



Cultivating a Culture of Transparency

Testimony on S.200, Revolving Door on February 12, 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 inviting us back.

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.

As we discussed last month, Campaign for Vermont conducted in-depth research and comparisons of ethics policies across all 50 states. We provided a copy of our Ethics Research, which I believe you have linked to your committee page.

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

Campaign for Vermont supports the passage of revolving door legislation but would urge the committee to take a more comprehensive approach to the passage of ethics standards.

With the committee's permission we'd like to walk through a bill recently introduced in the House. (See Summary of H.846 and CFV comments).

Should you continue to consider S.200 alone, we'd 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-profit 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. We understand the ACLU has suggested that a one-year prohibition, but we'd point out that other states who have a 2-year requirement including; Alabama, Colorado, Florida, Iowa, Kentucky, Louisiana, Montana, New York, and Oklahoma tend to have higher confidence in government.
- 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.

Again, Campaign for Vermont encourages the committee to pass comprehensive ethics reform - joining 47 other states who have taken steps to protect public trust and hold elected officials to the highest ethical standards.

The passage of ethics standards is just the first step toward creating a more accountable and transparent government.

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

- **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