



Catherine Dimitruk, NRPC

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Secretary/Treasurer

TO: House Committee on Government Operations
FROM: Devon Neary, Executive Director Rutland Regional Planning Commission
DATE: March 15, 2024
RE: 24-0461 Municipal Code of Ethics

VAPDA supports expanding outreach and education of Municipal Code of Ethics to ensure that all Vermont Municipalities not only adopt a Code of Ethics but understand good local government ethics. By focusing on the implementation of 24 VSA § 1984, municipalities will be prepared to practice good ethics and respond to ethics questions or violations. We are concerned with the proposed added burden placed on small local municipalities with very limited capacity by some of the provisions in this bill. One simple approach to achieve better compliance without onerous requirements, is to expand direct outreach and education through existing partners.

COMMENTS ON 24-0461 V6.1

State Ethics Commission

The statute gives discretion on guidance, advisory opinions, and training developments to the State Ethics Commission without much specificity from the statute. This is especially concerning for trainings and liaison requirements.

Commission Guidance vs. Advisory Opinions

As written, the Commission Executive Director guidance vs. advisory opinion is confusing and potentially redundant. Moreover, the aggregation of complaints to a single Director could create a potential bottleneck and delays for Towns.

Trainings

We are concerned that the Commission “may” approve different trainings “in person” or “online” is concerning for many of our Towns. It is important that trainings be made as accessible and flexible as possible to achieve full compliance, especially for our smallest rural towns.

Liaisons

The requirement for each municipality to appoint a “liaison” is a big responsibility to place on small rural towns. Moreover, the liaison responsibilities for records retention and complaint/violation response places a large burden on our towns. To adequately perform this role, liaisons would require a significant level of training that may not be feasible for some towns. Moreover, towns without municipal staff that appoint a member of the legislative body as the liaison could inadvertently create an addition conflict for that individual.

RECOMMENDATIONS FOR 24-0461 V6.1

1. Direct the State Ethics Commission to work with existing partners to develop new training and expand training and outreach to ensure accessibility and compliance for all Vermont towns.
2. Require municipalities to adopt a new Municipal Code of Ethics with an annual recertification process.
3. Allow the State Ethics Commission to provide direct guidance to municipalities when dealing with ethics questions or violations.

Strengthening the Capability of Governments