

1 H.907

2 Introduced by Committee on Government Operations and Military Affairs

3 Date:

4 Subject: Government operations; reports; reports repeal

5 Statement of purpose of bill as introduced: This bill proposes to amend
6 statutes relating to legislatively enacted reporting requirements by repealing
7 certain reports that the General Assembly no longer deems useful or necessary,
8 extending certain reports for four years until a future reports repeal review, or
9 exempting certain reports from 2 V.S.A. § 20(d) so that the ongoing reporting
10 requirement will no longer be reviewed for repeal.

11 An act relating to legislative review of reporting requirements

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

13 * * * Repeal of Reporting Requirements * * *

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

15 § 2313. PERFORMANCE CONTRACTS AND GRANTS

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

18 (b) ~~Annually, on or before July 30 and as part of any other report~~
19 ~~requirement to the General Assembly set forth in this subchapter, the Chief~~

1 ~~Performance Officer shall report to the General Assembly on the progress by~~
2 ~~rate or percent of how many State contracts and grants have performance~~
3 ~~accountability requirements and the rate or percent of contractors' and~~
4 ~~grantees' compliance with those requirements. [Repealed.]~~

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

6 § 331. TEMPORARY EMPLOYEES

7 * * *

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

12 * * *

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

1 ~~on Government Operations and Military Affairs and the Senate Committee on~~
2 ~~Government Operations:~~

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

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

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

9 * * *

10 Sec. 3. 6 V.S.A. § 2972 is amended to read:

11 § 2972. POWERS AND DUTIES

12 * * *

13 (b) Included among the powers of the Council in connection with the
14 enforcement of this chapter are the powers to require reports from any person
15 subject to this chapter; to adopt, rescind, modify, and amend all proper and
16 necessary rules and orders to administer this chapter, which rules and orders
17 shall be adopted by publication in the manner prescribed by the Council and
18 shall have the force and effect of law when not inconsistent with existing laws;
19 to administer oaths, subpoena witnesses, take depositions, and certify to
20 official acts; to require any dealer to keep such true and accurate records and to
21 make such reports covering purchases, sales, and receipts of dairy products and

1 related matters as the Council deems reasonably necessary for effective
2 administration, which records shall be open to inspection by the Secretary of
3 Agriculture, Food and Markets at any reasonable time and as often as may be
4 necessary, but information thus obtained shall not be published or be open to
5 public inspection in any manner revealing any individual dealer's identity,
6 except as required in proceedings to enforce compliance; and to keep accurate
7 books, records, and accounts of all of its dealings; ~~and to make annually a full~~
8 ~~report of its doings to the House Committee on Agriculture, Food Resiliency,~~
9 ~~and Forestry and the Senate Committee on Agriculture and the Governor,~~
10 ~~which shall show the amount of money received and the expenditures thereof.~~
11 ~~The report shall be submitted on or before January 15.~~ The Vermont Agency of
12 Agriculture, Food and Markets shall perform the administrative work of the
13 Council as directed by the Council. The Council shall reimburse the Agency
14 of Agriculture, Food and Markets for the cost of services performed by the
15 Agency.

16 * * *

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

18 § 4810. AUTHORITY; COOPERATION; COORDINATION

19 * * *

20 (d) Cooperation and coordination. The Secretary of Agriculture, Food and
21 Markets shall coordinate with the Secretary of Natural Resources in

1 implementing and enforcing programs, plans, and practices developed for
2 reducing and eliminating agricultural nonpoint source pollutants and
3 discharges from farms. The Secretary of Agriculture, Food and Markets shall
4 cooperate with the Secretary of Natural Resources in the implementation of the
5 federal Clean Water Act for Concentrated Animal Feeding Operations
6 (CAFOs). The Secretary of Agriculture, Food and Markets shall implement
7 the State's comprehensive, complementary nonpoint source program. The
8 Secretary of Agriculture, Food, and Markets and the Secretary of Natural
9 Resources shall coordinate regarding program administration; grant
10 negotiation; grant sharing; implementation of the antidegradation policy
11 including to new sources of agricultural nonpoint source pollutants, and
12 watershed planning activities to comply with Pub. L. No. 92-500. In
13 accordance with 10 V.S.A. § 1259(i), the Secretary of Natural Resources, in
14 consultation with the U.S. Environmental Protection Agency and the Secretary
15 of Agriculture, Food and Markets, shall issue a document that sets forth the
16 respective roles and responsibilities of the Agency of Natural Resources in
17 implementing the federal Clean Water Act on farms and the Agency of
18 Agriculture, Food and Markets' roles and responsibilities in implementing the
19 State's complementary nonpoint source program on farms. The document
20 shall be consistent with and equivalent with the federal National Pollutant
21 Discharge Elimination System permit regulations for discharges from CAFOs.

1 The document will replace the memorandum of understanding between the
2 agencies. The allocation of duties under this chapter between the Secretary of
3 Agriculture, Food and Markets and the Secretary of Natural Resources shall be
4 consistent with the Secretary's duties, established under the provisions of 10
5 V.S.A. § 1258(b), to comply with Pub. L. No. 92-500. The Secretary of
6 Natural Resources shall be the State lead person in applying for federal funds
7 under Pub. L. No. 92-500 but shall consult with the Secretary of Agriculture,
8 Food and Markets during the process. The agricultural nonpoint source
9 program may compete with other programs for competitive watershed projects
10 funded from federal funds. The Secretary of Agriculture, Food and Markets
11 shall be represented in reviewing these projects for funding. Actions by the
12 Secretary of Agriculture, Food and Markets under this chapter concerning
13 agricultural nonpoint source pollution shall be consistent with the water quality
14 standards and water pollution control requirements of 10 V.S.A. chapter 47
15 and the federal Clean Water Act as amended. In addition, the Secretary of
16 Agriculture, Food and Markets shall coordinate with the Secretary of Natural
17 Resources in implementing and enforcing programs, plans, and practices
18 developed for the proper management of composting facilities when those
19 facilities are located on a farm. ~~The Secretary of Agriculture, Food and~~
20 ~~Markets and the Secretary of Natural Resources shall each develop three~~
21 ~~separate measures of the performance of the agencies under the federal Clean~~

1 ~~Water Act and State nonpoint source regulatory authority, and annually on or~~
2 ~~before January 15, the Secretary of Agriculture, Food and Markets and the~~
3 ~~Secretary of Natural Resources shall submit separate reports to the Senate~~
4 ~~Committee on Agriculture, the House Committee on Agriculture, Food~~
5 ~~Resiliency, and Forestry, the Senate Committee on Natural Resources and~~
6 ~~Energy, and the House Committee on Environment regarding the success of~~
7 ~~each agency in meeting its selected performance measures.~~

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

9 § 1978. RULES

10 * * *

11 (e)(1) The Secretary shall periodically review and, if necessary, revise the
12 rules adopted under this chapter to ensure that the technical standards remain
13 current with the known and proven technologies regarding potable water
14 supplies and wastewater systems.

15 * * *

16 (3) ~~The Technical Advisory Committee shall provide annual reports,~~
17 ~~starting January 15, 2003, to the Chairs of the House Committee on~~
18 ~~Corrections and Institutions and the Senate Committee on Institutions. The~~
19 ~~reports shall include information on the following topics: the implementation~~
20 ~~of this chapter and the rules adopted under this chapter; the number and type~~
21 ~~of alternative or innovative systems approved for general use, approved for use~~

1 as a pilot project, and approved for experimental use; the functional status of
2 alternative or innovative systems approved for use as a pilot project or
3 approved for experimental use; the number of permit applications received
4 during the preceding calendar year; the number of permits issued during the
5 preceding calendar year; and the number of permit applications denied during
6 the preceding calendar year, together with a summary of the basis of denial.

7 [Repealed.]

8 * * *

9 Sec. 6. 16 V.S.A. § 164 is amended to read:

10 § 164. STATE BOARD; GENERAL POWERS AND DUTIES

11 The State Board shall engage local school board members and the broader
12 education community and, consistent with the provisions of this title, its own
13 rules, and rules adopted by the Secretary, establish and regularly update a long-
14 term strategic vision for the delivery of educational services in Vermont;
15 advise the General Assembly, the Governor, and the Secretary of Education on
16 high-priority educational policies and issues as they arise; and act in
17 accordance with legislative mandates, including the adoption of rules and
18 executing special assignments. In addition to other specified duties, the Board
19 shall:

20 * * *

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

2 § 829. PREKINDERGARTEN EDUCATION

3 * * *

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

7 * * *

8 (10) To establish a system by which the Agency of Education and
9 Department for Children and Families shall jointly monitor and evaluate
10 prekindergarten education programs to promote optimal results for children
11 that support the relevant population-level outcomes set forth in 3 V.S.A.
12 § 2311 and to collect data that will inform future decisions. ~~The Agency and~~
13 ~~Department shall be required to report annually to the General Assembly in~~
14 ~~January.~~ At a minimum, the system shall monitor and evaluate:

15 * * *

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

17 § 4635. PRESCRIPTION DRUG COST TRANSPARENCY

18 * * *

19 (d)(1) ~~The Attorney General shall provide a report to the General Assembly~~
20 ~~on or before December 1 of each year based on the information received from~~
21 ~~manufacturers pursuant to this section.~~ The Attorney General shall post the

1 ~~report and~~ the public version of each manufacturer's information submitted
2 pursuant to subdivision (c)(1)(B)(ii) of this section on the Office of the
3 Attorney General's website.

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

9 * * *

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

11 § 104. NOTIFICATION OF COMMUNITY PLACEMENTS

12 * * *

13 ~~(c) The Commissioner of Corrections shall annually, by January 15, report~~
14 ~~to the House Committee on Corrections and Institutions and the Senate~~
15 ~~Committee on Institutions on the implementation of this section during the~~
16 ~~previous 12 months. [Repealed.]~~

17 Sec. 10. 33 V.S.A. § 4305 is amended to read:

18 § 4305. COORDINATED SYSTEM OF CARE

19 * * *

20 ~~(c) The Commissioners of Mental Health and for Children and Families and~~
21 ~~the Secretary of Education shall jointly submit to the General Assembly a~~

1 report on the status of programs for children and adolescents with a severe
2 emotional disturbance and their families, which shall include a system of care
3 plan. The report shall be submitted together with the general appropriation bill
4 provided for by 32 V.S.A. § 701. The system of care plan shall:

5 (1) identify the characteristics and number of children and adolescents
6 with a severe emotional disturbance in need of appropriate services, describe
7 the educational, residential, mental health or other treatment services needed,
8 describe currently available programs and resources, recommend a plan to
9 meet the needs of such children, recommend priorities for the continuation or
10 development of programs and resources, and make an assessment of the
11 success of such programs; and

12 (2) provide information as available on the extent to which children and
13 adolescents with a severe emotional disturbance have not received services, the
14 characteristics and number of those children and adolescents who have not
15 received services and recommendations on how to address their identified
16 needs. [Repealed.]

17 * * *

18 Sec. 11. 2010 Acts and Resolves No. 161, Sec. 20 is amended to read:

19 Sec. 20. VERMONT CENTER FOR CRIME VICTIM SERVICES

20 The sum of \$50,000 is appropriated to the Vermont Center for Crime
21 Victim Services for Americans with Disabilities Act improvements at domestic

1 violence shelters. ~~Annually, on or before December 1, the Vermont Center for~~
2 ~~Crime Victim Services shall file with the commissioner of buildings and~~
3 ~~general services a report which details the status of the improvements funded~~
4 ~~in whole or in part by state capital appropriations.~~

5 Total Appropriation – Section 20 \$50,000

6 Sec. 12. REPEALS

7 The following are repealed:

8 (1) 6 V.S.A. § 4825 (report concerning activities in support of water
9 quality financial and technical assistance);

10 (2) 2007 Acts and Resolves No. 65, Sec. 112a(b)(2)(A) (report on
11 utilization of services and expenses under Choices for Care);

12 (3) 2008 Acts and Resolves No. 192, Sec. 5.221(b) (report on use of
13 appropriations for household weatherization);

14 (4) 2011 Acts and Resolves No. 59, Sec. 11 (report on Superior Court
15 public records cases);

16 (5) 2012 Acts and Resolves No. 113, Sec. 3 (report on Genuine Progress
17 Indicator);

18 (6) 2015 Acts and Resolves No. 58, Sec. C.106 (Vermont Health
19 Connect monthly reports);

20 (7) 2014 Acts and Resolves No. 179, Sec. E.100.5(g) (report on
21 resources made available from the Vermont Enterprise Fund);

1 (8) 2014 Acts and Resolves No. 195, Secs. 3(f) and 4(b) (evaluate goals
2 and performance of pretrial services and precharge programs);

3 (9) 2013 Acts and Resolves No. 68, Sec. 3 (report on concussions
4 suffered by student athletes);

5 (10) 2018 Acts and Resolves No.119, Sec. 8 (reports on various licenses
6 issued to service members and veterans);

7 (11) 2018 Acts and Resolves No. 174, Sec. 1(c)(2) (Auditor report filed
8 if a privatization contract has not achieved the required cost savings or
9 complied with required performance measures); and

10 (12) 2019 Acts and Resolves No. 79, Sec. 10(b) (report on status of the
11 Broadband Innovation Grant Program).

12 * * * Reports Extended Until 2030 Review * * *

13 Sec. 13. REPORTS REPEAL DELAYED

14 The reports set forth in this section shall not be subject to review under the
15 provisions of 2 V.S.A. § 20(d) (expiration of required reports) until July 1,
16 2030:

17 (1) 3 V.S.A. § 168(f)(6) (Racial Disparities in the Criminal and Juvenile
18 Justice System Advisory Panel report and recommendations);

19 (2) 3 V.S.A. § 1226(b) (State Ethics Commission reports concerning
20 complaints, guidance, training, and recommendations);

1 (3) 10 V.S.A. § 280ee(d) (Vermont Economic Development Authority
2 report concerning Broadband Expansion Loan Program activities);

3 (4) 10 V.S.A. § 325m(g) (Rural Economic Development Initiative
4 report);

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

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

8 (7) 18 V.S.A. § 909(e) (EMS Advisory Committee report concerning
9 progress toward goals of five-year plan);

10 (8) 20 V.S.A. § 2366(d) (Vermont Criminal Justice Council report
11 concerning fair and impartial policies and training);

12 (9) 20 V.S.A. § 4624 (Department of Public Safety report on drone use);

13 (10) 24 V.S.A. § 1892(g) (quadrennial analysis of recommendations and
14 conclusions of the tax increment financing capacity study and report);

15 (11) 29 V.S.A. § 160(e) (Department of Buildings and General Services
16 Property Management Revolving Fund annual report); and

17 (12) 32 V.S.A. § 3340(a) (Vermont Economic Progress Council report
18 concerning Vermont Employment Growth Incentive Program).

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

2 § 4825. REPORTS

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

6 * * *

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

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

10 § 11. TREASURER'S LOCAL INVESTMENT ADVISORY COMMITTEE

11 * * *

12 (e) Report. On or before January 15, the Advisory Committee annually
13 shall submit a report to the Senate Committees on Appropriations, on
14 Economic Development, Housing and General Affairs, on Finance, and on
15 Government Operations and the House Committees on Appropriations, on
16 Commerce and Economic Development, on Ways and Means, and on
17 Government Operations and Military Affairs. The provisions of 2 V.S.A.
18 § 20(d) (expiration of required reports) shall not apply to the report to be made
19 under this subsection. The report shall include the following:

20 * * *

1 Sec. 20. 10 V.S.A. § 531 is amended to read:

2 § 531. THE VERMONT TRAINING PROGRAM

3 * * *

4 (k) Report. Annually on or before January 15, the Secretary shall submit a
5 report to the House Committee on Commerce and Economic Development and
6 the Senate Committee on Economic Development, Housing and General
7 Affairs. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)
8 shall not apply to the report to be made under this subsection. In addition to
9 the reporting requirements under section 540 of this title, the report shall
10 identify:

11 * * *

12 Sec. 21. 10 V.S.A. § 2609a is amended to read:

13 § 2609a. INCOME FROM LEASE OF MOUNTAINTOP

14 COMMUNICATION SITES

15 Annually on or before February 15, the Agency of Natural Resources shall
16 submit a report to the Senate Committee on Natural Resources and Energy and
17 the House ~~Committees~~ Committee on Energy and ~~Technology and on Natural~~
18 ~~Resourees, Fish, and Wildlife~~ Digital Infrastructure containing an itemization
19 of the income generated through the end of the previous fiscal year from the
20 use of sites for communication purposes. The provisions of 2 V.S.A. § 20(d)

