88030.Q

Mary Milano
Vice Chair

Dear [REDACTED]

Rev. Don Benedict
Margaret Carter
Angeles Eames
Rev. A. Patterson Jackson
Marlene Rankin

This letter is in response to your memorandum regarding the impact of lobbyist registration requirements of the Governmental Ethics Ordinance on cable companies. Please be advised that Section 26.2-1(o) of the Ordinance defines a "lobbyist" as any person:

Suite 1320
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

- (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action; or (ii) any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

Therefore, an individual will be classified as a "lobbyist" whenever they accept compensation to influence either legislative action or administrative action.

As defined by Section 26.2-1(n), "legislative action" is:

the introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto or other official action or non-action on any ordinance, resolution, motion, order, appointment, application or other matter pending or proposed in the City Council or any committee or subcommittee thereof.

In accordance with this definition, Cable companies engage in legislative lobbying whenever they attempt to influence a matter pending in City



Page Two

March 24, 1988

Council or one of its committees. Cable companies will therefore be required to register pursuant to Section 26.2-21 of the Ethics Ordinance, if the aggregate compensation or expenditures for this and other lobbying-related activities undertaken by the company exceeds \$5,000.

In addition to reporting legislative lobbying, Cable companies will be required to report any attempts by their company to influence administrative action. Section 26.2-1(a) defines "administrative action" as:

a decision on, or proposal, consideration, enactment or making of any rule, regulation, or other official non-ministerial action or non-action by any executive department, or by any official or employee of an executive department, or any matter which is within the official jurisdiction of the executive branch.

The term "executive department" refers only to those governmental units specifically designated as an "executive department" in the Municipal Code of Chicago.^{1/} Please note that the Office of Cable Communications is not an "executive department" and therefore cable companies that appear before the Cable Office are not attempting to influence "administrative action" as defined by the Ethics Ordinance. Accordingly, a cable company that appears before the Cable Office is not "lobbying" and would not be required to report such representation to the Board of Ethics.

I hope that this analysis of the lobbyist provisions of the Ethics Ordinance addresses your concerns regarding the application of these laws to City of Chicago Cable Companies. If you have any further questions, please do not hesitate to contact the Board at 744-9660.

Sincerely,

Harriet McCullough
Harriet McCullough
Executive Director

^{1/} See attached list of Executive Departments.

JS/jh/

cc:

EXECUTIVE DEPARTMENTS

The following City departments are classified as "executive departments" for purposes of Section 26.2-1(a) of the Ethics Ordinance:

1. Department on Aging and Disability
2. Department of Aviation
3. Department of Consumer Services
4. Department of Cultural Affairs
5. Department of Economic Development
6. Department of Finance
7. Department of Fire
8. Department of General Services
9. Department of Health
10. Department of Housing
11. Department of Human Services
12. Department of Inspectional Services
13. Department of Investigations
14. Department of Law
15. Department of Management Information Services
16. Department of Neighborhoods
17. Department of Personnel
18. Department of Planning, City
and Community Development
19. Department of Police
20. Department of Public Works
21. Department of Purchases, Contracts and Supplies
22. Department of Revenue
23. Department of Sewers
24. Department of Streets and Sanitation
25. Department of Water
26. Department of Zoning