

Sunset Advisory Commission Board and Commission Review

The Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

The Commission also reviews whether members of a board or commission should be entitled to a per diem and, if so, the amount of that per diem.

In testifying before the Commission, you should be able to provide the following information:

1. In general, how often does the board and commission meet? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.
State Natural Resource Council: meets roughly monthly. Meetings and agendas are shared with Council directly. They do not have a website or place to post information.
State Natural Resource Council Board of Adjustment: NEVER HEARD OF THIS
State Natural Resource Council Supervisory Union Board: These are more local boards that meet without State employee involvement. They are a compilation of several conservation districts and each supervisory union sends a member to the Council. These meetings are not regularly scheduled and there is no place to post minutes.
Large Farm Operations Advisory Group: This is a group established each time a farm requests a large farm operation permit application that is substantial enough per statutory requirements to need the advisory groups review. There have only been a few of these in the past, however with the increased scrutiny on large farms, the Agency of Agriculture seeks to use this group more often as another measure to ensure farms are adequately following all other requirements (town and ANR on group) and what they are doing makes sense within the agricultural community (farmer on group)
2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.
State Natural Resource Council: members: the director of the state extension service, or a designated representative; the secretary of agriculture, food and markets, or a designated representative; the secretary of the agency of natural resources, or a designated representative; and one member elected by the board of each supervisory union who is a supervisor for a district within the union or their officially elected alternate. Until such time as there are four unions the governor shall appoint members who shall be supervisors from districts not in a union to make a total of four whose terms of office shall be two years. In addition the chair of the state forests and parks board, or a designated representative; the chair of the state fish and wildlife board, or a designated representative; and the director of the state planning office or a designee shall be advisory members. The council may invite

the secretary of agriculture of the United States to appoint one person to serve with the above mentioned members in an advisory capacity only.

State Natural Resource Council Supervisory Union Board: Each district (there are 14 districts in VT currently) shall appoint one of its supervisors as its member of the supervisory union board. They may also appoint an alternate who must be a supervisor. The executive secretary of the council shall be an advisory member of and clerk of the board.

Large Farm Operations Advisory Group: The advisory group shall consist of, in addition to the Secretary, the Secretary of Natural Resources or his or her duly authorized representative, a farmer appointed by the governor, and a representative of the legislative body of the municipality in which the proposed facility would be located. Such representative shall be appointed by the legislative body but need not be a resident of the municipality.

3. Provide an overview of the board or commission's purpose.

State Natural Resource Council:

- (1) Offer appropriate assistance to the supervisors and directors of districts and unions;
- (2) Keep the supervisors and directors of each district and union organized under this chapter informed of the activities and experience of all other districts and unions and facilitate an interchange of advice and experience between districts and unions;
- (3) Coordinate the programs of the districts and unions so far as this may be done by advice and consultation;
- (4) Secure the cooperation and assistance of the United States and any of its agencies and of agencies of this state in the work of districts or unions;
- (5) Disseminate information throughout the state concerning the activities and programs of the districts and unions organized hereunder;
- (6) Act upon petition by any two or more districts lying within the limits of the territory proposed to be organized into a union asking that a supervisory union be organized to function in the territory described in the petition;
- (7) Supervise and oversee annual election of district supervisors.

State Natural Resource Council Supervisory Union Board: The purpose of this chapter is to authorize the natural resources conservation districts in Vermont to form supervisory unions for administrative purposes while still retaining their individual identities, duties and powers as authorized under sections 701-740 of this title. The supervisory unions will help carry out a broadened program of conservation, development and use of the natural resources and the broadened program will aid cooperation with local and state agencies, and provide coordination through proper channels with federal agencies.

Large Farm Operations Advisory Group: advisory group purpose is to assist in reviewing the large farm application for construction of a new barn

4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose?
- State Natural Resource Council:** yes the purpose to have elections and provide a space for oversight of the supervisory unions and districts is important. If it was no longer there, a new system would need to be established.
- State Natural Resource Council Supervisory Union Board:** yes, if it was no longer there, a new system would need to be established.
- Large Farm Operations Advisory Group:** yes, as new applications come in the Agency of Agriculture will need to establish a group each time. If it was no longer there, a new system would need to be established.
5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?
- State Natural Resource Council:** Better now than in the past. Having financial support and more member engagement has been important to ensuring productivity. District reports are improving as well as the work quality and quantity.
- State Natural Resource Council Supervisory Union Board:** performing well, the unions are coordinated.
- Large Farm Operations Advisory Group:** Performing well and important to maintain this group. It is an advisory group, so no decisions, but very important for public transparency and accountability to ensure all local and other state regulations.
6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?
- State Natural Resource Council:** It is possible that there could be a more efficient manner to execute this purpose. Several year ago an effort was made to abolish this council and that identify significant challenges and fueled a re-tooling of the council to what is now a more productive council
- State Natural Resource Council Supervisory Union Board:** It is possible that there could be a more efficient manner to execute this purpose.
- Large Farm Operations Advisory Group:** no changes are necessary, working fine.
7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency? If so, is your board or commission still the best entity to fulfill the purpose?
- State Natural Resource Council:** there are some significant overlaps in terms of the membership between council and the Vermont Association of Conservation Districts, however their purposes are distinctly different. They cannot overlap.
- State Natural Resource Council Supervisory Union Board:** Could probably just have statutory language that outlines what the unions will be as they haven't changed much in years.
- Large Farm Operations Advisory Group:** no overlap.

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

State Natural Resource Council: No, the council has never used much of the enabling law. There is significant ability to create new rules that they have never used.

State Natural Resource Council Supervisory Union Board: yes

Large Farm Operations Advisory Group: yes

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

State Natural Resource Council: Annually the budget for council comes through VAAFMM and on average it is about \$122,00 annually.

State Natural Resource Council Supervisory Union Board: no funding directly.

Large Farm Operations Advisory Group: no expenditures, part of normal business operations at the Agency.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

State Natural Resource Council: They are required to submit financial reports and they also provide status reports to the legislature and to VAAFMM as the funding is provided through a grant agreement.

State Natural Resource Council Supervisory Union Board: no

Large Farm Operations Advisory Group: no reports or studies required.