

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 465 entitled “An act relating to boards and commissions” respectfully  
4 reports that it has considered the same and recommends that the bill be  
5 amended by striking out all after the enacting clause and inserting in lieu  
6 thereof the following:

7 \* \* \* Repeal of Vermont Educational Health Benefits Commission \* \* \*

8 Sec. 1. REPEAL OF VERMONT EDUCATIONAL HEALTH BENEFITS  
9 COMMISSION

10 2017 Acts and Resolves No. 85, Sec. H.7 (Vermont Educational Health  
11 Benefits Commission) is repealed.

12 \* \* \* Repeal of Study Committee on Sales and Use Tax \* \* \*

13 Sec. 2. REPEAL OF STUDY COMMITTEE ON SALES AND USE TAX

14 2012 Acts and Resolves No. 143, Sec. 53 (study committee on sales and use  
15 tax) is repealed.

16 \* \* \* Repeal of Committee on Enhancing Vermont’s Software and  
17 Information Technology Economy \* \* \*

18 Sec. 3. REPEAL OF ENHANCING VERMONT’S SOFTWARE AND  
19 INFORMATION TECHNOLOGY ECONOMY

20 2012 Acts and Resolves No. 143, Sec. 53a (enhancing Vermont’s software  
21 and information technology economy) is repealed.

1                   \* \* \* Repeal of Youth in Agriculture, Natural Resources, and  
2   Food Production Consortium \* \* \*

3           Sec. 4. 21 V.S.A. chapter 14 is amended to read:

4           CHAPTER 14. ~~YOUTH IN AGRICULTURE, NATURAL RESOURCES,~~  
5   ~~AND FOOD PRODUCTION~~

6           ~~§ 1151. LEGISLATIVE FINDINGS AND PURPOSE~~

7           ~~(a) The General Assembly finds that:~~

8                   ~~(1) Agriculture, natural resources, and food production play a central~~  
9           ~~role in the economy and culture of Vermont.~~

10                   ~~(2) Farms and farm based industries are experiencing an ever increasing~~  
11           ~~need for workers who are willing to work the hours involved in farming and~~  
12           ~~who have the multiple skills necessary to handle successfully the multiple and~~  
13           ~~varied responsibilities of farming.~~

14                   ~~(3) Farms have always provided the environment for youth to acquire~~  
15           ~~workplace skills such as responsibility, creativity, and initiative and~~  
16           ~~occupational skills ranging from plant and animal science to economics and to~~  
17           ~~grow therefore into sought after workers by a wide variety of employers.~~

18                   ~~(4) Programs such as the Farm Youth Corps have provided the~~  
19           ~~infrastructure that is necessary to connect youth to careers in agriculture,~~  
20           ~~natural resources, and food production.~~

1           ~~(5) Programs that have provided youth with the opportunity to work on~~  
2 ~~farms have declined due to reductions in federal funding.~~

3           ~~(b) Therefore, it is the purpose of this chapter to create and support~~  
4 ~~programs for youth that will engage them in agriculture, natural resources, and~~  
5 ~~food production in order to:~~

6           ~~(1) Provide them an opportunity to engage in work that provides them~~  
7 ~~with hands on learning and allows them to develop a strong work ethic and~~  
8 ~~vital workplace and occupational skills that will be valuable in any career they~~  
9 ~~might pursue.~~

10           ~~(2) Encourage youth to pursue pathways to careers in agriculture,~~  
11 ~~natural resources, and food production.~~

12           ~~(3) Provide farmers with young short term workers and the opportunity~~  
13 ~~to mentor future, long term employees.~~

14           ~~(4) Ensure that youth are aware of the benefits of agriculture, natural~~  
15 ~~resources, and food production to themselves and to Vermont.~~

16           ~~§ 1152. YOUTH IN AGRICULTURE, NATURAL RESOURCES, AND~~  
17           ~~FOOD PRODUCTION CONSORTIUM; CREATION~~

18           ~~(a) There is created a Youth in Agriculture, Natural Resources, and Food~~  
19 ~~Production Consortium of program providers in order that programs to build~~  
20 ~~pathways to careers in agriculture, natural resources, and food production may~~  
21 ~~be connected, developed, and supported in a coordinated manner. The~~

1 ~~Consortium shall comprise employees of the Department of Labor assigned by~~  
2 ~~the Commissioner of Labor; employees of the Agency of Education assigned~~  
3 ~~by the Secretary of Education; employees of the Agency of Agriculture, Food~~  
4 ~~and Markets appointed by the Secretary of Agriculture, Food and Markets;~~  
5 ~~employees of the Agency of Natural Resources appointed by the Secretary of~~  
6 ~~Natural Resources; representatives of the Extension Service of the University~~  
7 ~~of Vermont selected by the Service; and representatives from agriculture, food,~~  
8 ~~and natural resources businesses appointed by the Secretary of Agriculture,~~  
9 ~~Food and Markets.~~

10 ~~(b) The consortium shall be attached to the Department of Labor for~~  
11 ~~administrative support. It shall elect its own chair and meet as required to~~  
12 ~~fulfill its obligations under this chapter.~~

13 ~~§ 1153. YOUTH IN AGRICULTURE, NATURAL RESOURCES, AND~~  
14 ~~FOOD PRODUCTION CONSORTIUM; POWERS AND DUTIES~~

15 ~~(a) The Consortium shall be charged with the oversight of the development~~  
16 ~~and coordination of programs in agriculture, natural resources, and food~~  
17 ~~production, and education to connect youths' experiences in agriculture,~~  
18 ~~natural resources, and food production to their in-school learning and develop~~  
19 ~~pathways for pursuing further education related to agriculture or natural~~  
20 ~~resources. It shall seek to coordinate and connect programs around common~~  
21 ~~standards, coordinate resources, provide a clearinghouse for information and~~

1 ~~technical assistance, establish a strong business and education partnership,~~  
2 ~~identify missing components of the system, and oversee funds made available~~  
3 ~~for the express purpose of implementing these pathways. It shall endeavor to~~  
4 ~~sustain and expand programming in agriculture, natural resources, and food~~  
5 ~~production on a statewide basis in order to affect middle and secondary school~~  
6 ~~students in Vermont. The Consortium shall seek to ensure the effectiveness of~~  
7 ~~all the programs in reaching large numbers of students, and in so far as~~  
8 ~~possible, seek to provide programs in all regions of the State through a~~  
9 ~~statewide system with uniform availability, eligibility, and funding~~  
10 ~~requirements to make such opportunities available to all students.~~

11 ~~(b) Among the programs to be reviewed and coordinated by the~~  
12 ~~Consortium are projects that involve agriculture and the environment;~~  
13 ~~programs within the elementary and middle school system that provide hands-~~  
14 ~~on learning, such as “Ag in the Classroom” sponsored by the Agency of~~  
15 ~~Agriculture, Food and Markets, and “Forest, Fields, and Futures” sponsored by~~  
16 ~~UVM Extension; and secondary school programs in agriculture and natural~~  
17 ~~resources related areas in education; “Smokeyhouse” and other career~~  
18 ~~technical education, agriculture, and natural resources programs offered by~~  
19 ~~high schools and regional CTE centers. In addition, it shall review and~~  
20 ~~coordinate programs such as the Youth Conservation Corps and the Farm~~  
21 ~~Youth Corps of the Department of Labor, which has offered summer~~

1 ~~employment for students on farms, and other summer employment programs~~  
2 ~~and alternative programs for in-school youth operated outside the public school~~  
3 ~~funding system.~~

4 (e) ~~[Repealed.]~~ [Repealed.]

5 \* \* \* Repeal of the Department of Labor Advisory Council \* \* \*

6 Sec. 5. 21 V.S.A. § 1306 is amended to read:

7 § 1306. ~~ADVISORY COUNCIL; MEMBERS; TERMS~~

8 ~~(a) The Governor shall appoint a State Department of Labor Advisory~~  
9 ~~Council composed of eight members from the general public to include four~~  
10 ~~employer representatives and four employee representatives who may fairly be~~  
11 ~~regarded as employees because of their vocations, employment, and~~  
12 ~~affiliations. Appointment of the four employee representatives, at least one of~~  
13 ~~whom shall have experience in workers' compensation law and one of whom~~  
14 ~~shall be a member of a building trade, shall be made from a list of qualified~~  
15 ~~individuals submitted by the Vermont State Labor Council, the Vermont State~~  
16 ~~Employees' Association, and the Vermont National Education Association.~~  
17 ~~Appointment of the four employer representatives shall be made from a list of~~  
18 ~~qualified individuals submitted by the Vermont Chamber of Commerce,~~  
19 ~~Associated General Contractors of Vermont, and Vermont Businesses for~~  
20 ~~Social Responsibility. The Council members shall be appointed for staggered~~  
21 ~~terms of four years. The Council shall meet at least three times a year.~~

1       ~~(b) The Council shall advise the Commissioner regarding formulating~~  
2       ~~policies by discussing the problems related to the functions and duties of the~~  
3       ~~Department in order to develop impartial solutions and approaches to these~~  
4       ~~issues.~~

5       ~~(c) The Commissioner may establish subcommittees composed solely of~~  
6       ~~labor or management representatives and use a portion of the Council's~~  
7       ~~meeting time to meet with these subcommittees.~~

8       ~~(d) Each member of the Council who is not a salaried official or State~~  
9       ~~employee or is not otherwise compensated through employment for attending~~  
10       ~~Council meetings is entitled to per diem compensation and reimbursement for~~  
11       ~~expenses as provided in 32 V.S.A. § 1010. [Repealed.]~~

12       \* \* \* Repeal of Working Group on State Workforce Development \* \* \*

13       Sec. 6. REPEAL OF WORKING GROUP ON STATE WORKFORCE  
14       DEVELOPMENT

15       2017 Acts and Resolves No. 69, Sec. E.1 (State workforce development  
16       system; report) is repealed.

17       \* \* \* Repeal of Council Advisory Committee \* \* \*

18       Sec. 7. 20 V.S.A. § 2410 is amended to read:

19       § 2410. ~~COUNCIL ADVISORY COMMITTEE~~

20       ~~(a) Creation. There is created the Council Advisory Committee to provide~~  
21       ~~advice to the Council regarding its duties under this subchapter.~~

1           ~~(1) The Committee shall specifically advise and assist the Council in~~  
2           ~~developing procedures to ensure that allegations of unprofessional conduct by~~  
3           ~~law enforcement officers are investigated fully and fairly, and to ensure that~~  
4           ~~appropriate action is taken in regard to those allegations.~~

5           ~~(2) The Committee shall be advisory only and shall not have any~~  
6           ~~decision-making authority.~~

7           ~~(b) Membership. The Committee shall be composed of five individuals~~  
8           ~~appointed by the Governor. The Governor may solicit recommendations for~~  
9           ~~appointments from the Chair of the Council.~~

10           ~~(1) Four of these members shall be public members who during~~  
11           ~~incumbency shall not serve and shall have never served as a law enforcement~~  
12           ~~officer or corrections officer and shall not have an immediate family member~~  
13           ~~who is serving or has ever served as either of those officers.~~

14           ~~(2) One of these members shall be a retired law enforcement officer.~~

15           ~~(c) Assistance. The Executive Director of the Council or designee shall~~  
16           ~~attend Committee meetings as a resource for the Committee.~~

17           ~~(d) Reimbursement. Members of the Committee who are not employees of~~  
18           ~~the State of Vermont and who are not otherwise compensated or reimbursed~~  
19           ~~for their attendance shall be entitled to per diem compensation and~~  
20           ~~reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than~~



1 ~~five meetings per year. Such payments shall be derived from the budget of the~~  
2 ~~Council. [Repealed.]~~

3 \* \* \* Boards and Commissions; Per Diem Compensation \* \* \*

4 Sec. 8. 32 V.S.A. § 1010 is amended to read:

5 § 1010. MEMBERS OF CERTAIN BOARDS

6 (a) Except for those members serving ex officio or otherwise regularly  
7 employed by the State, the members of the following boards shall be entitled to  
8 receive ~~\$50.00 in~~ per diem compensation:

- 9 (1) Board of Bar Examiners
- 10 (2) Board of Libraries
- 11 (3) Vermont Milk Commission
- 12 (4) Board of Education
- 13 (5) State Board of Health
- 14 (6) Emergency Board
- 15 (7) Board of Liquor and Lottery
- 16 (8) Human Services Board
- 17 (9) State Fish and Wildlife Board
- 18 (10) State Board of Mental Health
- 19 (11) Vermont Employment Security Board
- 20 (12) Capitol Complex Commission
- 21 (13) Natural Gas and Oil Resources Board

1 (14) Transportation Board

2 (15) Vermont Veterans' Home Board of Trustees

3 (16) Advisory Council on Historic Preservation

4 (17) The Electricians' Licensing Board

5 (18) [Repealed.]

6 (19) Emergency Personnel Survivors Benefit Review Board

7 (20) Community High School of Vermont Board

8 (21) Parole Board

9 (b)(1) Notwithstanding any other provision of law, members of  
10 professional or occupational licensing boards or commissions, advisory boards  
11 or commissions, appeals boards, promotional boards, interstate boards,  
12 supervisory boards and councils, or any other boards, commissions, or similar  
13 entities that are not listed in subsection (a) of this section but are otherwise  
14 entitled by act of the General Assembly to receive per diem compensation,  
15 shall be entitled to receive per diem compensation ~~in the amount of \$50.00 per~~  
16 ~~day~~ for each day devoted to official duties. ~~This subsection shall not reduce~~  
17 ~~the amount of per diem compensation provided by act of the General~~  
18 ~~Assembly to members of boards or commissions entitled to receive more than~~  
19 ~~\$50.00 per day.~~

20 (2) "Per diem" means the amount of compensation to which a member  
21 of a statutory board or commission is entitled for:

1           (A) attendance at a regular or special meeting of such board or  
2 commission or any committee thereof; or

3           (B) performance of other duties directly related to the efficient  
4 conduct of necessary board business as assigned and approved by the  
5 chairperson, provided that payment for such duties shall be at the per diem rate  
6 prorated for actual time spent performing duties. Proration shall be calculated  
7 based on an eight-hour day. Under no circumstances shall the daily payment  
8 exceed the per diem amount.

9           (c) The members of the boards and commissions, including those members  
10 serving ex officio or otherwise regularly employed by the State, shall be  
11 entitled to receive their actual and necessary expenses when away from home  
12 or office upon their official duties.

13           (d) Notwithstanding the provisions of subsections (a) and (b) of this  
14 section, a member shall not be entitled to receive State per diem compensation  
15 for any meeting or other official duty for which specific compensation is  
16 provided by another source.

17           (e) The budget report of the Governor for each fiscal year shall contain a  
18 separate schedule disclosing the current per diem compensation and allowable  
19 expense reimbursement for appointed members of all boards, commissions,  
20 councils, and committees and all other statutory-created management, policy  
21 making, or advisory bodies of the Executive Branch who do not receive a

1 salary, whether appointed by the Governor or not, and the recommendations  
2 for the next fiscal year. The appropriations committees of the General  
3 Assembly shall review the recommendations and include in a separate section  
4 of the annual appropriations act the per diem compensation and allowable  
5 expense reimbursement for each such body, which shall constitute the  
6 appropriation for per diem compensation and allowable expense  
7 reimbursement increases for members of such bodies for the next fiscal year.  
8 Per diem compensation authorized under this section shall be not less than  
9 \$50.00 per day. The Governor may authorize per diem compensation and  
10 expense reimbursement in accordance with this section for members of boards  
11 and commissions, including temporary study commissions, created by  
12 ~~Executive Order~~ executive order.

13 (f) ~~Members of the Parole Board shall be entitled to receive \$100.00 per~~  
14 ~~diem for each day of official duties together with reimbursement of reasonable~~  
15 ~~expenses incurred in the performance of their duties. [Repealed.]~~

16 \* \* \* Boards and Commissions; Executive Appointments \* \* \*

17 Sec. 9. 3 V.S.A. § 269 is added to read:

18 § 269. BOARDS AND COMMISSIONS; EXECUTIVE APPOINTMENTS

19 (a) When applying for a State board or commission position that is  
20 appointed by the Governor or designee, an applicant shall not be required to  
21 disclose, or required to authorize the disclosure of, personal financial

1 information as part of the application process unless an applicant's personal  
2 financial history is relevant to the applicant's ability to faithfully and  
3 competently perform the fiduciary responsibilities of the State board or  
4 commission position.

5 (b) This section shall not bar:

6 (1) requiring the applicant to affirm that the applicant is in compliance  
7 with constitutional or code of ethics requirements; or

8 (2) requiring the applicant to consent to the Governor's office accessing  
9 records that would be necessary to investigate an alleged violation of  
10 constitutional or code of ethics requirements.

11 Sec. 10. BOARD AND COMMISSION APPLICATIONS; CRIMINAL  
12 RECORDS; PERSONAL FINANCIAL HISTORY; REPORT

13 (a) On or before December 1, 2022, the Office of Boards, Commissions,  
14 and Public Service shall report to the House and Senate Committees on  
15 Government Operations with a list of:

16 (1) State board or commission positions appointed by the Governor or  
17 designee for which personal financial records are relevant to an applicant's  
18 ability to perform the fiduciary responsibilities of the position; and

19 (2) State board or commission positions appointed by the Governor or  
20 designee for which criminal background checks are relevant to an applicant's  
21 ability to perform the duties and responsibilities of the position.

1        (b) As used in this section, “State board or commission” has the same  
2        meaning as in 2019 Acts and Resolves No. 61, Sec. 1.

3    \* \* \* Effective Date \* \* \*

4        Sec. 11. EFFECTIVE DATE

5        This act shall take effect on July 1, 2023.

6  
7  
8

9        (Committee vote: \_\_\_\_\_)

10  
11  
12

\_\_\_\_\_

Representative \_\_\_\_\_

FOR THE COMMITTEE