

1 H.792

2 Introduced by Representatives Lippert of Hinesburg and Waite-Simpson of

3 Essex

4 Referred to Committee on

5 Date:

6 Subject: General Assembly; government oversight committee; confidential

7 information

8 Statement of purpose of bill as introduced: This bill proposes to create a

9 Legislative Confidential Government Oversight Committee with the authority

10 to review the operation of State and local government in matters that are

11 confidential by law or to which access is otherwise limited.

12 An act relating to the creation of the Legislative Confidential Government
13 Oversight Committee

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

15 Sec. 1. PURPOSE

16 This act is necessary to allow legislative oversight over confidential State
17 and local government proceedings and other matters to ensure that the policy
18 set by the General Assembly is being appropriately administered and
19 implemented.

1 Sec. 2. 2 V.S.A. chapter 30 is added to read:

2 CHAPTER 30. LEGISLATIVE CONFIDENTIAL GOVERNMENT

3 OVERSIGHT COMMITTEE

4 § 1001. CREATION OF COMMITTEE

5 (a) Creation. There is created the Legislative Confidential Government
6 Oversight Committee to review the operation of State and local government in
7 matters that are confidential by law or to which access is otherwise limited.

8 (b) Membership. The members of the Committee shall be appointed each
9 biennial session of the General Assembly. The Committee shall be composed
10 of the following eight members:

11 (1) Four current members of the House of Representatives, not all from
12 the same political party, who shall be appointed by the Speaker of the House.
13 At least one of these members shall be from the Committee on Judiciary,
14 at least one of whom shall be from the Committee on Government Operations,
15 and at least one of whom shall be from the Committee on Human Services.

16 (2) Four current members of the Senate, not all from the same political
17 party, who shall be appointed by the Committee on Committees. At least one
18 of these members shall be from the Committee on Judiciary, at least one of
19 whom shall be from the Committee on Government Operations, and at least
20 one of whom shall be from the Committee on Health and Welfare.

21 (c) Meetings.

1 (1) The Committee shall select biennially co-chairs from among its
2 members, one of whom shall be a member of the House and one of whom shall
3 be a member of the Senate.

4 (2)(A) A majority of the members of the Committee shall be physically
5 present at the same location to constitute a quorum.

6 (B) A member may vote only if physically present at the meeting
7 location.

8 (C) Action shall be taken only if there is both a quorum and a
9 majority vote of the members physically present and voting.

10 (3)(A) During the legislative session, the Committee shall meet at least
11 once a month at the call of the co-chairs.

12 (B) When the General Assembly is not in session, the Committee
13 may meet monthly, at the call of the co-chairs. The Committee may meet more
14 often during this time subject to the approval of the Speaker of the House and
15 the President Pro Tempore of the Senate.

16 (d) Reimbursement. For attendance at meetings during adjournment of
17 the General Assembly, legislative members of the Committee shall be entitled
18 to per diem compensation and reimbursement of expenses pursuant to
19 2 V.S.A. § 406.

1 § 1002. POWERS AND DUTIES

2 (a) The Committee or its members, when authorized by the Committee,
3 shall have the following powers:

4 (1) to initiate on its own inquiry a review of the operation of State and
5 local government in matters that are confidential by law or to which access is
6 otherwise limited;

7 (2) to request, receive, and review documents that are confidential by
8 law or to which access is otherwise limited;

9 (3) to attend hearings or other proceedings that are confidential by law
10 or to which access is otherwise limited; and

11 (4) to issue subpoenas to compel the production of documents or other
12 evidence or the testimony of witnesses.

13 (b)(1) The Committee and its members shall keep confidential any
14 information required by law to be confidential.

15 (2) To the extent that the Committee is discussing matters that are
16 confidential by law or to which access is otherwise limited, meetings of the
17 Committee shall be closed to the public.

18 (c) The Committee shall have the technical, administrative, and legal
19 assistance of Legislative Council. Any employee of Legislative Council who
20 is exposed through his or her assistance to the Committee to information that is

1 confidential or to which access is otherwise limited shall keep that information
2 confidential except to the extent directed by the Committee.

3 § 1003. EXEMPTIONS FROM LIABILITY

4 Notwithstanding any provision of law to the contrary, the Committee, or
5 any person who is required by law to keep information confidential but who
6 provided in good faith that information to the Committee, shall not be subject
7 to any civil or criminal liability for disclosing confidential information in
8 accordance with the provisions of this chapter.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2014.