

Public Comment on Draft Forms

October 3, 2016



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CONFLICT OF INTEREST AND
ETHICS ADVISORY COUNCIL

Public Comment/Draft Forms



- At the August 17th meeting of the Council, it was announced that public comments on the proposed draft forms should be submitted by email.
- The deadline to submit comments was September 19, 2016.
- A notice to this effect was also placed on the homepage of the Council's website.

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- The Council received emails from 14 individuals.
 - Two individuals submitted two emails.
 - Most emails contained multiple comments.
 - Some people indicated in their comments that they were responding on behalf of others, or on behalf of themselves and others.
- In the 16 emails, there were approximately 105 comments.
 - NOTE: on Friday, September 30, we received an additional email with four comments.

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- A number of comments were identical.
 - For example, multiple individuals pointed out that in the proposed State and Local SOEI, the term “legislator” appeared and should be replaced with “officer or employee.”
 - Also, multiple individuals commented or asked if all local filings could be done electronically.
- All comments were reviewed and carefully considered by staff.
 - A number of suggestions have been incorporated into the proposed drafts.

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- The most frequent comments were:
 - Pointing out drafting errors/grammatical errors;
 - Disliking how the forms now combine the questions and schedules (5 comments);
 - “I like the work you’ve done” (4 comments);
 - Local filers should file electronically/should file electronically with the Council (3 comments).

NOTE: VML and VACo both support maintaining the current process for local filing, and find it helpful to have questions and schedules combined.

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- Other examples of comments:
 - Need more space on the form;
 - Please provide the Economic Interest form in portrait format, not landscape format;
 - Don't put page numbers on the instructions;
 - Why are you changing the forms from what used to be in the *Code of Virginia*?

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- Many suggestions were made on the instructions of the forms, or the wording of questions. Example: instead of “source,” use the phrase “received from.”
- Some suggestions were not actually about the forms. Example: the filing period is too short.

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- One person commented on a discrepancy in the current forms between what is disclosed by legislators, and what is disclosed by state and local officers and employees on Schedule A of the SOEI.
 - Legislators must report if any immediate family members are employed by a governmental agency. State and local officers currently do not have to report this.
 - The forms you have today do not change this.

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- Staff corrected all of the drafting mistakes that were pointed out in the comments.
- Only two minor substantive changes have been made since the last meeting.

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- The first substantive change is that filers would have the option not to list the names of minor children who are “immediate family.”
 - Many filers in the past have expressed discomfort with having to provide the names of their children.

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- The second substantive change is that individuals filing the Financial Disclosure Statement would now list members of their immediate family.
- The old form did not require this, but did require the filer to report certain interests of their (unnamed) immediate family members.

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- All other changes involved adding clarifying language to instructions and questions, or making terms consistent throughout the forms.
- Example: the phrase “incurred a debt” in the Schedule B instructions was changed to “owe a personal debt.” This change makes the language consistent throughout all of the instructions in that Schedule.



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