

Greetings all,

Some quick responses/notes below:

1. "Definition of immediate family – Use the definition on page 3 lines 17 and 18. End right after child on line 19." **The Ethics Commission has no objection to this.**

"**Advisory opinion** – page 6 line 7. I can't remember the language but I thought there was one term for someone asking for advice (which was confidential) and then the advisory opinion was when there were a number of questions around the same issue and a general advisory opinion was crafted and this was public. Just need some clarification on that."

**An individual can ask for Guidance (confidential unless disclosed by the person requesting the guidance) or an Advisory Opinion (posted on the Ethics Commission website with personally identifying information redacted). General Advisory Opinions can also be issued proactively by the Ethics Commission when we receive a number of questions around the same issue, or to address matters of general interest.**

**3. Research by TJ: Below are the outside employment statutes in Rhode Island and Connecticut. The statutes apply equally to legislators; the Legislatures are part-time:**

[Conn: CGS § 1-84\(b\)](#) – “No public official or state employee shall accept other employment which will either impair his independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.”

[RI Gen Laws § 36-14-05\(b\)](#) – “No person subject to this code of ethics shall accept other employment which will either impair his or her independence of judgment as to his or her official duties or employment or require him or her, or induce him or her, to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.”

There are several states that have the same or similar provisions to their Code, but legislators are specifically exempted from the outside employment provision:

4. "Think big discussion is definition of conflict of interest. It seems very dense and really almost impossible to enforce in a small state like this. It is too broad. At this time I don't have a suggestion for change. Will continue to work on it."

We are happy to work on some alternative language that is less convoluted. Also, happy to look for experts/former legislators in other states with part-time legislatures if you would like.

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Some thoughts on S171

These are not in the order of the bill but just trying to do the simplest ones first. Forgive the formatting here, am having trouble figuring it out on this computer.

Definition of immediate family – Use the definition on page 3 lines 17 and 18. End right after child on line 19. UVM Board of Trustees defines like this “ spouse or civil union partner, child, parent, sibling, or such relations by marriage or civil union partnership, person claimed as a dependent for federal income tax purposes, and any relative residing in the same household as the Trustee. There may be other family members as to whom oved in favor of disclosure. “

**The 12 points in the code itself.**

Use as is except that 1 is conflict of interest (which I will suggest changing the definition) and it seems that numbers 3 (conduct after recussal) & 4 (appearance of conflict) are not separate points but belong under #1.

Number 2 seems like its own point.

Number 9 – gifts I will suggest a change.

Number 12 add includes governmental conduct regulated by law and maybe list here.

Then renumber

**Person vs Individual** – have gone through where it needs to be changed, as I’m has Amerin

**Employment Restrictions** – this seems to allow the person making the determination of inconsistent , incompatible or in conflict a lot of subjective latitude, I understand the intent but particularly for board/commission members and legislators this could really be problematic. Why would we not just say something like ..... that impedes the public servant’s ability to carry out his/her official duties in an.....manner.

**Advisory opinion** – page 6 line 7. I can’t remember the language but I thought there was one term for someone asking for advice (which was confidential) and then the advisory opinion was when there were a number of questions around the same issue and a general advisory opinion was crafted and this was public. Just need some clarification on that.

Think big discussion is definition of conflict of interest. It seems very dense and really almost impossible to enforce in a small state like this. It is too broad. At this time I don't have a suggestion for change. Will continue to work on it.