

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred Senate Bill No. 180 entitled “An act relating to Vermont
4 Fair Repair Act” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. FINDINGS

8 The General Assembly finds:

9 (1) Many manufacturers make it impossible—whether inadvertently or
10 intentionally—for consumers or independent repair technicians to fix their
11 products, leaving consumers with few other options than to buy new.

12 (2) Modern repairs involve electronics: any product that can have
13 embedded electronics will eventually have embedded electronics. Repairing
14 those electronics requires information, parts, firmware access, and tooling
15 specifications from the product designers.

16 (3) The knowledge and tools to repair and refurbish products should be
17 distributed as widely and freely as the products themselves. In contrast to
18 centralized manufacturing, reuse must be broadly distributed to achieve
19 economies of scale.

20 (4) Creating an economy around extending the lifespan of manufactured
21 goods will create jobs and benefit the environment.

1 (5) Products should be designed to have their lifespan extended by
2 regular maintenance and repair.

3 Sec. 2. RIGHT TO REPAIR STUDY COMMISSION; REPORT

4 (a) Creation. There is created the Right to Repair Study Commission.

5 (b) Membership. The Commission shall be composed of the following [#]
6 members:

7 (1) [#] current members of the House of Representatives, not all from
8 the same political party, who shall be appointed by the Speaker of the House;

9 (2) [#] current members of the Senate, not all from the same political
10 party, who shall be appointed by the Committee on Committees;

11 (3) [person] [personally/or designee], [appointed by {whomever}]; and

12 (4) [person] [personally/or designee], [appointed by {whomever}].

13 (c) Powers and duties. The Commissioner shall review and consider the
14 following issues relating to legislation designed to secure the right to repair
15 consumer products:

16 (1) the scope of products to include;

17 (2) economic costs and benefits, including economic development and
18 workforce opportunities;

19 (3) effects on the consumer product supply chain;

20 (4) consequences or impacts for intellectual property and trade secrets;

21 (5) environmental and economic costs of a “throw-away” economy; and

1 (6) legal issues and litigation risks.

2 (d) Assistance. The [Committee/WG/TF] shall have the administrative,
3 technical, and legal assistance of [named entity]. [Or, if appropriate: For
4 purposes of scheduling meetings and preparing recommended legislation, the
5 {Committee/WG/TF} shall have the assistance of the Office of Legislative
6 Council {and the Joint Fiscal Office}.]

7 (e) Report. On or before January 15, 2019, the Commission shall submit a
8 written report to the Senate Committee on Economic Development, Housing
9 and General Affairs and the House Committee on Commerce and Economic
10 Development with its findings and any recommendations for legislative action.

11 (f) Meetings.

12 (1) [Person] shall call the first meeting of the Commission to occur on or
13 before [date].

14 (2) [Person] shall be the chair [OR describe how chair is selected - e.g.,
15 The Commission shall select a chair from among its members at the first
16 meeting].

17 (3) A majority {or an exact number, or other proportion} of the
18 membership shall constitute a quorum.

19 (4) The Commission shall cease to exist on [date].

20 (g) Compensation and reimbursement.

1 (1) For attendance at meetings during adjournment of the General
2 Assembly, a legislative member of the Commission serving in his or her
3 capacity as a legislator shall be entitled to per diem compensation and
4 reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than [#]
5 meetings. These payments shall be made from monies appropriated to the
6 General Assembly [or use subdiv. (3) if all members will be paid from one
7 source].

8 (2) **Optional** Other members of the Commission who are not employees
9 of the State of Vermont and who are not otherwise compensated or reimbursed
10 for their attendance shall be entitled to [per diem compensation/reimbursement
11 of expenses/both] pursuant to 32 V.S.A. § 1010 for not more than [#]
12 meetings. These payments shall be made from monies appropriated to [which
13 State entity] [or use subdiv. (3) if all members will be paid from one source].

14 (3) Payments to members of the Commission authorized under this
15 subsection shall be made from monies appropriated to [which State entity].

16 (h) **Optional** Appropriation. The sum of [\$.00] is appropriated to [which
17 State entity] from the [General Fund/other source] in fiscal year [year] for [per
18 diem compensation] [and reimbursement of expenses] for members of the
19 Commission [and add in any other expenses that the section authorizes/directs
20 the Commission to incur].

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3 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE