

1 Introduced by Committee on Government Operations and Military Affairs

2 Date:

3 Subject: Government operations; reports; reports repeal

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

10 An act relating to legislative review of reporting requirements

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

12 * * * Repeal of Reporting Requirements * * *

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

§ 2313. PERFORMANCE CONTRACTS AND GRANTS

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

17 (b) Annually, on or before July 30 and as part of any other report

18 requirement to the General Assembly set forth in this subchapter, the Chief
19 Performance Officer shall report to the General Assembly on the progress by
20 rate or percent of how many State contracts and grants have performance

1 ~~accountability requirements and the rate or percent of contractors' and~~
2 ~~grantees' compliance with those requirements. [Repealed.]~~

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

4 § 331. TEMPORARY EMPLOYEES

5 * * *

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

10 * * *

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

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

4 (B) the agency or department that each position identified in

5 subdivision (A) of this subdivision (3) is assigned to; and

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

7 * * *

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

9 § 2972. POWERS AND DUTIES

* * *

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

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

14 * * *

15 * * *

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

17 § 4810. AUTHORITY; COOPERATION; COORDINATION

18 * * *

19 (d) Cooperation and coordination. The Secretary of Agriculture, Food and
20 Markets shall coordinate with the Secretary of Natural Resources in
21 implementing and enforcing programs, plans, and practices developed for

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

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

1 before January 15, the Secretary of Agriculture, Food and Markets and the
2 Secretary of Natural Resources shall submit separate reports to the Senate
3 Committee on Agriculture, the House Committee on Agriculture, Food
4 Resiliency, and Forestry, the Senate Committee on Natural Resources and
5 Energy, and the House Committee on Environment regarding the success of
6 each agency in meeting its selected performance measures.

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

8 § 1978. RULES

9 * * *

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

14 * * *

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

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

6 [Repealed.]

7 * * *

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

9 § 164. STATE BOARD; GENERAL POWERS AND DUTIES

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

19 * * *

20 (17) Report annually on the condition of education statewide and on a
21 supervisory union and school district basis. The report shall include

1 information on attainment of standards for student performance adopted under
2 subdivision (9) of this section, number and types of complaints of hazing,
3 harassment, or bullying made pursuant to chapter 9, subchapter 5 of this title
4 and responses to the complaints, financial resources and expenditures, and
5 community social indicators. The report shall be organized and presented in a
6 way that is easily understandable by the general public and that enables each
7 school, school district, and supervisory union to determine its strengths and
8 weaknesses. To the extent consistent with State and federal privacy laws and
9 regulations, data on hazing, harassment, or bullying incidents shall be
10 disaggregated by incident type, including disaggregation by ethnic groups,
11 racial groups, religious groups, gender, sexual orientation, gender identity,
12 disability status, and English language learner status. The Secretary shall use
13 the information in the report to determine whether students in each school,
14 school district, and supervisory union are provided educational opportunities
15 substantially equal to those provided in other schools, school districts, and
16 supervisory unions pursuant to subsection 165(b) of this title. [Repealed.]

17 * * *

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

19 § 829. PREKINDERGARTEN EDUCATION

20 * * *

4 * * *

12 * * *

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

14 **§ 4635. PRESCRIPTION DRUG COST TRANSPARENCY**

15 * * *

16 (d)(1) ~~The Attorney General shall provide a report to the General Assembly~~
17 ~~on or before December 1 of each year based on the information received from~~
18 ~~manufacturers pursuant to this section.~~ The Attorney General shall post ~~the~~
19 ~~report and~~ the public version of each manufacturer's information submitted
20 pursuant to subdivision (c)(1)(B)(ii) of this section on the Office of the
21 Attorney General's website.

6 * * *

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

8 § 104. NOTIFICATION OF COMMUNITY PLACEMENTS

9 * * *

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

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

15 § 4305. COORDINATED SYSTEM OF CARE

16 * * *

17 (c) The Commissioners of Mental Health and for Children and Families and
18 the Secretary of Education shall jointly submit to the General Assembly a
19 report on the status of programs for children and adolescents with a severe
20 emotional disturbance and their families, which shall include a system of care

1 plan. The report shall be submitted together with the general appropriation bill
2 provided for by 32 V.S.A. § 701. The system of care plan shall:

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

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

15 * * *

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

17 Sec. 20. VERMONT CENTER FOR CRIME VICTIM SERVICES

18 The sum of \$50,000 is appropriated to the Vermont Center for Crime
19 Victim Services for Americans with Disabilities Act improvements at domestic
20 violence shelters. ~~Annually, on or before December 1, the Vermont Center for~~
21 ~~Crime Victim Services shall file with the commissioner of buildings and~~

1 general services a report which details the status of the improvements funded
2 in whole or in part by state capital appropriations.

3 Total Appropriation – Section 20 \$50,000

4 Sec. 12. REPEALS

5 The following are repealed:

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

8 (2) 2007 Acts and Resolves No. 65, Sec. 112a(b)(2)(A) (report on
9 utilization of services and expenses under Choices for Care);

10 (3) 2008 Acts and Resolves No. 192, Sec. 5.221(b) (report on use of
11 appropriations for household weatherization);

12 (4) 2011 Acts and Resolves No. 59, Sec. 11 (report on Superior Court
13 public records cases);

14 (5) 2012 Acts and Resolves No. 113, Sec. 3 (report on Genuine Progress
15 Indicator);

16 (6) 2015 Acts and Resolves No. 58, Sec. C.106 (Vermont Health
17 Connect monthly reports);

18 (7) 2014 Acts and Resolves No. 179, Sec. E.100.5(g) (report on
19 resources made available from the Vermont Enterprise Fund);

20 (8) 2014 Acts and Resolves No. 195, Secs. 3(f) and 4(b) (evaluate goals
21 and performance of pretrial services and precharge programs);

10 * * * Reports Extended Until 2030 Review * * *

11 Sec. 13. REPORTS REPEAL DELAYED

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

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

10 (9) 20 V.S.A. § 4624 (Department of Public Safety report on drone use);

15 (12) 32 V.S.A. § 3340(a) (Vermont Economic Prog-

16 concerning Vermont Employment Growth Incentive Program).

17 * * * Reports Exempted from 2 V.S.A. § 20(d) *

18 Sec. 14. 3 V.S.A. § 3902 is amended to read:

19 § 3902. OFFICE OF ECONOMIC OPPORTUNITY

20 * * *

* * *

1 (d) As part of the Office's annual budget testimony before the House and
2 Senate Committees on Appropriations, the Office shall report on
3 appropriations utilizing existing resources within State government available in
4 the Office of Economic Opportunity's weatherization data management system
5 that compiles performance data available on households weatherized in the
6 past year to include the:
7 (1) number of households weatherized;
8 (2) average program expenditure per household for energy efficiency;
9 (3) average percent in energy savings;
10 (4) energy and nonenergy benefits combined;
11 (5) benefits saved for every dollar spent;
12 (6) average savings per unit for heating fuels;
13 (7) gallons of oil saved related to the equivalent number of homes heated;
14 (8) projected number of households to be weatherized in the current
15 program year; and
16 (9) projected program expenditures for the current program year ending
17 March 31.

18 Sec. 15. 4 V.S.A. § 40 is amended to read:

19 § 40. REPORT ON TEMPORARY EMPLOYEES

20 (a) Annually, on or before January 15, the State Court Administrator shall
21 submit a report to the House Committees on General and Housing and on

1 Government Operations and Military Affairs and the Senate Committee on
2 Government Operations identifying for each of the two prior calendar years:

3 * * *

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

6 Sec. 16. 4 V.S.A. § 608 is amended to read:

7 § 608. FUNCTIONS

∞ * * *

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

17 * * *

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

19 § 4710. VERMONT FARM AND FOREST VIABILITY PROGRAM

20 * * *

1 (f) In collaboration with the Secretary of Agriculture, Food and Markets
2 and the Commissioner of Forests, Parks and Recreation, the Vermont Housing
3 and Conservation Board shall report in writing to the Senate Committees on
4 Agriculture and on Economic Development, Housing and General Affairs and
5 the House Committees on Agriculture and Forestry and on Commerce and
6 Economic Development on or before January 31 of each year with a report on
7 the activities and performance of the Farm and Forest Viability Program. At a
8 minimum, the report shall include an evaluation of the Program utilizing the
9 performance goals and performance measures established in consultation with
10 the Advisory Board under subsection (d) of this section. The provisions of 2
11 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to
12 be made under this subsection.

15 § 4825. REPORTS

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

19 * * *

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

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

2 § 11. TREASURER'S LOCAL INVESTMENT ADVISORY COMMITTEE

3 * * *

4 (e) Report. On or before January 15, the Advisory Committee annually

5 shall submit a report to the Senate Committees on Appropriations, on

6 Economic Development, Housing and General Affairs, on Finance, and on

7 Government Operations and the House Committees on Appropriations, on

8 Commerce and Economic Development, on Ways and Means, and on

9 Government Operations and Military Affairs. The provisions of 2 V.S.A.

10 § 20(d) (expiration of required reports) shall not apply to the report to be made

11 under this subsection. The report shall include the following:

12 * * *

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

14 § 531. THE VERMONT TRAINING PROGRAM

15 * * *

16 (k) Report. Annually on or before January 15, the Secretary shall submit a

17 report to the House Committee on Commerce and Economic Development and

18 the Senate Committee on Economic Development, Housing and General

19 Affairs. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)

20 shall not apply to the report to be made under this subsection. In addition to

1 the reporting requirements under section 540 of this title, the report shall
2 identify:

3 * * *

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

5 § 2609a. INCOME FROM LEASE OF MOUNTAINTOP

6 COMMUNICATION SITES

7 Annually on or before February 15, the Agency of Natural Resources shall
8 submit a report to the Senate Committee on Natural Resources and Energy and
9 the House ~~Committees~~ Committee on Energy and ~~Technology and on Natural~~
10 ~~Resources, Fish, and Wildlife~~ Digital Infrastructure containing an itemization
11 of the income generated through the end of the previous fiscal year from the
12 use of sites for communication purposes. The provisions of 2 V.S.A. § 20(d)
13 (expiration of required reports) shall not apply to the report to be made under
14 this section.

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

16 § 6503. LEGISLATIVE APPROVAL

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

1

* * *

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

3 § 311. RETIREMENT FUNDS INTEGRITY REPORT

4

* * *

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

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

8 § 588. SPECIAL FUNDS; ORGANIZATION AND MANAGEMENT

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

11

* * *

12 (6) Accounting and reporting.

13

* * *

14 (B) In addition, the Commissioner shall annually report a list of any special
15 funds created during the fiscal year. The list shall furnish for each fund its
16 name, authorization, and revenue source or sources. The report for the prior
17 fiscal year shall be submitted to the General Assembly through the Joint Fiscal
18 Committee on or before December 1 of each year. The provisions of 2 V.S.A.
19 § 20(d) (expiration of required reports) shall not apply to the report to be made
20 under this subdivision.

21

* * * Effective Date * * *

1 Sec. 25. EFFECTIVE DATE

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