

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations and Military Affairs to which  
3 was referred House Bill No. 702 entitled “An act relating to legislative  
4 operations and government accountability” respectfully reports that it has  
5 considered the same and recommends that the bill be amended by striking out  
6 all after the enacting clause and inserting in lieu thereof the following:

7 \* \* \* Purpose and Findings \* \* \*

8 Sec. 1. PURPOSE

9 (a) The purpose of this act is to actuate the principle of government  
10 accountability by focusing on how evidence is used to inform policy, how our  
11 State laws are carried out, and how legislation can best be formed to achieve its  
12 intended outcomes. This act strives to systematize government accountability  
13 efforts as much as possible with simple, clear, independent, objective, and fact-  
14 based processes rather than rely upon individual legislators or individual  
15 committees to be effective.

16 (b) Government accountability means the principle of demanding that  
17 legislation succeeds in achieving its stated policy goals through the provision  
18 of means by which to measure whether the policy goals have been met. The  
19 metrics for determining whether success has been achieved are as important as  
20 the goals themselves.



1 Committees. In addition to two members-at-large appointed from each  
2 chamber, one appointment shall be made from each of the House Committee  
3 on Government Operations and Military Affairs, the Senate Committee on  
4 Government Operations, and the House and Senate Committees on  
5 Appropriations.

6 (c) The Committee shall elect a chair, vice chair, and clerk from among its  
7 members and shall adopt rules of procedure. The position of chair shall rotate  
8 biennially between the House and the Senate members. The Committee shall  
9 keep minutes of its meetings and maintain a file thereof. A quorum shall  
10 consist of five members.

11 (d) The Committee shall meet as necessary for the prompt discharge of its  
12 duties but shall meet at least every other week.

13 (e) For attendance at a meeting when the General Assembly is not in  
14 session, members of the Committee shall be entitled to compensation for  
15 services and reimbursement of expenses as provided under subsection 23(a) of  
16 this title.

17 (f) The professional and clerical services of the Joint Fiscal Office, the  
18 Office of Legislative Operations, and the Office of Legislative Counsel shall  
19 be available to the Committee.

20 § 972. DUTIES AND POWERS

1        (a) Duties. The Committee shall have duties as described in this section  
2        and elsewhere in law.

3                (1)(A) The Committee shall exercise government oversight by  
4        examining and investigating matters of significant public concern relating to  
5        State government performance. The Committee shall examine the possible  
6        reasons for any failure of government oversight and provide findings and  
7        tangible recommendations to standing committees of jurisdiction to prevent  
8        future failures.

9                (B) The Committee will select issues of significant public concern to  
10       examine and investigate by a majority of the current Committee members who  
11       have not recused themselves from the matter.

12               (C) As used in this section, an “issue of significant public concern”  
13       means any issue that:

14                (i) affects the State as a whole;

15                (ii) affects a vulnerable population;

16                (iii) costs the State more than \$100,000,000.00;

17                (iv) implicates a serious failure of State government oversight or  
18       accountability;

19                (v) arises from previously enacted legislation; or

20                (vi) constitutes a failure to adequately respond to State or federal  
21       audits.

1           (2) The Committee shall, with coordination from the Legislative  
2           Committee on Administrative Rules, evaluate executive entities directed to  
3           adopt rules to ensure consistency and accountability in the rulemaking process.

4           (3) The Committee shall review performance notes issued pursuant to  
5           section 523 of this title and monitor performance measures for legislation  
6           requiring any performance note.

7           (4) The Committee shall, on an annual basis, issue a report that includes:

8                   (A) which issues of significant public concern the Committee has  
9                   examined and investigated, including relevant information and data;

10                   (B) the Committee’s current objectives for review of issues of  
11                   significant public concern and which objectives, to date, have and have not  
12                   been met;

13                   (C) the Committee’s objectives for review of issues of significant  
14                   public concern for the upcoming two years; and

15                   (D) any additional resources required by the Committee to  
16                   adequately conduct its work.

17           (b) Powers. The Committee shall have powers as described in this section  
18           and elsewhere in law.

19                   (1) Subpoenas and oaths. The Committee shall have the power to issue  
20                   subpoenas and administer oaths in connection with the examination and  
21                   investigation of matters of government oversight and accountability related to

1 issues of significant public concern. The Commission may take or cause  
2 depositions to be taken as needed in any investigation or hearing.

3 (2) Direction of Joint Fiscal Office Division of Performance  
4 Accountability. The Committee may use the staff and services of the Division  
5 of Performance Accountability for carrying out the purposes of this chapter.

6 \* \* \* Reports \* \* \*

7 Sec. 3. 2 V.S.A. § 20 is amended to read:

8 § 20. LIMITATION ON DISTRIBUTION AND DURATION OF AGENCY  
9 REPORTS

10 (a) Unless otherwise provided by law, whenever it is required by statute,  
11 rule, or otherwise that an agency, department, or other entity submit an annual,  
12 biennial, or other periodic report to the General Assembly, that requirement  
13 shall be met by submission by ~~January~~ November 15 of copies of the report for  
14 activities in the preceding fiscal year to the Clerk of the House, the Secretary  
15 of the Senate, the Office of Legislative ~~Counsel~~ Operations, chairs of  
16 legislative standing committees of jurisdiction, and such individual members  
17 of the General Assembly or committees that specifically request a copy of the  
18 report. ~~To the extent practicable, reports~~ Reports shall also be ~~placed~~  
19 published on the agency's ~~Internet~~ website. No general distribution or mailing  
20 of such reports shall be made to members of the General Assembly.

21 \* \* \*

1       (e) If it becomes apparent to any agency, department, or other entity  
2       directed by the General Assembly to report on a matter that the agency,  
3       department, or entity will be unable to do so within the required time, the  
4       reporting agency, department, or entity shall inform, if applicable, the relevant  
5       legislative committee’s current chair, the committee assistant, and the Office of  
6       Legislative Operations of which report will be late, why, and when it will be  
7       delivered.

8       Sec. 4. MANAGEMENT OF REPORTS AND DATA; APPROPRIATION

9       (a) The Office of Legislative Operations, in coordination with the Office of  
10       Legislative Counsel and Legislative Office of Information Technology, shall  
11       review the systems involved in publishing the current publicly available  
12       legislative reports database to ensure that legislatively mandated reports are  
13       being efficiently tracked, submitted, and published in an accessible manner.

14       (b) The sum of \$100,000.00 is appropriated from the General Fund to the  
15       Legislative Office of Information Technology in fiscal year 2025 for the  
16       purpose of upgrading the General Assembly’s report management system.

17       (c) On or before January 31, 2025, the directors of the Office of Legislative  
18       Operations, the Office of Legislative Counsel, and the Legislative Office of  
19       Information Technology, or their designees, will together report to the House  
20       Committee on Government Operations and Military Affairs and the Senate  
21       Committee on Government Operations on the status of the publicly available

1 legislative reports database and with any recommendations for legislative  
2 action.

3 \* \* \* Joint Fiscal Office \* \* \*

4 Sec. 5. 2 V.S.A. § 527 is added to read:

5 § 527. DIVISION OF PERFORMANCE ACCOUNTABILITY

6 (a) There is hereby created within Joint Fiscal Office a division to be  
7 known as the Division of Performance Accountability.

8 (b) The Division shall provide nonpartisan services as described in this  
9 section and elsewhere in law.

10 (c) At the direction of the Joint Government Oversight and Accountability  
11 Committee, and with the approval of the Speaker of the House and the  
12 President Pro Tempore of the Senate, the Division shall produce performance  
13 notes regarding certain proposed or enacted legislation for the use of the  
14 Committee. Performance notes shall include information regarding legislative  
15 intent, policy goals, metrics to measure results and evaluate whether the goals  
16 are being accomplished, and estimates of any savings, return on investment, or  
17 quantifiable benefit resulting from the adoption of the legislation.

18 Sec. 6. CREATION OF POSITION IN DIVISION OF PERFORMANCE  
19 ACCOUNTABILITY; APPROPRIATION

20 (a) One new, permanent, full-time, exempt position is created in the Joint  
21 Fiscal Office’s Division of Performance Accountability.



