

# Draft 2015 Recommendations for Commission Consideration

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- **Personal Use of Campaign Funds** – Under current Virginia law, personal use of campaign funds is only prohibited upon the closure of the campaign account. The Commission recommends that the law be amended to apply the personal use prohibition both before and after a campaign account is closed.
- **Special Session Fundraising** – The Commission recommends that Virginia’s ban on fundraising by the Governor, Lieutenant Governor, Attorney General and state lawmakers during the regular General Assembly session be extended to cover special sessions lasting more than one day and the veto override session.
- **Legislator Compensation** – The Commission believes that Virginia lawmakers should receive adequate compensation in order to promote diversity in the legislature. Further, the Commission favors a compensation system that increases transparency by clearly separating compensation from funding intended for legislative staff and office expenses. To achieve those goals, the Commission recommends the following:
  - Existing funds designated as legislative compensation should be combined with the existing allowance designated for staff and office expenses, with the sum established as the full and true salary for lawmakers.
  - Additional staff and office expense funds should be provided to each legislator, with a requirement that any unspent dollars be returned to the state’s general fund. Legislators should be prohibited from using these funds for their own compensation or personal use.
  - The amount of the new staff and office expense funds should begin at \$15,000 annually and increase by an amount equal to the inflation adjustment employed by the Virginia Retirement System for cost of living adjustments for state workers employed on or after July 1, 2010.
- **Judicial Selection** – The Commission recommends the following changes to Virginia's procedures for selecting judges in order to ensure the selection of highly qualified candidates while increasing transparency and minimizing political considerations.

- The Commonwealth should develop a comprehensive, consistent, and professional process for evaluating candidates for judgeships, including all levels of the judiciary. The Virginia State Bar (VSB) could serve as the coordinator of this process, and following current practice conduct, the evaluation process for the Supreme Court and Court of Appeals candidates. Local bar associations, individually or on a judicial circuit or other regional basis, could take the lead in evaluating candidates for the circuit, general district, and juvenile and domestic relations courts, using the long-established Fairfax County Bar Association's process as a model. The VSB could also perform this function for those localities without the resources to establish a solid, reliable process. Additional funding for the VSB to support the evaluation activities may be required, and a fee-based application process should be considered, as well as other fee-based or general fund appropriation alternatives, in order to bring about uniform judicial candidate reviews throughout the state.
- The Virginia State Bar and Fairfax Bar Association should conduct educational presentations for local bar associations, regional bar conferences and orientation programs for new state lawmakers.
- **Align Budget Cycle to Gubernatorial Terms** – The Commission recommends that the state budget cycle be aligned with gubernatorial terms to ensure that governors have the greatest possible opportunity to propose and execute budgets and in turn be held accountable for state budget policymaking. Under the current procedure, outgoing governors develop and submit a new biennial budget less than one month prior to leaving office, and incoming governors have limited time and flexibility to recommend amendments to the budget that will be in place for the first one-half of their gubernatorial term. Specifically, the Commission recommends that the Code of Virginia be amended to provide that following the next gubernatorial election the outgoing governor will develop and submit a budget for one year only. Thereafter, budgeting shall return to a biennial basis.
- **Funding for Governor-elect Transition Office** – The Commission recommends that governors-elect receive for the transition prior to their taking office funding adequate to lease facilities, hire staff and satisfy expenses necessary to effective transition planning and policy development. The public interest will be advanced by public funding of crucial transition activities rather than having the governor-

elect rely on volunteers who may have interests divergent from the public interest.

- **Economic Disclosures Required for Registrars and Electoral Board Members** – The Commission recommends that local registrars and electoral board members be required to file the economic disclosure forms required for other local officials under § 2.2-3115 of the Code of Virginia to promote transparency and ensure the integrity of the electoral process and of procurement decisions related to voting machines and other purchases.
- **Disclosure Requirements and Limits on Personal Gifts** –The Commission recommends that the Commonwealth adopt rules to deal specifically with gifts from personal friends. The State and Local Government Conflict of Interest Act should be amended to provide for the following:
  - Distinguish between gifts from relatives (including engaged persons or other similarly-situated individuals) and gifts from other persons. Gifts from relatives and similarly situated persons would be exempt from limits and reporting requirements.
  - Require disclosure of gifts from personal friends valued at more than \$1,000.
  - Prohibit acceptance of gifts from personal friends valued at more than \$5,000, provided that upon application from a public official and following review of the circumstances, the Ethics Advisory Council could grant waivers for gifts from personal friends of more than \$5000.