



# VERMONT LEGISLATIVE Joint Fiscal Office

1 Baldwin Street • Montpelier, VT 05633-5701 • (802) 828-2295 • <https://lfo.vermont.gov>

## Fiscal Note

March 15, 2022

Stephanie Barrett, Associate Fiscal Officers

### **H.96 - An act relating to creating the Truth and Reconciliation Commission Development Task Force**

***(Draft No. 7.4 recommended by House Committee on General, Housing and Military Affairs)***

<https://legislature.vermont.gov/Documents/2022/WorkGroups/House%20General/Bills/H.96/Drafts,%20Amendments,%20and%20Legal%20Documents/H.96~Damien%20Leonard~%20As%20Recommended%20by%20the%20House%20Committee%20on%20General,%20Housing,%20and%20Military%20Affairs~3-10-2022.pdf>

#### **Bill Summary**

**T**his bill proposes to establish the Vermont Truth and Reconciliation Commission. The Commission's charge is to: establish a public record of institutional, structural, and systemic discrimination in Vermont that has been caused or permitted by State laws and policies; identify potential actions that can be taken by the State to repair the damage caused or permitted by this discrimination; and identify actions to prevent the recurrence of such discrimination in the future. After a specified selection process, the Commission is anticipated to be operational beginning at the earliest January 2023 and latest March 2023. The Commission would end on July 1, 2026.

**VT Truth and Reconciliation Commission established for 3.5 years. Annual cost projected to be \$1.3 million.**

#### **Selection Panel**

The bill establishes an appointment panel consisting of the Director of Racial Equity; Director of the Human Rights Commission; and one member each selected by the Speaker of the House, the Senate Committee on Committees, and the Chief Justice. By September 1, 2022, this group appoints the seven members of the Selection Panel. The Selection Panel then may hire temporary staff and is charged with selecting the three members of the Truth and Reconciliation Commission and conclude this selection process between January 15, 2023 and March 31, 2023.

The estimated Fiscal Year 2023 cost of the appointment and selection process is \$92,000. The largest portion of this cost is for the temporary/contractual administrative assistance for the Panel. Other costs are per diem and expenses for panel members and a modest estimate for space and supply costs. If the Panel can be hosted for this period in state space without charge this cost could be lower. .

#### **Truth and Reconciliation Commission**

The bill sets the salary of the Commissioners at 50% of the salary paid to Superior Court Judges, and allows for a staff of four additional positions: an executive director, one legal staff, one research staff, and one administrative assistant. All seven positions would be exempt full time State employees for the duration of

the Commission and eligible to receive the slate of State benefits available to State employees. The Commission as part of its work may form various committees and appoint up to 30 members in total to these committees. The committee members may be paid a stipend of up to \$1,000 per year for serving on a committee. In carrying out its charge, the Commission is authorized to establish an office and hire consultants and independent contractors.

The cost estimate for the Commission is \$1,300,000 annually. The majority of this cost is the salary and benefits of the seven State employees at approximately \$1,000,000. Space and operating costs were estimated at \$250,000 after review of other boards and commissions cost experience scaled for staff size. An allowance of \$50,000 for other purchased services is also included. This estimate will be most impacted if the Commissioners and staff members make choices on healthcare and retirement benefits that collectively differ from the average. The estimate will also be impacted if the use of consultant services differs significantly from the included allocation.

## Fiscal Summary

Fiscal Year 2023

Selection Panel	\$ 92,000
Commission	<u>\$650,000</u>
Total	\$748,000

Fiscal Years 2024 - 2026      \$1,300,000 annually

Depending on the timing of the actual startup of the Commission in FY23, the FY24 amount could be lower if carryforward funds are available due to a later startup of Commission operations.

In total, over the 3.5-year term of the Commission, costs are expected to be in the range of \$4,500,000.