

3 V.S.A. Ch. 41. Reorganization by Governor

§ 2001. POWER OF GOVERNOR

The Governor may make such changes in the organization of the Executive Branch or in the assignment of functions among its units as he or she considers necessary for efficient administration.

§ 2002. EXECUTIVE ORDERS

(a) The Governor may propose by Executive Order changes in the organization of the Executive Branch of government which are not consistent with or will supersede existing organization provided for by law. The Executive Order shall be submitted to both houses of the General Assembly.

(b) An Executive Order issued under this chapter shall be presented to the General Assembly not later than January 15th of the year in which the General Assembly sits. The Executive Order shall become effective unless disapproved by resolution of either House of the General Assembly within 90 days, or before final adjournment of that annual session, whichever comes first.

(c) Executive Orders which become effective under this chapter shall be printed with the session laws and published as an appendix to the Vermont Statutes Annotated.

(d)(1) Notwithstanding subsections (a) and (b) of this section, the Governor may revise existing Executive Orders to use respectful language consistent with Vermont Statutes Annotated and the respectful language study produced in accordance with 2012 Acts and Resolves No. 24, Sec. 1. The authority pertains only to nonsubstantive revisions using respectful language and does not confer authority to make other changes.

(2) All new executive orders proposed by the Governor shall use, to the fullest extent possible, respectful language consistent with the Vermont Statutes Annotated and the respectful language study produced in accordance with 2012 Acts and Resolves No. 24, Sec. 1, where appropriate.

§ 2003. TRANSFER OF PERSONNEL AND APPROPRIATIONS

In effecting any change or modification in the organization of the Executive Branch by Executive Order, the following limitations and provisions shall apply:

(1) New agencies, departments, and divisions shall be staffed so far as possible by personnel from those agencies, departments, or divisions which are integrated in, consolidated with, or transferred to the new units or whose functions in whole or in part are transferred to those new units. The Governor is authorized to make such transfers under the terms of this chapter.

(2) Upon the transfer of personnel or any function of any agency, department, or any division thereof, the Governor may transfer or reallocate in whole or in part, by executive order, the appropriations affected thereby to the unit of government to which the function or personnel were transferred consistent with the purpose for which the appropriations were made.

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§ 2005. CONTINUING FUNCTIONS

When any unit of government is transferred by Executive Order to another unit without substantial change in its functions it shall be deemed to have continued in force without any interruption in its functions.

§ 2006. PROSPECTIVE EFFECT

The transfer of any agency, department, or division or any other governmental unit or its functions shall not affect any act done, liability incurred, or any right accrued or vested, or affect, abate, or prevent any action or prosecution pending or to be instituted to enforce any right or penalty or punish any offense nor shall it affect the validity of any contract to which the State, or any unit of the State, is a party in interest.

§ 2007. EFFECTIVE DATES OF TRANSFERS

For the purpose of effecting an orderly transfer of the authority, duties, powers, responsibilities, and functions to any newly created governmental unit or units, the Governor may by Executive Order or orders determine the date on which the transfer shall become effective. Until so ordered any State agency, department, or division and its functions shall remain operating as constituted prior to the effective date in the order. (1969, No. 245 (Adj. Sess.), § 6(3), eff. April 4, 1970.)