



To: Senate Government Operations Committee

From: Catherine Rader, LWVVT

RE: S.198, An act relating to an enforceable State Code of Ethics

January 31, 2020

The League of Women Voters strongly supports and urges passage of S.198, which would require the State Ethics Commission to propose a State Code of Ethics for the Legislature to enact into law a Code of Ethics enforceable by law.

Forty states have such enforceable codes of ethics.

The State Ethics Commission is a mandated body authorized to adopt, administer and apply the State Ethics Code: General Principles of Governmental Ethical Conduct. The State Ethics Code sets forth standards of conduct for all of Vermont's public officials and employees.

The problem is, that neither the Commission nor any other state office is authorized to enforce the Code written by the Commission. Referrals by the Commission are limited as well, to complaints alleging a "violation of governmental conduct regulated by law." Currently, the Code of Ethics is not written into law, so ordinary violations if the code cannot be addressed. DHR can only deal with violations of DHR rules. The Professional Responsibility Board can address violations of the Vermont Rules of Professional Conduct only. None of the 175 State Boards and Commissions is subject to the Code of Ethics.

The State Code of Ethics called for would apply to the Executive Branch (DHR, Boards and Commissions) and to the Legislative branch. If passed into law by the Legislature it would bring a coherence and accountability to Vermont Government that is now lacking.

Please advance S.198 to the Senate and the full Legislature.