



Vermont State Ethics Commission
Meeting Minutes
April 3, 2024 (Unapproved)
Remote Attendance*

1. Call to Order: The regular meeting, held remotely via Zoom, was called to order by Chair Paul Erlbaum at 10:02a.m. Also in attendance were Commission members Sarah Butson, Christopher Davis, and Jack Kennelly; Executive Director Christina Sivret and Administrative Assistant Tina Wolk. Michele Eid was absent.

2. Public Comment. None.

3. Approval of Minutes: The minutes of the March 6, 2024 meeting were not approved as there was not a quorum of Commissioners in attendance who had been present at the March 6, 2024 meeting.

4. Executive Director's Report:

Update on Legislative Session: Executive Director Sivret shared the good news that H.875 passed the House and will now move to the Senate Committee on Government Operations for further consideration. H.875 represents the merger of the two draft ethics bills that were under consideration by the House Committee on Government Operations. H.875 largely keeps the provisions of the two original draft bills intact but removes the proposed staffing increase for the Ethics Commission. The reason given for this was that the proposed increase was not included in the Commission's original budget request so funding for the new positions was not allocated during the House appropriations process. Executive Director Sivret expects the staffing issue to be further discussed in the Senate. Two amendments to H.875, advocated by the Vermont League of Cities and Towns (VLCT), were proposed during the final House vote. One amendment would have allowed municipalities to exempt themselves from state law if they certified they had an ethics framework in place that met the requirements of the bill. The second amendment proposed to strip the municipal ethics training and investigation requirements from the bill. Both amendments failed, largely along party lines.

The Commission noted that H.875 still includes the provision that allows VLCT to appoint someone to the Ethics Commission. They emphasized that a Commission priority is to have this provision removed in favor of another, impartial appointing authority so as not to damage the credibility of the Ethics Commission.

The Commission asked Executive Director Sivret how she thought the bill would fare in the Senate. Director Sivret said that it's hard to know what might happen, but that members who voted against the bill in the House expressed concern about the potential burden on municipalities associated with the bill's training and complaint investigation requirements. The Executive Director noted that Mark Perrault, former Senior Analyst with the Joint Fiscal Commission, had analyzed the bill and found no unfunded mandates. She informed the Commission she had asked him to further analyze the bill for potential municipal cost savings associated with the bill.

Commissioner Kennelly then asked for clarification on whether whistleblower protections are still in H.875 and, if so, where they can be found. Executive Director Sivret responded that they can be found in §1997.

Budget Update: Executive Director Sivret noted that the Financial Services Division (FSD) recently provided the Commission with our FY24 budget actuals, which shows we have spent 73% of our budget and are 65% of the way through FY24. The Executive Director met with FSD to discuss the difference and learned that most of the increased expenditures were due to increased costs that were beyond our control and could not have been predicted. It is likely that things will even out again during the next quarter.

5. Executive Session: The Commission went into Executive Session to discuss complaints and guidance requests received since the last meeting. On the motion of Chris Davis, seconded by Jack Kennelly, the Executive Session was adjourned.

6. Other business: None.

7. Adjournment: Chris Davis moved to adjourn, seconded by Jack Kennelly. The meeting adjourned at 11:02am.