

Dear Senators Perchlik, Baruth, Brennan, Lyons, Norris, Watson, and Westman,

As you know, the House has passed its budget bill (H.951). Included in that bill is an appropriation for only one of the two attorney positions requested by the Ethics Commission. The bill also includes a policy provision requiring the Commission to create an “Ethics Handbook” interpreting the State Code of Ethics, and, prior to publication, requiring the Commission to submit a draft copy of the handbook to the House and Senate Gov Ops Committees. (The relevant language is found in Section E.136.1, pages 133-138.) We will note that the handbook language was adopted by House Approps in the eleventh hour, solely on the recommendation of Rep. Lalonde, with no input or testimony from the Ethics Commission. We are strongly opposed to this inclusion.

Ethics training, especially in-person training where participants can ask questions, is far preferable to a handbook that cannot possibly anticipate every conceivable ethics issue. We find the handbook provision especially odd considering the many times the Commission has offered to conduct ethics training for legislators, while none of those offers have been accepted. Furthermore, it is disturbing that the Commission, designated by statute to be an “independent commission,” would be required to submit a pre-publication draft of such handbook to legislative committees. Finally, while we are grateful for the one position the House bill has proposed, we find it ironic that the basic need behind our request for *two* positions (which was to simply fulfill our current statutory responsibilities) seems to have been completely ignored by assigning yet another task to the already under-resourced Ethics Commission.

The Commission maintains its request for an appropriation of \$351,000 for two full-time attorney positions. We also firmly oppose being assigned the duty of creating an ethics handbook and the requirement that a draft of such handbook be submitted to legislative committees prior to publication and ask that that language be removed in the Senate’s version of H.951. We will be happy to meet with your committee to discuss this in person.

Many thanks, once again, for your interest in, and consideration of, matters related to the Ethics Commission.

With best regards,

Paul Erlbaum
Chair, Vermont Ethics Commission

Will Stevens
Vermont Ethics Commissioner