

VERMONT ETHICS COMMISSION

Julie Hulburd, Chair

Larry Novins, Executive Director

Fiscal Year 2021 Budget Request



Fiscal Year 2021 Budget Request

**V E R M O N T
E T H I C S C O M M I S S I O N**

Julie Hulburd, Chair
Larry Novins, Executive Director

Budget Development

Holly S. Anderson, AoA Chief Financial Officer

Brenda Berry, AoA Deputy Chief Financial Officer

Jason Pinard, Financial Director II

Shawn Benham, Financial Director II

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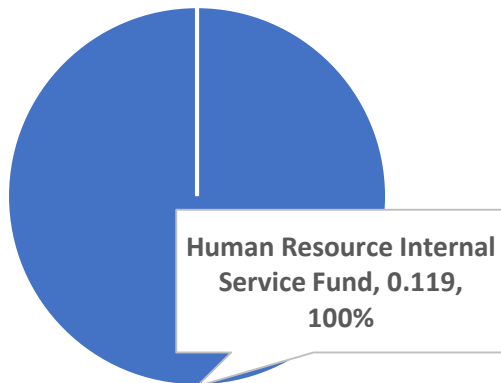
**V E R M O N T
E T H I C S C O M M I S S I O N**

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Agency of Administration,
Lieutenant Governor's Office
FY 2021 Governor's Recommend Budget

MISSION: The mission of the State Ethics Commission is to promote, practice and maintain the highest level of ethical standards and accountability in state government. The Commission provides governmental ethics training to all public officials, accepts complaints of governmental misconduct, provides information to the public and issues ethical guidance and advisory opinions by interpreting and applying state law, governmental codes of conduct, and the General Principles set forth in Section 1 of the State of Vermont Code of Ethics.

Governor's Recommended Budget
FY 2021
(\$ millions)



FY 2021 SUMMARY & HIGHLIGHTS

- 1% budget decrease over FY2020 Levels.
- Ethics Commission received a total of 23 complaints in FY2019 which was an increase of 23% reported from 2018.
- Eleven of the 23 complaints were opened as cases.
- Six of the 23 cases were referred to other entities as permitted by statute for further action.
- Two of the 23 cases are pending with the remaining cases were closed with no action.
- Begin Ethics educational activities.
- Drafted amendments to Chapter 31 of Title 3.
- Posted completed forms on the Ethics Commission website.
- Revised the Code of Ethics in November 2019.

Vermont State Ethics Commission

Executive Summary & Program Highlights

Mission

The mission of the State Ethics Commission is to promote, practice and maintain the highest level of ethical standards and accountability in state government. The Commission provides governmental ethics training to all public officials, accepts complaints of governmental misconduct, provides information to the public, and issues ethical guidance and advisory opinions by interpreting and applying state law, governmental codes of conduct, and the General Principles set forth in Section 1 of the State Code of Ethics.

Key Initiatives

Financial Disclosure Statements

In December 2017, the Ethics Commissioners drafted two financial disclosure forms – one for candidates; state senators or state representatives and another for statewide executive officers, state ethics commissioners, and the executive director of the state ethics commission. The forms were available for the January 15 filing deadline. First used in 2018 election season of the 316 primary candidates, 296 completed the financial disclosure form, which translates into a 94% compliance percentage.

General Principles of Governmental Ethical Conduct

The Vermont legislature as described in 3 V.S.A. § 1202 in Sect 7 vested the State Ethics Commission with the authority to adopt a State Code of Ethics pertaining to conflicts of interest that would interfere with the performance by a public official of their duty to work in the best interests of Vermont residents.

The General Principles of Governmental Ethical Conduct are modeled after the standards of ethical conduct for federal officers and employees. The Vermont State General Principles of Ethical Conduct were adopted on June 6, 2018.

Complaints of Ethical Misconduct

The Vermont State Ethics Commission is responsible for accepting, reviewing, and tracking complaints about governmental conduct. If a complaint alleges a violation of governmental conduct regulated by law, or of the Department of Human Resources Ethics Code, the State Campaign Finance law set forth in 17 V.S.A. Chapter 61, the commission will refer the complaint to the appropriate state agency.

In 2018 the Commission received 36 complaints. The complaints addressed state executives, legislators, municipal employees, and employees of state agencies. Topics ranged from Official Duties or Responsibilities, Campaign/Political Activity, Financial or Business Transactions, and Employment to Use of Government Property and Resources.

Vermont State Ethics Commission

Executive Summary & Program Highlights

Ethics Guidance

Pursuant to 1 V.S.A. §1225 the Executive Director of the Ethics Commission may issue guidance on any issue related to governmental ethics to a statewide officer or state employee upon request. The Executive Director may consult with Ethics Commission members and the Department of Human Resources in preparing the guidance. Guidance is exempt from public inspection and copying under the Public Records Act and is confidential unless the recipient chooses to publically disclose it.

In the first 12 months, the Executive Director received 62 contacts from Statewide and local public officials and State employees requesting ethics guidance.

Ethics Advisory Opinions

Pursuant to 1 V.S.A. §1225 (b)(1)(2) The Executive Director may issue advisory opinions that provide general advice or interpretation regarding standards of governmental ethical conduct or any issue related to governmental ethics. Ethics advisory opinions may be initiated by a request or be issued by the Executive Director on an ethics issue that may have been the subject of recurring ethics guidance requests. The Executive Director may consult with members of the Ethics Commission and the Department of Human Resources in preparing these advisory opinions which will be posted on the Ethics Commission website.

In 2018, State Ethics Commission received one request for an ethics advisory opinion from an entity outside of State government that requested an interpretation and application of the State Ethics Code. Ethics advisory opinions are available on the State Ethics Commission website.

Governmental Ethics Training and Outreach

Pursuant to 3 V.S.A. § 1224, at least annually, in collaboration with the Department of Human Resources, the Commission shall make available to legislators, State officers, and State employees training on issues related to governmental ethics. The training shall include topics related to those covered in any guidance or advisory opinion issued under 3 V.S.A. § 1225.

The governmental ethics training program offered by the Ethics Commission is designed to provide both general and customized training on specific conflicts of interest risks that a legislator, public official or State employee may encounter related to their specific occupation and workplace.

On June 12, 2018, Commissioners presented a governmental ethics training at the Vermont Government Finance Officers Association (VGFOA) 2018 Summer Workshop and Annual Meeting held at the Vermont Technical College in Randolph.

The Commission was an exhibitor at the Vermont League of Cities and Towns Town Fair held in South Burlington on October 3 and 4, 2018. Commissioners and the Executive Director answered questions from VLCT members on conflicts of interest and other governmental ethics issues.

Ethics Commission Brochures and Posters

The Ethics Commission produced an information brochure with a State Ethics Code insert and a series of governmental ethics posters that have been distributed at public events and in mailings.

Vermont State Ethics Commission

Executive Summary & Program Highlights

DHR- CAPS Training Collaborative

The Ethics Commission and the Vermont Department of Human Resources are collaborating on ethics training through the Center for Achievement in Public Service (CAPS). The proposed plan is that the Ethics Commission's Executive Director will provide governmental ethics training sessions as part of the CAPS workforce development services to State agencies and departments.

Website Development

The Ethics Commission website was developed and on-line in 2018, available on the website are financial disclosure forms, the State code of ethics, and ethics advisories. A governmental ethics training video addressing conflicts of interest for government employees will be available for viewing on the Ethics Commission website this month.

Policies and Procedures

In 2018, the Ethics Commission focused on drafting policies and procedures to guide the work of the Commission. The policies and procedures relate to three key operational areas namely, the procedure for handling complaints, ethics guidance and advisory opinions. Once finalized and adopted by the Commission, these policies and procedures will be available on the commission website in the coming months.

Summary

The Vermont State Ethics Commission is a valuable resource for elected officials and state employees to answer ethics and conflict of interest questions, provide ethics guidance and receive complaints.

FY21 Governor's Budget Recommendations--Program Profile Report --Attachment-A1

Ethics Commission		Financial Info						
Programs	Financial Category	GF \$\$	Spec F (incl tobacco) \$\$	Fed F \$\$	All other funds \$\$	Total funds \$\$	Authorized Positions (if available)	\$ Amounts granted out (if available)
PROGRAM #1 NAME								
Ethics Commissin	FY 2019 Actual expenditures				\$ 86,038.00	\$ 86,038.00	1	
	FY 2020 estimated expenditures (including requested budget adjustments)				\$120,843.00	\$120,843.00	1	
	FY 2021 Budget Request for Governor's Recommendation				\$119,282.00	\$119,282.00	1	
PROGRAM #2 NAME								
Program name and description	FY 2019 Actual expenditures				\$ -	\$ -		
	FY 2020 estimated expenditures (including requested budget adjustments)				\$ -	\$ -		
	FY 2021 Budget Request for Governor's Recommendation				\$ -	\$ -		
PROGRAM #3 NAME								
Program name and description	FY 2019 Actual expenditures				\$ -	\$ -		
	FY 2020 estimated expenditures (including requested budget adjustments)				\$ -	\$ -		
	FY 2021 Budget Request for Governor's Recommendation				\$ -	\$ -		
PROGRAM #4 NAME								
Program name and description	FY 2019 Actual expenditures				\$ -	\$ -		
	FY 2020 estimated expenditures (including requested budget adjustments)				\$ -	\$ -		
	FY 2021 Budget Request for Governor's Recommendation				\$ -	\$ -		
PROGRAM #5 NAME								
Program name and description	FY 2019 Actual expenditures				\$ -	\$ -		
	FY 2020 estimated expenditures (including requested budget adjustments)				\$ -	\$ -		
	FY 2021 Budget Request for Governor's Recommendation				\$ -	\$ -		
	FY 2019 Actuals	\$ -	\$ -	\$ -	\$ 86,038.00	\$ 86,038.00	1	\$ -
	FY 2020 Estimated	\$ -	\$ -	\$ -	\$120,843.00	\$120,843.00	1	\$ -
	FY 2021 Budget Request	\$ -	\$ -	\$ -	\$119,282.00	\$119,282.00	1	\$ -

Programmatic Performance Measure Report

Attachment A-2

Vermont State Ethics Commission	Performance Measure Info				
Programs	Measure Name	Measure Type	Previous Period Value	Current Period Value	Reporting Period
PROGRAM #1 NAME					
Complaints	Number of Complaints	How Much?	unknown	20.00	SFY
	Complaints Opened as Cases	How Much?	unknown	11.00	SFY
	Referred Complaints	How Much?	unknown	7.00	SFY
PROGRAM #2 NAME					
Formal Guidance Requests	Number of Requests	How Much?	unknown	1.00	SFY
PROGRAM #3 NAME					
Advisory Opinions	Number of Advisory Opinions Issued	How Much?	unknown	1.00	SFY
PROGRAM #4 NAME					
Ethics Inquiries	Number of Ethics Inquiries	How Much?	unknown	10.00	SFY
PROGRAM #5 NAME					
Trainings Provided	Number of Trainings Provided	How Much?	unknown	4.00	SFY

Fiscal Year 2021 Budget Development Form - State Ethics Commission

	General \$\$	Transp \$\$	Special \$\$	HR Internal Service Fund	All other \$\$	Total \$\$
State Ethics Commission: FY 2020 (As Passed)	0	0	0	120,843	0	120,843
Changes to Salaries				2,111		2,111
Changes to Benefits				(18,667)		(18,667)
Add Annual Travel Expenses				14,400		14,400
Changes to Other Personal Services				(1,040)		(1,040)
Changes to ADS Allocation, Insurance Premiums, and Fee For Space				579		579
Changes to Vision and HR ISF Allocations from DFM				1,056		1,056
Subtotal of increases/decreases	0	0	0	(1,561)	0	(1,561)
FY 2021 Governor's Recommended Budget	0	0	0	119,282	0	119,282

State of Vermont
Budget Rollup Report

Organization: 1300001000 - Ethics Commission

Budget Object Group: 1. PERSONAL SERVICES

Budget Object Rollup Name	FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Salaries and Wages	45,751	45,113	45,113	47,224	2,111	4.7%
Fringe Benefits	28,243	37,182	37,182	18,562	(18,620)	-50.1%
Contracted and 3rd Party Service	2,833	0	0	0	0	0.0%
PerDiem and Other Personal Services	9,138	20,289	20,289	19,249	(1,040)	-5.1%
Budget Object Group Total: 1. PERSONAL SERVICES	85,966	102,584	102,584	85,035	(17,549)	-17.1%

Budget Object Group: 2. OPERATING

Budget Object Rollup Name	FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Equipment	0	3,425	3,425	3,425	0	0.0%
IT/Telecom Services and Equipment	165	1,961	1,961	2,450	489	24.9%
Travel	9,463	2,000	2,000	12,800	10,800	540.0%
Supplies	2,269	500	500	500	0	0.0%
Other Purchased Services	8,040	270	270	4,612	4,342	1,608.1%
Rental Property	0	10,103	10,103	10,460	357	3.5%
Budget Object Group Total: 2. OPERATING	19,937	18,259	18,259	34,247	15,988	87.6%

Total Expenses	105,903	120,843	120,843	119,282	(1,561)	-1.3%
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Fund Name	FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
ISF Funds	103,896	120,843	120,843	119,282	(1,561)	-1.3%
IDT Funds	2,007	0	0	0	0	0.0%
Funds Total	105,903	120,843	120,843	119,282	(1,561)	-1.3%

Position Count				1		
FTE Total				0.5		

**State of Vermont
Budget Detail Report**

Organization: 1300001000 - Ethics Commission

Budget Object Group: 1. PERSONAL SERVICES

		FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Salaries and Wages							
Description	Code						
Classified Employees	500000	45,751	0	0	0	0	0.0%
Exempt	500010	0	45,113	45,113	47,224	2,111	4.7%
Total: Salaries and Wages		45,751	45,113	45,113	47,224	2,111	4.7%

		FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Fringe Benefits							
Description	Code						
FICA - Classified Employees	501000	3,227	0	0	0	0	0.0%
FICA - Exempt	501010	0	3,451	3,451	3,613	162	4.7%
Health Ins - Classified Empl	501500	17,552	0	0	0	0	0.0%
Health Ins - Exempt	501510	0	27,405	27,405	8,340	(19,065)	-69.6%
Retirement - Classified Empl	502000	6,282	0	0	0	0	0.0%
Retirement - Exempt	502010	0	5,098	5,098	5,336	238	4.7%
Dental - Classified Employees	502500	807	0	0	0	0	0.0%
Dental - Exempt	502510	0	853	853	836	(17)	-2.0%
Life Ins - Classified Empl	503000	345	0	0	0	0	0.0%
Life Ins - Exempt	503010	0	190	190	199	9	4.7%
LTD - Exempt	503510	0	104	104	109	5	4.8%
EAP - Classified Empl	504000	30	0	0	0	0	0.0%
EAP - Exempt	504010	0	31	31	32	1	3.2%
Workers Comp - Ins Premium	505200	0	50	50	97	47	94.0%
Total: Fringe Benefits		28,243	37,182	37,182	18,562	(18,620)	-50.1%

**State of Vermont
Budget Detail Report**

Organization: 1300001000 - Ethics Commission

Contracted and 3rd Party Service		FY2019 Actuals				Difference Between Recommend and As Passed		Percent Change Recommend and As Passed
Description	Code							
Contr&3Rd Pty-Educ & Training	507350	445	0	0	0	0	0.0%	
Contr&3Rd Pty - Info Tech	507550	2,028	0	0	0	0	0.0%	
Other Contr and 3Rd Pty Serv	507600	360	0	0	0	0	0.0%	
Total: Contracted and 3rd Party Service		2,833	0	0	0	0	0.0%	

PerDiem and Other Personal Services		FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Description	Code						
Per Diem	506000	9,138	10,800	10,800	10,800	0	0.0%
Other Pers Serv	506200	0	9,489	9,489	8,449	(1,040)	-11.0%
Total: PerDiem and Other Personal Services		9,138	20,289	20,289	19,249	(1,040)	-5.1%
Total: 1. PERSONAL SERVICES		85,966	102,584	102,584	85,035	(17,549)	-17.1%

Budget Object Group: 2. OPERATING

Equipment		FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Description	Code					
Hardware - Desktop & Laptop Pc	522216	0	2,000	2,000	0	0.0%
Furniture & Fixtures	522700	0	1,425	1,425	0	0.0%
Total: Equipment		0	3,425	3,425	0	0.0%

**State of Vermont
Budget Detail Report**

Organization: 1300001000 - Ethics Commission

		FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
IT/Telecom Services and Equipment							
Description	Code						
Telecom-Wireless Phone Service	516659	165	0	0	0	0	0.0%
It Intsvccost-Vision/Isdassess	516671	0	715	715	1,092	377	52.7%
ADS Allocation Exp.	516685	0	1,246	1,246	1,358	112	9.0%
Total: IT/Telecom Services and Equipment		165	1,961	1,961	2,450	489	24.9%

		FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Other Purchased Services							
Description	Code						
Insurance Other Than Empl Bene	516000	0	0	0	15	15	100.0%
Insurance - General Liability	516010	0	40	40	88	48	120.0%
Telecom-Telephone Services	516652	182	0	0	0	0	0.0%
Advertising-Print	516813	2,744	0	0	0	0	0.0%
Printing and Binding	517000	2,693	0	0	0	0	0.0%
Printing & Binding-Bgs Copy Ct	517005	929	0	0	0	0	0.0%
Printing-Promotional	517010	1,230	0	0	0	0	0.0%
Postage	517200	250	0	0	0	0	0.0%
Postage - Bgs Postal Svcs Only	517205	12	0	0	0	0	0.0%
Outside Conf, Meetings, Etc	517500	0	0	0	3,600	3,600	100.0%
Agency Fee	519005	0	230	230	230	0	0.0%
Human Resources Services	519006	0	0	0	679	679	100.0%
Total: Other Purchased Services		8,040	270	270	4,612	4,342	1,608.1%

**State of Vermont
Budget Detail Report**

Organization: 1300001000 - Ethics Commission

Rental Property			FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Description	Code						
Fee-For-Space Charge	515010	0	10,103	10,103	10,460	357	3.5%
Total: Rental Property		0	10,103	10,103	10,460	357	3.5%

Supplies		FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Description	Code						
Office Supplies	520000	1,319	500	500	500	0	0.0%
Subscriptions	521510	950	0	0	0	0	0.0%
Total: Supplies		2,269	500	500	500	0	0.0%

**State of Vermont
Budget Detail Report**

Organization: 1300001000 - Ethics Commission

Travel		FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Description	Code						
Travel In-State Non-Employee	518299	0	2,000	2,000	2,000	0	0.0%
Travel-Inst-Auto Mileage-Nonemp	518300	4,548	0	0	0	0	0.0%
Travel-Inst-Other Trans-Nonemp	518310	328	0	0	0	0	0.0%
Travel-Inst-Meals-Nonemp	518320	26	0	0	0	0	0.0%
Travel-Outst-Auto Mileage-Emp	518500	33	0	0	0	0	0.0%
Travel-Outst-Other Trans-Emp	518510	802	0	0	3,000	3,000	100.0%
Travel-Outst-Meals-Emp	518520	34	0	0	900	900	100.0%
Travel-Outst-Lodging-Emp	518530	902	0	0	6,000	6,000	100.0%
Travel-Outst-Incidentals-Emp	518540	83	0	0	900	900	100.0%
Travel-Outst-Other Trans-Nonemp	518710	888	0	0	0	0	0.0%
Travel-Outst-Meals-Nonemp	518720	193	0	0	0	0	0.0%
Travel-Outst-Lodging-Nonemp	518730	1,456	0	0	0	0	0.0%
Travel-Outst-Incidentals-Nonemp	518740	170	0	0	0	0	0.0%
Total: Travel		9,463	2,000	2,000	12,800	10,800	540.0%
Total: 2. OPERATING		19,937	18,259	18,259	34,247	15,988	87.6%
Total Expenses:		105,903	120,843	120,843	119,282	(1,561)	-1.3%

**State of Vermont
Budget Detail Report**

Organization: 1300001000 - Ethics Commission

Fund Name	Fund Code	FY2019 Actuals	FY2020 Original As Passed Budget	FY2020 Governor's BAA Recommended Budget	FY2021 Governor's Recommended Budget	Difference Between FY2021 Governor's Recommend and FY2020 As Passed	Percent Change FY2021 Governor's Recommend and FY2020 As Passed
Inter-Unit Transfers Fund	21500	2,007	0	0	0	0	0.0%
Financial Management Fund	59300	0	0	0	0	0	0.0%
Human Resource Services	59600	103,896	120,843	120,843	119,282	(1,561)	-1.3%
Funds Total:		105,903	120,843	120,843	119,282	(1,561)	-1.3%
Position Count					1		
FTE Total					0.5		

**State of Vermont
Position Report**

1300001000-Ethics Commission

Position Number	Classification	FTE	Count	Gross Salary	Benefits Total	Statutory Total	Total
967001	95010E - Executive Director	0.5	1	47,224	14,852	3,613	65,689
Total		0.5	1	47,224	14,852	3,613	65,689

Fund Code	Fund Name	FTE	Count	Gross Salary	Benefits Total	Statutory Total	Total
59600	Human Resource Services	0.5	1	47,224	14,852	3,613	65,689
Total		0.5	1	47,224	14,852	3,613	65,689



Ethics Commission
Five Members Appointed
per Statute

Executive Director
Part-Time Exempt