

P. O. Box 512
Montpelier, Vermont 05601
January 29, 2021

Senate Committee on Natural Resources and Energy
meeting remotely

Subject: cost of executive order 02-21

Dear Committee:

Diane Snelling's testimony posted this morning is \$145,000 less than last year's estimate. It is also about \$190,000 short because of an inadequate answer to question 5.

Last year, NRB presented an estimate to House Appropriations on February 4. I have provided that to you.

Personnel costs:

- 2 new staff attorneys	\$182,131
- 2 new board members	291,110
- 1 new legal technician	80,868
- additional operating costs	86,578
TOTAL	640,687

You have not heard about the cost of the district commissioners serving with the NRB. That is significant. My estimate is that it will be \$191,000. I estimate that as follows.

A major application has usually a site visit, maybe more than one. It has several hearings. It has some deliberative sessions. It has circulation of draft findings of fact and conclusions of law. It has a decision. My limited experience is that might lead to perhaps 5 days of work for each major application.

Testimony you have heard is that it is expected that district commissioners will be paid commensurate with the full-time NRB members. Testimony at HWM in 2020 is that the full-time board members will have an annual cost of \$145,555 each. At 260 work days each year, that is \$560 per day. That would be a commensurate amount for the district commissioners. Even though the district commissioners do not receive the non-salary benefits of full-time board members, to be commensurate the district commissioners need to receive the same total amounts.

According to the NRB's 2019 annual report, there was an average of 38 major applications during the five years 2015 through 2019.

With two district commissioners, 5 days per application, 38 applications, and \$560 per day, the annual amount to have the district commissioners participate is \$210,000. The district commissioners would have been paid per diems totaling \$19,000 hearing the same applications as district commissioners. The net is \$191,000 increased cost.

So the cost provided this year by NRB to do the same work is significantly less than the estimate to do the same work last year. Neither year did NRB provide the cost for the district commissioners serving with the NRB at a rate commensurate with the board members.

Thank you for reading this testimony.

Sincerely,
Thomas Weiss