

# **Independent Ethics Commission**

## **FY 2014-2015 Supplemental Comeback Request**

### **Summary of Initial Request:**

The Independent Ethics Commission (IEC) seeks \$75,086 in General Fund moneys - \$70,000 to cover increased legal expenses and an additional \$5,086 to cover a shortfall in operating expenses.

### **Committee Action:**

A motion to approve the Joint Budget Committee staff's recommendation to approve the IEC request died on a 3-3 vote.

### **IEC Comeback:**

The IEC submits this comeback request to ask that the JBC reconsider its decision to deny the Commission's midyear supplemental budget request of \$75,086. The justification for the request is as stated in our initial submission. Specifically, the IEC requests a supplemental appropriation of \$70,000 General Fund for an additional 707 hours of legal services and \$5,086 General Fund for increased operating expenses.

This request is due to, primarily, the need to pay for legal services due to pending and threatened litigation. This litigation was not pending at the time of the initial FY 2014-2015 budget request and was therefore not entirely foreseeable at the time the request was submitted. During FY 2013-14, the IEC exceeded the legal services appropriation by \$68,280, or approximately 750 hours. The IEC was able to cover the over expenditure with a transfer from the legal services budget of Courts Administration and by transferring funds from the IEC's personal services line item, which was under expended due to a position vacancy. Rather than obtaining funds from other resources, such as the judicial branch, the IEC instead seeks transparency in its request for funds, and is therefore submitting a supplemental request for General Fund moneys. It is worth noting, the litigation that primarily drives the request for additional funds was brought *against* the IEC, and is not the result of costs incurred by the IEC through suits it proactively filed. The IEC is in a position where it must defend itself and additional legal funds are necessary to do so.

Additionally, with regard to operating expenses, the workload of the IEC remains consistently busy with an increase in high profile cases. As such, the number of Commissioner meetings has not decreased, with three Commissioners traveling a significant distance to attend. Thus, the IEC is requesting an increase in travel costs for the reimbursement of mileage and lodging expenses incurred by Commissioners to attend meetings. The hope was to decrease the number of meetings this year, thus decreasing cost. However, due to workload that was not possible.

### **Anticipated Outcomes:**

#### Legal Services

The IEC will be able to proceed with current and pending litigation if its legal services request is approved.

#### Operating

The IEC will be able to continue to cover travel expenses for Commissioners to attend meetings for the remainder of FY 2014-2015 if the additional operating expenses are approved.