

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.

The Vermont delegation generally meets twice a year. Once in the fall in Vermont, and once in the summer at the ULC's annual meeting. In 2018, the delegation met at the ULC Annual Meeting in Louisville, Kentucky on July 21, 2018. Agendas and meeting material for the 2018 annual meeting are no longer posted online but are available upon request.

In 2019, the Vermont delegation met at the ULC Annual Meeting in Anchorage, Alaska, on July 16, 2019, and will meet later this fall in Vermont. The business agenda for the 2019 annual meeting can be found here: <https://www.uniformlaws.org/viewdocument/business-agenda-1?CommunityKey=44d9f229-862a-4bb1-b06e-d77f43b0a71e&tab=librarydocuments> The meeting material for the 2019 annual meeting can be found here: <https://www.uniformlaws.org/viewdocument/2019-annual-meetings-drafts-and-iss?CommunityKey=44d9f229-862a-4bb1-b06e-d77f43b0a71e&tab=librarydocuments>

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.

There are five members of the Vermont Uniform Law Commission:

Richard T. Cassidy, Burlington, appointed 1994, current term expires 1/31/2019
Theodore C. Kramer, Brattleboro, appointed 2000, current term expires 1/31/2023
Carl Lisman, Burlington, appointed 1976, current term expires 1/31/2022
Stephanie Willbanks, South Royalton, appointed 2001, current term expires 1/31/2021
Peter Langrock of Middlebury, is a life member of the ULC, having been appointed in 1967.

There is one ex officio member of the Vermont Uniform Law Commission:

Luke Martland, of Montpelier, is the designated Associate Member from the Vermont Legislative Council.

The appointing authority is the Governor:

https://governor.vermont.gov/boards_and_commissions/uniform_laws

Each commissioner is appointed for a five-year term.

The appointment statute, Vt. Stat. Ann. Title 2 §201, can be found here:
<https://legislature.vermont.gov/statutes/section/02/009/00201>

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

The Commission studies and drafts solutions to a multitude of national legal issues in the form of proposed acts for submission to the states for consideration by various state legislatures.

I have included "Vermont and the Uniform Law Commission" and Commissioner Richard Cassidy's interview with the Vermont Bar Law Journal for additional information on our role in the commission.

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

Yes, more so than ever. As society becomes more and more complicated, the need for the law to catch up with and address technological advances becomes most important.

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

Please refer to the Uniform Law Commission acts enacted in Vermont appended hereto.

I am very pleased to say that Vermont's delegation is particularly well regarded in the conference. Richard Cassidy of Burlington served as President from 2015 – 2017, and Carl Lisman of Burlington has just ascended to the Presidency of the Commission at the annual meeting a week ago. Two of the last three Presidents have come from Vermont, which is quite an accomplishment and recognition of the delegation's strong commitment to the Commission.

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

No. The purpose can be accomplished only by participating in the ULC process.

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?

No. There is no overlap. CSG and NCSL perform different functions. The ULC process is deliberative, not partisan and the Uniform and Model laws are well-drafted.

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

Yes. Please refer to the "Vermont Legislation Dashboard" appended hereto.

Most recently, Vermont has enacted 21 acts, promulgated by the Conference.

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

The State pays an annual assessment to the ULC. The current assessment is \$33,600. The amount of the assessment is based on the State's population. The State partially reimburses Commissioners for attending the annual meeting.

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 Vermont Commissioners submit an annual report to the Governor.

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

One measure of the Commission's success is the number of enactments in Vermont of Uniform and Model Laws; by that measurement, the Commission is quite successful.

Another measure would be the recognition earned by Vermont Commissioners in leadership positions in the ULC and in the drafting of Uniform and Model Laws; by that measurement, the Commission is very successful.