

H.016 (An Act Related to Boards and Commissions)

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BACKGROUND

With the exception of legislation passed in Act 2 of 2018 (Special Session), the Secretary of State's Office has no statutory mandates or requirements in relation to board and commissions, their appointees or their terms. As a result, there are no existing functions or processes within the Office or its divisions that can be easily augmented or adapted to meet this mandate. Likewise, there are no specific personnel to whom the registry requirements set forth in [3 V.S.A. § 116a](#) can be readily assigned.

The requirements set forth in [3 V.S.A. § 116a](#) cannot be absorbed by any given division within the Office of the Secretary of State or by any incumbent Secretary of State employee. While the Vermont State Archives and Records Administration (VSARA) has been identified as the best division to carry out this new function, it is still recovering from a reduction in force (RIF) mandate that resulted in the loss of nine of its original 23 positions in 2009. In addition, VSARA has agreed to fulfill all of Department of Health's online birth and death certificates beginning July 1, 2019, when Act 46 of 2017 becomes effective, as well as most marriage and divorce certificate requests. This will more than double the number of certificates processed by VSARA on an annual basis.

POSITION REQUEST

The requested position is for one full-time employee (FTE) to develop, implement and administer the Vermont State Boards and Commission registry. [3 V.S.A. § 116a](#) has the following requirements and, in preparation, these requirements necessitate several steps to occur prior to the effective date of the law, such as (1) reviewing and compiling information from each board and commission's statutes; (2) determining which platform will serve best for the registry

using existing or planned technologies within the Office of the Secretary of State; and (3) creating and testing the registry.

1. Register all state boards and commissions to assure they are defined, logged and up-to-date in the registry;
2. Define each seat on each Board and Commission by appointing authority, term and special requirements to assure each seat is defined, logged and up-to-date in the registry;
3. Register and record each current appointment to each seat on each board;
4. Register and record every change in appointment to each seat on each board;
5. Develop and maintain forms, procedures, etc. to gather new appointing authority and appointee information;
6. Monitor when the General Assembly creates, dissolves or changes a Board or Commission; changes the composition of a board or commission; changes a seat, its appointing authority, and/or its terms on a board or commission;
7. Update the registry when the General Assembly creates, dissolves or changes a board or commission; changes the composition of a board or commission; changes a seat, its appointing authority, and/or its terms on a board or commission; and
8. Serve as the primary administrator for the registry and the registry contact for boards and commissions, their appointees, and potential applicants.

The true number of State boards and commissions, their appointing authorities, their number seats, and requirements for each seat (e.g. professional or personal) is unknown; however, an estimated 3,000 to 4,000 individuals may be appointed at any given time. Unlike elected officials, including legislators, board and commission members can be appointed at any time and have staggered terms.

The work involved with establishing and maintaining this new registry should not be underestimated. If done well, there will be significant advantages and opportunities for streamlining the application process for board and commission staff; achieving greater public transparency for state boards and committees and their appointees; and expanding the registry to include additional board and commission information. Reassigning the requirements in [3 V.S.A. § 116a](#) to another entity or repealing the statute may be necessary if one FTE cannot be allocated.