



Cultivating a Culture of Transparency

Testimony on S.200, Revolving Door on January 28, 2014

Senate Government Operations Committee

Testifying: Shawn Shouldice, Ben Kinsley, Kris Jolin

Good afternoon, my name is Shawn Shouldice and I am here with my colleagues Ben Kinsley and Kris Jolin on behalf of our client, Campaign for Vermont.

Thank you for allowing us to come before this committee to provide Campaign for Vermont's position on S.200, the revolving door bill.

I'd first like to take a moment to provide you with a brief overview of Campaign for Vermont, its mission, vision and beliefs.

Campaign for Vermont is just over two years old. As you may know, the organization started with three Founding Partners: Bruce Lisman, Mary Alice McKenzie, and Tom Pelham. Today, the organization has nearly 1,100 partners who would lend their name in support of the organization's mission and goals and almost 12,000 Facebook followers who engage in a robust debate each day on a host of issues.

Campaign for Vermont is a grassroots organization – a coalition of independent Vermonters who want to have a voice in Montpelier. Now, in the organization's first session of advocacy, they are working to reconnect Vermonters with their government by continuing to influence the public policy dialogue to improve Vermont's economic landscape to one of shared prosperity.

Cultivating a culture of transparency and accountability in state government is Campaign for Vermont's primary goal.

Campaign for Vermont is sure that you'll agree; government should be transparent, accountable and accessible to all citizens.

Last summer, Campaign for Vermont conducted in-depth research and comparisons of ethics policies across all 50 states. (*Distribute Ethics Research*)

As summer interns of Campaign for Vermont, what Ben and Kris found was surprising.

Vermont is one of only three states in the country that does not have comprehensive ethics laws for public officials.

As a side - I'd like to tell you that the organization spent more than 100 event days in the field last summer between July 1 and September 5 talking to Vermonters all across Vermont – and to a person, there was a presumption that Vermont currently has ethics standards in place. When we told them- No, Vermont is just one of three states that has no ethics policies, they were supportive of the enactment of a comprehensive law as well as for the establishment of an independent commission that would be available to provide advisory opinions and/or issue sanctions when appropriate.

Ben and Kris will take a moment to review with you their findings. (Distribute Ethics One-Pager)

The State Integrity Investigation is a joint project between The Center for Public Integrity, Global Integrity, and Public Radio International.

Better Government Association is an advocacy group that “promotes reform through investigative journalism, civic engagement, and advocacy”

- **Public Access to Information (Grade of D+ from SII and C- from BGA)**
 - State Integrity Investigation found that in real-world situations Vermonters had a difficult time gaining access to information.
- **Executive & Legislative Accountability (Grade of D- from SII, Grade of F from SII)**
 - One of 3 states without financial disclosure
 - 34 states have revolving door regulations
 - 29 states have nepotism regulations
- **Ethics Enforcement Agencies (Grade of F from SII)**
 - One of three 3 without any ethics oversight authority
 - 43 states have independent ethics commissions
- **Open Meetings (Grade of F by BGA)**
 - Received a score of 44.5% by BGA
 - Massachusetts scored 65%
 - Ranked 33rd by the BGA

- **Conflict of Interest (Grade of F by BGA)**

- One of 3 states without comprehensive conflict of interest laws.
- BGA ranked Vermont 50th for conflict of interest laws.

- **Ethics Score**

- 2.1 guilty officials per capita in the past 10 years
- New Hampshire had 1.1 guilty officials per capita
- Maine had 1.9 guilty officials per capita

At another time, we'd welcome an opportunity to come back and discuss with the committee our comprehensive ethics proposal, but today will provide you with specific comments on S.200 the revolving door legislation before you.

Campaign for Vermont took a look specifically at revolving door policies:

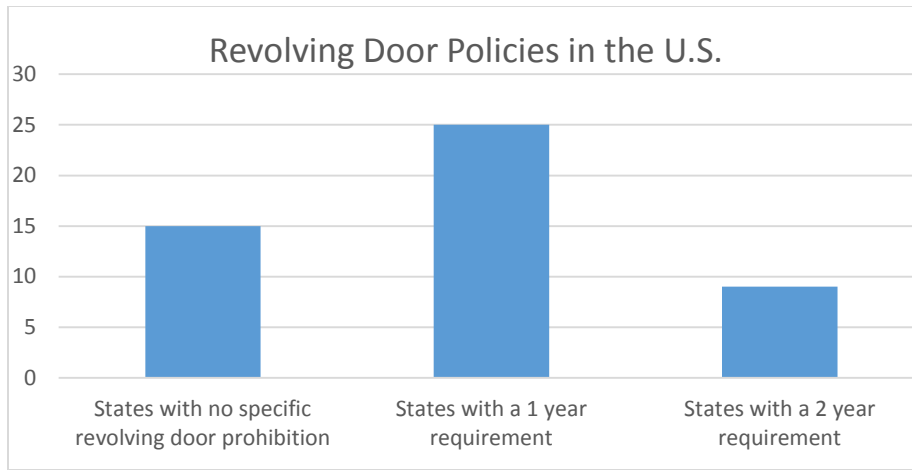
When public officials leave office, they become the target of corporations and special interest groups for lobbying, this helps to advance the interests of special interests, but rarely the interests of the public. Campaign for Vermont believes that public officials must be 2 years removed from public office before working in positions intended to directly influence the outcome of decisions and deliberations within government.

The State Integrity Investigation - a joint project between the Center for Public Integrity, Global Integrity, and Public Radio International - gave Vermont ratings of D- and F for executive and legislative accountability respectively.

These rankings can be generally broken up into four categories: Lack of asset disclosure laws, lack of revolving door regulation, lack of nepotism and patronage laws and other conflict of interest measures.

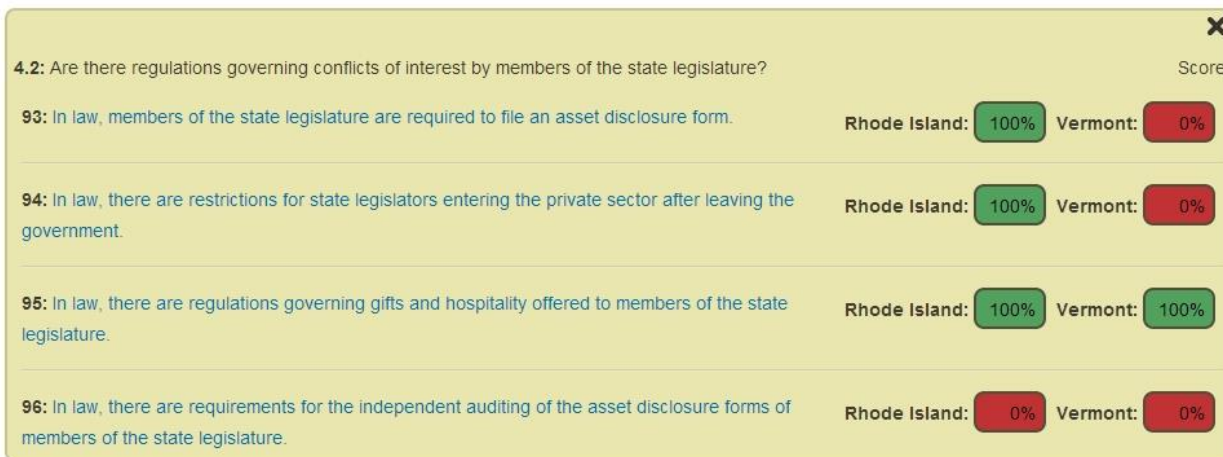
Most states put at least a one year moratorium on lobbying or consulting for parties to a state contract. **Thirty-four states have specific revolving door policies.**¹ Vermont has no laws regulating this activity.

¹ CFV Ethics chart - <http://ow.ly/saHsl>



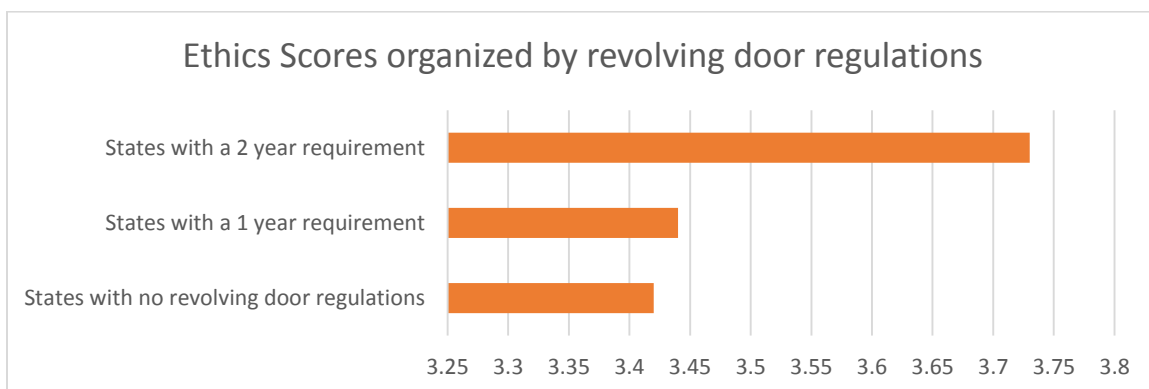
CFV Ethics Chart - <http://ow.ly/saHsl>

To illustrate how Vermont compares to other states, below is a comparison in conflict of interest laws between Vermont and Rhode Island. The State Integrity Investigation compiled a report card on legislative accountability that can be viewed here: <http://bit.ly/1d0GyWU>.



State Integrity Investigation - http://www.stateintegrity.org/comparison_widget

This chart was compiled using data from an NY Times survey evaluating confidence in the ethical behavior of state officials. It represents how states with a 2 year requirement for revolving door regulations tend to have a higher confidence in state government.



CFV Ethics Chart - <http://ow.ly/saHsl>

Campaign for Vermont supports the passage of S.200, but recommend some specific changes:

- We propose the committee consider including in S.200, the creation of an independent commission.
 - Nine member commission – 3 appointed by news associations, 3 appointed by the governor, and 3 appointed public non-profits groups.
- We recommend amending the bill to include a 2-year prohibition, rather than one, on public officials acting as lobbyists, being a party to a state contract, or employed by an entity they've been responsible for regulating.
- Other states who have a 2-year requirement - Alabama, Colorado, Florida, Iowa, Kentucky, Louisiana, Montana, New York, and Oklahoma
- We believe the penalties outlined in the bill are in line with what other states have, but would suggest the enforcement actions start at the independent commission level.

Campaign for Vermont advocates joining 47 other states who have taken steps to protect public trust and hold elected officials to the highest ethical standards. We propose that a strict code of ethics be established which includes the following elements: a clearly defined method for dealing with potential conflicts of interest; full financial disclosure for statewide public officials; shared gift disclosure requirements; restrictions on nepotism and patronage; closing the revolving door in our political system; and the establishment of an independent commission to deal with ethics, transparency, and accountability.

Campaign for Vermont believes the passage of S.200 – the revolving door legislation before you, with our proposed amendments, is an important step toward a more accountable and more efficient state government. It is one step toward cultivating a culture of transparency and accountability across all of state government.

We thank you for your time and attention today. We would be happy to address any questions that you may have.