

**Vermont State Ethics Commission**

**Minutes of November 6, 2019 Meeting (approved)**

**1. Call to Order:** The meeting, held at the Ethics Commission office at 6 Baldwin St. in Montpelier, was called to order by Commission Chair Julie Hulburd at 10:03 a.m. Also present for the meeting were Commission members Christopher Davis, Michele Eid, Paul Erlbaum, and Executive Director Larry Novins. Commission member Sarah Biolsi Vangel joined the meeting a moment later by telephone.

**2. Approval of Minutes:** On the motion of Paul Erlbaum, second by Chris Davis, the minutes of the October 2, 2019 meeting were approved.

**3. Public Comment**: None

**4. Executive Director’s Report**: Larry Novins discussed his efforts to contact some members of the legislature to seek their input on legislative proposals for 2020. Legislative outreach will continue.

Statutes: Novins has prepared draft amendments to Title 3, Chapter 31 which created the Ethics Commission. Among changes proposed are: a requirement that executive officer financial disclosure forms be filed annually (not the current biennial requirement), that the Ethics Commission submit a proposed State Code of Ethics to the legislature for statutory adoption, clarification of how and when advisory opinions may be issued, certification language to accompany financial disclosure forms and ethics complaints, adding a prohibition to bar elected judicial officers or candidates from serving on the Ethics Commission, changing the terms of office for Ethics Commission members to five years, and Executive Director authority to hire administrative support for the office.

Training: Novins briefed the Commission on ethics trainings provided so far. He will make a listing for the webpage. Among those recently provided: Human Rights Commission, CAPS and the League of Women Voters. The training there included questions about what an appointing body can do if it is displeased with the performance of the person it named to the Ethics Commission. Novins made very clear his interpretation of the statutes: Appointees to the Commission do not represent the appointing body. They are not required to report to the appointing body. They may do so as a courtesy. And, appointees may not be recalled by the appointing body.

Ethics Commission web site: Web page changes included: updated biography of Commission Chair Julie Hulburd, additional ethics sources, new links, and changes to remedy incorrect ethics provision references contained in current statute.

Code of Ethics Statutes: Novins has begun drafting a Code of Ethics for submission to the legislature.

**5. State Code of Ethics – General Principles, Revision:** The Commission voted 5-0 to accept the revisions to the Ethics Code - General Principles. They will be posted on the Commission website.

**6. Legislative Proposals:** The Commission voted 5-0 to accept Mr. Novins’ suggested amendments and addition to the Chapter 31 of Title 3 (referred to in the Executive Director Report, above).

**7. Executive Session to Discuss Complaints and Guidance Requests:** On the motion of Paul Erlbaum, second by Chris Davis, the Commission went into executive session to discuss complaints and guidance requests. These matters are confidential per 3 V.S.A. §§ 1221(d), 1223(c), and 1225(a)(3). On the motion of Sarah Vangel, second by Chris Davis, the Commission voted to conclude the Executive Session and return to open session.

**8. Other Business:**

Annual Report: Novins has also begun work on research for the annual report which will include an analysis of what persons and conduct is and is not subject to ethics oversite under our current statutes. He will attempt to have an outline of the report available for discussion by the time of the December meeting.

Meeting times: The Commission re-affirmed its policy to hold its meetings on the first Wednesday of each month at 10:00 a.m. Since the first Wednesday of 2020 is New Year’s Day, the Commission will hold its first 2020 meeting on January 8th.

**9. Adjournment:** Michele Eid moved to adjourn, second by Chris Davis. The meeting adjourned at 11:50 a.m.

**Next Meeting:** December 4, 2019 at 10:00 a.m. at Room 315, 6 Baldwin St., Montpelier.