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SENATE JOINT RESOLUTION NO. 75

Offered January 18, 2018

Establishing a joint subcommittee to study the current ethics laws of the Commonwealth. Report.

Patron—Norment

Unanimous consent to introduce

Referred to Committee on Rules

WHEREAS, our system of representative government works best when its citizens maintain the highest trust in their public officers and employees at the state and local levels of government and in the executive and legislative branches; and

WHEREAS, the citizens of the Commonwealth are entitled to the assurance that the judgment of public officers and employees will not be compromised or affected by inappropriate conflicts; and

WHEREAS, after events prompted debate on the adequacy of Virginia's current ethics laws, the 2015 Session of the General Assembly adopted major legislation to reform the General Assembly Conflicts of Interests Act, the State and Local Government Conflict of Interests Act, and laws related to lobbying; and

WHEREAS, during the 2016 and 2017 Sessions, the General Assembly modified the ethics laws to strengthen, improve, and clarify provisions relating to the coverage of gifts, disclosure statements of state and local officials, and registrations by lobbyists; and

WHEREAS, although a variety of issues have been addressed by the ethics laws, further review of the laws' effectiveness and efficiency in regard to disclosure and compliance activities is warranted; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the current ethics laws of the Commonwealth. The joint subcommittee shall have a total membership of eight members that shall consist of six legislative members and two nonlegislative citizen members. Members shall be appointed as follows: three members of the Senate to be appointed by the Senate Committee on Rules, three 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, one nonlegislative citizen member to be appointed by the Senate Committee on Rules, and one nonlegislative citizen member to be appointed by the Speaker of the House of Delegates. Nonlegislative citizen members 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 study the General Assembly Conflicts of Interests Act, particularly the disclosure requirements for members of the General Assembly, and shall examine the reporting requirements for lobbyists. In its review, the study shall examine the effectiveness and efficiency of the disclosure laws in promoting public trust and confidence in the service of public officials. The joint subcommittee shall identify those portions of the ethics laws that should be repealed, substantially amended, rewritten for clarity, or retained in their present form.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Virginia Conflict of Interest and Ethics Advisory Council. 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 2018 interim and four meetings for the 2019 interim, and the direct costs of this study shall not exceed \$13,680 for each year 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 Senate members or a majority of the House members appointed to the joint subcommittee (i) vote against the

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59 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
60 joint subcommittee.

61 The joint subcommittee shall complete its meetings for the first year by November 30, 2018, and for
62 the second year by November 30, 2019, and the chairman shall submit to the Division of Legislative
63 Automated Systems an executive summary of its findings and recommendations no later than the first
64 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
65 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
66 report of its findings and recommendations for publication as a House or Senate document. The
67 executive summaries and reports shall be submitted as provided in the procedures of the Division of
68 Legislative Automated Systems for the processing of legislative documents and reports and shall be
69 posted on the General Assembly's website.

70 Implementation of this resolution is subject to subsequent approval and certification by the Joint
71 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
72 delay the period for the conduct of the study, or authorize additional meetings during the 2018 or 2019
73 interim.