

7/2/90



City of Chicago  
Richard M. Daley, Mayor

May 24, 1990

Board of Ethics  
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Suite 530  
205 West Randolph Street  
Chicago, Illinois 60606  
(312) 744-9660

**C O N F I D E N T I A L**

[REDACTED]

Re: **Financial Interest Statements**  
**Case No. 90025.A**

Dear [REDACTED]

On April 19, 1990, the Board of Ethics received the letter in which you stated your belief that you did not have to file a Statement of Financial Interests with the Board because the Electrical Commission on which you serve is solely advisory in nature. You also stated that you do not work for the City in any capacity other than as a member of this Commission.

Subsection 26.2-15(a)(iii) of the Governmental Ethics Ordinance excludes from the requirement of financial disclosure any member of "an agency that is solely advisory in nature and has no authority to make binding decisions, to enter into contracts or to make expenditures, other than expenditures necessarily incurred for research in connection with its advisory functions."

Chapter 21-12 of the Municipal Code of Chicago defines the duties of the Electrical Commission as the following:

- (1) "To formulate and recommend safe and practical standards and specifications for the installation, alteration and use of electrical equipment ... in the City of Chicago;"



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(2) "To recommend reasonable rules and regulations governing the issuance of permits by the electrical inspection section of the bureau of field inspections," and;

(3) "To recommend reasonable fees to be paid for inspections made by the electrical inspection section of the bureau of field inspections."

The recommendations of the Commission become effective only when they are adopted in an ordinance passed by City Council.

INDIVIDUAL A [REDACTED] of DEPT. S [REDACTED]

confirmed that the Commission has no direct power in City business and that it is solely advisory, addressing its recommendations to City Council. He said the Commission has no authority to, and in practice does not: (1) make any binding decisions regarding the issuance of permits by the City, the setting of regulatory standards, or the enforcement of electrical regulations; (2) enter into contracts; or (3) make any expenditures, other than those necessary for research in connection with its advisory functions.

The City ordinance specifies that the chairperson of the Commission is to receive no compensation, but it provides for compensation to other members. However, according to [REDACTED]

INDIVIDUAL B [REDACTED] of DEPT. S [REDACTED]

[REDACTED] none of the Commission members have received any compensation.

**OPINION:** Based solely on the definition of the Electrical Commission in the City ordinance, on [REDACTED]'s description of the activities of the Commission, and on [REDACTED]'s statements about the Commission, and provided that the duties of the Commission remain the same, the Board of Ethics finds that, to the best of its knowledge, the Electrical Commission meets the criteria of Section 26.2-15(a)(iii) for an agency whose members are exempt from the financial disclosure requirement of the Governmental Ethics Ordinance (unless they are obligated to file for some other reason, e.g., a City salary exceeding \$40,000 per year).

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Thank you for bringing this matter to the attention of the Board. If you have any further questions, please do not hesitate to contact the Board staff at 744-9660.

Sincerely,

  
Albert Hofeld  
Chairman

cc: 

JGJ: 90025.L