

My name is Will Stevens, I'm from Shoreham, VT, and I'll be testifying on H.1.

I am a former legislator, having served from 2007-14 on the House Ag and Forest Products Committee, including four as ranking member. I've served the Town of Shoreham in a variety of ways over the years, including as a member of the Select board, Planning Commission, Town Moderator, and other roles. Most recently I've been appointed by the Senate's Committee on Committees to one of the "former municipal officer" seats on the VT Ethics Commission that was created last year in Act 171.

I hope you all have received the Ethics Commission's letter from earlier this week in which we asked you to delay immediate action on H.1. I'm here to flesh out some of the thinking behind that request, and I'd like to bring three perspectives to the table: as a lay person, a former legislator, and finally, as a new Commissioner.

First, as a lay person:

I couldn't help but notice that three of the five House Ethics Panel members are three of the four co-sponsors of the Bill, which, as a reminder, proposes "to exempt the House and Senate Ethics Panels from the requirement to consult with the Executive Director of the State Ethics Commission on any complaint referred to the Panels by the Commission." "Interesting" would be an understatement!

Could a lay person see this as a potential conflict of interest and or a scenario that creates preferential treatment for the Legislature? Sure! I have a problem with this because I believe that for many folks outside of the "Golden Bubble," trust in government and good governance is low and declining. Their perception is their reality.

Does this Bill feed, or counter that perception?

As a former Legislator, I feel the need to point out that the Legislature often consults with the other branches of government and their representatives in the development of policies, best practices, and priorities. There is no requirement that any resulting legislation reflects any or all aspects of that consultation, but the practice occurs, and to my mind mirrors the intent behind the statute's language.

As a newly appointed Commissioner, I am one of two non-lawyers on the Commission. So far I have attended only two regular monthly- and one emergency meeting, which is to say that I have a lot to learn and am no content expert. That said, I'm curious to know what is wrong with giving it a year to see how it works?

When you put it all together, I have three abiding concerns:

1. What is (are) the problem(s) that H.1 proposes to solve? A follow-on to that is, Does this Bill adequately address the problem(s)?

2. What are the real-world consequences — both intended and unintended — that could occur if this legislation passes? Tied to that question are these: How will the public perceive it (i.e. does it pass the smell test)? How will it affect the work of the relevant boards and staff who are responsible for carrying out the duties of the legislation?

3. (And perhaps most important:) Have enough perspectives been solicited and heard from so that the committee can make a solid and informed policy decision?

Simply put, these three considerations were behind my support for signing the Ethics Committee's letter asking you to not rush a vote on H.1. I'll leave it to the lawyers to present you their views of the prior restraint and constitutionality issues; I'm here to advocate for more time so you can listen to, learn from, and have thoughtful deliberations on a variety of perspectives. That way everyone has the chance to grasp, digest, and contextualize the complexities of this issue. This is the first year of the biennium, the Bill is on your wall, and good policy takes time!

Thank you.