

H.913

An act relating to boards and commissions

The Senate concurs in the House proposal of amendment with the following proposal of amendment thereto:

First: By striking out Sec. 9 in its entirety and inserting in lieu thereof a new Sec. 9 and an accompanying reader assistance heading to read:

* * * Joint Information Technology Oversight Committee * * *

Sec. 9. 2 V.S.A. chapter 18 is added to read:

CHAPTER 18. JOINT INFORMATION TECHNOLOGY

OVERSIGHT COMMITTEE

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§ 614. JOINT INFORMATION TECHNOLOGY OVERSIGHT

COMMITTEE

(a) Creation. There is created the Joint Information Technology Oversight Committee to oversee investments in and use of information technology in Vermont.

(b) Membership. The Committee shall be composed of six members as follows:

(1) three members of the House of Representatives, not all of whom shall be from the same political party, who shall be appointed by the Speaker of the House; and

(2) three members of the Senate, not all of whom shall be from the same political party, who shall be appointed by the Committee on Committees.

(c) Powers and duties. The Committee shall oversee, evaluate, and make recommendations on the following:

(1) the State's current deployment, management, and oversight of information technology in the furtherance of State governmental activities, including data processing systems, telecommunications networks, and related technologies, particularly with regard to issues of compatibility among existing and proposed technologies;

(2) issues related to the storage of, maintenance of, access to, privacy of, and restrictions on use of computerized records;

(3) issues of public policy related to the development and promotion of the private, commercial, and nonprofit information infrastructure in the State, its relationship to the State government information infrastructure, and its integration with national and international information networks; and

(4) cybersecurity.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(e) Meetings.

(1) The Speaker of the House and the Committee on Committees shall appoint one member from the House and one member of the Senate as co-chairs of the Committee.

(2) A majority of the membership shall constitute a quorum.

(3) The Committee may meet when the General Assembly is in session or at the call of the Co-Chairs.

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

Second: After Sec. 13a, 2 V.S.A. § 691, by inserting a reader assistance heading and Sec. 13b to read:

* * * Labor Board Review Panel * * *

Sec. 13b. 3 V.S.A. § 921 is amended to read:

§ 921. CREATION; MEMBERSHIP, COMPENSATION

(a) There is hereby created a State Labor Relations Board composed of six members. The Governor shall appoint the members with the advice and

consent of the Senate for a term of six years or for the member's unexpired term from a list of nominees presented by the Labor Board Review Panel. The appointments shall be made within 60 days of an expired term or vacancy.

(1) The Labor Board Review Panel shall be composed of five members to include the executive director of the Vermont Bar Association, the Commissioner of Labor, the State Court Administrator, and a ~~Representative~~ representative of Labor labor and a ~~Representative~~ representative of employers, both of whom shall be appointed for two-year terms by the Commissioner of Labor from names provided by labor organizations and employers in the State. The Commissioner shall request names of potential representatives of labor and employers from at least three Vermont labor organizations and three Vermont employer organizations, respectively.

(2) The Labor Board Review Panel shall:

(A) At least 90 days prior to the expiration of a term or as soon as a vacancy is announced or created, ~~the Review Panel shall~~ request from both Vermont labor organizations and Vermont employer organizations, over which the Board has jurisdiction for dispute adjudication, and from organizations that train or employ persons to serve in a neutral role in labor management relations a list of nominees for each position is to be filled. The Review Panel shall

issue public notices of vacancies on the Board. An individual may apply for consideration as a nominee for a vacant ~~board~~ Board position.

(B)(i) Consider the experience, knowledge, character, integrity, judgment, and ability to act in a fair and impartial manner of each nominee in compiling a list of nominees for ~~board~~ Board membership. The Review Panel shall consider the skills, perspectives, and experience of the nominees and ensure a continuing balance on the Board of labor, management, and neutral backgrounds in determining those nominees qualified to be forwarded to the Governor under subsection (c) of this section.

(ii) For each individual that the Panel is considering forwarding to the Governor under subsection (c) of this section, the Panel shall interview the individual and contact at least one individual who can serve as a reference for the individual under consideration.

(iii) “Nominees with neutral backgrounds” means individuals in high standing not connected with any labor organization or management position, and who can be reasonably considered to be able to serve as an impartial individual.

~~(2)~~(3) To be eligible for appointment to the Board an individual shall be a citizen of the United States and resident of the State of Vermont for one year

immediately preceding appointment. A member of the Board may not hold any other State office.

~~(3)~~(4) Each case that comes before the Board for a hearing shall be heard and decided by a panel of three or five members appointed by the Board Chair. Two members of a three-member panel and three members of a five-member panel shall constitute a quorum with authority to conduct a hearing, provided that all members of the Panel shall review the record and participate in the Panel's decision. The Board may review a proposed decision by a Panel prior to its issuance for the sole purpose of insuring that questions of law are being decided in a consistent manner.

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Third: In Sec. 14 (effective dates), following "This act shall take effect on July 1, 2018, except that" by inserting this section and Sec. 9, 2 V.S.A. chapter 18, shall take effect on passage and