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; 04/28/17 3:30 AM
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>> GOOD AFTERNOON.

I'M CITY COUNCILOR AT-LARGE
MICHAEL FLAHERTY HERE TO DISCUSS
AN ORDER FOR A PETITION FOR A
SPECIAL ACT TO REGULATE LOBBYING
ACTIVITIES BEFORE THE CITY OF
BOSTON.

IT WAS INITIALLY SPONSORED BY
MAYOR WALSH AND REFERRED TO THE
COMMIT OF GOVERNMENT OPERATIONS
FEBRUARY 3, 2016 AND REASSIGNED
JANUARY 11, 2016.

IT SEEKS TO ENACT INITIATIVES BY
THIRD PARTIES TO SEEK TO
INFLUENCE DECISIONS MADE AT ALL
LEVELS OF MUNICIPAL GOVERNMENT.
IT'S BEEN MODELLED AFTER
EXISTING REGULATIONS AT THE
STATE LEVEL AND COVERS BOTH
EXECUTIVE AND LEGISLATIVE LOBBY.
THE PETITION WOULD AFFECT ANY
COMMUNICATION WITH ELECTED
OFFICIAL AND ALL CITY EMPLOYEES
AND SUBJECT TO REGISTRATION AND
REPORTING REQUIREMENTS.

LASTLY, NORMAL PETITION STRENGTH
AND LEGISLATION BY CLARIFYING
REGULATIONS AND DEFYING THE
FORMATS OF LOBBYING ACTIVITY AND
ANY EFFORTS THAT MAY BE DEEMED
AS METHODS TO INFLUENCE
DECISION.

THE COMMITTEE ON GOVERNMENT
OPERATIONS HELD A HEARING
JANUARY 17 OF 2017.

AT THAT HEARING WE HEARD TEST
MONEY ON BEHALF OF THE --
TESTIMONY AN EXPLAINED THE
PROCESS AND WHAT PROCEDURES
WOULD TAKE PLACE SHOULD IT FAS
PASS AND THE COMMITTEE DISCUSSED
UNDER HOW IT WOULD BE
IMPLEMENTED AND ENFORCE WITH THE
LEGISLATIVE PROPOSAL VERSUS
ORDINANCE WHICH IS AN ISSUE THE
COUNCIL RAISED.

JOINING ME IS MY COLLEAGUES IN
ORDER OF HOW THEY ARRIVE THEY'RE

HOLD-OVERS FROM THE PREVIOUS MEETING, COUNCILOR MARK CIOMMO AND ANNISSA ESSAIBI GEORGE DOING THE MARATHON SESSION AND COUNCILOR BAKER AND COUNCILOR BAKER AND COUNCILOR JACKSON AND JOINED BY A DISTINGUISHED PANEL. FORMER CITY COUNCIL CLERK MAUREEN FINNY AND A SPECIAL GUEST LOU RISOLI IN AN ATTORNEY CAPACITY AND HE HAS A TREMENDOUS AMOUNT OF EXPERIENCE ON THE ISSUE.

THANK YOU ALL.

I'D LIKE TO TURN IT OVER TO THE PANEL FOR A Q&A.

WE HAVE TIME SENSITIVITIES CONSIDERING THE MEETING IS GOING LATE WITH THE PREVIOUS HEARINGS GOING OVERTIME.

MADAME CLERK YOU'LL BE CHARGED WITH OVERSEEING THE MATTER AS WELL AS ANY PARTICULAR VIOLATION.

WE'LL THROW IT TO YOU TO TALK ABOUT YOUR THOUGHTS ON IT AND THE CAPACITY THAT YOU'RE DEPARTMENT CURRENTLY HAS AND WHETHER OR NOT WE NEED TO ADD ADDITIONAL STAFF TO ACCOMMODATE WHAT WOULD BE THEN GIVEN THIS IS A BROAD BASED INITIATIVE AND HAD TO YOUR PERSONNEL.

>> THANK YOU MR. CHAIRMAN AND MY DISTINGUISHED COUNCILORS.

I GUESS I WOULD BEGIN BY SAYING AS MANY OF YOU KNOW THE CLERK'S OFFICE IS THE FILING AGENCY FOR THE CITY OF BOSTON. PEOPLE WOULD FILE FOR BUSINESS CERTIFICATE, THEY FILE ALL CLAIMS, THEY FILE PHYSICIAN CERTIFICATES, CONTRACTS.

WE'RE BASICALLY SORT OF THE GATHERER OF DOCUMENTATION OF CITY FUNCTIONS.

IN READING THIS PETITION IT SORT OF FALLS INTO WHAT WE ARE CURRENTLY DOING AND THEN TAKES OFF IN A WHOLE OTHER DIRECTION. SO ONCE A YEAR WE HAVE REPORTING FROM LOBBYISTS DOING BUSINESS CURRENTLY OR WILL BE DOING BUSINESS WITH THE CITY.

ALL WE DO AT THIS POINT IS WE TAKE THEIR LETTER TELLING US THEY ARE IN FACT LOBBYING IN CITY HALL AND THEY USUALLY NAME THE PARTICULAR PROJECT THAT THEY'RE WORKING ON AND IT GETS FILED AWAY.

USUALLY ONCE OR TWICE A YEAR THE PRESIDENT MAY COME DOWN AND LOOK AT IT BUT SERIOUSLY VERY FEW OTHER PEOPLE HAVE REALLY EVEN LOOKED AT THAT FOLDER.

SO IN READING THIS AND FOLLOWING ALONG IT SEEMS LIKE IT WOULD BE A VERY APPROPRIATE PLACE FOR THIS TO COME TO THE CLERK'S OFFICE BECAUSE IT WILL WRAP AROUND EVERYTHING ELSE WE DO.

NOW, WHERE WE HAVE GRAVE CONCERN IS THE ENFORCEMENT PIECE.

CURRENTLY ON OUR BUSINESS CERTIFICATES WE HAVE A FINE IF YOU FAIL TO PAY.

WE HAVE NEVER RECEIVED ONE DOLLAR BECAUSE WE HAVE NO ENFORCEMENT POWERS TO GO AFTER THAT AMOUNT BECAUSE WE HAVE NO WAY OF ENFORCING IT.

WE HAVE LEGISLATION THAT SAYS WE CAN DO THAT BUT WE HAVE NO LEGAL STANDING.

THAT WOULD BE THE CONCERN I MIGHT HAVE IN THIS PARTICULAR PIECE.

WE HAVE 84 BOARDS AND COMMISSIONS, WE SWEAR PEOPLE IN AND KEEP TRACK OF WHEN THEY WERE APPOINTED.

THE AND THE ENABLING LEGISLATION.

ALL THAT IS NOW ACCESSIBLE ELECTRONICALLY WHICH ALMOST EVERY SINGLE FUNCTION WE HAVE IS CURRENTLY AN AVAILABLE TO THE PUBLIC BY ACCESSING THE CLERK'S WEBSITE.

SO FROM MY PERSPECTIVE AND I'M CERTAINLY HERE TO LISTEN AND IF THERE'S A WAY WE CAN DO THIS, I AM HAPPY TO ASSIST IN ANYWAY AND LEND OUR DEPARTMENT TO

COMPLETING THIS WHOLE PROCESS. THE CONCERN I HAVE IS WHERE THE ENFORCEMENT COMPONENT WOULD BE

AND HOW WE WOULD NOW BE ABLE TO DO THAT WHEN WE HAVE BEEN UNABLE UP TO THIS DATE IN THE CITY CLERK'S OFFICE TO REALLY ENFORCE ANY OF THESE PENALTY.

WE ENFORCE MARIJUANA CITATIONS, SMOKING IN THE PARK, CARRYING A KNIFE.

THOSE ARE ALL LAWS WE CAN ENFORCE.

PEOPLE PAY THEIR FINE WITH US BUT WE DO NOT HAVE THE WHEREWITHAL, I BELIEVE, IN THE CURRENT STRUCTURE.

IT'S NOT TO SAY WE CAN'T BRING IN AN ATTORNEY ABLE TO ADDRESS THAT BUT THAT WOULD BE MY GREATEST CONCERN WITH THIS -- WE CAN KEEP UP WITH THE FILINGS. ALL THAT INFORMATION WE'RE MORE THAN CAPABLE OF GATHERING AND PUTTING IT ON A WEB APPLICATION THAT EVERYONE COULD LOOK, READ AND KNOW WHO OUR LOBBYISTS ARE AND WHAT AMOUNTS OF MONEY THEY ARE MAKING BASED ON THE LANGUAGE OF THE LEGISLATION.

I'M HERE TO LEARN AND LISTEN AND SEE IF THERE'S OTHER WAYS -- WE CAN ABSOLUTELY DO THE PAPER TRAIL.

WE CAN RECEIVE, TIME STAMP AND DOCUMENT WHAT WE RECEIVE.

WE CAN PUT IT ON OUR WEB APPLICATION TO EVERYONE CAN SEE WHAT WE'VE RECEIVED.

THE ONLY RESERVATION I HAVE IS THE ENFORCEMENT.

>> THANK YOU, MADAME CLERK.

I'LL JUMP TO LOU BASED ON YOUR STATEMENT.

STATE YOUR NAME AND AFFILIATION AND YOU HAVE THE FLOOR FOR YOUR THOUGHTS.

>> THANK YOU, MR. CHAIRMAN.

I'M LOU RISOLI CURRENTLY AN ATTORNEY AT THE FOREIGN -- FIRM OF LOCK LOCKWOOD.

I SERVED AS THE HOUSE CURRENCY FOR THE HOUSE OF REPRESENTATIVES FOR 25 YEARS.

I THINK THAT PART OF THE STATE HOUSE WAS BUILT AROUND ME WHEN I WAS THERE BUT I'M HERE NOW.

I'M HAPPY TO.

FIRST OF ALL, I HAVE TO SAY IN ALL SERIOUSNESS IN MY 25 YEARS AS HOUSE COUNCIL THE MOST DIFFICULT WAS ETHICS CAMPAIGN FINANCE.

THERE'S JUST NO OTHER GROUP YOU CAN FIND MORE DIFFICULTY WITH IN DRAFTING.

I WOULD LIKE TO CONGRATULATION WHOMEVER IT WAS WHO DRAFTED THIS BECAUSE THEY DID A VERY GOOD JOB.

HAVING SAID THAT, ALL THE HOME RULE PETITION PRESIDENT THE CITY OF BOSTON COME IN WITH THE WORDS "PRECISELY AS FOLLOWED." I DON'T KNOW HOW MANY TIMES I CALLED THE CITY BECAUSE IF HAVE YOU CAT SPELLED WRONG THEY'LL CHANGE IT AND SEND IT BACK TO YOU.

LEAVING THAT ASIDE FOR A SECOND, THERE'S NOTHING IN HERE PRETTY MUCH -- WHO'S GOING TO ANSWER THE QUESTION.

LET ME SEE IF I CAN I KNOW THE HEARING STARTED LATE.

IF A PUBLIC EMPLOYEE WANTS TO KNOW IF HE OR SHE IS GOING TO VIOLATE CONFLICT OF INTEREST THEY GO TO THE STATE ETHICS AND SAYING BY THE WAY CAN I DO A, B AND C AND THEY GET AN ANSWER. SOME PEOPLE WILL WANT TO KNOW IF THEY CAN COME TO THE CITY.

IF I COME AS AN ATTORNEY OR A LOBBYIST BUT WITH THE RULE PASSED BY LEGISLATE I NEED TO KNOW WHETHER YOU NEED ME TO REGISTER AS A LOBBYIST.

IN EVERY AREA THEY'RE THERE THEY BUILT A CHINESE WALL UP BETWEEN WHO WILL ANSWER THE QUESTIONS AND WHAT AGENCY YOU GO TO.

YOU GO TO A SECRETARY OF STATE'S OFFICE AND THEN YOU LOBBY BEFORE WHATEVER AGENCY YOU'RE THERE THE DEPARTMENT OF PUBLIC.

AND IF YOU GO TO THE OFFICE AND ASK ME THERE'S A PROVISION IN THE HOME RULE PROVISION TO ALLOW FOR A COMMISSION TO BE ESTABLISHED.

THEN I ASSUME AT THAT POINT -- I MUST TELL YOU IN THIS PARTICULAR AREA THERE WERE NOT A GROUNDSWELL OF ATTORNEYS. YOU HAVE TO BE PREPARED TO SPEND MONEY IF YOU BRING IN A COMMISSION AND HAVE TO HIRE AN ATTORNEY.

>> I HAVE QUESTIONS.

>> ONE THING I NOTICED WHEN I WAS GOING THROUGH THIS IS NOT IN THE HOME RULE PETITION BUT THE STATE LAW JUST TO GET THE CONTINGENCY AGREEMENT.

THERE'S NOTHING TO PROHIBIT A CONTINGENCY AGREEMENT.

NO ONE COULD COME UP TO A LOBBYIST AND SAY BY THE WAY, IF YOU GET THIS PASSED YOU'LL GET \$100,000 AND IF YOU DON'T YOU'LL GET \$10,000.

THAT'S NOT EVEN.

THAT'S A BASIC ONE.

AND THE WAY TO DEFINE CITY EMPLOYEE I ASSUME YOU WANT TO COVER ELECTED OFFICIAL BUT IT SAYS ALL CITY EMPLOYEES.

THE WAY I WAS USED TO DRAFTING THIS UNDER MOST THE STATE LAWS IS YOU END UP SAYING AN EMPLOYEE WOULD BE A PERSON WHO PERFORMS SERVICES OR IS HOLDING AN OFFICE.

THE OTHER IS WILL THIS COVER OTHER EMPLOYEES AS WELL.

THERE'S NOTHING ABOUT THAT.

AND THE DEFINITION OF DECISION IT SAYS ADOPTION OF A POLICY.

I'M NOT SURE WHAT THE DIFFERENCE IS BETWEEN A POLICY POSITION AND WHAT I USUALLY SEE A PERSON IN POLICY MAKING BUT I'VE NEVER SEEN ANYTHING IN POLICY POSITION.

WHAT STRUCK ME WAS ROMAN NUMERAL SIX.

IN THE STATE LAW IT'S LIMIT TO ADJUDICATORY DECISIONS LIKE ON A RATE SET DIVISION.

ON THIS ONE HERE IT JUST SAYS AN ADJUDICATORY POSITION SO IF A LAWYER IS REPRESENTING SOMEONE IN AN ADJUDICATORY PROCEEDING I'M NOT SURE ABOUT WHAT IT TALKS

ABOUT HERE AND DOESN'T LIMIT IT AS STATE LAWS.

THE STATE LAW EXCLUDE RIGHTS, OBLIGATION AND LIABILITY OF UNIDENTIFIABLE PERSONS AND THIS ONE DOESN'T.

I GO BACK TO MY FIRST IF THIS GOES UP TO THE LEGISLATURE THE WAY IT IS THEY CAN'T CHANGE IT. THE OTHER IS UNDER LOBBYING ACTIVITY UNDER THE DEFINITION I'M STILL INTERSECTION ONE.

LOBBYING ACTIVITIES MEANS POLLS ARE INFLUENCED AND THAT'S FINE. THAT'S A BASIC ONE.

THE OTHER IS DOES THIS INCLUDE STRATEGIZING AND PLANNING. UNDER THE DEFINITION OF LOBBYING COMMUNICATION AND THE FIRST IN A SAYS IT WOULD NOT BE A LOBBY COMMUNICATION WHEN YOU ASK FOR REQUEST OF THE STATUS OF AN ACTION.

AND THEY CAN'T CALL UP AND SAY BY THE WAY CAN YOU EXPLAIN TO ME A LITTLE BIT ABOUT THIS.

AGAIN ON THE STATE LAW IT'S NOT -- IT IS NOT AS RESTRICTIVE. [AUDIO DIGITIZING]

>> OTHER LOBBYING COMMUNICATION. THAT'S NOT IN THE STATE LAW. WOW, THIS SAY LOW THRESHOLD. ANYONE WHO EXPEND IN EXCESS OF \$250 PER YEAR TO INFLUENCE A CITY EMPLOYEE.

I THINK THAT BRINGS IN A LOT OF THE NEIGHBORHOOD GROUPS. IN THE MAYOR'S LETTER HE SAYS HE DOESN'T WANT THEM INCLUDED. I'M NOT SURE A JUDGE READING THIS WOULD NOT SAY THESE NEIGHBORHOOD GROUPS SHOULD BE REQUIRED TO FILE WHERE IT SAYS EXPENDS IN EXCESS OF \$250. AND THE NEXT PARAGRAPH STARTS OFF WITH THE WORD "TERM" AND SAYS DOES NOT REALIZE A PROFIT. THOSE ARE THE ONES THAT DON'T HAVE TO FILE.

AND MASS GENERAL -- THAT'S WHERE I HAVE TO GO -- THEY DON'T HAVE TO FILE ANYMORE.

>> NOT WITH YOU.

>> I MAY NOT BE GOING THERE NOW.

>> WE SEE IT A LOT.
WE SEE A LOT OF THE NONPROFIT ORGANIZATION AND ADVOCACY GROUPS FUNDED BY INSTITUTIONS AND THE BAR IS A GOOD EXAMPLE.
THEY SPEND MONEY LIKE THERE'S NO ONE'S BUSINESS AND ORGANIZED AND COME TO OUR HEARINGS AND WORKING SESSIONS BUT THEY'RE IN A WHOLE CATEGORY WHERE THEY WOULDN'T HAVE TO REGISTER AND I WOULD SAY THEIR ADVOCACY IS MORE FORCEFUL THAN SOMEONE ON A RETAINER, IF YOU WILL.
THERE SAY GREAT POINT YOU MADE WE SHOULD ADDRESS.
>> THEN SECTION TWO IN THE SECOND PARAGRAPH THEY TALK ABOUT -- THE SECTION THREE. THERE'S A SUPERIOR COURT CASE THAT CAME UP AGAINST THE RULING THE SECRETARY OF STATE CAME UP WITH THAT ALL BUSINESS ASSOCIATIONS YOU HAD TO DISCLOSE ANY TIME YOU HAD CONVERSATIONS WITH A STATE LEGISLATOR OR EXECUTIVES ANY ASSOCIATION DIDN'T INCLUDE THAT --
[INDISTINCT]
>> THERE'S A LOT OF LOBBYISTS. SUPERIOR COURT CASE 12-3278.
>> THANK YOU.
THAT SECTION DEALS WITH IT A LITTLE BIT.
>> REQUIRING A LOBBYIST THAT DEALS WITH DATES WITH ALL LOBBYING COMMUNICATION IT'S LIKE A LOBBYIST MEETS SOMEONE DOWN THE HALL -- HALL AND HAVE TO KEEP TRACK OF THE DATE AND TIME? WHAT'S IT MEAN ABOUT LOBBYING? LIKE WHAT DO YOU HAVE BEFORE YOU?
I'M
>> THEN THE PARAGRAPH THAT BEGINS WITH ON OR BEFORE THE 15th OF JULY.
AT THE END IT SAYS A LISTING OF THE NAMES AND ADDRESSES OF EVERY PERSON, GROUP OR ORGANIZATION FOR WHOM \$15 OR MORE WAS CONTRIBUTED DURING THE YEAR FOR THE STATEMENT.
\$15 IS A REAL LOW BAR TO SAY THE

ORGANIZATION HAS TO KEEP TRACK OF THE NAMES AND ADDRESSES OF EVERYONE WHO CONTRIBUTED. THIS GOES WAY BACK TO A CASE IN THE SUPREME COURT OF THE UNITED STATES SUPREME COURT CASE IN 1958 THE NAACP VERSUS ALABAMA WHERE IT WAS WHERE THEY HAD TO KEEP A LIST OF EVERYONE ONE OF THEIR MEMBERS WHO WAS THERE AND I HAD CONCERN ON THAT ONE. THE LAST SENTENCE OF SECTION THREE I'M CONCERNED ABOUT. SECTION 6 IS CHAPTER 286B OF THE GENERAL LAWS AND REGULATIONS SHALL APPLY TO LOBBYING THIS TALKS ABOUT STATE EMPLOYEES REQUIRED TO REGISTER AS LEGISLATIVE OR EXECUTIVE AGENTS. THE INTENT WAS TO MAKE IT APPLY TO A LOBBYIST BEFORE THE CITY BUT INTERSECTION 268B APPLIES TO EMPLOYEES.

THAT SECTION SAYS NO GIFT NO MATTER WHAT THE AMOUNT MAY BE GIVEN FROM A LOBBYIST TO AN ELECTED OFFICIAL.

IT'S ANYTHING.

THIS HERE SAYS THIS IS EMPLOYEE?BECAUSE ON THE STATE LEVEL, YOU END UP SAYING THAT NO STATE EMPLOYEE SHALL ACCEPT A GIFT FROM A LOBBYIST.

THIS SENTENCE IS VERY UNCLEAR, OR AT LEAST MY READING OF THE SENTENCE IS.

IT'S NOT GOG APPLY TO CITY EMPLOYEES.

YOU KNOW, IT'S LIKE, YOU'VE GOT "A" AND "B," AND ONE GIVES YOU THE GIFT, AND THE OTHER ONE ACCEPTS THE GIFT, AND THIS HERE SEEMS TO BE THAT-- I BELIEVE IT'S INTENDED FOR THE GEOFF, BUT IT'S ALSO IN MY OPINION, NOT DRAFTED WELL ENOUGH TO APPLY. IN THE INTEREST OF TIME I WILL STOP NOW, AND TELL YOU I CONGRATULATE WHOEVER DRAFTED THIS, SERIOUSLY.

IT'S WELL DRAFTED, BUT THERE'S A LOT IN HERE THAT I THINK NEEDS TO BE CLARIFIED.

MY STRONGEST SUGGESTION WOULD BE IT BE SOME SORT OF A STUDY GROUP

PUT TOGETHER.
AND I MEAN A WORK STUDY.
TURN AROUND AND TO TRY TO
CLARIFY SOME OF THIS BEFORE YOU
SEND IT UP TO THE LEGISLATURE,
AND I KNOW THAT I THINK I JUST
VOLUNTEERED MYSELF.
BUT ANYWAY...
\(LAUGHTER)
SO IF THERE'S-- IF THERE'S-- YOU
KNOW, FOR SOMETHING LIKE THAT
NALL SERIOUSNESS, I WOULD BE
WILLING TO HELP YOU.
>> THANK YOU FOR YOUR THAT YOU
FEEL ANALYSIS.
I'M JOINED BY MAT O'MALLEY.
WE REACHED OUT TO BOTH THE
ATTORNEY GENERAL'S OFFICE AND
THE SECRETARY OF STATE'S OFFICE,
AND WE GOT THE FEEDBACK BACK
FROM THE A.G.'S OFFICE, AND THEY
REVIEWED IT.
THEY DON'T NORMALLY GET INVOLVED
WITH LOBBYIST MATTERS UNLESS
BROUGHT IN BY THE SECRETARY OF
STATE'S OFFICE AND THEY ASK THEY
THAT NAY THEY NOT BE INVOLVED
AND WITHHOLD JUDGMENT UNTIL IT
GETS TO THE STATE HOUSE.
AND FOLKS OVER AT THE SECRETARY
OF STATE'S OFFICE SAID THEY
NORMALLY DON'T SEND THEIR
OFFICIALS DOWN TO PUBLIC
HEARINGS.
THEY WOULD BE MUSEUM SCPRUS
VOLUMINOUS ACROSS THE STATE BUT
BUT THEY WOULD ADDRESS ANY
QUESTIONS FROM THIS HEARING HAVE
A PHONE AND E-MAIL.
BOTH WILLING TO BE HELPFUL BUT
DID NOT WANT TO PARTICIPATE
TODAY AND I WANTED TO LET ME
COLLEAGUES AND THE VIEWERS AT
HOME KNOW THAT THEY CHOSE TO SIT
TIGHT UNTIL THIS PROCESS
CONCLUDING AND IT GETS UP TO THE
STATE HOUSE BY WAY OF THE HOME
RULE PETITION.
WITH THAT I'M GOING TO GO IN
ORDER OF HOW MY COLLEAGUES
SHOWED UP.
COUNCILOR CIOMMO.
>> THANK YOU.
LIEU, I JUST WANTED TO ASK YOU,

YOU STARTED OUT BY SAYING THIS WAS REALLY WELL DRAFTED BY THE CORPORATION COUNCIL, BUT THEN YOU KIND OF PICKED IT APART. SO WOULD YOU SAY THIS IS MAYBE A GOOD WORKING DRAFT?

>> IT'S, YOU KNOW, EIGHT PAGES AND EIGHT SECTIONS, SOY DIDN'T TEAR IT TOO MUCH APART.

>> TRUE, TRUE.

>> IT IS.

IN ALL SERIOUSNESS, IT'S AN EXCELLENT WORKING DRAFT. AS I KEEP SAYING IT'S THE THOUGHT ABOUT PRECISELY-- I CAME UP WITH QUESTIONS ON THOSE. I HAD SOME CONCERN. IT'S A GOOD WORKING.

>> I KNOW WE ALL WANT TRANSPARENCY.

WE ALL WANT TO BE ACCOUNTABLE. WE ALL WANT EVERYONE'S TRUST THAT WE'RE DOING THE RIGHT THING.

AND, YOU KNOW, HAVING THIS KIND OF LEGISLATION IS GOOD. BUT I DO BELIEVE-- I DO WORRY ABOUT THE COSTS OF IMPLEMENTING. AND, YOU KNOW, I JUST PASSED A HOME RULE PETITION-- I HOPE I SPELLED "CAT" RIGHT-- BUT IT HAS TO DO WITH MOVING THE RESIDENTIAL EXEMPTION UP FOR HOME BUYERS, OWNER OCCUPIES THAT BUY HOMES IN THE CITY OF BOSTON. AND I'M JUST CONCERNED ABOUT THE COST.

SO WHEN WE WERE WORKING TOGETHER-- CHRISTINE, THE ASSESSOR-- YOU BE, I WANTED TO KNOW WAS THERE GOING TO BE A COST TO THE CITY? AND WOO HAVE NO REAL COST ESTIMATE ASSOCIATED WITH THIS, WHAT KIND OF STAFF WILL BE NEEDED, NOT ONLY FROM OUR OFFICE BUT THE CLERK'S OFFICE AND ANY OTHER COMMISSION THAT WE HAVE TO APPOINT.

I'D LIKE TO SEE SOME BUDGET NUMBERS ASSOCIATED WITH IMPLEMENTING SUCH A LEGISLATION. SO I-- I'M FINE FOR NOW.

>> THANK YOU.

.>> COUNCILOR BAKER, ANY
QUESTIONS?
>> THANK YOU, THANK YOU FOR YOUR
TIME.
LOU, I'M LOOKING AT IT, AND I'M
SAYING, IT LOOKS LIKE COST.
AND WHAT'S THE BENEFIT TO THE
CITY?
WHAT'S OUR BENEFIT?
DO YOU SEE ANY HERE?
>> I DON'T KNOW.
YOU GET THE-- YOU'LL GET SOME
FEES, RIGHT?
>> FEES?
>> FILING FEES.
>> AND FINES, PROBABLY, TOO,
RIGHT?
>> YEAH.
IF THEY DON'T FILE ON TIME,
YEAH.
MONEY-WISE, I DON'T REALLY-- I
THINK IT'S GOING TO COST YOU.
TO DO THIS-- TO DO THIS RIGHT,
YOU REALLY NEED TO BRING IN, YOU
KNOW, A COUPLE OF LAWYERS WHO
ARE EXPERTS ON THIS.
IT'S GOING-- YOU KNOW, IT'S
GOING TO COST I THINK A FAIR
AMOUNT OF MONEY.
YOU KNOW NOT TO BE REDUNDANT,
BUT JUST TO GO BACK ON THE
AJUDICATORY PROCEEDING.
YOU WILL NEED SOMEONE WHO IS
GOING TO BE ABLE-- WHO HAS A
GOOD UNDERSTANDING OF WHAT AN
AJUDICATORY PROCEEDING IS.
WHAT IS IT THIS LAW IS INTENDED
-- IF IT BECOMES LAW-- IS
INTENDED TO COVER?
ARE WE GOING TO TRY TO HAVE IT
WHERE IT'S INDIVIDUAL RIGHTS, WE
EXEMPT THEM, OR NOT?
YOU KNOW, I THINK IT'S A FAIR
QUESTION FOR SOME LAWYER TO ASK,
"DO I HAVE TO REGISTER FOR
THIS?"
>> SO NOW, YOU TALKED A LITTLE
BIT ABOUT GROUPS.
WE HAVE GROUPS THAT COME IN TO
ADVOCATE ALL THE TIME.
WHO KNOWS WHO'S PAYING THEM-- I
MEAN, THERE ARE SOME ORGANIZERS
THAT BRING GROUPS IN THAT ARE
BEING PAID SO, DOES THAT PERSON

NEED TO REGISTER AND CAN-- I
MEAN, WE'RE OBLIGATED TO MEET
THOSE PEOPLE.

IF THEY COME IN FRONT OF US, AND
THEY'RE STANDING AT YOUR FRONT
DOOR.

SO WOULD THOSE SORTS OF GROUPS
NEED TO REGISTER?

>> YES.

I WOULD SAY UNDER THE WAY IT'S
DRAFTED, THEY PROBABLY WOULD
NEED-- YES.

>> I DON'T KNOW, IS THIS DRIVEN
BY PRESS OR SOMETHING?

I'M JUST TRYING TO FIGURE OUT
LIKE WHAT-- THIS LOOKS LIKE A
BIG WASTE OF TIME TO ME.

ME.

I DON'T KNOW.

>> HONESTLY, COUNCILOR, I'M NOT
TRYING-- I DON'T KNOW, EITHER.

>> IF YOU DON'T KNOW, MY
EDUCATION LEVEL IS WAY BELOW
YOURS.

>> I MEAN IT'S KNOW-- THE IDEA
OF ITS TRANSPARENCY AND AND YOU
ALL THE OTHER COUNCILORES, YOU
WANT TRANSPARENCY BUT, YOU KNOW,
WHAT-- AT WHAT EXPENSE?

>> YEAH.

>> AND GET THAT, AND I
UNDERSTAND THAT.

WE'VE ANYONE THROUGH-- WE'VE
GONE THROUGH, YOU KNOW,
DIFFERENT REQUESTS FOR DIFFERENT
THINGS FROM REPORTERS, SAY, AND
THEN YOU-- I WOULD HAVE TO PUT
TWO PEOPLE ON MY STAFF ON
THOSE-- ON THOSE-- YOU KNOW,
GETTING INFORMATION FOR A
REPORTER TO DO A STORY, LIKE A
MONTH'S WORK OF TIME FOR MY
STAFF.

SO THIS LOOKS LIKE MORE OF THAT.

>> I AGREE.

>> ALL RIGHT, SO I'M A "NO"
VOTE.

THANKS, LOU.

>> CHAIR RECOGNIZES CITY
COUNCILOR TITO JACKSON.

>> THANK YOU SO MUCH, MR. CHAIR.

I GUESS THE FIRST THING I WOULD
JUST SAY AS AN ELECTED, I THINK
IT'S IMPORTANT THAT I KNOW WHEN

SOMEONE IS SETTING UP A MEETING
OR BEING PAID TO SET UP A
MEETING TO MEET WITH ME.
I THINK THAT LEVEL OF
TRANSPARENCY IS CRITICALLY
IMPORTANT.
NOT THAT THEY'RE TRYING TO DO
ANYTHING WRONG, BUT I DO WANT TO
HAVE AN UNDERSTANDING OF WHY.
AND IT COULD BE A FRIEND.
BUT I WANT TON IF THAT PERSON
HAS BEEN HIRED TO SET UP
MEETINGS.
I THINK THAT IS-- THAT
TRANSPARENCY IS IMPORTANT.
AND I THINK WE SHOULD-- ALTHOUGH
OPEN MEETING LAW IS A LITTLE
DIFFERENT AT THE STATE.
OUR FRIENDS AT THE STATE CAN
CAUCUS FOR DAYS AT A TIME.
AND THAT IS NOT THE SAME AS US.
I THINK THIS IS A REALLY
IMPORTANT PIECE.
I THINK THE CITY COUNCIL AND AT
THE CITY LEVEL, THAT WE SHOULD
HAVE ABSOLUTE OPEN AND
TRANSPARENT UNDERSTANDING OF
WHO'S A LOBBYIST, WHO THEY'RE
LOBBYING FOR, AND THAT
UNDERSTANDING.
I HAVE A COUPLE OF CONCERNS-- I
WAS GOING TO CALL HER COUNCILOR
FEENEY-- CLERK FEENEY WAS
BRINGING UP ONE, THE \$25 FINE
CURRENTLY.
I BELIEVE, MR. CHAIR, IF WE
COHAVE A FINE, THAT WE SHOULD
INCREASE THE \$25 FINE TO CLOSER
TO THE MAXIMUM FINE THAT WE
COULD-- WE COULD MOVE TOWARDS.
I DON'T BELIEVE THAT, THAT
ACTUALLY WORKS.
AND THEN YOU SAID "USUALLY.
PEOPLE INFORM THE CLERK'S OFFICE
OF WHO THEY'RE GOING TO BE
WORKING WITH.
SO THAT'S NOT ALWAYS.
>> IF I MAY, COUNCILOR.
IT'S INTERESTING.
IF YOU WERE TO GO THROUGH THOSE
FOLDERS, AND WE DO THEM BY YEAR,
THERE ARE PEOPLE WHO ARE IN THIS
BUILDING ALL THE TIME WHO
HAVEN'T NECESSARILY FILED WITH

US.

THERE ARE OTHER PEOPLE WHO
AUTOMATICALLY EVERY YEAR COME IN
AND FILE WITH US.

I'M NOT LOOKING AT ANYONE,
COUNCILOR, MR. CHAIRMAN.

BUT I THINK FROM MY
PERSPECTIVE-- AND I THINK WE'RE
HEARING THAT FROM LOU, ALSO-- I
ALMOST WONDER IF THIS IS GOING
TOO FAR, TOO FAST, UNTIL WE GET
A FOUNDATION TO BUILD ON.

RIGHT NOW, IT'S VERY WHIMSICLE
PROCESS.

AND PEOPLE REPORT TO US OR THEY
DON'T REPORT TO US.

WE HAVE NO MECHANISM OR ABILITY
TO DO ANYTHING IF THEY HAVEN'T
FILED THIS.

BUT IF WE COULD CREATE A SYSTEM,
FROM MY SUFFICIENT, WE DO A LOT
OF INTERACTION WHEN WE TAKE
CLAIMS.

EVERY CLAIM THAT IS FILED
AGAINST THE CITY OF BOSTON IS
FILED THROUGH OUR OFFICE.

BUT WE DON'T PROCESS THOSE
CLAIMS.

WE TAKE THOSE CLAIMS.

WE PUT THEM IN THE SYSTEM SO
THAT THERE IS RECORD THAT THERE
IS AN ACTIVE CLAIM, WHEN IT WAS
MADE, TIME STAMPED, BECAUSE SO
OFTEN THIS RESULTS IN LITIGIOUS
ACTIVITY.

AND THEN EVERY SINGLE DAY, WE
BRING THOSE CLAIMS OVER TO THE
LAW DEPARTMENT, WHO ACTS UPON
THE CLAIMS THAT THE FILING
AGENCY FOR THE CITY HAS
RECEIVED.

>> I GUESS MY-- MY ISSUE THERE
IS THAT OUR BODY WAS IMMEDIATELY
REQUIRED TO ADHERE TO OPEN
MEETING LAW AFTER THERE WAS A
CASE.

IT CHANGED THE WAY MANY OF US
GOT TO SPEAK TO EACH OTHER, OR
HOW MANY OF US WERE ACTUALLY IN
A ROOM.

I'VE BEEN IN SITUATION WHERE'S
WE WERE LIKE, "OKAY, YOU KNOW,
WHAT?

COUNCILOR FLATTERY, CAN YOU GET

OUT?"

NOT THATY DON'T LIKE COUNCILOR FLAHERTY, BUT WE'RE IN A SITUATION THAT WE'RE BUTTING UP AGAINST A OF A LAW.

I THINK AS A LEGISLATOR, IF THE FOLKS AT THE STATE WHO ARE DEALING WITH A \$40.1 BILLION BUDGET, HAVE A REQUIREMENT AROUND THIS, WE'RE DEALING WITH A \$3.1 BUDGET, AND WE DON'T HAVE A REQUIREMENT AROUND THIS, THAT WE'RE BEHIND.

I GUESS ONE OF THE OTHER COMPONENTS I WOULD ASK, ARE THERE ANY OTHER CITIES, TOWNS, MUNICIPALITIES IN THE STATE OF MASSACHUSETTS THAT HAVE SOME TYPE OF LEGISLATION THAT GUIDES THE INTERACTION BETWEEN A LOBBYIST AND A LOCAL ELECTED OFFICIAL.

DOES ANYONE KNOW THAT?

OKAY.

I THINK--

>> I COULD FIND OUT FOR YOU.

>> I THINK ONE OF THE BEST THINGS THAT WE COULD DO IS ACTUALLY LOOK AT, IN PARTICULAR, IF THERE'S ANOTHER CITY THAT HAS SOME TYPE OF LAW ON THE BOOKS RELATIVE TO THIS.

THE FLIP SIDE OF IT IS, I DON'T WANT, WHEN I'M MEETING WITH THE FRANKLIN PARK COALITION, THAT, YOU KNOW, SOMEONE STOPS ME IN THE HALLWAY AND I CAN'T HAVE A CONVERSATION WITH FOLKS WHO ARE IN, YOU KNOW, PART OF THAT ORGANIZATION.

AND I ACTUALLY, YOU KNOW, IF IT WAS N.A.A.C.P. VERSUS ALABAMA, WE SHOULD PROBABLY BE-- I CAN'T SAY "PROBABLY" ON THE SIDE OF THE N.A.A.C.P. AND SETTLED LAW, SUCH AS THAT.

ENING THAT IS A CRITICAL COMPONENT.

I THINK WE AS COUNCILORS, AS LOCAL ELECTED OFFICIALS, FOR THE INTEGRITY OF OUR WORK, SHOULD HAVE A VERY CLEAR UNDERSTANDING OF THE RELATIONSHIP THAT INDIVIDUALS WHO ARE MEETING WITH

US HAVE ON THE BACK END,
RELATIVE WHETHER OR NOT, "HEY,
CAN I GRAB A COFFEE WITH YOU?"
AND THAT COFFEE, THERE IS A FEE
CONNECTED ON THE BACK END OF
THAT.
IT DOESN'T MEAN WE ARE NOT GOING
TO SIT WITH YOU, BUT IT
DEFINITELY DOES MEAN WE ARE IN A
DIFFERENT SITUATION.
AND I THINK IF WE ARE BEING
LOBBIED AS A CITY COUNCILOR, I
WANT TON THAT I'M BEING LOBBIED
VERSUS JUST A CONSTITUENT WHO IS
ACTUALLY PULLING MY EAR ON A
SPECIFIC ISSUE.
SO I THINK IT'S CRITICAL THAT WE
HAVE A BASELINE ACROSS THE
BOARD, ARE THERE ANY OTHER
MOVEMENTS THERE?
BUT I ALSO BELIEVE THAT THIS IS
A SUNSHINE AMENDMENT AROUND
FIGURING OUT WHO'S DEALING WITH
US.
AND I THINK LAST PIECE IS, WHAT
RESOURCES WOULD THE CLERK'S
OFFICE NEED?
AND AS NOTED, THIS DOES-- WOULD
PLACE AN INCREASED WORK LOAD FOR
THE CLERK, AND I WOULD JUST SAY
IN CLOSING, DEMOCRACY IS NOT
FREE.
IT COSTS TO DO DEMOCRACY, AND IT
COSTS TO DO DEMOCRACY THE RIGHT
WAY.
AND I NEVER WANT TO BE IN A
SITUATION AS AN ELECTED OFFICIAL
WHERE I DO NOT HAVE AN
UNDERSTANDING OF THE ENTIRETY OF
AN ISSUE, AND IN PARTICULAR,
WITH SOMEONE WHO IS USING A
RELATIONSHIP WITH ME, MY OFFICE,
OR WITH THIS BUILDING FOR THEIR
BUSINESS WITHOUT BEING
KNOWLEDGEABLE ABOUT THAT.
THAT'S UNACCEPTABLE, AND I THINK
THERE'S A WHOLE HOST OF ISSUES
THAT NEED TO BE WORKED OUT, AND
HERE IT SOUNDS LIKE, FROM
COUNSEL, THAT I THINK THIS IS
ACTUALLY THE SAUSAGE MAKING OF
DEMOCRACY AND THAT WE NEED TO
ROLL OUR SLEEVES UP AND MAKE
THAT SAUSAGE.

THANK YOU SO MUCH, MR. CHAIR.
>> THANK YOU, COUNCILOR.
TO FOLLOW UP A LITTLE BIT ON
THAT, FROM OUR FIRST HEARING ON
THIS MATTER WE GOT SOME FEEDBACK
FROM COLLEAGUES THAT THEY FELT
SOMETHING SHOULD BE SPECIFICALLY
TAILORED TO BOSTON, AND IT WAS
SUGGEST BIDE THE COUNCIL
PRESIDENT, MAYBE INSTEAD OF JUST
SIGNING OFF ON A HOME RULE
PETITION, THAT WE CRAFT OUR OWN
ORDINANCE THAT PERTAINS TO
BOSTON AND HOW BUSINESS IS
CONDUCTED IN THIS BUILDING,
WHETHER THROUGH ELECTED
OFFICIALS, OR CITY PLEASE AND
WHETHER OR NOT YOU GUYS HAVE ANY
THOUGHTS ON HOME RULE VERSUS
CITY ORDINANCE.
I WOULDN'T MIND GET SOMETHING
FEEDBACK ON THAT.
SAM, YOU CAN CHIME IN NOW.
>> OKAY, SURE.
YEAH, I MEAN, YOU MAY WANT TO
TRY SOMETHING ON THE ORDINENCE.
I'M NOT SURE HOW FAR YOU CAN GO
WITH AN ORDINANCE.
BUT YOU MAY BE-- MAYBE THAT'S
BEST WAY TO TRY TO DO SOMETHING
IS RATHER THAN TRY TO GO THROUGH
THIS PROCESS OF A HOME RULE
PETITION, YOU KNOW, SEEING HOW
FAR YOU CAN COME UP WITH AN
ORDINANCE THAT MAY MAKE SOME
SENSE.
>> SO WE'RE ALWAYS SORT OF ARM
WRESTLING-- I'LLERENCE SORT OF
LIQUOR LICENSES.
WE'RE DEPENDENT ON THE STATE FOR
LIQUOR LICENSES FOR THE CITY OF
BOSTON.
SO FOR BARS AND RESTAURANTS TO
OPEN UP HERE, IF THERE ARE NOT
ENOUGH LICENSES WE HAVE TO GO UP
THERE HAT AND HAND AND PETITION
FOR SOME ARE WE SHOULD THE
ABILITY TO DO IT ON OUR OWN.
AND IN THIS SITUATION, WE SHOULD
HAVE THE ABILITY TO POLICE THE
BUILDING, AND BASED ON HOW THEY
WILL ROLL OUT, IF YOU WILL, AND
YET WE'RE SENDING IT UP AS A
HOME RULE PETITION.

IT'S ONE THEOR THEY CAME FROM
THE LAST HEARING FROM ONE OF OUR
COLLEAGUEES, THAT MAYBE WE
SHOULD GIVE IT SOME THOUGHT.
EN AND IT'S CHICAGO THAT HAS A
CITY ORDINANCE AROUND THIS.
I THINK ON THE ENFORCEMENT AND
PENALTY SIDE, WHEREAS, IF IT
GOES UP TO THE HOME RULE
PETITION, YOU GET SOME SECRETARY
OF STATE, SOME A.G. INVOLVEMENT,
VERSUS IF IT'S HERE.

WE HAVE OUR CLERK, BUT WE CAN
ADMINISTER A SITUATION WHERE IF
THERE ARE FEES AND FINES AND
PARTICULARLY IN A VIOLATION,
SOME KIND OF CORRECTIVE ACTION
THAT CAN KEEP IT IN THE
ORDINANCE SECTOR.

AGAIN, JUST THINKING OUT LOUD,
BASED ON A GOOD WORKING
DOCUMENT, FEEDBACK FROM
COLLEAGUES THAT IT SEEMS TO NEED
SOME WORK HERE, FEEDBACK FROM
THE PANEL THAT IT MAY NEED SOME
TWEAKING AND I JUST WANT TO GIVE
SOMETHING TO THINK ABOUT,
WHETHER THE COUNSEL SHOULD THINK
ABOUT DOING THEIR OWN ORDINANCE,
WORKING WITH THE ADMINISTRATION,
HOW BUSINESS FUNCTIONS HERE, THE
LICENSING BOARD, THE B.R.A.,
DIFFERENT FROM WHAT HAPPENS ON
BEACON HILL.

THERE ARE CITY EMPLOYEES THAT
WIELD A LOT OF POWER.
PROBABLY MORE AS THAN WE DO AS
CITY COUNCILORS BUT YET WE HAVE
TO ADHERE AND SOME OTHERS DON'T.
WE WANT TO MAKE SURE IT'S

ALL-EN
COMPASSING AND THAT WE'RE
GETTING FOR THE EAT DOCUMENT.
>> FIMAY JUST ADD ONE MORE TH
THING.

YOU KNOW, THE BENEFIT TO AN
ORDINANCE IS WE HAVE CONTROL
OVER-- AND I THINK LOU SPOKE TO
THIS.

THE THAN WE SEND TO THE STATE
HOUSE TCOULD TAKE THREE YEARS
BACK AND FORTH BY THE TIME IT
ACTUALLY WAS ADDRESSED.
WITH AN ORDINANCE, IF YOU START

OUT WITH-- I MEAN, I THINK
THERE'S PARTS OF THIS THAT ARE
VERY AMBIGUOUS, AND I DO THINK
IT COULD BE VERY CHALLENGING FOR
PEOPLE TO DETERMINE WHO EXACTLY
ARE THOSE LOBBYISTS.

AND I THINK WHAT MY FEAR ALWAYS
IS, IS THAT IT COULD LEAD TO A
LITIGIOUS SITUATION WHERE, YOU
KNOW, WE SAY, "WELL, YOU HAVEN'T
PAID YOUR YOU KNOW YOUR FINE,
BEING IN VIOLATION."

ONLY TO DISCOVER IN REALITY TH
THEY RAL WEREN'T.

I THINK IT'S A VERY, VERY
STRAIGHT LINE WE HAVE TO WALK.
WHEN YOU CREATE AN ORDINANCE,
YOU HAVE THAT ABILITY TO
IMPLEMENT IT, SEE HOW IT FEELS,
SEE HOW IT WORKS, WHAT ARE THE
UP SIDES?

WHAT ARE THE DOWN SIDES?

OKAY, THIS SO ISN'T WORKING.
THIS IS WHAT WE NEED OVER HERE.
AND WE HAVE THAT ABILITY TO DO
THAT IN HOUSE.

AND I KNOW THE REST OF THE STATE
DOES NOT LIKE TO HEAR THIS, BUT
BOSTON IS DIFFERENT.

IT IS DIFFERENT.

AND I THINK THE CHALLENGES THAT
BOSTON FACES EVERY DAY IS VERY
DIFFERENT THAN MAYBE SOME OF THE
SMALLER TOWNS THROUGHOUT THE
COMMONWEALTH.

SO I DO THINK THERE IS SOME
BENEFIT TO THAT.

I'M SORRY, I--

>> NO, THANK YOU, THANK YOU,
MADAM CLERK.

CHAIR RECOGNIZED MAT O'MALLEY.

>> MR. CHAIR, MADAM CLERK, SAM,
LOU, GOOD TO BE WITH YOU ALL.
WE DIDN'T HAVE FIVE DESKS WHEN
YOU WERE SITTING BACK HERE.

>> THAT'S PRETTY FAMILIAR.

>> IT DOES.

AND YOU LOOK GOOD.

I, AND I WOULD VENTURE IF NOT
ALL MOST OF MY COLLEAGUES AGREE.
ANYTHING WE CAN DO TO COMBAT
CYNICISM AROUND GOVERNMENT,
PARTICULARLY LOCAL GOVERNMENT,
WE OUGHT TO BE DOING.

SO, OF COURSE, ANYTHING WE CAN DO TO ADDRESS ETHICS AND COMPLIANCE AND SUNSHINE, I AM FOR.

BUT I THINK A COUPLE OF POINTS WERE MADE THEY WILL AGREE WITH AND WHAT TO UNDERSCORE, LAST BEING WHAT CHAIRMAN FLAHERTY JUST SAID.

I SEE ENORMOUS APPEAL DOING THIS AS AN ORDINANCE RATHER THAN A HOME RULE BECAUSE I THINK WE COULD ACHIEVE THE ULTIMATE GOAL AND DO IT IN HOUSE.

AND INCREASING THE ENFORCEMENT MECHANISM, I THINK THAT'S PARAMOUNT.

WE DO THIS, WE WANT TO DO THIS RIGHT.

WE WANT TO MAKE SURE WE CAN COLLECT ON THOSE FINES.

THAT'S ONE PIECE OF IT.

THE SECOND IS THAT-- AND I CELL BREATH THIS-- WE PROBABLY HAVE THE STRICTEST REGULATIONS COMPARED TO OTHER-- NOT ONLY MUNICIPAL BUT IF WE LOOK AT THE STATE LEGISLATURE.

WE ABIDE BY, AND I'M VERY GLAD THAT WE DO, THE OPEN MEET HAGUE. STATE LEGISLATURE DOES NOT.

WE HAVE O.C.P.F. REGULATIONS, WHICH MEANS WE REPORT OUR CAMPAIGN FINANCES TWICE A MONTH EVERY MONTH OF EVERY YEAR, ELECTION YEAR OR NOT.

THE STATE LEGISLATURE I BELIEVE DOES ONE REPORT IN A NONELECTION YEAR AND TWO OR THREE IN AN ELECTION YEAR.

I CELEBRATE THAT.

I WOULD HOPE THE STATE LEGISLATURE WOULD FOLLOW OUR LEAD IN MANY OF THESE ASPECTS. AND I DO THINK AS WE TALK ABOUT REGULATING LOBBYING ACTIVITIES WE HAVE AN OPPORTUNITY TO DO IT RIGHT.

PEOPLE ARE CYNICAL ABOUT GOVERNMENT.

WE ALL KNOW THAT.

AND ANYTHING WE CAN DO TO MAKE IT CLEARER, AND AS I SAID, ALLOW THE ULTIMATE DISINFECTANT

SUNLIGHT IN, WE SHOULD DO.
MY QUESTION WOULD JUST BE-- AND
I THINK I KNOW THE ANSWER TO
IT-- MAY BE A WORK SESSION AFTER
THIS WOULD MAKE SENSE.

YOU BE, THE FRIENDS OF THE
JAMAICA PLAIN BRANCH LIBRARY IS
AN ORGANIZATION I'VE WORKED
VERY, VERY CLOSELY WITH.
IT'S A VOLUNTEER ORGANIZATION.
THEY LOBBIED FIRST COUNCILOR
HENIGAN, THEN COUNCILOR TOBIN,
AND NOW MYSELF AND WE
SUCCESSFULLY BECAUSE OF THE
PARTNERSHIP, WITH FIRST MAYOR
MENINO AND NOW MAYOR WALSH, A
\$12 MILLION LIBRARY IN JAMAICA
PLAIN.

IT WILL BE OPEN MAY 20.
ARE YOU ALL INSIGHTED TO JOIN ME
THERE.

UNDER THIS ORDINANCE, WITH THE
WAY IT'S WRITTEN, WOULD THE
VOLUNTEERS OF THE FRIENDS OF THE
J.P. BRANCH LIBRARY HAVE TO
SELF-IDENTIFY AS LOBBYISTS?
I WOULD ASSUME THAT WOULD BE THE
WAY IT'S READ INTO.
PROBABLY.

AGAIN, THAT'S SOMETHING THAT
MAYBE A LITTLE BIT PROBLEMATIC.
THE PURPOSE, I THINK, IS TO
ALLOW FOR PEOPLE WHO ARE MAKING,
YOU KNOW, MONEY IN LOBBYING, AND
IN 2007 AND 2008, I WAS A
DIRECTOR FOR MASS QUALITY, AN
ORGANIZATION THAT HELPED
MAINTAIN MARRIAGE EQUALITY IN
THE COMMONWEALTH.
I WAS A LOBBYIST.
I HAD TO REGISTER AS SUCH AND
DID.

THAT WAS APPROPRIATE.
I WOULD ARGUE THAT FRIENDS OF
THE J.P. GROUP BRANCH LIBRARY
ARE PERHAPS-- CIVIC ACTIVISTS.
WE MAY NOT WANT TO PUT THE
ONEROUS BURDEN ON THEM.
SOIC THERE'S SOME GOOD, REALLY
GOOD IDEA IN THIS ORDINANCE, AND
A LOT OF WORK THAT I THINK COULD
MAKE US DO OUR JOBS BETTER.
BUT I WANT TO MAKE SURE THAT WE
DO IT RIGHT GOING FORWARD.

SO I THINK WE'VE GOT THREE
EXPERTS HERE.
HOPEFULLY WE CAN CONTINUE TO
WORK WITH THEM.
>> THANK YOU, COUNCILOR OMAL.
>> THAI.
WE HAVE BEEN JOINED BY AYANNA
PRESSLEY.
YOU HAVE BEEN PATIENT.
GIVE US YOUR THOUGHTS.
>> THANK YOU, MR. CHAIRMAN, AND
FOR THE RECORD, MY NAME IS TAP
TYLER, PRESIDENT OF BOSTON
MUNICIPAL RESEARCH BUREAU.
AND, YOU KNOW, THE RESEARCH
BUREAU, AND I THINK EVERYBODY
HERE WOULD AGREE THE INTENT OF
THIS HOME RULE PETITION IS TO
PROVIDE AN OPEN PROCESS FOR CITY
GOVERNMENT AND GREATER
TRANSPARENCY AND ACCOUNTABILITY,
WHICH WE WOULD ALL SUPPORT.
CERTAINLY, THE RESEARCH BUREAU
RELIES ON PUBLIC ACCESS TO
PUBLIC INFORMATION, AND IN ORDER
TO BE ABLE TO DO OUR JOB.
SO WE, OF COURSE, SUPPORT THIS.
I MEAN, THE PROPOSED HOME RULE
PETITION DOES SEEM TO APPEAR TO
HAVE TAKEN-- ALTHOUGH LESS SO
THAN I THOUGHT AFTER LOU SPOKE--
BUT I WAS GOING TO SAY TAKEN THE
STATE LOBBYING LAW AND APPLIED
IT TO THE CITY, AND IN SOME
CASEES, EXCEEDING THE STATE'S
REQUIREMENT.
SO OUR CONCERN IS SHOULD THE
CITY-- IS THE ADMINISTRATION
PROPOSING THIS TO REPLICATE THE
STATE STANDARD JUST FOR THE SAKE
OF HAVING A STANDARD?
THE STATE AND THE CITY ARE VERY
DIFFERENT, AND IT RAISES
QUESTIONS ON WHAT IS REALLY
TRYING TO BE ACHIEVED BY THIS
HOME RULE PETITION.
LAWYER I MEAN, THE STATE IS A
\$40 BILLION ENTERPRISE WITH TAX
REGULATORY AUTHORITY.
ON THE STATE FRONT, YOU'RE
DEALING WITH CREATING LAWS,
DIRECTING STATE FUNDS.
AND THE TARGET OF ADVOCACY IS
MAINLY WITH ELECTED OFFICIALS.

I MEAN, THE CITY'S A \$3 BILLION OPERATION, LIMITED TAX AND REGULATORY AUTHORITY.

THE LOBBYING FOCUSES MORE ON ISSUES OF DEVELOPMENT AND CONTRACT ISSUE.

AT THE CITY LEVEL, OTHER THAN THE COUNCIL LOCKS MOST ADVOCACY IS DONE AT THE ADMINISTRATIVE LEVEL.

IN GENERAL, LOBBYING ON BUDGET MATTERS IN CITY IS VERY DIFFERENT FROM THE STATE WALL STREET OPEN LINE ITEM TYPE OF BUDGET.

I WONDER IF IT REALLY DOES GET TO THE HEART OF CITY'S CONCERN TO PUT A DETERMINATIVE DOLLAR VALUE OR DEVELOPMENT OR CONTRACT PROPOSALS WITH THE PLAYERS WOULD HAVE TO COMPLY WITH THE LOBBYING REQUIREMENT.

AND START WITH MORE LIMITED SCOPE.

WE ALSO HAVE, YOU KNOW, IN BOSTON THE FINANCE COMMISSION. IT LOOKS AT CONTRACTS, AS WELL. YOU KNOW, THE CITY'S-- THE CITY'S LOBBYING REQUIREMENT HERE PROPOSED EXCEED THE STATE STANDARDS BAY COVERING ALL EMPLOYEES AT ALL LEVELS.

AND GIVEN THE ACTUAL DECISION-MAKING PROCESS IN BOSTON, THAT REQUIREMENT SEEMS TO BE EXCESSIVE.

IT'S ALSO A VERY CUMBERSOME PROCESS THAT'S RARE, AND I WOULD ADD-- REQUIRED, AND I WOULD ADD ON TO THE CONCERN OF THE ADDED BUREAUCRACY OR RESPONSIBILITY, OR WHETHER ANOTHER AGENCY WOULD BE NEEDED-- I MEAN, THE IDEA OF A COMMISSION WAS RAISED TO, YOU KNOW, EXTEND-- OR GO BEYOND WHAT THE CITY CLERK WOULD BE ASKED TO DO. AND I WOULD AGREE WITH COUNCILOR O'MALLEY, THAT AT THE CITY LEVEL, YOU KNOW, PERHAPS, YOU KNOW, THE POLICY ADVOCACY GROUPS, WHETHER THEY SHOULD BE REQUIRED TO COMPLY WITH THESE REGULATIONS.

OTHER ISSUES IN TERMS OF
WHAT'S-- WHAT'S BEEN RAISED FOR
ME-- IN TERMS OF LAWYERS WHO ARE
WORKING ON A PROJECT OR COMING
IN TO PROVIDE SOME ASSISTANCE TO
A PROJECT, WHETHER THEY SHOULD
BE REQUIRED TO COMPLY, YOU KNOW,
IF IT'S JUST FOR THAT PURPOSE OR
QUESTIONS IN TERMS OF
LAWYER-CLIENT PRIVILEGE.

PRIVILEGE, HOW

THAT MIGHT BE ADDRESSED.

SO I THINK, YOU KNOW, TOTALLY
BASED ON WHAT OF THE CITY CLERK
AND LOU'S COMMENTS, THAT THIS IS
NOT READY FOR PRIME TIME AS A
PIECE OF LEGISLATION.

AND I WOULD THINK THAT THERE
IS-- I KIND OF LIKE LOU'S IDEA
OF PUTTING TOGETHER A GROUP OR
COMMISSION THAT REALLY LOOKS AT
THIS CAREFULLY AND THE WORDING
AND HOW IT WOULD APPLY TO
BOSTON.

DO YOU REALLY NEED WHAT HAS BEEN
PREPARED FOR A \$40 BILLION STATE
OPERATION BE WHAT YOU HAVE HERE
IN BOSTON?

OR CAN YOU FINE TUNE IT TO BE
SOMETHING THAT REALLY GETS TO
THE HEART OF WHAT YOU REALLY
WANT TO LOOK AT AND DOESN'T
CREATE THE ONEROUS BURDEN ON
MORE PEOPLE THAN IT REALLY
SHOULD.

I THINK AS THE ANOTHER OF HOME
RULE VERSUS ORD96, THAT MAY
DEPEND ON WHAT YOU'RE IN THE END
GOING TO TRY TO ACHIEVE, AND
WHETHER YOU CAN DO THAT THROUGH
AN ORDINANCE.

I THINK LOU MADE SOME REFERENCE
THERE MAY BE SOME STATE SERVICES
THAT REALLY YOU WOULD WANT AS
PART OF THIS WHOLE LOBBYING
LEGISLATION.

I MEAN, I THINK IT'S CLEAR FROM
THIS THARG A LOT MORE WORK NEEDS
TO BE DONE BEFORE IT'S READY FOR
CONSIDERATION.

AND, AGAIN, I WOULD ARGUE THAT
IT SHOULDN'T BE THE STATE MODEL
THAT YOU JUST OVERLAY ON THE
CITY BUT ONE THAT REALLY GETS

DIRECTLY TO THE MATTER OF WHAT YOU'RE TRYING TO DEAL WITH, WHETHER IT'S JUST DEVELOPMENT OR CONTRACT ISSUES OR BEYOND THAT?

>> INTERESTING TO POINT OUT, LAWYERS WITHIN THE PRACTICE OF LAW WHO ARE OBVIOUSLY BOUND BY PROFESSIONAL RESPONSIBILITY AND ETHICS, AS WELL AS OVERSIGHT BY THE B.B.O., AND ALSO THE ATTORNEY-CLIENT PRIVILEGE THAT PRECLUDES YOU LISTENING AND HOW MUCH YOU'RE COMPENSATED, THAT WOULD BE INCLUDED IN THIS DOCUMENT.

SO IS A POINT THAT MAYBE LAWYERS NEED TO BE BROUGHT IN.

AND AS IT PERTAINS TO SORT OF DEVELOPMENT, I THINK IN THE ARTICLE 80 PROCESS, WHEN THE DEVELOPER IS ROLLING OUT THE PLANS, THEIR ROLE IS ALL OUT IN THE DOCUMENTS AND LET YOU KNOW WHO THE ARCHITECT IS, AND THE ENGINEER, AND WHO THE ATTORNEYS ARE, WHO IS DOING THE ROUND GAME.

YOU MAY WANT TO TAKE A LOOK AND SEE WHAT THEY'RE DOING?

>> AND THOSE ARE FILED WITH THE CLERK'S OFFICE.

>> THEY ARE FILED WITH THE CLERK'S OFFICE.

YOU MIGHT WANT TO TAKE A LITTLE PAGE OUT OF THAT.

>> BUT I THINK WE DO HAVE TO RECOGNIZE WHY THIS IS HERE, AND IT HAD NOTHING TO DO WITH THE DEALINGS OF THE BPDA.

I THINK THAT'S ONE OF THE ISSUES THAT NEEDS TO BE ADDRESSED HERE.

>> IT'S OBVIOUSLY AN ISSUE WE'RE TAKING VERY SERIOUSLY, WITH A-- AND WE DIDN'T WANT TO BE IN A SITUATION WHERE WE WERE GOING TO PASS IT ON UP.

WE WANTED TO BE THOUGHTFUL ABOUT IT, AND WE HOOKED UP, WE RECOGNIZED THERE ARE INHERENT LAWS IN IT.

THERE ARE OTHER AREAS WHERE MAYBE IT DOESN'T GO FAR ENOUGH, AND OTHER AREAS WHERE I THINK THE WORD YOU COULD USE" WAS

EXCESSIVE."

SO HAVING A WORK SESSION AMONG THE COUNSEL OR EVEN POSSIBLY AS YOU'RE INDICATING MAYBE SETTING UP A TASK FORCE OR BLUE RIBBON COMMISSION OR SOMETHING WHERE THEY CAN COME TOGETHER AND UNDERSTAND HOW CITY GOVERNMENT WORKS BUT WE'RE CREATING AND CRAFTING SOMETHING TAILORED TO BOSTON.

I'M WILLING TO PUT THE TIME IN. I DON'T WANT TO SORT OF STAMP SOMETHING ALONG, AND CHECK, FEENEY MENTIONED IT WOULD ACTUALLY LANGUAGE UP THERE TWO YEARS OR MORE.

AND PITTING?

PLACE THAT O'MALLEY DEALT WITH-- IT'S ABOUT EXPOSURE.

THAT'S WHAT WE'RE STRIVING FOR IN CITY GOVERNMENT, SO MAYBE THAT WOULD BE WHAT THE NEXT STEPS ARE.

>> I WOULD ARGUE THAT THIS IS FAIRLY COMPLICATED LEGISLATION, AND FRANKLY, A WORKING SESSION ISN'T REALLY GOING TO HAVE ENOUGH TIME TO ADDRESS AND MAKE SURE THAT IT'S EAT FOR BOSTON.

>> WHAT WOULD YOU RECOMMEND, SAM?

\(LAUGHTER)

YOU RECOMMEND LOU DRAFT IT?

\(LAUGHTER)

WE WOULD-- ANY OTHER COMMENTS FROM MY COLLEAGUES, OR THOUGHTS AS WE SORT OF CONCLUDE?

ANY ADDITIONAL COMMENTS FROM THE PANEL AS WE--

>> PLEASE KNOW WHATEVER THE THE CLERK CAN DO TO ASSIST, WE LOOK FORWARD TO WORKING WITH ALL OF YOU.

AND I JUST-- SO WE CAN ADD TO THE DIALOGUE.

>> THIS WAS VERY HELPFUL.

OBVIOUSLY, YOU HAVE A ROLE IN IT, AND THE ANALYSIS GIVEN AND THE OPINIONS WERE OBVIOUSLY CRITICAL FOR MY COLLEAGUES AND I TO KIND OF GET OUR HANDS AROUND, AS WELL AS OUR OWN STAFF ATTORNEY, IN TERMS OF PUTTING

TOGETHER A DOCUMENT THAT MAKES SENSE.

WE MAY ACTUALLY ADOPT THAT RECOMMENDATION THAT WE PUT TOGETHER A GROUP OR A TASK FORCE IN AND OF ITSELF ON ITS OWN. AND THEN THAT COMES THROUGH COMMITTEE, AND THEN THE CHANGES, I GUESS, GET REFLECTED THROUGH A WORKING SESSION OR SOMETHING.

SAM, I HEAR YOUR POINT.

>> THIS IS EXTREMELY COMPLICATED AND DETAILED, AND IT'S GOING TO TAKE SOME TIME TO FIGURE OUT WHAT THE BEST PROCESS FOR BOSTON TO TRY TO REALLY ADDRESS WHAT NEEDS TO BE ADDRESSED AND NOT, YOU KNOW, GO AND BE EXCESSIVE. MEET THE REQUIREMENTS AND WHAT THE COUNCIL WANTS, AS WELL AS THE ADMINISTRATION.

>> ANY OTHER COMMENTS FROM MY COLLEAGUES THAT ARE HERE?

VERY GOOD.

FIRST OF ALL, THANK YOU FOR YOUR TIME AND ATTENTION AND FOR YOUR TALENTS AND FOR YOUR HELP AND HAVING THIS DISCUSSION AND ANALYSIS.

AND WITH RESPECT TO DOCKET 0107, ORDER APPROVING A PETITION FOR A SPECIAL LAW REGARDING AN ACT TO REGULATE LOBBYING T .S BEFORE THE CITY COUNCIL IN BOSTON, THIS COMMITTEE HEARING WILL BE ADJOURNED.
THANK YOU.