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H.907

An act relating to legislative review of reporting requirements

It is hereby enacted by the General Assembly of the State of Vermont:

* * * Repeal of Reporting Requirements * * *

Sec. 1. 3 V.S.A. § 2313 is amended to read:

§ 2313. PERFORMANCE CONTRACTS AND GRANTS

(a) The Chief Performance Officer shall assist agencies as necessary in developing performance measures for contracts and grants.

~~(b) Annually, on or before July 30 and as part of any other report requirement to the General Assembly set forth in this subchapter, the Chief Performance Officer shall report to the General Assembly on the progress by rate or percent of how many State contracts and grants have performance accountability requirements and the rate or percent of contractors' and grantees' compliance with those requirements. [Repealed.]~~

Sec. 2. 3 V.S.A. § 331 is amended to read:

§ 331. TEMPORARY EMPLOYEES

* * *

(c)(1) The Commissioner may authorize the continued employment of a person in a temporary capacity for more than 1,280 hours in any one calendar year if the Commissioner determines, in writing, that a bona fide emergency exists for the appointing authority that requires such continued employment.

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(3) The Commissioner may authorize seasonal employment in a specific position for a period of between seven and 12 months if the Commissioner determines, in writing, that the nature and duties of the position require the employment of a person for a period of more than seven months in a 12-month period. The Commissioner shall not authorize seasonal employment for a period of more than seven months in a 12-month period if the authorization is intended to circumvent, or has the effect of circumventing, the policies and purposes of the classified service under this chapter. ~~Annually, on or before January 15, the Commissioner shall submit a report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations:~~

~~(A) the total number of positions in seasonal employment that have been authorized for a period of between seven and 12 months during the prior calendar year;~~

~~(B) the agency or department that each position identified in subdivision (A) of this subdivision (3) is assigned to; and~~

~~(C) the period of time that each identified position is authorized for.~~

* * *

Sec. 3. 6 V.S.A. § 2972 is amended to read:
§ 2972. POWERS AND DUTIES

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(b) Included among the powers of the Council in connection with the enforcement of this chapter are the powers to require reports from any person subject to this chapter; to adopt, rescind, modify, and amend all proper and necessary rules and orders to administer this chapter, which rules and orders shall be adopted by publication in the manner prescribed by the Council and shall have the force and effect of law when not inconsistent with existing laws; to administer oaths, subpoena witnesses, take depositions, and certify to official acts; to require any dealer to keep such true and accurate records and to make such reports covering purchases, sales, and receipts of dairy products and related matters as the Council deems reasonably necessary for effective administration, which records shall be open to inspection by the Secretary of Agriculture, Food and Markets at any reasonable time and as often as may be necessary, but information thus obtained shall not be published or be open to public inspection in any manner revealing any individual dealer's identity, except as required in proceedings to enforce compliance; and to keep accurate books, records, and accounts of all of its dealings; ~~and to make annually a full report of its doings to the House Committee on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Agriculture and the Governor, which shall show the amount of money received and the expenditures thereof.~~ The report shall be submitted on or before January 15. The Vermont Agency of

1 Agriculture, Food and Markets shall perform the administrative work of the
2 Council as directed by the Council. The Council shall reimburse the Agency
3 of Agriculture, Food and Markets for the cost of services performed by the
4 Agency.

5 * * *

6 Sec. 4. 6 V.S.A. § 4810 is amended to read:

7 § 4810. AUTHORITY; COOPERATION; COORDINATION

8 * * *

9 (d) Cooperation and coordination. The Secretary of Agriculture, Food and
10 Markets shall coordinate with the Secretary of Natural Resources in
11 implementing and enforcing programs, plans, and practices developed for
12 reducing and eliminating agricultural nonpoint source pollutants and
13 discharges from farms. The Secretary of Agriculture, Food and Markets shall
14 cooperate with the Secretary of Natural Resources in the implementation of the
15 federal Clean Water Act for Concentrated Animal Feeding Operations
16 (CAFOs). The Secretary of Agriculture, Food and Markets shall implement
17 the State's comprehensive, complementary nonpoint source program. The
18 Secretary of Agriculture, Food, and Markets and the Secretary of Natural
19 Resources shall coordinate regarding program administration; grant
20 negotiation; grant sharing; implementation of the antidegradation policy
21 including to new sources of agricultural nonpoint source pollutants, and

1 watershed planning activities to comply with Pub. L. No. 92-500. In
2 accordance with 10 V.S.A. § 1259(i), the Secretary of Natural Resources, in
3 consultation with the U.S. Environmental Protection Agency and the Secretary
4 of Agriculture, Food and Markets, shall issue a document that sets forth the
5 respective roles and responsibilities of the Agency of Natural Resources in
6 implementing the federal Clean Water Act on farms and the Agency of
7 Agriculture, Food and Markets' roles and responsibilities in implementing the
8 State's complementary nonpoint source program on farms. The document
9 shall be consistent with and equivalent with the federal National Pollutant
10 Discharge Elimination System permit regulations for discharges from CAFOs.
11 The document will replace the memorandum of understanding between the
12 agencies. The allocation of duties under this chapter between the Secretary of
13 Agriculture, Food and Markets and the Secretary of Natural Resources shall be
14 consistent with the Secretary's duties, established under the provisions of 10
15 V.S.A. § 1258(b), to comply with Pub. L. No. 92-500. The Secretary of
16 Natural Resources shall be the State lead person in applying for federal funds
17 under Pub. L. No. 92-500 but shall consult with the Secretary of Agriculture,
18 Food and Markets during the process. The agricultural nonpoint source
19 program may compete with other programs for competitive watershed projects
20 funded from federal funds. The Secretary of Agriculture, Food and Markets
21 shall be represented in reviewing these projects for funding. Actions by the

1 Secretary of Agriculture, Food and Markets under this chapter concerning
2 agricultural nonpoint source pollution shall be consistent with the water quality
3 standards and water pollution control requirements of 10 V.S.A. chapter 47
4 and the federal Clean Water Act as amended. In addition, the Secretary of
5 Agriculture, Food and Markets shall coordinate with the Secretary of Natural
6 Resources in implementing and enforcing programs, plans, and practices
7 developed for the proper management of composting facilities when those
8 facilities are located on a farm. ~~The Secretary of Agriculture, Food and
9 Markets and the Secretary of Natural Resources shall each develop three
10 separate measures of the performance of the agencies under the federal Clean
11 Water Act and State nonpoint source regulatory authority, and annually on or
12 before January 15, the Secretary of Agriculture, Food and Markets and the
13 Secretary of Natural Resources shall submit separate reports to the Senate
14 Committee on Agriculture, the House Committee on Agriculture, Food
15 Resiliency, and Forestry, the Senate Committee on Natural Resources and
16 Energy, and the House Committee on Environment regarding the success of
17 each agency in meeting its selected performance measures.~~

18 Sec. 5. 10 V.S.A. § 1978 is amended to read:

19 § 1978. RULES

20 * * *

1 ~~disaggregated by incident type, including disaggregation by ethnic groups,~~
2 ~~racial groups, religious groups, gender, sexual orientation, gender identity,~~
3 ~~disability status, and English language learner status. The Secretary shall use~~
4 ~~the information in the report to determine whether students in each school,~~
5 ~~school district, and supervisory union are provided educational opportunities~~
6 ~~substantially equal to those provided in other schools, school districts, and~~
7 ~~supervisory unions pursuant to subsection 165(b) of this title. [Repealed.]~~

8 * * *

9 Sec. 7. 16 V.S.A. § 829 is amended to read:

10 § 829. PREKINDERGARTEN EDUCATION

11 * * *

12 (e) Rules. The Secretary of Education and the Commissioner for Children
13 and Families shall jointly develop and agree to rules and present them to the
14 State Board for adoption under 3 V.S.A. chapter 25 as follows:

15 * * *

16 (10) To establish a system by which the Agency of Education and
17 Department for Children and Families shall jointly monitor and evaluate
18 prekindergarten education programs to promote optimal results for children
19 that support the relevant population-level outcomes set forth in 3 V.S.A.

20 § 2311 and to collect data that will inform future decisions. ~~The Agency and~~

1 ~~Department shall be required to report annually to the General Assembly in~~
2 ~~January.~~ At a minimum, the system shall monitor and evaluate:

3 * * *

4 Sec. 8. 18 V.S.A. § 4635 is amended to read:

5 § 4635. PRESCRIPTION DRUG COST TRANSPARENCY

6 * * *

7 (d)(1) ~~The Attorney General shall provide a report to the General Assembly~~
8 ~~on or before December 1 of each year based on the information received from~~
9 ~~manufacturers pursuant to this section.~~ The Attorney General shall post the
10 report and the public version of each manufacturer's information submitted
11 pursuant to subdivision (c)(1)(B)(ii) of this section on the Office of the
12 Attorney General's website.

13 (2) The Green Mountain Care Board shall post on its website ~~the report~~
14 ~~prepared by the Attorney General pursuant to subdivision (1) of this subsection~~
15 ~~and~~ the public version of each manufacturer's information submitted pursuant
16 to subdivision (c)(1)(B)(ii) of this section, and may inform the public of the
17 availability of the report and the manufacturers' justification information.

18 * * *

19 Sec. 9. 28 V.S.A. § 104 is amended to read:

20 § 104. NOTIFICATION OF COMMUNITY PLACEMENTS

21 * * *

- 1 (3) 2008 Acts and Resolves No. 192, Sec. 5.221(b) (report on use of
2 appropriations for household weatherization);
- 3 (4) 2011 Acts and Resolves No. 59, Sec. 11 (report on Superior Court
4 public records cases);
- 5 (5) 2012 Acts and Resolves No. 113, Sec. 3 (report on Genuine Progress
6 Indicator);
- 7 (6) 2015 Acts and Resolves No. 58, Sec. C.106 (Vermont Health
8 Connect monthly reports);
- 9 (7) 2014 Acts and Resolves No. 179, Sec. E.100.5(g) (report on
10 resources made available from the Vermont Enterprise Fund);
- 11 (8) 2014 Acts and Resolves No. 195, Secs. 3(f) and 4(b) (evaluate goals
12 and performance of pretrial services and precharge programs);
- 13 (9) 2013 Acts and Resolves No. 68, Sec. 3 (report on concussions
14 suffered by student athletes);
- 15 (10) 2018 Acts and Resolves No.119, Sec. 8 (reports on various licenses
16 issued to service members and veterans);
- 17 (11) 2018 Acts and Resolves No. 174, Sec. 1(c)(2) (Auditor report filed
18 if a privatization contract has not achieved the required cost savings or
19 complied with required performance measures); and
- 20 (12) 2019 Acts and Resolves No. 79, Sec. 10(b) (report on status of the
21 Broadband Innovation Grant Program).

1 * * * Reports Extended Until 2030 Review * * *

2 Sec. 13. REPORTS REPEAL DELAYED

3 The reports set forth in this section shall not be subject to review under the
4 provisions of 2 V.S.A. § 20(d) (expiration of required reports) until July 1,
5 2030:

6 (1) 3 V.S.A. § 168(f)(6) (Racial Disparities in the Criminal and Juvenile
7 Justice System Advisory Panel report and recommendations);

8 (2) 3 V.S.A. § 1226(b) (State Ethics Commission reports concerning
9 complaints, guidance, training, and recommendations);

10 (3) 10 V.S.A. § 280ee(d) (Vermont Economic Development Authority
11 report concerning Broadband Expansion Loan Program activities);

12 (4) 10 V.S.A. § 325m(g) (Rural Economic Development Initiative
13 report);

14 (5) 13 V.S.A. § 5256 (Office of Defender General annual report);

15 (6) 13 V.S.A. § 5415(c) (Department of Public Safety report concerning
16 sex offender registry compliance);

17 (7) 18 V.S.A. § 909(e) (EMS Advisory Committee report concerning
18 progress toward goals of five-year plan);

19 (8) 20 V.S.A. § 2366(d) (Vermont Criminal Justice Council report
20 concerning fair and impartial policies and training);

1 (e) On or before the tenth Thursday after the convening of each biennial
2 and adjourned session, the Committee shall report to the General Assembly its
3 recommendation whether the candidates should continue in office, with any
4 amplifying information that it may deem appropriate, in order that the General
5 Assembly may discharge its obligation under Chapter II, § 34 of the
6 ~~Constitution of the State of Vermont~~ Constitution. The provisions of 2 V.S.A.
7 § 20(d) (expiration of required reports) shall not apply to the report to be made
8 under this subsection.

9 * * *

10 Sec. 17. 6 V.S.A. § 4710 is amended to read:

11 § 4710. VERMONT FARM AND FOREST VIABILITY PROGRAM

12 * * *

13 (f) In collaboration with the Secretary of Agriculture, Food and Markets
14 and the Commissioner of Forests, Parks and Recreation, the Vermont Housing
15 and Conservation Board shall report in writing to the Senate Committees on
16 Agriculture and on Economic Development, Housing and General Affairs and
17 the House Committees on Agriculture and Forestry and on Commerce and
18 Economic Development on or before January 31 of each year with a report on
19 the activities and performance of the Farm and Forest Viability Program. At a
20 minimum, the report shall include an evaluation of the Program utilizing the
21 performance goals and performance measures established in consultation with

1 the Advisory Board under subsection (d) of this section. The provisions of 2
2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to
3 be made under this subsection.

4 * * *

5 Sec. 18. 6 V.S.A. § 4825 is amended to read:

6 § 4825. REPORTS

7 (a) Annually by January 15 of each year, the Secretary shall report to the
8 General Assembly regarding activities in support of the objectives of this
9 subchapter, including use of State, federal, and private funds:

10 * * *

11 (b) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall
12 not apply to the report to be made under this section.

13 Sec. 19. 10 V.S.A. § 11 is amended to read:

14 § 11. TREASURER'S LOCAL INVESTMENT ADVISORY COMMITTEE

15 * * *

16 (e) Report. On or before January 15, the Advisory Committee annually
17 shall submit a report to the Senate Committees on Appropriations, on
18 Economic Development, Housing and General Affairs, on Finance, and on
19 Government Operations and the House Committees on Appropriations, on
20 Commerce and Economic Development, on Ways and Means, and on
21 Government Operations and Military Affairs. The provisions of 2 V.S.A.

1 of the income generated through the end of the previous fiscal year from the
2 use of sites for communication purposes. The provisions of 2 V.S.A. § 20(d)
3 (expiration of required reports) shall not apply to the report to be made under
4 this section.

5 Sec. 22. 10 V.S.A. § 6503 is amended to read:

6 § 6503. LEGISLATIVE APPROVAL

7 (a) The Committee shall report to the General Assembly its
8 recommendation to approve or not to approve the petition for the facility
9 together with such additional information and comment it deems appropriate.
10 The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not
11 apply to the report to be made under this subsection.

12 * * *

13 Sec. 23. 32 V.S.A. § 311 is amended to read:

14 § 311. RETIREMENT FUNDS INTEGRITY REPORT

15 * * *

16 (c) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall
17 not apply to the report to be made under this section.

18 Sec. 24. 32 V.S.A. § 588 is amended to read:

19 § 588. SPECIAL FUNDS; ORGANIZATION AND MANAGEMENT

20 All special funds shall be organized and managed in accordance with the
21 provisions of this section.

1 * * *

2 (6) Accounting and reporting.

3 * * *

4 (B) In addition, the Commissioner shall annually report a list of any
5 special funds created during the fiscal year. The list shall furnish for each fund
6 its name, authorization, and revenue source or sources. The report for the prior
7 fiscal year shall be submitted to the General Assembly through the Joint Fiscal
8 Committee on or before December 1 of each year. The provisions of 2 V.S.A.
9 § 20(d) (expiration of required reports) shall not apply to the report to be made
10 under this subdivision.

11 * * * Effective Date * * *

12 Sec. 25. EFFECTIVE DATE

13 This act shall take effect on July 1, 2026.