

**TESTIMONY TO THE
COMMITTEE ON GENERAL ADMINISTRATION AND ELECTIONS**

**Raised Bill 7000
AAC Municipal Ethics and Municipal Lobbying**

**Statement of Lee D. Vincent
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Raised Bill No. 7000 is fatally flawed. It is weak, and it will not have much effect on real ethical problems in the towns.

Section 3 (5) (A) **exempts elected officials** like selectmen and town councilors **and makes them free to represent private interests** before boards and committees of their own town.

Section 3 (5) (B) **exempts elected officials** like town councilors and selectmen from the prohibition against suing their town.

This bill says that it is unacceptable for a mechanic in the town garage to speak on behalf of a private party or sue the town, but it is perfectly OK for a member of the town council to do it. Section 3 (5) is almost completely meaningless as long as paragraphs (A) and (B) are there. The real effect of your Section 3 (5) is that it won't change or prevent anything at all.

It is those elected officials who are privy to executive sessions and inside information at the same time that they may be suing their town. Elected officials already have all kinds of influence that might be improperly used. It can be a serious conflict of interest any time they speak or write a word on behalf of a private interest. That's always true, regardless of whether there is any financial benefit involved.

The text of Raised Bill No. 7000 is not by any stretch of the imagination an actual code of ethics. Is it limited largely to "Conflicts of Interest." Financial conflicts of interest are only one kind of conflict of interest. Conflicts of Interest are only a small portion of the field of ethics. Ethics involves doing the right things, not just avoiding a few kinds of bad acts.

This is the basically same old "model code of municipal ethics" that deserved to fail every time it has been brought up. Raised Bill 7000 is so weak and unfocused that it could do more harm than good.

The concepts that this bill embodies are so trivial, so extremely limited, that its implementation in cities and towns could deceive government officials and citizens/taxpayers into believing that they had a real ethics program. This bill could make people complacent about ethics. It could actually result in a reduction in the level of ethical behavior and in the attention paid to uncovering ethical misbehaviors.

The right thing to do is to drop this failed and mis-directed draft, bring in some fresh minds and start over.