



Vermont State Ethics Commission
State Code of Ethics: General Principles of Governmental Ethical Conduct

Mission Statement

The mission of the State Ethics Commission is to practice and promote the highest level of ethical standards and accountability in state government. The Commission provides governmental ethics training to all public servants, accepts complaints of governmental conduct, provides information to the public, and issues ethical guidance and advisory opinions by interpreting and applying state law, governmental codes of conduct, and the General Principles set forth in Section 1 of this State Code of Ethics. Pursuant to 3 V.S.A. § 1202, the Ethics Commission adopts this State Code of Ethics.

Section 1 - General Principles

Public service is a public trust, requiring public servants to uphold the Vermont Constitution, the law, this State Code of Ethics, and other governmental codes of conduct, and to put public service above personal and financial interest. The following general principles of governmental ethical conduct apply to every person elected, appointed, or employed to serve the State of Vermont.

- (1) Public servants shall not have a conflict of interest or engage in any business, employment, transaction or professional activity, or incur any obligation that is in conflict with the performance of their duties as public servants.
- (2) Public servants shall avoid actions that create a potential for, or the appearance of, a conflict of interest with their official duties.
- (3) Public servants shall not engage in financial transactions using nonpublic government information or disclose any confidential information learned during the course of state employment for their own or anyone else's personal or financial gain.
- (4) Gifts: Public servants shall not solicit, accept, or receive directly or indirectly, a gift under circumstances in which it can reasonably be inferred that the gift is intended to influence them in the performance of their official duties or is intended as a reward for any official action or inaction on their part.

- (5) Public servants shall not make unauthorized commitments that obligate State government in any manner.
- (6) Public servants shall not use their positions for personal or financial gain.
- (7) Public servants shall not give preferential treatment to any person in the course of state business.
- (8) Public servants shall protect and conserve government property and resources, and use official time and government property only for official business.
- (9) While in State service, public servants shall not seek or negotiate in any manner employment that potentially or actually conflicts with their official government duties and responsibilities.
- (10) Public servants shall be free to disclose waste, fraud, abuse of authority, violations of law or of this or other applicable codes to the Ethics Commission without fear of intimidation or retaliation.
- (11) Public servants shall meet personal legal obligations and comply with state and federal laws and regulations, these General Principles of Governmental Ethical Conduct, and other governmental codes of conduct.
- (12) Public servants who have a conflict of interest shall not authorize or permit those under their direction or control to engage in conduct which they themselves cannot undertake.

Section 2 – *Definitions*

As used in these General Principles:

- (1) "Confidential information" means information that is exempt from public inspection and copying or is otherwise designated by law as "confidential."
- (2) "Conflict of interest" means a direct or indirect personal or pecuniary interest or obligation of a public servant, or public servant's family member, household member, business associate, employer, or employee, in the outcome of a cause, proceeding, application, or any other matter pending before the public servant or before the agency or public body in which the public servant holds office or is employed. A "conflict of interest" does not arise in the case of votes or decisions on matters in which a public servant has a personal or pecuniary interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision.

(3) "Family member" means a spouse or domestic partner and any dependent children of any public servant as well as a person who is related to them whether by blood, adoption or marriage, as: father, mother, son, daughter, brother, sister, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.

(4) "Pecuniary interest" means a financial interest.

(5) "Gift" means: anything of value, tangible or intangible, that is bestowed for less than adequate consideration, including travel expenses such as travel fare, room and board, and other expenses associated with travel.

(a) Examples of gifts may also include;

(1) a meal or alcoholic beverage;

(2) a ticket, fee, or expenses for or to any sporting, recreational, or entertainment event;

(3) a speaking fee or honorarium, except actual and reasonable travel expenses;

(4) a loan made on terms more favorable than those made generally available to the public in the normal course of business.

(b) Not Considered "Gifts:"

(1) A permitted campaign contribution is not considered a "gift."

(2) An item which would qualify as a gift, but which is not used, *and* which within 30 days after receipt, is returned to the donor, or for which the donor is reimbursed for its fair market value will not be considered a "gift."

(3) anything given between immediate family members;

(4) printed educational material such as books, reports, pamphlets, or periodicals;

(5) a devise or inheritance.

(6) "Person" as used in these General Principles means any individual, group, business entity, association or organization.

(7) “Public servant” means: a person elected or appointed to executive, or legislative branch offices or positions, an employee of the State of Vermont, and any person authorized to act on behalf of the State of Vermont.

Adopted by the Vermont State Ethics Commission on November 6, 2019
