

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House
3 Bill No. 702 entitled “An act relating to legislative operations and government
4 accountability” respectfully reports that it has considered the same and
5 recommends that the Senate propose to the House that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 * * * Purpose and Findings * * *

9 Sec. 1. PURPOSE

10 (a) The purpose of this act is to actuate the principle of government
11 accountability by focusing on how evidence is used to inform policy, how our
12 State laws are carried out, and how legislation can best be formed to achieve its
13 intended outcomes. This act strives to systematize government accountability
14 efforts as much as possible with simple, clear, independent, objective, and fact-
15 based processes rather than rely upon individual legislators or individual
16 committees to be effective.

17 (b) Government accountability means the principle of demanding that
18 legislation succeeds in achieving its stated policy goals through the provision
19 of means by which to measure whether the policy goals have been met. The
20 metrics for determining whether success has been achieved are as important as
21 the goals themselves.

1 (c) Government oversight means the mechanisms put into place to ensure
2 that the bodies of government tasked with executing legislative intent are
3 properly doing so. Oversight by the Legislature is the examination of the
4 processes followed and the information produced by government officials
5 executing the law to determine whether those officials are properly and
6 adequately achieving the policy goals established by the General Assembly.

7 * * * Creation of the Joint Government Oversight and Accountability
8 Committee * * *

9 Sec. 2. 2 V.S.A. chapter 28 is added to read:

10 CHAPTER 28. JOINT GOVERNMENT OVERSIGHT AND
11 ACCOUNTABILITY COMMITTEE

12 § 971. CREATION OF COMMITTEE

13 (a) There is created the Joint Government Oversight and Accountability
14 Committee, whose membership shall be appointed each biennial session of the
15 General Assembly. The Committee shall work independently and with other
16 legislative committees to assist with matters related to **government oversight**
17 **and** issues of significant public concern.

18 (b) The Committee shall be composed of eight members: four members of
19 the House of Representatives, not more than two shall be from the same party,
20 appointed by the Speaker of the House; and four members of the Senate, not
21 more than two shall be from the same party, appointed by the Committee on

1 Committees. In addition to two members-at-large appointed from each
2 chamber, one appointment shall be made from each of the House Committee
3 on Government Operations and Military Affairs, the Senate Committee on
4 Government Operations, and the House and Senate Committees on
5 Appropriations.

6 (c) The Committee shall elect a chair, vice chair, and clerk from among its
7 members and shall adopt rules of procedure. The position of chair shall rotate
8 biennially between the House and the Senate members. The Committee shall
9 keep minutes of its meetings and maintain a file thereof. A quorum shall
10 consist of five members.

11 (d) The Committee shall meet as necessary for the prompt discharge of its
12 duties.

13 (e) For attendance at a meeting when the General Assembly is not in
14 session, members of the Committee shall be entitled to compensation for
15 services and reimbursement of expenses as provided under subsection 23(a) of
16 this title.

17 (f) The professional and clerical services of the Joint Fiscal Office, the
18 Office of Legislative Operations, and the Office of Legislative Counsel shall
19 be available to the Committee.

20 § 972. DUTIES AND POWERS

1 (a) Duties. The Committee shall have duties as described in this section
2 and elsewhere in law.

3 (1)(A) The Committee shall exercise government oversight by
4 examining and investigating matters of significant public concern relating to
5 State government performance. The Committee shall examine the possible
6 reasons for any failure of government oversight and provide findings and
7 tangible recommendations to standing committees of jurisdiction to prevent
8 future failures.

9 (B) The Committee will select issues of significant public concern to
10 examine and investigate by a majority of the current Committee members who
11 have not recused themselves from the matter. The Committee shall consider
12 issues of significant public concern referred to the Committee pursuant to a
13 resolution adopted by either chamber of the General Assembly.

14 (C) As used in this section, an “issue of significant public concern”
15 means any issue that:

16 (i) affects the State as a whole;

17 (ii) affects a vulnerable population;

18 (iii) costs the State more than \$100,000,000.00;

19 (iv) implicates a serious failure of State government oversight or
20 accountability;

21 (v) arises from previously enacted legislation; or

1 (vi) constitutes a failure to adequately respond to State or federal
2 audits.

3 (2) The Committee shall, with coordination from the Legislative
4 Committee on Administrative Rules, evaluate executive entities directed to
5 adopt rules to ensure consistency and accountability in the rulemaking process.

6 **(3)** The Committee shall, on an annual basis, issue a report that includes:

7 (A) which issues of significant public concern the Committee has
8 examined and investigated, including relevant information and data;

9 (B) the Committee’s current objectives for review of issues of
10 significant public concern and which objectives, to date, have and have not
11 been met;

12 (C) the Committee’s objectives for review of issues of significant
13 public concern for the upcoming two years; and

14 (D) any additional resources required by the Committee to
15 adequately conduct its work.

16 (b) Powers. The Committee shall have powers as described in this section
17 and elsewhere in law.

18 **(1)** The Committee shall have the power to issue subpoenas and
19 administer oaths in connection with the examination and investigation of
20 matters of government oversight and accountability related to issues of
21 significant public concern.

1 (2) The Commission may take or cause depositions to be taken as
2 needed in any investigation or hearing.

3 Sec. 3. 3 V.S.A. § 2311 is amended to read:

4 § 2311. CHIEF PERFORMANCE OFFICER; ANNUAL STATE

5 OUTCOMES REPORT

6 * * *

7 (c) Approving population-level indicators.

8 (1) Annually, on or before March 1, a standing committee of the
9 General Assembly having jurisdiction over a population-level quality of life
10 outcome set forth in subsection (b) of this section or the Chief Performance
11 Officer may submit to the Joint Government Oversight and Accountability
12 Committee a request that any population-level indicator related to that outcome
13 be revised.

14 (2) If that request is approved by the Joint Government Oversight and
15 Accountability Committee, the Chief Performance Officer shall revise and
16 report on the population-level indicator in accordance with that approval and
17 this section.

18 (d) The report set forth in this section shall not be subject to the limitation
19 on the duration of agency reports set forth in 2 V.S.A. § 20(d).

1 Sec. 4. 32 V.S.A. § 163 is amended to read:

2 § 163. DUTIES OF THE AUDITOR OF ACCOUNTS

3 In addition to any other duties prescribed by law, the Auditor of Accounts
4 shall:

5 * * *

6 (6)(A) Provide the Joint Government Oversight and Accountability
7 Committee with a written summary of all audits completed by the Office of the
8 Auditor of Accounts.

9 (B) Upon the request of the Joint Government Oversight and
10 Accountability Committee, provide, at the mutual convenience of the
11 Committee and Auditor, a presentation to the Committee of any completed
12 audit.

13 * * *

14 * * * Reports * * *

15 Sec. 5. 2 V.S.A. § 20 is amended to read:

16 § 20. LIMITATION ON DISTRIBUTION AND DURATION OF AGENCY
17 REPORTS

18 (a) Unless otherwise provided by law, whenever it is required by statute,
19 rule, or otherwise that an agency, department, or other entity submit an annual,
20 biennial, or other periodic report to the General Assembly, that requirement
21 shall be met by submission by ~~January~~ November 15 of copies of the report for

1 activities in the preceding fiscal year to the Clerk of the House, the Secretary
2 of the Senate, the Office of Legislative ~~Counsel~~ Operations, chairs of
3 legislative standing committees of jurisdiction, and such individual members
4 of the General Assembly or committees that specifically request a copy of the
5 report. ~~To the extent practicable, reports~~ Reports shall also be ~~placed~~
6 published on the agency's ~~Internet~~ website. No general distribution or mailing
7 of such reports shall be made to members of the General Assembly.

8 * * *

9 (e) If it becomes apparent to any agency, department, or other entity
10 directed by the General Assembly to report on a matter that the agency,
11 department, or entity will be unable to do so within the required time, the
12 reporting agency, department, or entity shall inform, if applicable, the relevant
13 legislative committee's current chair, the committee assistant, and the Office of
14 Legislative Operations of which report will be late, why, and when it will be
15 delivered.

16 * * * State-Funded Grants Review * * *

17 **Sec. 6. RECOMMENDATIONS FOR STATE GRANT PROCESS**

18 **IMPROVEMENTS**

19 (a) Performance review. The Agency of Administration shall review and
20 assess the performance of the State's current grant awarding procedures and

1 provide recommendations on how to improve such procedures in the form of a
2 written report to the General Assembly. In its report, the Agency shall:

3 (1) provide recommendations on how to:

4 (A) simplify the grant application and reporting processes;

5 (B) reduce the reliance on reimbursable grant agreements;

6 (C) increase the standard indirect rate and apply it consistently
7 statewide;

8 (D) reduce delays in the execution of grant awards and the issuance
9 of payments on grant agreements; and

10 (E) reduce work granted to nonprofit and community-based
11 organizations that could otherwise be done by the State;

12 (2) explain efforts to improve employee training on grant administration
13 across State government; and

14 (3) detail best practices and models of grant administration from other
15 states.

16 (b) Consultation. In furtherance of the review set forth in subsection (a),
17 the Agency shall consult with:

18 (1) relevant State agencies and departments;

19 (2) nonprofit and community-based organizations identified in
20 consultation with Common Good Vermont that have received a State-funded
21 grant; and

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(3) other relevant stakeholders as determined by the Agency.

(c) Reporting. The Agency shall submit a written report to the House
Committee on Government Operations and Military Affairs and the Senate
Committee on Government Operations with its analysis conducted pursuant to
this section on or before December 15, 2025.

* * * Effective Date * * *

Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.

(Committee vote: _____)

Senator _____
FOR THE COMMITTEE