

Sunset Advisory Commission Board and Commission Review

The Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

The Commission also reviews whether members of a board or commission should be entitled to a per diem and, if so, the amount of that per diem.

In testifying before the Commission, you should be able to provide the following information:

1. In general, how often does the board and commission meet? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

While statute obligates the Commission to meet at least twice a year, the Vermont Racing Commission has not formally met in recent times. There have been no meetings of the Commission in the last two fiscal years.

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.

Each member's term length is six years from their appointment date. Members are entitled to a per diem in the amount of \$15 per day and expenses for time spent in the performance of their duties. However, members have not received a per diem (or other compensation) at any time in the recent past. The names and term expirations of members are listed below:

Harlan Sylvester, Chair (Exp. 1/31/19); John Canney (Exp. 1/31/17); R. Joseph O'Rourke (Exp. 1/31/21)

3. Provide an overview of the board or commission's purpose.

The Vermont Racing Commission is charged with governing the regulation of pari-mutuel wagering on horse races, and supporting agricultural, horses, and horse racing in Vermont.

4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose?

There has not been pari-mutuel horse racing in Vermont in recent years. Therefore, the Commission's relatively narrow charter has not been formally exercised. There would be no immediate consequences if the board or commission no longer fulfilled its statutory-obligated duties, due to the fact that there has been no pari-mutuel horse racing in Vermont in the last several years.

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

As mentioned above, the lack of pari-mutuel races has led to a decline in the need and ability of the Commission to meet to carry out its formal, statutorily required duties.

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

The specific purpose that the Commission is charged with in statute (namely to regulate pari-mutuel horse racing) has not occurred. Therefore, it is difficult to compare its execution with another manner.

7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency? If so, is your board or commission still the best entity to fulfill the purpose?

There is no other specific entity that shares the charter of the Commission. However, the broader promotion of agriculture (including horses) in Vermont is carried out via the Agency of Agriculture, Food and Markets. Additionally, the Secretary of State's Office of Professional Regulation has a Motor Vehicle Racing advisory commission, which could possibly be a source of overlap.

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

No. The statutory charge of the Commission and the purposes it outlines have not occurred in Vermont in recent times.

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

There were no expenditures in the previous fiscal year on behalf of the Commission.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

The Commission does not have any reporting obligations.

11. How would you measure the performance of the board or commission?

The performance of the Commission is unable to be empirically measured, since it has not recently met as a consequence of the above-mentioned factors.