

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House
3 Bill No. 913 entitled “An act relating to boards and commissions” respectfully
4 reports that it has considered the same and recommends that the Senate
5 propose to the House that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 * * * Merger of Groundwater and Well Water Committees * * *

8 Sec. 1. 10 V.S.A. § 1392 is amended to read:

9 § 1392. DUTIES; POWERS OF SECRETARY

10 (a) The Secretary shall develop a comprehensive groundwater management
11 program to protect the quality of groundwater resources by:

12 * * *

13 (c)(1) The Secretary shall establish a groundwater coordinating committee,
14 with representation from the Division of Drinking Water and Groundwater
15 Protection within the Department, the Division of Geology and Mineral
16 Resources within the Department, the Agency of Agriculture, Food and
17 Markets, and the Departments of Forests, Parks and Recreation and of Health
18 to provide advice in the development of the program and its implementation,
19 on issues concerning groundwater quality and quantity, and on groundwater
20 issues relevant to well-drilling activities and the licensure of well drillers.

1 ~~communication between governmental agencies, licensed well drillers, and~~
2 ~~members of the general public.~~

3 ~~(c) Members shall be appointed for terms of five years, with the initial~~
4 ~~appointments of the public members made for lesser terms, so that the~~
5 ~~appointments do not all expire simultaneously. Vacancies shall be filled by the~~
6 ~~governor for the length of an unexpired term.~~

7 ~~(d) The committee shall elect a chair and a secretary, and shall meet from~~
8 ~~time to time as may be necessary, but not less than quarterly.~~

9 ~~(e) The public members of the committee shall be volunteers, and will~~
10 ~~serve without compensation. [Repealed.]~~

11 Sec. 3. IMPLEMENTATION

12 (a) The terms of the members of the Vermont Water Well Advisory
13 Committee shall expire on the effective date of this act.

14 (b) The Secretary of Natural Resources may provide those members with
15 the opportunity to serve on the groundwater coordinating committee.

16 * * * Repeal of Valuation Appeal Board * * *

17 Sec. 4. 32 V.S.A. § 5407 is amended to read:

18 § 5407. ~~VALUATION APPEAL BOARD~~

19 ~~(a) There is established a Valuation Appeal Board to consist of five~~
20 ~~members. The members shall be appointed by the Governor with the advice~~
21 ~~and consent of the Senate, for three year terms beginning February 1 of the~~

1 ~~year in which the appointment is made, except that one of the initial~~
2 ~~appointments shall be for a term of one year and two of the initial~~
3 ~~appointments shall be for a term of two years. A vacancy in the Board shall be~~
4 ~~filled in the same manner as the original appointment for the unexpired portion~~
5 ~~of the term vacated.~~

6 ~~(b) Persons serving on the Appeal Board shall be knowledgeable and~~
7 ~~experienced in at least one of the following fields: agriculture, business~~
8 ~~management, law, taxation, appraisal and valuation techniques, municipal~~
9 ~~affairs, or related areas. No member of the Valuation Appeal Board shall be~~
10 ~~otherwise employed by the State or be a lister. In making appointments,~~
11 ~~attention shall be given to the desirability of providing geographical balance to~~
12 ~~the degree reasonably practical.~~

13 ~~(c) A Chair shall be designated biennially by the Governor from among the~~
14 ~~members of the Board and any vacancy in the Office of the Chair shall be~~
15 ~~filled by designation of the Governor.~~

16 ~~(d) Members of the Valuation Appeal Board shall receive a sum not to~~
17 ~~exceed \$80.00 per diem for each day of official duties of the Board together~~
18 ~~with reimbursement of reasonable expenses incurred in the performance of~~
19 ~~their duties, as determined by the Director of Property Valuation and Review.~~

1 ~~(e) The Board shall be attached for administrative purposes to the Division~~
2 ~~of Property Valuation and Review of the Department of Taxes of the Agency~~
3 ~~of Administration. [Repealed.]~~

4 Sec. 5. 32 V.S.A. § 5408 is amended to read:

5 § 5408. PETITION FOR REDETERMINATION

6 (a) Not later than 35 days after mailing of a notice under section 5406 of
7 this title, a municipality may petition the Director of Property Valuation and
8 Review for a redetermination of the municipality's equalized education
9 property value and coefficient of dispersion. ~~Such~~ The petition shall be in
10 writing and shall be signed by the chair of the legislative body of the
11 municipality or ~~his or her~~ designee.

12 (b)(1) Upon receipt of a petition for redetermination under subsection (a) of
13 this section, the Director shall, after written notice, grant a hearing upon the
14 petition to the aggrieved town.

15 (2) The Director shall thereafter notify the town and the Secretary of
16 Education of his or her redetermination of the equalized education property
17 value and coefficient of dispersion of the town or district, in the manner
18 provided for notices of original determinations under section 5406 of this title.

19 (c)(1) A municipality, within 30 days ~~of~~ after the Director's
20 redetermination, may appeal the redetermination to the ~~Valuation Appeal~~
21 ~~Board. The Board shall notify the appellee of the filing of the appeal. The~~

1 ~~appeal shall be heard de novo in the manner provided by 3 V.S.A. chapter 25~~
2 ~~for the hearing of contested cases.~~

3 ~~(d) A municipality or the Division of Property Valuation and Review may~~
4 ~~appeal from a decision of the Valuation Appeal Board to the Superior Court of~~
5 ~~the county in which the municipality is located. The Superior Court shall hear~~
6 ~~the matter de novo in the manner provided by V.R.C.P. Rule 74 of the~~
7 ~~Vermont Rules of Civil Procedure.~~

8 (2) An appeal from the decision of the Superior Court shall be to the
9 Supreme Court under the Vermont Rules of Appellate Procedure.

10 * * * Permitting Per Diems Currently Prohibited * * *

11 Sec. 6. 3 V.S.A. § 22 is amended to read:

12 § 22. THE COMMISSION ON WOMEN

13 (a)(1) The Commission on Women is created as the successor to the
14 Governor's Commission on Women established by Executive Order No. 20-
15 86. The Commission shall be organized and have the duties and
16 responsibilities as provided in this section.

17 (2) The Commission shall be an independent agency of the government
18 of Vermont and shall not be subject to the control of any other department or
19 agency.

20 (3) Members of the Commission shall be drawn from throughout the
21 State and from diverse racial, ethnic, religious, age, sexual orientation, and

1 socioeconomic backgrounds, and shall have had experience working toward
2 the improvement of the status of women in society.

3 (b) The Commission shall consist of 16 members, appointed as follows:

4 (1) Eight members shall be appointed by the Governor; ~~no~~, not more
5 than four of whom shall be from one political party.

6 (2)(A) ~~Six~~ Eight members shall be appointed by the legislature General
7 Assembly, ~~three~~ four by the Senate Committee on Committees, and ~~three~~ four
8 by the Speaker of the House; ~~no~~.

9 (B) Not more than two appointees shall be members of the
10 legislature. ~~Each~~ General Assembly, and each appointing authority shall
11 appoint ~~no~~ not more than two members from the same political party.

12 (3) ~~Two members, one each from the two major political parties.~~

13 (c) The terms of members shall be four years. ~~Members of the~~
14 ~~Commission currently appointed and serving pursuant to Executive Order No.~~
15 ~~20-86 on July 1, 2002 may continue to serve for the duration of the four year~~
16 ~~term to which they were appointed. As terms of currently serving members~~
17 ~~expire, appointments of successors shall be in accord with the provisions of~~
18 ~~subsection (b) of this section, and made in the following order:~~

19 (1) ~~For terms expiring on June 30, 2002, two shall be made by the~~
20 ~~Governor, one shall be made by the Committee on Committees and one shall~~
21 ~~be made by the speaker.~~

1 or administrative advocacy. The Commission shall review and amend as
2 necessary all existing contracts and grants to ensure compliance with this
3 subsection.

4 ~~(2) For purposes of~~ As used in this subsection, legislative or
5 administrative advocacy means employment of a lobbyist as defined in
6 2 V.S.A. chapter 11, or employment ~~of, or~~ establishment ~~of,~~ or maintenance of,
7 a lobbyist position whose primary function is to influence legislators or State
8 officials with respect to pending legislation or ~~regulations~~ rules.

9 Sec. 7. COMMISSION ON WOMEN; CURRENT TERMS

10 A member of the Commission on Women on the effective date of this act
11 whose appointing authority is repealed under the provisions of Sec. 6 of this
12 act may serve the remainder of her or his term.

13 Sec. 8. 10 V.S.A. § 1372 is amended to read:

14 § 1372. MEMBERS; APPOINTMENT; TERM

15 (a) Within 30 days after he ~~or she~~ has executed the ~~compact~~ Compact with
16 any or all of the states legally joined therein, the ~~governor~~ Governor shall
17 appoint three persons to serve as commissioners to the New England Interstate
18 Water Pollution Control Commission. The ~~commissioner of environmental~~
19 ~~conservation~~ Commissioner of Environmental Conservation and the
20 ~~commissioner of health~~ Commissioner of Health shall serve as ex officio
21 commissioners ~~thereon~~ on the Commission.

1 **(b)** The commissioners so appointed shall hold office for six years.
2 ~~Vacancies~~ A vacancy occurring in the office of ~~the commissioners a~~
3 commissioner shall be filled by the ~~governor~~ Governor for the unexpired
4 portion of the term.

5 **(c)** The commissioners shall ~~serve without~~ be entitled to per diem
6 compensation ~~but shall be paid for their actual~~ and reimbursement of expenses
7 ~~incurred in and incident to the performance of their duties~~ as permitted under
8 32 V.S.A. § 1010.

9 **(d)** The commissioners shall have the powers and duties and be subject to
10 limitations as set forth in the ~~eompact~~ Compact.

11 * * * Joint Information Technology Oversight Committee * * *

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

13 CHAPTER 18. JOINT INFORMATION TECHNOLOGY

14 OVERSIGHT COMMITTEE

15 * * *

16 § 614. JOINT INFORMATION TECHNOLOGY OVERSIGHT

17 COMMITTEE

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

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

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

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

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

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

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

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

21 (4) cybersecurity.

1 powers and duties of a board or commission, and to recommend whether
2 members of the boards and commissions should be entitled to receive per diem
3 compensation.

4 (2) As used in this section, “State boards and commissions” means
5 professional or occupational licensing boards or commissions, advisory boards
6 or commissions, appeals boards, promotional boards, interstate boards,
7 supervisory boards and councils, and any other boards or commissions of the
8 State.

9 (b) Membership.

10 (1) The Commission shall be composed of the following six members:

11 (A) two current members of the House of Representatives who shall
12 not both be from the same political party and one of whom shall be appointed
13 co-chair, who shall be appointed by the Speaker of the House;

14 (B) two current members of the Senate, who shall not both be from
15 the same political party and one of whom shall be appointed co-chair, who
16 shall be appointed by the Committee on Committees; and

17 (C) two persons appointed by the Governor.

18 (2) Members shall be appointed at the beginning of each biennium. A
19 member shall serve biennially and until his or her successor is appointed,
20 except that a legislative member’s term on the Commission shall expire on the
21 date he or she ceases to be a member of the General Assembly.

1 (c) Powers and duties. The Commission shall have the following powers
2 and duties:

3 (1) Inventory; group; review schedule.

4 (A)(i) The Commission shall inventory all of the State boards and
5 commissions, organize them into groups, and establish a schedule to conduct a
6 review of one group each biennium.

7 (ii) The inventory shall include the names of the members of the
8 State boards and commissions, their term length and expiration, and their
9 appointing authority.

10 (B) The Commission shall provide its inventory of the State boards
11 and commissions to the Secretary of State for the Secretary to maintain as set
12 forth in section 116a of this title.

13 (2) Biennial review.

14 (A) Each biennium, the Commission shall review all of the State
15 boards and commissions within one of its inventoried groups and shall take
16 testimony regarding whether each of those boards and commissions should
17 continue to operate or be eliminated and whether the powers and duties of any
18 of those boards and commissions should be revised.

1 (B) In its review of each State board and commission, the

2 Commission shall consider:

3 (i) the purpose of the board or commission and whether that
4 purpose is still needed;

5 (ii) how well the board or commission performs in executing that
6 purpose; and

7 (iii) if the purpose is still needed, whether State government would
8 be more effective and efficient if the purpose were executed in a different
9 manner.

10 (C) Each board and commission shall have the burden of justifying
11 its continued operation.

12 (D) For any board or commission that the Commission determines
13 should continue to operate, the Commission shall also determine whether
14 members of that board or commission should be entitled to receive per diem
15 compensation and if so, the amount of that compensation.

16 (3) Biennial report. On or before the end of the biennium during which
17 it reviews a group, the Commission shall submit to the House and Senate
18 Committees on Government Operations its findings, any recommendation to
19 eliminate a State board or commission within that group or to revise the powers
20 and duties of a board or commission within the group, its recommendations
21 regarding board or commission member per diem compensation, and any other

1 recommendations for legislative action. The Commission shall also
2 specifically recommend whether there should be changes to the information the
3 Secretary of State provides in his or her inventory of the State boards and
4 commissions as set forth in 3 V.S.A. § 116a. The provisions of 2 V.S.A.
5 § 20(d) (expiration of required reports) shall not apply to the report to be made
6 under this subsection.

7 (d) Assistance. The Commission shall have the administrative, technical,
8 and legal assistance of the Office of Legislative Council, the Joint Fiscal
9 Office, and the Agency of Administration.

10 (e) Compensation and expense reimbursement.

11 (1) For attendance at meetings during adjournment of the General
12 Assembly, a legislative member of the Commission shall be entitled to per
13 diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406
14 for not more than five meetings per year. These payments shall be made from
15 monies appropriated to the General Assembly.

16 (2) Other members of the Commission shall be entitled to per diem
17 compensation and reimbursement of expenses as permitted under
18 32 V.S.A. § 1010 for not more than five meetings per year. These payments
19 shall be made from monies appropriated to the Agency of Administration.

