

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate
3 Bill No. 291 entitled “An act relating to travel disclosures for legislators and
4 certain executive officers” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 * * * Travel Disclosures * * *

8 Sec. 1. 3 V.S.A. § 1201 is amended to read:

9 § 1201. DEFINITIONS

10 As used in this chapter:

11 * * *

12 (10) “Immediate family” means an individual’s spouse, domestic
13 partner, or civil union partner; child or foster child; sibling; parent; or such
14 relations by marriage or by civil union or domestic partnership; or an
15 individual claimed as a dependent for federal income tax purposes.

16 * * *

17 (16) “Staff” means any individual who supports a member of the
18 General Assembly or an executive officer in the member’s or executive
19 officer’s official capacity and acts at the direction of the member or executive
20 officer, whether paid or unpaid or receiving academic credit.

21 (17) “State officer” means the Governor, Lieutenant Governor,
22 Treasurer, Secretary of State, Auditor of Accounts, or Attorney General.

1 ~~(17)~~(18) “Unethical conduct” means any conduct of a public servant in
2 violation of the Code of Ethics, as provided for in this chapter.

3 Sec. 2. 3 V.S.A. § 1214 is added to read:

4 § 1214. TRAVEL DISCLOSURES; IN GENERAL

5 (a) Applicability.

6 (1) A member of the General Assembly or an executive officer shall file
7 with the State Ethics Commission, or as otherwise directed by law, a disclosure
8 detailing costs and associated information for any travel made in the course of
9 the member’s or executive officer’s official capacity or that would not have
10 likely occurred but for the member’s or executive officer’s status of occupying
11 the member’s or executive officer’s office.

12 (2) Notwithstanding subdivision (1) of this subsection, a member or an
13 executive officer is not required to file a disclosure if the travel is:

14 (A) fully paid by the member or executive officer, this State, or the
15 federal government; or

16 (B) of de minimis value, meaning having a value of \$50.00 or less
17 per source per occasion, provided that the aggregate market value of the
18 individual item received from any one source shall not exceed \$150.00 in a
19 calendar year.

1 (b) Contents and design of disclosure.

2 (1) A member of the General Assembly or an executive officer shall
3 disclose, in writing:

4 (A) the purpose of the travel;

5 (B) whether the travel was purely in the member’s or executive
6 officer’s official capacity or made for another purpose;

7 (C) the itinerary of travel, including dates of travel and any stopover
8 or intentional visit to another location prior to the destination of travel;

9 (D)(i) with reasonable particularity, any expense made or
10 reimbursement received for all costs associated with transportation to and from
11 any destination, and food, refreshments, tickets and admissions, entertainment,
12 lodging, and anything else of value, whether for cost or in kind, associated
13 with the travel; and

14 (ii) notwithstanding the provisions of subdivision (i) of this
15 subdivision (D), a member or an executive officer is not required to disclose
16 any expenses or reimbursements for any travel fully paid by the member or
17 executive officer, this State, or the federal government;

18 (E) the date of any expense or reimbursement; and

19 (F) if certain costs associated with the travel were in part paid for or
20 reimbursed by any other source than the member or executive officer or this
21 State, indicate what amount was paid for or reimbursed by:

- 1 (i) the State;
2 (ii) the member’s or executive officer’s own person; or
3 (iii) any other sources, including associations, lobbyists, political
4 committees and parties, individuals, other countries, states, and territories.

5 (2) A member or an executive officer shall also make the same
6 disclosures described in subdivision (1) of this subsection for any staff and
7 immediate family accompanying the member or executive officer on the travel.
8 These disclosures shall include the name and title of any staff and only the
9 nature of the relationship for any immediate family.

10 (3) A member or an executive officer shall attest to the veracity and
11 completeness of the disclosed information and sign and date the disclosure.

12 (4) Disclosure forms shall, where appropriate, be designed by the State
13 Ethics Commission.

14 (c) Filing date. A member of the General Assembly or an executive officer
15 shall file the disclosure within 30 calendar days following the conclusion of
16 travel.

17 (d) Supplemental disclosure. A member of the General Assembly or an
18 executive officer shall file with the State Ethics Commission, or as otherwise
19 directed by law, a supplemental disclosure in accordance with section 1203 of
20 this title if a particular matter involving the payer or orchestrator of any
21 expense or reimbursement detailed in subsection (b) of this section comes

1 before the member or executive officer during the six months following such
2 acceptance or reimbursement.

3 Sec. 3. 3 V.S.A. § 1215 is added to read:

4 § 1215. TRAVEL DISCLOSURES; EXECUTIVE OFFICERS UNDER

5 GOVERNOR

6 (a) Notwithstanding the requirements of subsection §1214(a) of this title,
7 an executive officer serving under the Governor is not required to disclose any
8 expenses or reimbursements for any travel if:

9 (1) that executive officer’s travel is otherwise required to be approved,
10 reported, and disclosed pursuant to a rule or bulletin as adopted by the
11 Governor;

12 (2) that rule or bulletin conforms to the requirements of section 1214 of
13 this title; and

14 (3) copies of all disclosures made by the executive officers pursuant to
15 the rule or bulletin are posted on the Agency of Administration’s website.

16 (b) The Agency of Administration may design its own disclosure forms for
17 executive officers serving under the Governor, provided these forms conform
18 to the requirements of subsection 1214(b) of this title.

19 * * * General Amendments * * *

20 Sec. 4. 3 V.S.A. § 1211 is amended to read:

21 § 1211. EXECUTIVE OFFICERS; ANNUAL DISCLOSURE

1 (a) Annually, each Executive officer and county officer shall file with the
2 State Ethics Commission a disclosure form that contains the following
3 information in regard to the previous 12 months:

4 (1) each source, but not amount, of personal income of the officer and of
5 the officer's spouse or domestic partner, and of the officer together with the
6 officer's spouse or domestic partner, that totals more than \$5,000.00,
7 including:

8 (A) the officer's employer or business name and address; and

9 (B) if self-employed, a description of the nature of the self-
10 employment, including the names of any clients whose principal business
11 activities are regulated by or that have a contract with any municipal or State
12 office, department, or agency, provided that this information is known to the
13 ~~candidate~~ officer or the ~~candidate's~~ officer's domestic partner and that the
14 disclosed information is not confidential information;

15 (2) any board, commission, or other entity that is regulated by law on
16 which the officer served and the officer's position on that entity;

17 * * *

18 (6) a generalized description, but not amount, to the best of the
19 ~~candidate's~~ officer's knowledge, of the following investments held by a
20 ~~candidate~~ an officer or the ~~candidate's~~ officer's spouse or domestic partner:

1 (A) individual stock holdings valued at \$25,000.00 or more, which a
2 ~~candidate~~ an officer exercises control over or has the ability to buy or sell,
3 which shall be listed individually;

4 (B) interests in investment funds valued at \$25,000.00 or more that a
5 ~~candidate~~ an officer or the ~~candidate's~~ officer's spouse or domestic partner has
6 the ability to exercise control over the composition of assets within a fund,
7 which shall be listed individually;

8 * * *

9 (F) the details of any loan valued at \$10,000.00 or more, made to the
10 ~~candidate~~ officer or the ~~candidate's~~ officer's spouse that is not a commercially
11 reasonable loan made in the ordinary course of business; and

12 (7) the full name of the ~~candidate's~~ officer's spouse or domestic partner.

13 * * *

14 Sec. 5. 3 V.S.A. § 1221 is amended to read:

15 § 1221. STATE ETHICS COMMISSION

16 * * *

17 (b) Membership.

18 (1) The Commission shall be composed of the following seven
19 members:

20 (A) one member, appointed by the Chief Justice of the Supreme
21 Court;

1 (B) one member, appointed by the League of Women Voters of
2 Vermont, who shall be a member of the League;

3 (C) one member, appointed by the Board of Directors of the Vermont
4 Society of Certified Public Accountants, who shall be a member of the Society;

5 (D) one member, appointed by the ~~Board of Managers of the~~
6 ~~Vermont Bar Association, who shall be a member of the Association~~
7 Governor;

8 (E) one member, appointed by the Board of Directors of the SHRM
9 (Society for Human Resource Management) Vermont State Council, who shall
10 be a member of the Council;

11 (F) one member, who shall be a former municipal officer, appointed
12 by the Speaker of the House; and

13 (G) one member, who shall be a former municipal officer, appointed
14 by the Senate Committee on Committees.

15 * * *

16 (e) Meetings.

17 (1) Meetings of the Commission:

18 ~~(1)~~(A) shall be held at least quarterly for the purpose of the Executive
19 Director updating the Commission on the Executive Director's work;

20 ~~(2)~~(B) may be called by the Chair and shall be called upon the
21 request of any other two Commission members; and

22 ~~(3)~~(C) shall be conducted in accordance with 1 V.S.A. § 310 et seq.

