

**No. 135. An act relating to the repeal or revision of certain boards and commissions.**

(H.760)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 3 V.S.A. § 2504(a) is amended to read:

(a) The secretary of the agency of agriculture, food and markets and the secretary of the agency of commerce and community development, ~~in consultation with the market Vermont board,~~ shall develop categories and standards designed to identify those Vermont goods, services, and experiences which best portray and promote Vermont's reputation for high standards of quality.

Sec. 2. [DELETED]

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Sec. 3. 10 V.S.A. § 647 is amended to read:

§ 647. ANNUAL REPORT

Annually, on or before March 1, the board of directors of the Vermont film corporation shall submit a report to the department of tourism and marketing and to the ~~general assembly~~ house and senate committees on government operations for the prior 12-month period. The report shall:

(1) describe the activities of the board during the preceding year;

(2) ~~and shall also~~ include an accounting of revenues received by and expenditures of the board;

(3) describe outcomes and revenues, if known, that are generated by activities of the corporation; and

(4) include plans to minimize future state funding of the corporation's activities.

Sec. 4. 10 V.S.A. § 2606a(b) is amended to read:

(b) ~~Specific sites.~~

~~(1) Mountaintop designation. The state-owned mountaintops to which this section shall apply are: Ascutney Mountain North Peak and Ascutney Mountain South Peak, Burke Mountain, Okemo Mountain, and Killington Mountain. Before any applicable permitting process is commenced regarding Okemo Mountain, the Okemo Mountain technical site committee, created by subdivision (2) of this subsection, shall hold a public hearing in the Town of Ludlow before authorizing any use of the Okemo Mountain site for communications purposes. Upon a request for use or other indication of need for establishing additional communications facilities by either public or private parties, additional mountaintop communications sites may be designated by the department when consistent with long range management plans for state-owned land and subject to public input. Such designations shall be by rule adopted pursuant to chapter 25 of Title 3.~~

\* \* \*

Sec. 5. 15 V.S.A. § 1140(b) is amended to read:

(b) The commission shall be comprised of ~~15~~ 17 members, consisting of the following:

\* \* \*

(14) a physician, appointed by the governor; ~~and~~

(15) the executive director of the Vermont criminal justice training council; or his or her designee;

(16) the commissioner of mental health or his or her designee; and

(17) one judge, appointed by the chief justice of the Vermont supreme court.

Sec. 6. 16 V.S.A. § 216(b) is amended to read:

(b) The commissioner with the approval of the state board shall establish an advisory council on wellness and comprehensive health which shall include at least three members associated with the health services field. The members shall serve without compensation but shall receive their actual expenses incurred in the pursuit of their duties relating to wellness and comprehensive health programs. The council shall assist the department of education in planning, coordinating, and encouraging wellness and comprehensive health programs in the public schools.

Sec. 7. 18 V.S.A. § 1700 is amended to read:

§ 1700. CREATION; MEMBERSHIP; OFFICERS; QUORUM

(a) There is created a nuclear advisory panel which shall consist of the following:

\* \* \*

(3) the commissioner of the department of public service, or his or her designee;

\* \* \*

(f) The department of public service shall:

(1) keep the panel informed of the status of matters within the jurisdiction of the panel;

(2) notify members of the panel in a timely manner upon receipt of information relating to matters within the jurisdiction of the panel; and

(3) upon request, provide to all members of the panel all relevant information within the department's control relating to subjects within the scope of the duties of the panel.

Sec. 8. 18 V.S.A. § 1701 is amended to read:

§ 1701. DUTIES

The duties of the panel shall be:

(1) To hold ~~regular~~ a minimum of three public meetings each year for the purpose of discussing issues relating to the present and future use of

nuclear power and to advise the governor, the general assembly and the agencies of the state thereon with a written report being provided annually to the governor and to the energy committees of the general assembly;

\* \* \*

Sec. 9. 18 V.S.A. § 4702(a) is amended to read:

(a) The department of health, ~~in collaboration with the opiate addiction treatment advisory committee,~~ shall develop by rule comprehensive guidelines for a regional system of opiate addiction treatment.

Sec. 10. 18 V.S.A. § 5212b(c) is amended to read:

(c) The commissioner of housing and community affairs may authorize disbursements from the fund for use in any municipality in which human remains are discovered in unmarked burial sites in accordance with a process approved by the commissioner. The commissioner shall approve any process developed through consensus or agreement of the interested parties, including the municipality, the ~~governor's advisory~~ Vermont commission on Native American affairs, and private property owners of property on which there are known or likely to be unmarked burial sites, provided the commissioner determines that the process is likely to be effective, and includes all the following:

\* \* \*

Sec. 11. [DELETED]

Sec. 12. [DELETED]

Sec. 13. [DELETED]

Sec. 14. [DELETED]

Sec. 15. [DELETED]

Sec. 16. [DELETED]

Sec. 17. [DELETED]

Sec. 18. 21 V.S.A. § 1306(a) is amended to read:

(a) The governor shall appoint a state department of labor advisory council composed of eight members from the general public to include four employer representatives and four employee representatives who may fairly be regarded as employees because of their vocations, employment, and affiliations.

Appointment of the four employee representatives, at least one of whom shall have experience in workers' compensation law and one of whom shall be a member of a building trade, shall be made from a list of qualified individuals submitted by the Vermont state labor council, the Vermont state employees' association, and the Vermont national education association. Appointment of the four employer representatives shall be made from a list of qualified individuals submitted by the Vermont chamber of commerce, associated general contractors of Vermont, and Vermont businesses for social

responsibility. The council members shall be appointed for staggered terms of four years. The council shall meet at least ~~six~~ three times a year.

Sec. 19. 23 V.S.A. § 3310(a) is amended to read:

(a) The ~~state board~~ commissioner of forests, parks and recreation or a municipality in administering a swimming beach or waterfront program may designate a swimming area in front of the beach or land which the state or a municipality owns or controls and may make rules pertaining to the area. The rules may provide that no person, except a lifeguard on duty and other authorized personnel, may operate any boat, canoe, or water vehicle of any sort within the designated swimming area.

Sec. 20. [DELETED]

Sec. 21. [DELETED]

Sec. 22. [DELETED]

Sec. 23. 29 V.S.A. § 152(a)(3)(A) is amended to read:

(A) For which the legislature or the emergency board has made specific appropriations. In consultation with the department or agency concerned ~~and with the approval of the board of state buildings~~, the commissioner shall select sites, purchase lands, determine plans and specifications, and advertise for bids for the furnishing of materials and construction thereof and of appurtenances thereto. The commissioner shall determine the time for beginning and completing the construction. Any

change orders occurring under the contracts let as the result of actions previously mentioned in this section shall not be allowed unless they have the approval of the secretary of administration.

Sec. 24. 29 V.S.A. § 152(a)(5) is amended to read:

(5) Inspect, appraise, and maintain a current appraisal schedule of all state-owned buildings, appendages, and appurtenances thereto based upon replacement value in the first instance and upon depreciated value in the second instance. ~~Such appraisals~~ Appraisals shall be furnished upon request to the secretary of administration, ~~the board of state buildings,~~ the commissioner of buildings and general services, departments and agencies concerned, and appropriate committees of the general assembly.

Sec. 25. 32 V.S.A. § 1010(a) is amended to read:

(a) Except for those members serving ex officio or otherwise regularly employed by the state, the compensation of the members of the following boards shall be \$50.00 per diem:

- (1) Board of bar examiners
- (2) Board of libraries
- (3) Vermont milk commission
- (4) Board of education
- (5) State board of health
- (6) Emergency board

- (7) Liquor control board
- (8) ~~{Repealed.}~~
- ~~(9) Human services board~~
- ~~(10) State board of forests, parks and recreation~~
- ~~(11)~~(9) State fish and wildlife board
- ~~(12)~~(10) State board of mental health
- ~~(13) Vermont development advisory board~~
- ~~(14) Vermont state water resources board~~
- ~~(15)~~(11) Vermont employment security board
- ~~(16)~~(12) Capitol complex commission
- ~~(17)~~(13) Natural gas and oil resources board
- ~~(18) Commission of the deaf and hearing impaired~~
- ~~(19)~~(14) Transportation board
- ~~(20) Health policy council~~
- ~~(21) Certificate of need review board~~
- ~~(22) Certificate of need appeals board~~
- ~~(23)~~(15) Vermont veterans' home board of trustees
- ~~(24)~~(16) Advisory council on historic preservation
- ~~(25) Vermont whey pollution abatement authority~~
- ~~(26)~~(17) The electricians' licensing board
- ~~(27) The alternatives to incarceration board~~

~~(28)~~(18) Offender work programs board

~~(29) Firefighters'~~ (19) Emergency personnel survivors benefit review board

~~(30)~~(20) Community high school of Vermont board

~~(31) Municipal land records commission.~~

Sec. 26. REPEAL

The following are repealed:

(1) Subchapter 1 of chapter 21 of Title 1 (commission on interstate cooperation).

(2) The following sections, subsections, and subdivisions in Title 3:

(A) § 2(3)(C) (commission on interstate cooperation);

(B) § 2294 (technology advisory board);

(C) § 2503 (market Vermont advisory board);

(D) § 2873(h) (compliance advisory board).

(3) The following chapters and subchapters in Title 10:

(A) Subchapter 1 of chapter 1 (Vermont business recruitment partnership);

(B) Chapter 4 (world trade office);

(C) Chapter 11A (Vermont qualifying facility contract mitigation authority);

(D) Chapter 24 (outdoor lighting);

(E) Chapter 28 (Vermont small business investment);

(F) Subchapter 5 of chapter 73 (forest resource advisory council).

(4) The following sections and subdivisions in Title 10:

(A) § 2604 (state board of forests, parks and recreation);

(B) § 2606a(b)(2)–(5) (technical site committees, duties, leases, administration).

(5) Subchapter 3 of chapter 125 of Title 16 (benefits under higher education facilities act of 1963).

(6) The following sections and subsections in Title 16:

(A) § 15 (council on civics education);

(B) § 132 (comprehensive health education advisory council).

(7) The following sections and subsections in Title 18:

(A) § 104b(c) and (d) (community health and wellness grant committee);

(B) § 4703 (opiate addiction treatment advisory committee);

(8) The following subsections in Title 20:

(A) § 2673(d) (assistance of the state HAZMAT emergency operation team);

(B) § 2681(b) and (c) (state HAZMAT emergency operation team).

(9) 21 V.S.A. § 229 (VOSHA advisory councils).

(10) 23 V.S.A. § 735 (motorcycle training advisory committee).

(11) The following chapters in Title 24:

(A) Chapter 133 (Vermont independent school finance authority);

(B) Chapter 135 (Vermont municipal land records commission).

(12) The following sections in Title 29:

(A) § 156 (composition of the board of state buildings);

(B) § 158 (land and office building development plan).

(13) The following chapters in Title 30:

(A) Chapter 85 (West River Basin energy authority);

(B) Chapter 90 (Vermont hydro-electric power authority);

(14) The following sections in Title 31:

(A) § 641 (Vermont breeder's stake board);

(B) § 642 (Vermont standard-bred development special fund).

(15) 32 V.S.A. § 203 (committee on coordination).

(16) Chapter 61 of Title 33 (Vermont independence fund).

(17) The following sections in Title 33:

(A) § 308 (child care advisory board);

(B) § 806 (alcohol and drug abuse advisor appointees).

(18) Sec. 1 of No. 204 of the Acts of the 2005 Adj. Sess. (2006)

(commission to develop the next generation initiative) is repealed.

Approved: May 29, 2010