

Commonwealth of Virginia

Patricia L. West, Chair



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Virginia Conflict of Interest and Ethics Advisory Council

Meeting Minutes

Virginia Conflict of Interest and Ethics Advisory Council

April 26, 2016, 10:00 a.m.

House Room C, General Assembly Building

Council members present:

Senator Thomas K. Norment, Jr.
Senator Janet D. Howell
Delegate C. Todd Gilbert
The Honorable Patricia L. West, Chair
The Honorable Pete W. Stout, III
Bernard L. Henderson, Jr.
Walter C. Erwin
Sharon E. Pandak

Staff present:

Chris Piper, Executive Director
Rebekah Stefanski, Staff Attorney
Michelle LeGates, Filing Coordinator

Council member absent:

Delegate Jennifer L. McClellan

Summary:

- I. Judge West called the meeting to order.
- II. Senator Norment nominated The Honorable Pete W. Stout, III, as Vice Chair of the Council and the nomination was seconded. The Honorable Pete W. Stout, III, was unanimously confirmed as Vice-Chair.
- III. Chris Piper presented the Executive Director Report to the Council.

IV. Old Business

a. Transactional Immunity

- i. Chris Piper updated the Council on transactional immunity provided by the ethics law to city and county attorneys. Local government attorneys and Commonwealth's Attorneys discussed the issue during the 2016 General Assembly Session and a recommendation was included in the ethics omnibus bill being reviewed by the Governor.

V. New Business

a. Formal Advisory Opinions

- i. A motion was made to approve question one of formal advisory opinion *2016-F-001 § 2.2-3101 Professional organization membership* and the motion was seconded. The Council unanimously approved the answer to question one of the formal advisory opinion. A motion was made to amend the answer to question two and the motion was withdrawn. A motion was made to approve the answer to question two of the formal advisory opinion and the motion was seconded. The answer to question two was approved by Council vote with the exception of Mr. Henderson and Ms. Pandak.
- ii. A motion was made to approve formal advisory opinion *2016-F-002 §§ 2.2-3114, 2.2-3115, & 2.2-3116 Departure filing* and the motion was seconded. The Council unanimously approved the motion.
- iii. A motion was made to approve formal advisory opinion *2016-F-003 §§ 2.2-3117 & 30-111 Board of directors filers* and the motion was seconded. The Council unanimously approved the motion.
- iv. A motion was made to amend formal advisory opinion *2016-F-004 § 2.2-419 PACs associated with a lobbyist's principal* and the motion was seconded. A motion was made to approve the formal advisory opinion as amended and the motion was seconded. The formal advisory opinion as amended was approved by Council vote with the exception of Mr. Henderson.
- v. A motion was made to approve formal advisory opinion *2016-F-005 § 30-103.1 Lobbyist friends* and the motion was seconded. The Council unanimously approved the motion.
- vi. A motion was made to defer acting on formal advisory opinion *2016-F-006 § 30-111 Legislator reporting of an event* and the motion was seconded. The Council unanimously agreed to defer a vote on the formal advisory opinion.
- vii. A motion was made to defer acting on formal advisory opinion *2016-F-007 §§ 2.2-3103.1 & 30-103.1 Widely attended events* and

the motion was seconded. The Council unanimously agreed to defer a vote on the formal advisory opinion.

viii. A motion was made to approve formal advisory opinion *2016-F-008 §§ 30-103.1 & 30-111 Legislative organization conferences* and the motion was seconded. The Council unanimously approved the motion.

b. Updates to Forms – Chris Piper presented the updated forms in a block to the Council. A motion was made to approve forms i, ii, iii, iv, and v and the motion was seconded. The Council unanimously approved the forms.

i. General Assembly Statement

ii. State and Local Statement

iii. Financial Disclosure Statement

iv. Lobbyist Disclosure Form

v. Lobbyist Registration Statement

VI. Judge West asked for public comment.

- Roger Wiley spoke concerning the advisory opinions, noting his thanks for the Council's work. He urged the Council to adopt a procedure whereby the drafts of formal opinions are published for a public comment period prior to the Council considering those formal opinions at its meetings.

VII. Judge West adjourned the meeting.