

HOUSE JOINT RESOLUTION NO. 186

Establishing a joint subcommittee to study conflicts of interests and lobbyist disclosure filings. Report.

Agreed to by the House of Delegates, February 17, 2004

Agreed to by the Senate, March 9, 2004

WHEREAS, the State and Local Government and the General Assembly Conflicts of Interests Acts disclosure forms have not been thoroughly evaluated in many years and have evolved with a number of differences; and

WHEREAS, the conflicts disclosure forms and the lobbyist disclosure forms should be evaluated to determine whether they provide appropriate and adequate information to the public; and

WHEREAS, the dissemination of information from the forms on the Internet may offer cost-effective and accessible information to the public; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study conflicts of interests and lobbyist disclosure filings. The joint subcommittee shall consist of 12 members that include six legislative members and two nonlegislative citizen members, and four ex officio members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; one citizen member with lobbying experience to be appointed by the Speaker of the House of Delegates; one citizen member representing the public at large to be appointed by the Senate Committee on Rules; and the Attorney General, Secretary of the Commonwealth, Clerk of the House of Delegates, and Clerk of the Senate, or his designee to serve ex officio with nonvoting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall (i) examine the feasibility and associated costs of requiring the Secretary of the Commonwealth, the Clerk of the House of Delegates, and the Clerk of the Senate of Virginia jointly to develop a uniform conflicts of interests form for filings required by Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 and Chapter 13 (§ 30-100 et seq.) of Title 30; (ii) examine the lobbyist disclosure reports required by § 2.2-426 and the relationship between lobbyist and conflicts of interests disclosure forms; (iii) evaluate the costs and desirability of having the Secretary of the Commonwealth and Clerks of the House of Delegates and Senate jointly make certain information from the forms available on the Internet; and (iv) analyze the current forms to determine if the level of detail is appropriate and adequately informs the public of potential conflicts of interests.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2004 interim and four meetings for the 2005 interim, and the direct costs of this study shall not exceed \$6,800 per interim without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings for the first year by November 30, 2004, and for the second year by November 30, 2005, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated

Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2004 and 2005 interims.