

1 H.754 JFO Comments 1/31/20

2 Introduced by Representatives Johnson of South Hero, Ancel of Calais,

3 Kimbell of Woodstock, and LaClair of Barre Town

4 Referred to Committee on

5 Date:

6 Subject: Legislature; Joint Legislative Management Committee; legislative

7 staff

8 Statement of purpose of bill as introduced: This bill proposes to implement the
9 restructuring and reorganization of General Assembly staff offices as
10 recommended by the Joint Legislative Management Committee.

11 An act relating to restructuring and reorganizing General Assembly staff
12 offices

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 * * * Sergeant at Arms * * *

15 Sec. 1. 2 V.S.A. chapter 3 is amended to read:

16 CHAPTER 3. SERGEANT AT ARMS

17 * * *

18 § 62. LEGISLATIVE DUTIES

19 (a) The Sergeant at Arms shall:

1 (1) execute orders of either house, the Joint Legislative Management
2 Committee, the Committee on Joint Rules, or the House or Senate Committee
3 on Rules;

4 * * *

5 (d) The Sergeant at Arms and employees of the Sergeant at Arms shall seek
6 guidance from and operate in accordance with policies adopted by the Joint
7 Legislative Management Committee.

8 § 63. SALARY Does Sgt at Arms salary still need to be in statute? Should
9 there be a section that requires Sgt at Arms to submit a budget to JLMC?

10 (a) The salary for a newly elected Sergeant at Arms shall be set by the ~~Joint~~
11 ~~Rules Committee~~ Joint Legislative Management Committee and annually
12 thereafter, this compensation shall be adjusted in accordance with any annual
13 increase provided for legislative employees, unless otherwise determined by
14 the ~~Joint Rules Committee~~ Joint Legislative Management Committee.

15 (b) [Repealed.]

16 § 64. EMPLOYMENT OF ASSISTANTS; CAPITOL POLICE; TRAINING;
17 UNIFORMS AND EQUIPMENT

18 (a) The Sergeant at Arms may, ~~subject to the rules of the General~~
19 ~~Assembly~~, employ such employees as may be needed to carry out the Sergeant
20 at Arms' duties. ~~These may include~~ assistants, custodians, doorkeepers,
21 guides, messengers, mail and room assignment clerks, security guards, and

1 pages, and other staff as needed to carry out the Sergeant at Arms' duties,
2 except that ~~creation of requests for~~ new, permanent positions shall be subject to
3 the approval of the Joint Legislative Management Committee. Compensation
4 for such employees shall be determined by the Joint Rules Committee, except
5 that prior to the beginning of any legislative session, compensation for a person
6 who fills the same temporary position that he or she filled during the preceding
7 session and, in the case of a person newly employed to fill a temporary
8 position, the rate of compensation shall be established initially by the Sergeant
9 at Arms at a rate not to exceed the rate established for the person who held that
10 position during the preceding legislative session. Persons employed under this
11 section shall be paid in the same manner as members of the General Assembly.
12 The Commissioner of Finance and Management shall issue his or her warrant
13 in payment of compensation approved under this section.

14 (b) All individuals employed by the Sergeant at Arms shall be subject to
15 the personnel policies adopted by the Joint Legislative Management
16 Committee.

17 (c) The provisions of 3 V.S.A. chapter 13 (classification of State personnel)
18 shall not apply to employees of the Sergeant at Arms unless this exception is
19 partially or wholly waived by the Joint Rules Committee consistent with the
20 rules of the General Assembly. Any waiver may subsequently be rescinded in
21 whole or in part Joint Legislative Management Committee.

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* * *

* * * Office of Legislative Counsel * * *

Sec. 2. 2 V.S.A. chapter 13 is amended to read:

CHAPTER 13. OFFICE OF LEGISLATIVE SERVICES COUNSEL

Subchapter 4 1. Legislative Council Office of Legislative Counsel

§ 401. CREATION AND PURPOSE

~~A Legislative Council~~ The Office of Legislative Counsel is created as a permanent agency to serve the General Assembly with ~~a professional staff and secretarial~~ nonpartisan legislative drafting, research, and other professional legal and editorial services.

§ 402. ~~MEMBERSHIP~~ DIRECTOR AND CHIEF COUNSEL; EMPLOYEES

~~(a) The Legislative Council shall consist of:~~

~~(1) The President Pro Tempore of the Senate and three members of the Senate appointed by the President.~~

~~(2) The Speaker of the House and three members of the House appointed by the Speaker.~~

~~(b) Members shall serve a term of two years or until their successors are appointed. The term of a member shall end upon his or her ceasing to be a member of the General Assembly.~~

1 ~~(c) Interim vacancies may be filled by appointment by the President of the~~
2 ~~Senate or the Speaker of the House in the same manner as in subsection (a) of~~
3 ~~this section.~~

4 ~~(d) The members shall be appointed from the political parties in the general~~
5 ~~proportion to the membership of each party in each house.~~

6 ~~(e) Appointments shall be made biennially at the same time as standing~~
7 ~~committees.~~

8 (a) The Joint Legislative Management Committee shall employ an
9 individual to be the Director and Chief Counsel of the Office of Legislative
10 Counsel. The Committee may conduct the hiring process itself or it may
11 delegate this duty to a special hiring committee comprising an equal number of
12 members from the House and Senate, not all of whom shall be from the same
13 political party; however, the Joint Legislative Management Committee shall
14 make the final hiring decision.

15 (b)(1) The Director and Chief Counsel shall employ legal, editorial, and
16 other professional staff as needed to carry out the duties of the Office of
17 Legislative Counsel, except that the ~~creation of requests for~~ new, permanent
18 positions shall be subject to the approval of the Joint Legislative Management
19 Committee.

1 (2) All individuals employed by the Office of Legislative Counsel shall
2 be subject to the personnel policies adopted by the Joint Legislative
3 Management Committee.

4 (3) The provisions of 3 V.S.A. chapter 13 (classification of State
5 personnel) shall not apply to employees of the Office of Legislative Counsel
6 unless this exception is partially or wholly waived by the Joint Legislative
7 Management Committee.

8 § 403. ~~ORGANIZATION; EXPENSES~~ FUNCTIONS; CONFIDENTIALITY

9 ~~(a) The Legislative Council shall meet immediately following the~~
10 ~~appointment of its membership to elect a chair and a vice chair and to organize~~
11 ~~and conduct its business. The members of the Council shall adopt rules for the~~
12 ~~organization of the Council and the operation of its personnel. The Council~~
13 ~~may meet as often as it deems necessary, and a majority of the members shall~~
14 ~~constitute a quorum for the transaction of business. Meetings may be called by~~
15 ~~the Chair or by a majority of the members.~~

16 ~~(b) The Legislative Council shall employ such professional and secretarial~~
17 ~~staff as are required to carry out its functions and fix their compensation. 3~~
18 ~~V.S.A. chapter 13 shall not apply to employees of the Council unless this~~
19 ~~exception is partially or wholly waived by the Council.~~

20 ~~(c) After July 1, 1972, all of the expenses of the Legislative Council shall be~~
21 ~~charged to the legislative appropriation, and the Council shall prepare a~~

1 ~~detailed Legislative Council budget generally in the format of departmental~~
2 ~~budgets.~~

3 (a) The Office of Legislative Counsel shall provide legal services to the
4 General Assembly and its staff, including:

5 (1) drafting bills, resolutions, amendments, and other legal documents;

6 (2) providing legal research and analysis in relation to current or
7 anticipated legislative matters;

8 (3) providing policy analysis of current or anticipated legislative
9 matters;

10 (4) maintaining a reference library;

11 (5) maintaining confidential documents and other confidential materials
12 provided to or generated by the Office in the course of business; and

13 (6) furnishing such other information and legal assistance with respect
14 to legislative matters as may be required by a member, member-elect,
15 committee or similar entity of the General Assembly, a chamber of the General
16 Assembly, or the General Assembly as a whole, in the performance of its
17 duties.

18 (b)(1) All requests for legal assistance, information, and advice from the
19 Office of Legislative Counsel, all information received in connection with
20 research or drafting, and all confidential materials provided to or generated by

1 the Office shall remain confidential unless the party requesting or providing
2 the information or material designates that it is not confidential.

3 (2) Documents and minutes of committee meetings, including written
4 testimony submitted to a committee; bills and amendments that have been
5 approved for printing or introduction; and material appearing in the journals or
6 calendars of either house are official documents and shall not be confidential
7 under this subsection.

8 ~~(d)(c)~~ The ~~Legislative Council~~ Office of Legislative Counsel shall have its
9 offices in the State House.

10 ~~(e) For attending a meeting of the Legislative Council when he or she is not~~
11 ~~receiving compensation as a member of the General Assembly, a member of~~
12 ~~the Legislative Council shall be entitled to the same per diem compensation~~
13 ~~and reimbursement for necessary expenses as provided members of standing~~
14 ~~committees under 2 V.S.A. § 406.~~

15 § 404. FUNCTIONS BUDGET

16 ~~(a) The Legislative Council shall direct, supervise, and coordinate the work~~
17 ~~of its staff and secretaries.~~

18 ~~(b) The Legislative Council shall:~~

19 ~~(1) furnish research services in relation to legislative problems;~~

20 ~~(2) furnish drafting services for bills, resolutions, and amendments;~~

21 ~~(3) establish and maintain a reference library;~~

1 ~~(4) furnish such other information and legal assistance respecting~~
2 ~~legislative matters as may be required by a committee of either house, a joint~~
3 ~~committee of the General Assembly, or a member elect of the General~~
4 ~~Assembly;~~

5 ~~(5) appoint one or more persons to serve as staff for a standing~~
6 ~~committee of either house or any group of standing committees of the House~~
7 ~~and Senate;~~

8 ~~(6) except when the General Assembly is in session and upon the~~
9 ~~request of any person, provide him or her, on a weekly basis, with a list of all~~
10 ~~public hearings or meetings scheduled by a council, committee, subcommittee,~~
11 ~~commission, or study committee of the General Assembly or any cancellations~~
12 ~~of hearings or meetings thereof previously scheduled;~~

13 ~~(7) keep minutes of its meetings and shall maintain a file thereof.~~

14 ~~(c) All requests for legal assistance, information, and advice and all~~
15 ~~information received in connection with research or drafting shall be~~
16 ~~confidential unless the party requesting or giving the information designates in~~
17 ~~the request that it is not confidential. Transcripts and minutes of committee~~
18 ~~meetings, including written testimony submitted to the committee, bills or~~
19 ~~amendments that have been released or approved for printing or introduction,~~
20 ~~and material appearing in the journals or calendars of either house are official~~
21 ~~documents and shall not be confidential under this subsection.~~

1 § 422. CONTRACT FOR PREPARATION OF VERMONT STATUTES

2 ANNOTATED

3 (a) The ~~Legislative Council~~ Office of Legislative Counsel shall contract
4 with a competent legal publisher to revise and publish the Vermont Statutes
5 Annotated.

6 (b) The contract for publishing the Vermont Statutes Annotated shall
7 provide for the annual editing and publishing of cumulative pocket part
8 supplements after each biennial and adjourned legislative session for the
9 duration of the contract. The cumulative pocket part supplements shall include
10 all ~~the~~ codified laws ~~that were~~ enacted during the concluded biennial or
11 adjourned session of the General Assembly, and during any special session that
12 has occurred since the last annual publication. Each edition of the cumulative
13 pocket part supplements to the Vermont Statutes Annotated shall include all
14 annotations of constructions of the Vermont Supreme Court ~~of the State of~~
15 ~~Vermont~~ and all federal courts of the United States, available at the closing
16 date of each edition of the pocket parts.

17 (c) The contracted publisher shall, as provided in the contract, ~~or as~~
18 ~~statutorily directed by the General Assembly~~, publish replacement volumes of
19 existing titles, or separate volumes of new titles, of the Vermont Statutes
20 Annotated.

1 § 423. ACCEPTANCE AS EVIDENCE OF LAW

2 (a) The ~~Legislative Council~~ Office of Legislative Counsel shall require the
3 contracted publisher to deliver the cumulative pocket parts and separate
4 supplements to the Vermont Statutes Annotated prior to the convening of the
5 next session of the General Assembly, which shall include a certificate of
6 authenticity that the ~~Legislative Council~~ Office of Legislative Counsel shall
7 issue. The certificate shall entitle the statutes contained in the cumulative
8 pocket parts and separate supplements to admission in all the courts of
9 Vermont as prima facie evidence of the law, ~~and may be cited as “V.S.A.”.~~

10 (b) The ~~Legislative Council~~ Office of Legislative Counsel shall require the
11 contracted publisher to deliver new and replacement volumes of the Vermont
12 Statutes Annotated with a certificate of authenticity that the ~~Legislative~~
13 ~~Council~~ Office of Legislative Counsel shall issue. The certificate shall entitle
14 the statutes contained in the new and replacement volumes to admission in all
15 the courts of Vermont as prima facie evidence of the law, ~~and may be cited as~~
16 ~~“V.S.A.”.~~

17 (c) A certificate of authority issued by the Statutory Revision Commission
18 pursuant to the authority of the former 1 V.S.A. § 4 shall continue to entitle a
19 cumulative pocket part and separate supplement, or a new and replacement
20 volume, for which it was issued to admission in all the courts of Vermont as
21 prima facie evidence of the law ~~and may be cited as “V.S.A.”.~~

1 that proposes recommendations of any additions, repeals, or amendments to
2 the existing statutes.

3 * * * Joint Legislative Management Committee * * *

4 Sec. 3. 2 V.S.A. chapter 14 is redesignated and amended to read:

5 CHAPTER 14 2. JOINT LEGISLATIVE MANAGEMENT COMMITTEE

6 § ~~454~~ 41. CREATION OF COMMITTEE: PURPOSE

7 (a) Creation. There is created the Joint Legislative Management
8 Committee. The Committee shall provide general oversight and management
9 across the offices of the General Assembly and shall coordinate the operations
10 of the Office of Human Resources and Administrative Services in its delivery
11 of administrative services to the legislative offices and the ~~Legislature~~ General
12 Assembly.

13 (b) Membership. The Committee shall be composed of the following
14 members:

15 (1) four members of the House, which shall include representatives of
16 ~~the Legislative Council Committee~~, the Joint Fiscal Committee, and the House
17 Rules Committee, and shall consist of:

18 (A) the Speaker of the House; and

19 (B) three members of the House appointed by the Speaker, not all
20 from the same political party; and

1 (2) four members of the Senate, which shall include representatives of
2 ~~the Legislative Council Committee~~, the Joint Fiscal Committee, and the Senate
3 Rules Committee, and shall consist of:

4 (A) the President Pro Tempore; and

5 (B) three members of the Senate appointed by the Committee on
6 Committees, not all from the same political party.

7 (c) Appointments and terms.

8 (1) Appointments shall be made biennially at the same time as standing
9 committees.

10 (2) Members shall serve a term of two years or until their successors are
11 appointed. The term of a member shall end upon his or her ceasing to be a
12 member of the General Assembly.

13 ~~(d)~~(3) Interim vacancies may be filled by appointment by the Committee
14 on Committees or the Speaker of the House in the same manner as in
15 subsection (b) of this section.

16 ~~(e) Initial appointments shall be made upon passage of this act, with initial~~
17 ~~terms concluding at the time new appointments to the Committee are made in~~
18 ~~January 2021.~~

19 ~~(f) Subsequent appointments shall be made biennially at the same time as~~
20 ~~standing committees.~~

1 ~~(g)~~(d) Meetings. The Committee shall meet immediately following the
2 appointment of its membership to elect a chair and a vice chair and to organize
3 and conduct its business. The Committee may meet as often as it deems
4 necessary and a majority of the members shall constitute a quorum for the
5 transaction of business. Meetings may be called by the Chair or by a majority
6 of the members.

7 ~~(h)~~(e) Compensation; reimbursement. For attending a meeting of
8 Committee when he or she is not receiving compensation as a member of the
9 General Assembly, a member of the Committee shall be entitled to the same
10 per diem compensation and reimbursement for necessary expenses as provided
11 members of standing committees under section ~~406~~ 23 of this title.

12 § 42. OVERSIGHT AND MANAGEMENT FUNCTIONS

13 (a) ~~For its As part of its~~ oversight and management of the offices of the
14 General Assembly, the Joint Legislative Management Committee shall:

15 (1) prepare a proposed budget for the Legislative Branch that includes a
16 budget for each legislative office;

17 (2) approve the ~~creation of requests for~~ new, permanent positions in
18 staff offices as appropriate, for inclusion in the proposed Legislative Branch
19 budget;

20 (3) approve the reallocation of existing positions among staff offices, as
21 appropriate; ~~and~~

1 (4) approve and adopt policies that apply across the Legislative Branch,
2 including personnel policies and policies relating to information technology;
3 and
4 (5) other relevant management and oversight issues.

5 (b) The Joint Legislative Management Committee shall have access to
6 legal, financial, administrative, information technology, and other services
7 from legislative offices as needed to serve the needs of the Legislative Branch.

8 Sec. 4. JOINT LEGISLATIVE MANAGEMENT COMMITTEE;

9 CONCLUSION OF INITIAL TERMS

10 The terms of the members appointed to the Joint Legislative Management
11 Committee in 2019 shall conclude in January 2021 at the time the new
12 appointments to the Committee are made.

13 * * * Joint Fiscal Office * * *

14 Sec. 5. 2 V.S.A. chapter 15 is amended to read:

15 CHAPTER 15. JOINT FISCAL COMMITTEE; JOINT FISCAL OFFICE

16 Subchapter 1. Joint Fiscal Committee

17 § 501. CREATION OF COMMITTEE; PURPOSE

18 (a) There is created a Joint Fiscal Committee whose membership shall be
19 appointed on or before January 15 of each biennial session of the General
20 Assembly. The Committee shall consist of five Representatives and five
21 Senators as follows:

- 1 (1) ~~The~~ the Chair of the House Committee on Appropriations;
- 2 (2) ~~The~~ the Chair of the House Committee on Ways and Means;
- 3 (3) ~~The~~ the Chair of the Senate Committee on Appropriations;
- 4 (4) ~~The~~ the Chair of the Senate Committee on Finance;
- 5 (5) ~~Two~~ two members of the House, ~~one from each major~~ not both from
6 the same political party, appointed by the Speaker of the House;
- 7 (6) ~~Two~~ two members of the Senate, ~~one from each major~~ not both from
8 the same political party, appointed by the Committee on Committees; and
- 9 (7) ~~One~~ one member of the Senate to be appointed by the Committee on
10 Committees and one member of the House to be appointed by the Speaker.

11 (b) The Joint Fiscal Committee shall meet immediately following the
12 appointment of its membership to organize and conduct its business. The
13 Committee shall elect a chair, vice chair, and clerk and shall adopt rules of
14 procedure. The Committee may meet at any time at the call of the Chair or a
15 majority of the members of the Committee. A majority of the membership
16 shall constitute a quorum.

17 (c) For attendance at a meeting when the General Assembly is not in
18 session, members of the Joint Fiscal Committee shall be entitled to the same
19 per diem compensation and reimbursement for actual and necessary expenses
20 as provided members of standing committees under section ~~406~~ 23 of this title.

1 § 502. ~~EMPLOYEES; RULES; BUDGET~~

2 ~~(a) The Joint Fiscal Committee shall meet immediately following the~~
3 ~~appointment of its membership to organize and conduct its business. The Joint~~
4 ~~Fiscal Committee shall adopt rules for the operation of its personnel.~~

5 ~~(b) The Joint Fiscal Committee shall employ such professional and~~
6 ~~secretarial staff as are required to carry out its functions and fix their~~
7 ~~compensation~~

8 ~~(1) 3 V.S.A. chapter 13, shall not apply to employees of the Joint Fiscal~~
9 ~~Committee unless this exception is partially or wholly waived by the Joint~~
10 ~~Fiscal Committee.~~

11 ~~(2) All requests for assistance, information, and advice and all~~
12 ~~information received in connection with fiscal research or related drafting shall~~
13 ~~be confidential unless the party requesting or giving the information designates~~
14 ~~in the request that it is not confidential. Documents, transcripts, and minutes~~
15 ~~of committee meetings, including written testimony submitted to a committee,~~
16 ~~fiscal notes and summaries which have been released or approved for printing~~
17 ~~or introduction, and material appearing in the journals or calendars of either~~
18 ~~house are official documents and shall not be confidential under this~~
19 ~~subsection.~~

20 ~~(c) The Joint Fiscal Committee shall prepare a budget. [Repealed.]~~

1 § 503. FUNCTIONS

2 ~~(a) The Joint Fiscal Committee shall direct, supervise, and coordinate the~~
3 ~~work of its staff and secretaries.~~

4 ~~(b) The Joint Fiscal Committee shall:~~

5 ~~(1) furnish research services and secretarial services of a fiscal nature to~~
6 ~~the House and Senate Committees on Appropriations, the Senate Committee~~
7 ~~on Finance, the House Committee on Ways and Means, the House and Senate~~
8 ~~Committees on Transportation, and the Joint Fiscal Committee; hire the Chief~~
9 ~~Fiscal Officer;~~

10 (2) carry on a continuing review of the fiscal operations of the State,
11 including revenues, budgeting, and expenditures;

12 (3) accept grants and approve any related limited service positions, gifts,
13 loans, or any other thing of value, approved by the Governor, under the
14 provisions of 32 V.S.A. § 5, ~~when the General Assembly is not in session;~~

15 32vsa 5 speaks to "not in session" and "in session" so not
16 necessary here and seems a little confusing

17 ~~(4) direct, supervise and coordinate the work of the Joint Fiscal Office;~~

18 and

19 ~~(5) keep minutes of its meetings and maintain a file thereof.~~

20 § 504. INTERGOVERNMENTAL COOPERATION

21 ~~For the purposes of carrying out its duties, the Joint Fiscal Committee and~~
22 ~~its staff shall have access to and the right to copy any public record of all~~

1 ~~executive, administrative, and judicial Departments of the State, except income~~
2 ~~and franchise tax returns and other documents classified as confidential by law.~~

3 [Repealed.]

4 * * *

5 Subchapter 2. Joint Fiscal Office

6 § 521. CREATION AND PURPOSE

7 The Joint Fiscal Office is created as a permanent agency to serve those
8 committees of the General Assembly that have a focus on the fiscal operations
9 of the State, including revenues, budgeting, and expenditures.

10 § 522. CHIEF FISCAL OFFICER; EMPLOYEES

11 (a)(1) The Joint Fiscal Committee shall employ an individual to be the
12 Chief Fiscal Officer of the Joint Fiscal Office.

13 (2) The Chief Fiscal Officer shall employ fiscal, research, and other
14 professional staff as needed to carry out the duties of the Joint Fiscal Office,
15 except that the ~~creation of requests for~~ new, permanent positions shall be
16 subject to the approval of the Joint Legislative Management Committee.

17 (b) All individuals employed by the Joint Fiscal Office shall be subject to
18 the personnel policies adopted by the Joint Legislative Management
19 Committee.

1 (c) The provisions of 3 V.S.A. chapter 13 (classification of State personnel)
2 shall not apply to employees of the Joint Fiscal Office unless this exception is
3 partially or wholly waived by the Joint Legislative Management Committee.

4 § 523. FUNCTIONS; CONFIDENTIALITY

5 (a) The Joint Fiscal Office shall furnish
6 (1) nonpartisan research and administrative services of a fiscal nature to the
7 Joint Fiscal Committee and, at the direction of the Joint Fiscal Committee, to
8 the House and Senate Committees on Appropriations, the Senate Committee
9 on Finance, the House Committee on Ways and Means, the House and Senate
10 Committees on Transportation, the House Committee on Corrections and
11 Institutions, and the Senate Committee on Institutions; and

12 (2) fiscal and budget assistance to the Joint Legislative Management
13 Committee and other legislative offices.

14 (b)(1) All requests for assistance, information, and advice from the Joint
15 Fiscal Office, all information received in connection with fiscal research or
16 related drafting, and all confidential materials provided to or generated by the
17 Joint Fiscal Office shall remain confidential unless the party requesting or
18 providing the information designates that it is not confidential.

19 (2) Documents and minutes of committee meetings, including written
20 testimony submitted to a committee; fiscal notes and summaries that have been
21 released or approved for printing or introduction; and material appearing in the

1 journals or calendars of either house are official documents and shall not be
2 confidential under this subsection.

3 § 524. BUDGET

4 The Chief Fiscal Officer shall propose a budget for the Joint Fiscal Office to
5 the Joint Legislative Management Committee.

6 § 525. INTERGOVERNMENTAL COOPERATION

7 For the purposes of carrying out its duties, the Joint Fiscal Office shall have
8 access to and the right to copy any public record of all executive,
9 administrative, and judicial Departments of the State, except income and
10 franchise tax returns and other documents classified as confidential by law
11 unless permitted under 32 V.S.A. § 3102.

12 * * * Office of Human Resources and Administrative Services * * *

13 Sec. 6. 2 V.S.A. chapter 16 is added to read:

14 CHAPTER 16. OFFICE OF HUMAN RESOURCES AND
15 ADMINISTRATIVE SERVICES

16 § 551. CREATION AND PURPOSE

17 The Office of Human Resources and Administrative Services is created as a
18 permanent agency to serve the members and employees of the General
19 Assembly and the Joint Legislative Management Committee with nonpartisan
20 human resources, financial operations, ~~operational~~, and other operational and

1 administrative services ~~and to support the statutory responsibilities of the Joint~~
2 ~~Legislative Management Committee.~~

3 § 552. DIRECTOR; EMPLOYEES

4 (a) The Joint Legislative Management Committee shall employ an
5 individual with experience and expertise in administration or management to
6 be the Director of Human Resources and Administrative Services. The
7 Committee may conduct the hiring process itself or it may delegate this duty to
8 a special hiring committee comprising an equal number of members from the
9 House and Senate, not all of whom shall be from the same political party;
10 however, the Joint Legislative Management Committee shall make the final
11 hiring decision.

12 (b)(1) The Director of Human Resources and Administrative Services shall
13 employ human resources, administrative, management, finance, committee
14 services, and other professional staff as needed to carry out the duties of the
15 Office of Human Resources and Administrative Services, except that the
16 ~~creation of requests for~~ new, permanent positions shall be subject to the
17 approval of the Joint Legislative Management Committee.

18 (2) All individuals employed by the Office of Human Resources and
19 Administrative Services shall be subject to the personnel policies adopted by
20 the Joint Legislative Management Committee.

1 (3) The provisions of 3 V.S.A. chapter 13 (classification of State
2 personnel) shall not apply to employees of the Office of Human Resources and
3 Administrative Services unless this exception is partially or wholly waived by
4 the Joint Legislative Management Committee.

5 § 553. FUNCTIONS

6 The Office of Human Resources and Administrative Services shall provide:

7 (1) human resources services to members of the General Assembly and
8 legislative employees, including:

9 (A) developing ~~and administering~~ compensation and benefits plans
10 and personnel policies for legislative offices and employees ~~which may include~~
11 the adoption of existing State plans and providing advice, guidance and
12 technical assistance in the administration of these compensation and benefits
13 plans and personnel policies;

14 (B) providing training on issues such as the prevention of harassment
15 and discrimination, ~~implicit bias~~, and on other workplace issues;

16 (C) providing job recruitment ~~services to other legislative offices;~~

17 (D) providing ~~and~~ performance evaluation services to other legislative
18 offices;

19 ~~(D) administering employee benefits;~~

1 (E) providing advice and guidance to legislative employees,
2 supervisors, and members of the General Assembly regarding labor and
3 employment laws, policies, and practices;

4 (F) coordinating legislative internship opportunities, including
5 registering legislative interns and developing and implementing internship
6 policies and procedures; and

7 (G) developing a process for, and investigating and resolving
8 employee disputes and other personnel matters;

9 (2) administrative support to the Joint Legislative Management
10 Committee;

11 (3) administrative support to other standing and interim legislative
12 committees;

13 (4) payroll, reimbursement, financial operations, and accounting
14 services to members of the General Assembly, and as needed to legislative
15 offices, and legislative employees; and

16 (5) other administrative and operational services as needed to support
17 members of the General Assembly, legislative offices, and legislative
18 employees.

1 § 554. BUDGET

2 The Director of Human Resources and Administrative Services shall
3 propose a budget for the Office of Human Resources and Administrative
4 Services to the Joint Legislative Management Committee.

5 § 555. INTERGOVERNMENTAL COOPERATION

6 For the purposes of carrying out its duties, the Office of Human Resources
7 and Administrative Services shall have access to and the right to copy any
8 public record of all executive, administrative, and judicial departments of the
9 State, except income and franchise tax returns and other documents classified
10 as confidential by law.

11 * * * Office of Legislative Information Technology * * *

12 Sec. 7. 2 V.S.A. chapter 21 is added to read:

13 CHAPTER 21. OFFICE OF LEGISLATIVE INFORMATION

14 TECHNOLOGY

15 § 701. CREATION AND PURPOSE

16 The Office of Legislative Information Technology is created as a permanent
17 agency to serve the members and employees of the General Assembly with
18 information technology resources and nonpartisan technology-related services.

19 § 702. DIRECTOR; EMPLOYEES

20 (a) The Joint Legislative Management Committee shall employ an
21 individual with experience and expertise in information technology to be the

1 Director of Legislative Information Technology. The Committee may conduct
2 the hiring process itself or it may delegate this duty to a special hiring
3 committee comprising an equal number of members from the House and
4 Senate, not all of whom shall be from the same political party; however, the
5 Joint Legislative Management Committee shall make the final hiring decision.

6 (b)(1) The Director shall employ additional information technology staff as
7 needed to carry out the duties of the Office of Legislative Information
8 Technology, except that the ~~creation of requests for~~ new, permanent positions
9 shall be subject to the approval of the Joint Legislative Management
10 Committee.

11 (2) All individuals employed by the Office of Legislative Information
12 Technology shall be subject to the personnel policies adopted by the Joint
13 Legislative Management Committee.

14 (3) The provisions of 3 V.S.A. chapter 13 (classification of State
15 personnel) shall not apply to employees of the Office of Legislative
16 Information Technology unless this exception is partially or wholly waived by
17 the Joint Legislative Management Committee.

18 § 703. FUNCTIONS

19 The Office of Legislative Information Technology shall:

20 (1) design, support, and maintain the General Assembly's information
21 systems;

1 compensation and reimbursement of expenses pursuant to section ~~406~~ 23 of
2 this title.

3 * * * Redesignations * * *

4 Sec. 9. 29 V.S.A. chapter 6 is amended to read:

5 CHAPTER 6. CAPITOL COMPLEX ~~COMMISSION~~

6 Subchapter 1. Capitol Complex Commission

7 § 181. PURPOSE

8 * * *

9 Subchapter 2. Capitol Complex; Parking

10 * * *

11 Sec. 10. REDESIGNATIONS

12 (a) 2 V.S.A. § 71 (parking) is redesignated as 29 V.S.A. § 191 in 29 V.S.A.
13 chapter 6, subchapter 2.

14 (b) 2 V.S.A. § 406 (standing committees; authority to meet; out-of-state
15 business) is redesignated as 2 V.S.A. § 23.

16 (c) 2 V.S.A. § 505 (basic needs budget and livable wage; report) is
17 redesignated as 2 V.S.A. § 526.

18 (d) 2 V.S.A. § 754 (contracts for Internet service) is redesignated as
19 2 V.S.A. § 705.

1 (a) The Committee shall have the administrative, technical, and legal
2 assistance of the ~~Legislative Council~~ Office of Legislative Counsel, the Office
3 of Human Resources and Administration Services, and the Joint Fiscal Office.

4 Sec. 14. 2 V.S.A. § 801(f) is amended to read:

5 (f) The professional and clerical services of the Joint Fiscal Office, the
6 Office of Human Resources and Administrative Services, and the Office of
7 Legislative ~~Council~~ Counsel shall be available to the Committee.

8 Sec. 15. 2 V.S.A. § 970(f) is amended to read:

9 (f) The staff services of the Joint Fiscal Office, the Office of Human
10 Resources and Administration Services, and the Office of the Legislative
11 ~~Council~~ Counsel shall be available to the Committee.

12 Sec. 16. 3 V.S.A. § 23(e) is amended to read:

13 (e) Staff services. The Commission shall be entitled to staff services of the
14 Agency of Commerce and Community Development, the ~~Legislative Council~~
15 Office of Legislative Counsel, the Office of Human Resources and
16 Administrative Services, and the Joint Fiscal ~~Committee~~ Office.

17 Sec. 17. 3 V.S.A. § 268(d) is amended to read:

18 (d) Assistance. The Commission shall have the administrative, technical,
19 and legal assistance of the Office of Legislative ~~Council~~ Counsel, the Office of
20 Human Resources and Administrative Services, the Joint Fiscal Office, and the
21 Agency of Administration.

1 Sec. 18. 3 V.S.A. § 311(a) is amended to read:

2 (a) The classified service to which this chapter shall apply shall include all
3 positions and categories of employment by the State, except as otherwise
4 provided by law, and except the following:

5 (1) The ~~State Legislature~~ General Assembly and its employees and other
6 officers elected by popular vote or by vote of the ~~Legislature~~ General
7 Assembly and persons appointed to fill vacancies in elective offices.

8 (2) Members of boards and commissions and heads of departments or
9 agencies appointed by the Governor, or with his or her approval.

10 (3) One principal or executive assistant, one deputy to the head of a
11 department or agency, one private secretary, and one executive director for
12 each board or commission or head of a department or agency elected or
13 appointed by the Governor or ~~Legislature or Legislative Council~~ General
14 Assembly. However, nothing ~~contained herein~~ in this subdivision shall be
15 construed ~~so as~~ to prevent a board, commission, or director or head of a
16 department or agency from designating a classified employee to perform the
17 duties of a principal assistant, deputy, executive director, or private secretary.

18 * * *

19 Sec. 19. 3 V.S.A. § 817(b) is amended to read:

20 (b) The Committee shall meet as necessary for the prompt discharge of its
21 duties and may use the staff and services of the ~~Legislative Council~~ Office of

1 Legislative Counsel and the Office of Human Resources and Administrative
2 Services. The Committee shall adopt rules to govern its operation and
3 organization. A quorum of the Committee shall consist of five members. For
4 attendance at a meeting when the General Assembly is not in session, members
5 of the Legislative Committee on Administrative Rules shall be entitled to the
6 same per diem compensation and reimbursement for necessary expenses as
7 provided members of standing committees under 2 V.S.A. § ~~406~~ 23.

8 Sec. 20. 4 V.S.A. § 4(d) is amended to read:

9 (d) The Court Administrator shall notify the Secretary of State whenever a
10 Justice is appointed and takes the oath of office after September 1 of the year
11 preceding the expiration of the term of office to which the Justice has
12 succeeded thereby resulting in automatic notification of an intention to
13 continue in office. Whenever a Justice files a declaration under subsection (c)
14 of this section, or notification occurs automatically, the Secretary of State shall
15 notify the President of the Senate, the Speaker of the House, the Office of
16 Legislative Counsel, and the ~~Legislative Council~~ Office of Human Resources
17 and Administrative Services forthwith.

18 Sec. 21. 4 V.S.A. § 71(c) is amended to read:

19 (c) The Court Administrator shall notify the Secretary of State whenever a
20 Superior judge is appointed and takes the oath of office after September 1 of
21 the year preceding the expiration of the term of office to which the judge has

1 succeeded, thereby resulting in automatic notification of an intention to
2 continue in office. Whenever a Superior judge files a declaration under
3 subsection (b) of this section or notification occurs automatically, the Secretary
4 of State shall notify the President of the Senate, the Speaker of the House, the
5 Office of Legislative Counsel, and the ~~Legislative Council~~ Office of Human
6 Resources and Administrative Services forthwith.

7 Sec. 22. 4 V.S.A. § 461(c)(3) is amended to read:

8 (3) The Court Administrator shall notify the Secretary of State whenever a
9 magistrate is appointed and takes the oath of office after September 1 of the
10 year preceding the expiration of the term of office to which the magistrate has
11 succeeded, thereby resulting in automatic notification of an intention to
12 continue in office. Whenever a magistrate files a declaration under subsection
13 (a) of this section or when notification occurs automatically, the Secretary of
14 State shall notify the President of the Senate, the Speaker of the House, the
15 Office of Legislative Counsel, and the ~~Legislative Council~~ Office of Human
16 Resources and Administrative Services forthwith.

17 Sec. 23. 4 V.S.A. § 601(f) is amended to read:

18 (f) The Board is authorized to use the staff and services of appropriate State
19 agencies and departments as necessary to conduct investigations of applicants.
20 The Office of Legislative ~~Council~~ Counsel shall assist the Board for the
21 purpose of rulemaking.

1 Sec. 24. 4 V.S.A. § 607(c) is amended to read:

2 (c) The Committee may use the staff and services of the ~~Legislative~~
3 ~~Council~~ Office of Legislative Counsel and the Office of Human Resources and
4 Administrative Services to, in addition to other duties, obtain information on
5 the performance of a judge or Justice by soliciting comments from members of
6 the Vermont Bar and the public.

7 Sec. 25. 12 V.S.A. § 3(b) is amended to read:

8 (b) The Committee shall meet as necessary for the prompt discharge of its
9 duties and may use the staff and services of the ~~Legislative Council~~ Office of
10 Legislative Counsel and the Office of Human Resources and Administrative
11 Services. The Committee shall adopt rules to govern its operation and
12 organization. A quorum of the Committee shall consist of five members. For
13 attendance at a meeting when the General Assembly is not in session, members
14 of the Legislative Committee on Judicial Rules shall be entitled to the same per
15 diem compensation and reimbursement for necessary expenses as provided
16 members of standing committees under 2 V.S.A. § ~~406~~ 23.

17 Sec. 26. 16 V.S.A. § 2905(e) is amended to read:

18 (e) The legislative and higher education staff shall provide support to the
19 Council as appropriate to accomplish its tasks. Primary administrative support
20 shall be provided by the Office of ~~Legislative Council~~ Human Resources and
21 Administrative Services.

1 Sec. 27. 19 V.S.A. § 12b(b) is amended to read:

2 (b) The Committee shall meet during adjournment for official duties.

3 Meetings shall be convened by the Chair and when practicable shall be
4 coordinated with the regular meetings of the Joint Fiscal Committee. Members
5 shall be entitled to compensation and reimbursement pursuant to 2 V.S.A.

6 § ~~406~~ 23. The Committee shall have the assistance of the staff of the Office of
7 Legislative ~~Council~~ Counsel, the Office of Human Resources and
8 Administrative Services, and the Joint Fiscal Office.

9 Sec. 28. 29 V.S.A. § 1160(c) is amended to read:

10 (c) Five copies of the permanent journals of the Senate and of the House of
11 Representatives of each biennial and adjourned session shall be distributed to
12 ~~the Legislative Council and to the Secretary of State.~~ One copy of the
13 permanent journals of the Senate and of the House of Representatives of each
14 biennial and adjourned session shall be distributed to the Office of Legislative
15 Counsel.

16 Sec. 29. 32 V.S.A. § 1052(b)(3) is amended to read:

17 (3) Absences. If a member is absent for reasons other than sickness or
18 legislative business for one or more entire days while the ~~House~~ house in
19 which the member sits is in session, the member shall notify the ~~Legislative~~
20 ~~Council staff~~ Office of Human Resources and Administrative Services of that

1 absence, and expenses received shall not include the amount ~~which~~ that the
2 legislator specifies was not incurred during the period of that absence.

3 Sec. 30. 33 V.S.A. § 1901a(b) is amended to read:

4 (b) The Secretary of Human Services or his or her designee and the
5 Commissioner of Finance and Management shall provide quarterly to the Joint
6 Fiscal Committee ~~and the Legislative Council~~ such information and analysis as
7 the Committee ~~and the Council~~ reasonably ~~determine~~ determines is necessary
8 to assist the General Assembly in the preparation of the Medicaid budget.

9 * * * Transitional Provision * * *

10 Sec. 31. CONTINUATION OF EXISTING RULES

11 The Joint Legislative Management Committee shall continue to apply the
12 rules ~~and policies~~ of the Joint Rules Committee, the Legislative Council
13 Committee, the Joint Fiscal Committee, and the Legislative Information
14 Technology Committee that are in effect on the effective date of this act and
15 that govern the operations of the respective legislative offices until the Joint
16 Legislative Management Committee's adoption of rules ~~and policies~~ to govern
17 the operations of those offices in accordance with the provisions of this act.

18 * * * Repeals * * *

19 Sec. 32. REPEAL

20 2 V.S.A. chapter 22 (Legislative Information Technology Committee) is
21 repealed.

1

* * * Effective Date * * *

2

Sec. 33. EFFECTIVE DATE

3

This act shall take effect on July 1, 2020.

4