

January 30, 2020

Budget Testimony before House Appropriations Committee

Please come prepared to answer the following questions in addition to the RBA questions

1. What is your budgeted vs actual spending for SFY19 final and SFY20 BAA by separate appropriation?

Ethics Commission's Budget was \$183,795.92, actual expenses were \$105,902.63 in SFY2019. There were no BAA's submitted in FY2020 by the Ethics Commission.

2. Identify all carry forwards and reserves. How did they accumulate?

Ethics Commission did have carryforward of:

\$16,947.30 in Human Resource ISF funds (Expenses came in less than expected)

\$60,945.99 in Interdepartmental Transfer Funds (these funds accumulated due to slow startup from establishment of office)

3. Do you have any proposed initiatives? New initiatives from the previous year? Results from those initiatives?

Yes. The Commission has submitted to the General Assembly amendments to 3 V.S.A. Chapter 31 Government Ethics. Among the items included is a provision that the Ethics Commission submit a draft code of ethics that can be adopted by statute. A draft is available now.

4. Update on exiting programs. Identify successes and failures (failed to meet expectations) and why did it succeed or fail.

The Ethics Commission's Annual Report filed January 15, 2020 provides an in-depth analysis of the shortcomings of the current statutory ethics oversight. The Commission occupies a unique position enabling it to diagnose the state of ethics oversight in Vermont.

5. What challenges have you identified? What actions are you taking? Do you have the resources to complete your mission.

A: See Annual Report.

6. What are the implications of level funding, positive or negative?

Negative. Administrative demands divert attention from program obligations. The Executive Director cannot meet all Commission needs in 20 hours per week. Part-time administrative assistance will be necessary. Even when provided, it will require significant administrative time to train, purchase and set up more computers, sharing office, etc. No vacation.

7. What work, initiatives, drawdown or federal dollars are not happening or getting done?

Training

8. Do existing programs best address the pressures and priorities of the agency/department or should other alternatives be considered? What data supports this?

No. See annual report.

9. Identify existing problems. What is the root causes of each? What is your suggestion to address the problem in an efficient and effective way?

Enabling statute does not meet ethics needs of Vermont State government.

10. What is your actual vacancy rate? Are you using any vacancy rates to fulfill your budget?

Zero

11. Did you lose staff? Where did those losses occur and does that impact your mission?

No.

12. What are there [sic] pressures on your budget?

Administrative side of running the office.

13. Do you have outdated policies that need to be addressed?

No.

14. What are your fund balances? Explain any special funds.

Ethics Commission is fully funded through the Human Resources Internal Service Fund (HR ISF) which had a fund balance of \$3,884,685 as of 12/31/2019. The HR ISF fund, funds DHR Operations, Ethics Commission and Racial Equity Panel.

RBA Questions: A. How much did you do? B. How well did you do it? C. Is anyone better off?

The creation of an Ethics Commission has raised the expectations of Vermonters. They rightly expect that ethics in government is a priority. It is not. There is no enforceable ethics code. There is no enforcement mechanism yet, even if we had a code. This is all a work in progress.

Phase I amend current statutes.

Phase II adopt a statutory Code of Ethics.

Phase III discuss and decide whether and to what extent a Code may be enforced and how that will happen.