

WORKING DRAFT

As of June 5, 2008

2008 Interim Legislative Studies, Reports and Projects

VERMONT GENERAL ASSEMBLY And LEGISLATIVE COUNCIL / JOINT FISCAL OFFICE

The following is a list of major projects and studies authorized by the General Assembly or its committees which involve legislators, legislative committees, or the staff of the Legislative Council and the Joint Fiscal Office for the 2008 interim. The list may be supplemented or amended during the course of the interim.

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Part II – Appendices contain reports to the legislature or its committees by agencies and others, but do not require actions of legislators or staff except to monitor. Appendices are created as separate documents. There may be duplication among them.

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Agriculture

Vermont Milk Commission. Act No. 157 of 2008 (H. 865) provides for legislative members of the Vermont milk commission:

Sec. 3. 6 V.S.A. § 2922 is amended to read:

§ 2922. VERMONT MILK COMMISSION; MEMBERSHIP

(a) There shall be a Vermont milk commission, to consist of ~~seven~~ nine members, one member of which shall be the secretary of agriculture, food and markets. The secretary shall be chair of the commission and serve without compensation. A quorum shall be a majority of the commission. The commission shall act only by an affirmative vote of at least six members. The remaining commission members shall serve for terms of three years, except for the legislative members who shall serve for the term of their election, and be chosen as follows:

* * *

(5) One member from the house committee on agriculture chosen by the speaker and one member from the senate committee on agriculture chosen by the president pro tempore of the senate. For attendance at a meeting when the general assembly is not in session, these two legislative members shall be entitled to the same per diem compensation and reimbursement of necessary expenses as provided members of standing committees under 2 V.S.A. § 406.

~~(b) All expenditures under this subchapter shall be paid from the receipts hereunder.~~

Appointments: Rep. Chris Bray Sen. Bobby Starr

Staff: **Sam Burr (LC), Michael O'Grady (LC)**

Pet Merchants. Act 153 Sec. 16a of Act 153 of 2008 (H.691; Fee Bill) requires legislative council to prepare draft amendments to the current statutory requirements for the sale of dogs and cats and the licensing of pet merchants. Specifically, Act 153 requires:

The **legislative council** in collaboration with the agency of agriculture, food and markets **shall review chapters 194 and 199 of Title 20 and suggest ways to clarify and better organize the language contained therein.** A report of the results of such review shall be provided to the senate committee on finance and the house committee on ways and means no later than January 15, 2009.

Appointments: **None, legislative council study**

Staff: **Michael O' Grady (LC)**

LOCALLY PRODUCED MEAT IN SCHOOLS. Sec. 3 OF S.322 requires the legislative council to develop proposals for a Vermont locally produced meat-in-schools-program. Specifically, s.322 requires:

The **legislative council** shall consult with local producers, the Vermont congressional delegation, the agency of agriculture, food and markets, and the department of education and **develop proposals for a Vermont locally produced meat-in-schools program.** The goals shall be to use existing resources to procure locally produced food products processed in Vermont and inspected by the Vermont agency of agriculture, food and markets to bolster the safety of the food in schools while supporting the Vermont agricultural industry.

Appointments: None, legislative council study

Staff: Sam Burr (LC)

Capital Bill Studies

Study of bonding for Pollution Control. Sec. 28 of S. 365 (FY 09 Capital Bill) directs the Office of Finance and Management and **Joint Fiscal Office** to study the processes the Agency of Natural Resources uses for determining when to request general obligation funds for pollution control and drinking water projects and when to pay the funds to the recipient. They are to make recommendations for revising processes to the **Senate and House committees on Institutions by January 15, 2009.**

Appointments: None, JFO study

Staff: Catherine Benham, Steve Klein (JFO), Michael O'Grady (LC)

CAPITAL BILL REPORTS - APPENDIX A

Economic Development and Workforce Development

WORKERS COMPENSATION FRAUD ENFORCEMENT TASK FORCE. Sec. 5 of S. 345 (Lowering Workers' Compensation Costs):

Sec. 5. WORKERS' COMPENSATION EMPLOYEE CLASSIFICATION, CODING, AND FRAUD ENFORCEMENT TASK FORCE

(a) There is created a workers' compensation employee classification, coding, and fraud enforcement task force to be composed of ten members to include the following:

(1) The commissioner of labor or designee.

(2) The commissioner of banking, insurance, securities, and health care administration or designee.

(3) The attorney general or designee.

(4) Two members of the house to be appointed by the speaker.

(5) Two members of the senate to be appointed by the committee on committees.

(6) A member from the insurance industry appointed by the American Insurance Association.

(7) Two members appointed by the employer and employee members of the department of labor advisory counsel established in 21 V.S.A. § 1306 as follows:

(A) One member who represents labor.

(B) One member who represents management.

(b) The task force shall meet as needed, and the **legislative council** shall provide administrative support.

(c) For attendance at a meeting when the general assembly is not in session, the legislative members shall be entitled to the same per diem compensation and reimbursement of necessary expenses as provided to members of standing committees under 2 V.S.A. § 406.

(d) The task force shall:

(1) Investigate and analyze misclassification and miscoding of employees and occurrences of fraud in the workers' compensation program and offer recommendations to address the following:

(A) Coordination, speed, and efficiency of communication among appropriate governmental entities and law enforcement organizations in the prevention, investigation, and enforcement of actual and suspected fraud and employee misclassification and miscoding.

(B) Ways to improve outreach to and public education for businesses and labor to promote wider understanding of and compliance with the requirements for classifying and coding employees. This outreach and education shall identify costs associated with misclassification and miscoding, help businesses identify incidents of misclassification and miscoding, and encourage filing of complaints and identification of potential violators.

(C) In consultation with the Vermont trial lawyers association and the Vermont bar association, ways to improve the effectiveness and enforcement of the current fraud statutes, including specific recommendations for improving enforcement, stimulating interagency cooperation, including information sharing, prosecution and creating a fraud unit with proposals for staffing, reporting, structure, and funding.

(2) Issue a progress report on or before February 15, 2009, and a final report on November 15, 2009. Both reports shall be provided to the house committee on commerce and the senate committee on economic development, housing and general affairs. The progress report shall outline the progress of the investigation, and the final report shall outline the task force's findings and recommendations regarding the following:

(A) A description of progress made by state government to reduce workers' compensation fraud and the frequency of employee misclassification and miscoding, including the number of employers cited for violations, a description of the types of fraud, misclassification and miscoding cited, the approximate number of employees affected, and the amount of wages, premiums, taxes, and other payments or penalties collected.

(B) Administrative, legislative, or regulatory changes designed to reduce fraud and employee misclassification and miscoding by improving public and business education, sharing information, and increasing the cooperation and efficiency of enforcement of employee misclassification.

(C) A consistent, workable, and fair method for determining independent contractor status both in regard to workers' compensation and unemployment compensation.

(D) Any other issue relevant to reducing the incidences of workers' compensation fraud and employee misclassification and miscoding, including a recommendation as to whether the task force should continue meeting and, if so, for how long.

**Appointments: Speaker: Obuchowski, Kitzmiller
Sen. Com on Com's Racine, MacDonald**

Staff: Maria Royle (LC), Shirley Adams (CA)

COMMISSION ON THE FUTURE OF ECONOMIC DEVELOPMENT: H. 885 of 2008 provides:

Sec. 2. COMMISSION ON THE FUTURE OF ECONOMIC DEVELOPMENT

In fiscal year 2009, the Commission on the Future of Economic Development (CFED) shall:

(1) Finish all 12 public engagement sessions.

(2) The Snelling Center shall assemble all the products of the CFED meetings and submit them to CFED to develop meaningful, realistic, and verifiable goals and benchmarks for economic development.

(3) The goals and benchmarks shall be submitted to the joint fiscal office, who shall work with the economists of the executive and legislative branches to:

(A) review the techniques and products of evaluations of economic development used by other states;

(B) use the econometrics for Vermont in developing benchmarks for the CFED goals by December 15, 2008.

(4) Benchmarks shall be submitted to CFED for review and recommendations.

(5) Benchmarks shall be submitted to the house committee on commerce and the senate committee on economic development, housing and military affairs on or before January 15, 2009.

(6) CFED, with technical **assistance from the joint fiscal office** and the economists, shall annually review benchmarks and develop recommendations for adjustments to be submitted to the general assembly for approval.

Staff: Snelling Center and _____ (JFO)

Education

BULLYING IN SCHOOLS. From S. 357 (Domestic Violence)

Sec. 19. STUDY OF THE HARASSMENT AND BULLYING OF STUDENTS IN VERMONT SCHOOLS

(a) A committee is established to study the issue of harassment and bullying in Vermont schools. The committee shall examine:

(1) the need for further training of educators and school staff to recognize and appropriately respond to the harassment and bullying of students;

(2) the need for legislative enactments to address cyber-bullying;

(3) state laws and regulations regarding harassment and bullying;

(4) school policies and procedures regarding harassment and bullying; and

(5) any other issues regarding harassment and bullying that the committee deems relevant.

(b) The committee shall also study the issue of cyber-bullying of Vermont students and recommend measures to address this growing and destructive phenomenon.

(c) The committee shall consist of:

(1) one member appointed by the Vermont department of education;

(2) one member appointed by the Vermont school boards association;

(3) one member appointed by the Vermont superintendents association;

(4) one member appointed by the Vermont principals association;

(5) one member appointed by the Vermont national education association;

(6) one member appointed by the Vermont human rights commission;

(7) one member appointed by the Vermont commission on women;

(8) one member appointed by outright Vermont;

(9) one member appointed by the Vermont ecumenical council;

(10) one member appointed by the ALANA community organization;

(11) one member appointed by the Vermont office of attorney general;

(12) one law enforcement officer knowledgeable in the investigation of computer crime to be appointed by the Vermont department of public safety;

(13) two members with expertise and experience in school issues, one to be appointed by the speaker of the house and one to be appointed by the president pro tempore of the senate;

(14) two youths, one to be appointed by the speaker of the house and one to be appointed by the pro tempore of the senate; and

(15) one member appointed by the American Civil Liberties Union of Vermont.

(d) The committee shall convene its first meeting no later than September 1, 2008. The executive director of the Vermont human rights commission is designated to convene the initial

meeting. The Vermont human rights commission shall provide administrative support to the committee. The committee may utilize the expertise of non-members in its work.

(e) The committee shall report its findings to the senate and house committees on judiciary and education no later than December 15, 2008. The report shall include a strategic plan to reduce the prevalence of harassment and bullying in Vermont schools.

Appointments: Speaker : Youth K Kinney, Expert G. Winslow
Pro Tem: Youth _____, Expert _____

Education cost drivers study. Sec. 13 of Act No. 82 of 2007 (H. 526) requires the following:

Sec. 13. EDUCATION SPENDING; COST DRIVERS

By June 1, 2007, the **joint fiscal office** shall provide an initial report to the house and senate committees on education analyzing the cost drivers of education spending, including special education services, transportation, administrative costs, energy costs, salaries, and health benefits. The analysis shall not only identify the increase or decrease of specific budget items, but shall also examine changes in the frequency, intensity, and availability of the activities, goods, or services that have been identified as cost drivers. The joint fiscal office shall submit a follow-up report to the same committees before December 1, 2007, and **annually by December 1 thereafter.**

Appointments: None.

Staff: Mark Perrault (JFO), Catherine Benham (JFO), Tom Kavet (JFO)

Council on Education Governance. Sec. 71 of No. 68 of the Acts of 2003 created a council on education governance to consist of three house members, three senators, and many representatives of education interest groups to gather information to develop a comprehensive description of Vermont's education governance structure, engage a broad spectrum of Vermonters in public discussion, and recommend modifications for greater efficiencies and quality. **In 2005, the council's existence was extended until July 1, 2009,** and funding of \$75,000 was appropriated to the commissioner of education in H.516 (FY 06 big bill) for grants awarded at the direction of the council.

Members appointed for 2007 - 2008: Representatives Janet Ancel, Greg Clark (chair), and Reg Godin; and Senators Don Collins, Harold Giard, and Bill Doyle.

Staff: Donna Russo-Savage (LC), Mark Perrault (JFO), Catherine Benham (JFO) and Theresa Utton (CA).

No Child Left Behind (NCLB) Oversight Committee. Sec. 4 of Act 64 of 2003 (S.185) created a NCLB legislative oversight committee of four house members and four senators (from education and appropriations committees) to oversee the implementation of the federal NCLB Act. **In 2005, the committee was extended until July 1, 2009.**

Members appointed for 2007- 2008: Representatives D. Barnard, C. Branagan and Alice Miller; and Senators Don Collins, Harold Giard, and Bill Doyle.

Staff: Donna Russo-Savage (LC), Mark Perrault (JFO), Catherine Benham (JFO), and Theresa Utton (CA).

Commission on Higher Education Funding. Established in Title 16, section 2886 to develop and refine Vermont's goals for higher education, develop and update a plan to meet Vermont's higher education needs, recommend a level of state financial support for higher education, and review expenditures made from the Higher Education Endowment Trust Fund. The commission is composed of two senators, two representatives, the president of UVM, the chancellor of the Vermont State Colleges, the president of the Vermont Student Assistance Corporation, the president of the Vermont Association of Independent Colleges, and others.

Appointed for 2007-2008: Representatives Floyd Nease and Don Bostic; Senators Hull Maynard and Hinda Miller.

Staff: Donna Russo-Savage (LC), Maria Belliveau (JFO), and Katie Pickens (CA).

EDUCATION RELATED REPORTS – APPENDIX B

Government Organization and Operations

Joint Legislative Accountability Committee. Sec. 5 of H.890 (2008 Pay Act) establishes a Joint Legislative Accountability Committee to recommend mechanisms for state government to be more forward-thinking, strategic, and responsive to the long-term needs of Vermonters.

(b) The membership of the committee shall be appointed each biennial session of the general assembly. **The committee shall comprise eight members: four members of the house of representatives who shall not all be from the same party, one from the committee on government operations, one from the committee on appropriations, and two other members, appointed by the speaker of the house; and four members of the senate who shall not all be from the same party, one from the committee on government operations, one from the committee on appropriations, and two other members, appointed by the committee on committees.** The committee may also include in its recommendations that the committee membership be altered.

*Note: It is the intent of the legislature that the first appointments for the Joint Legislative Accountability Committee are made this summer (2008) with the committee submitting its first report in January 2009. (The committee has a 5-year life span and was therefore not codified in the Vermont Statutes Annotated at this time.)

**Appointments: Reps Ancel, Larson, Sweaney and MacDonald
Senators Snelling, Cummings, White, and Mullin**

Staff: Brian Leven (LC), Stephen Klein (JFO), Roz Daniels(CA)

International Trade and State Sovereignty. Act No. 212 of 2006 (H. 109) creates a Commission on International Trade and State Sovereignty to consist of the chair of the house commerce committee, the chair of the senate economic development, housing and general affairs committee, or their designees, a representative of an environmental nonprofit, a representative of organized labor, the secretary of commerce and community development or a designee, a representative of a Vermont exporting business, a representative of a business involved in international trade, and the attorney general or a designee. The body is charged with conducting an annual assessment of the legal and economic impacts of international trade agreements on state and local laws, state sovereignty, and the business environment. Also, it is to provide a mechanism for citizens and legislators to voice their concerns, which it shall use to make policy recommendations designed to protect Vermont's job and business environment, and state sovereignty from any negative impacts of trade agreements. It may recommend legislation or preferred practices and shall work with interested groups in other states to develop means to resolve the conflicting goals and tension inherent in the relationship between international trade and state sovereignty. In response to a request from the governor or the general assembly, or on its own initiative, the committee shall consider and develop formal recommendations with respect to how the state should best respond to challenges and opportunities posed by a particular international agreement. Formal recommendations on the specific international agreement shall be submitted to the governor and specified house and senate committees. Staff support is to be provided by the LC, JFO, and the commerce agency. The annual report is to be prepared by the commerce agency.

Members appointed in 2007 (designees of ex officio); Representative Kathy Keenan and Senator Ginny Lyons (designees).

Staff: Al Boright (LC), Michael O'Grady (LC), Neil Schickner (JFO), and Roz Daniels (CA)

Joint Legislative Committee on Administrative Rules. This statutory joint committee meets biweekly during the interim to review all agency rulemaking.

Members appointed for 2007-2008: Representatives Dick Marek (Ch), Linda Myers, Ginny Milkey and Carol Hosford and Senators Mark MacDonald (V-Ch), Ann Cummings, Ed Flanagan and Diane Snelling; and.

Staff: Brian Leven (LC), Al Boright (LC), and Katie Pickens (CA).

Energy

YANKEE OPERATING EXTENSION; *Nuclear Energy Analysis*. H.891 of 2008 (FY 09 Budget Bill) authorized the Joint Fiscal Committee to retain a consultant to the legislature on nuclear energy analysis.

Sec. 5.012.2. JOINT FISCAL COMMITTEE – NUCLEAR ENERGY ANALYSIS (Sec. 2.031)

(a) **The joint fiscal committee** may authorize or retain consultant services to assist the general assembly in any proceeding commenced under 30 V.S.A. § 248(e).

(b) Consultants retained pursuant to subsection (a) of this section shall work under the direction of **a special committee consisting of the chairs of the house and senate committees on natural resources and energy and the joint fiscal committee.**

(c) The public service board shall allocate expenses incurred pursuant to subsection (a) of this section to the applicant or the public service company or companies involved in those proceedings and such allocation and expense may be reviewed by the public service board pursuant to 30 V.S.A. § 21.

The consultant is to assist the General Assembly in all matters being considered relating to 30 VSA §248(e) (2):

(2) No nuclear energy generating plant within this state may be operated beyond the date permitted in any certificate of public good granted pursuant to this title, including any certificate in force as of January 1, 2006, unless the general assembly approves and determines that the operation will promote the general welfare, and until the public service board issues a certificate of public good under this section. If the general assembly has not acted under this subsection by July 1, 2008, the board may commence proceedings under this section and under 10 V.S.A. chapter 157, relating to the storage of radioactive material, but may not issue a final order or certificate of public good until the general assembly determines that operation will promote the general welfare and grants approval for that operation.

Staff: Catherine Benham, Stephen Klein JFO, LC

Vermont Yankee Reliability Assessment; S. 364 of 2008 provides for a thorough, independent and public assessment of the systems, structures, and components of the Entergy Nuclear Vermont Yankee facility, in order to inform the legislature in making its determination whether the facility should be authorized to operate beyond the expiration of its operating license on March 21, 2012. The assessment is to be conducted by a panel of experts according to a work plan and time frame established by the Department of Public Service in consultation with a Public Oversight Panel appointed and directed under Sec. 6 of S. 364 as follows:

Sec. 6. PUBLIC OVERSIGHT PANEL

(a) The comprehensive reliability assessment required by this act shall be conducted with the maximum amount of transparency and public oversight and involvement. To that end, a public oversight panel is created to include three to five members who have demonstrated expertise in nuclear technology or nuclear regulation to be selected as follows:

(1) The speaker of the house, the president pro tempore of the senate, and the governor, shall each appoint one member; and

(2) The three members appointed pursuant to subsection (1) may select one or two additional members.

(b) The public oversight panel shall be appointed as soon as possible after the effective date of this act. The panel shall elect a chair and vice chair from among its members, and upon its request, the panel shall have the **assistance of the department of public service for administrative support.**

(c) The public oversight panel shall have access to all records and documents consulted and generated in developing and conducting the comprehensive reliability assessment and to records and documents generated in any other audit of the Vermont Yankee Nuclear facility pertinent to the comprehensive reliability assessment. Because the public oversight panel will be reviewing and discussing proprietary and security related documents, the public oversight panel shall not be considered a public body pursuant to 1 V.S.A. § 310 nor shall it be subject to the access to public records statutes embodied in 1 V.S.A. §§ 315-320. After the public oversight panel publicly reports its findings and evaluation to the general assembly as required in subsection (d) of this section, the panel may be subject to public access requests for material relied upon in making its findings and report with redactions of proprietary or security information as needed.

(d) No later than January 30, 2009, the public oversight panel shall publicly report its findings and evaluation to the general assembly for the purpose of informing the legislature in making its determination whether the Entergy Nuclear Vermont Yankee plant should be authorized to operate in the state beyond the expiration of its current license on March 21, 2012.

(e) The evaluation and recommendations of the public oversight panel and the report and findings of the audit shall be made available to the director of public advocacy of the department of public service, and may be used by the director of public advocacy as deemed appropriate by the department to represent the interests of the public in any proceedings before the public service board relating to a certificate of public good for relicensing ENVY for operation beyond March 21, 2012 or for decommissioning, or other related proceedings.

Appointments: No legislators – three experts

Staff: Department of Public Service for administrative support

Joint Energy Committee. This statutory joint committee may meet in the 2008 interim. In addition to its ongoing responsibilities, in 2008 the joint energy committee may have the special assignments relating to the public engagement process for the re-licensing of Vermont Yankee.

In addition, S.209 of 2008 requires the committee to report on the heating fuel gross receipts tax, pursuant to the following:

Sec. 33. REPORT ON HEATING FUEL GROSS RECEIPTS TAX

By January 15, 2011, the joint energy committee shall:

(1) With the assistance of the department of taxes, the department of motor vehicles, and the joint fiscal office, review the efficiency of the gross receipts tax and other taxes on fuels, including payment and reporting requirements.

(2) Study the advisability of continuing or increasing the amount of the tax established under 33 V.S.A. § 2503, as appropriate, given the degree of success of the state by that time in meeting the building efficiency goals of the state established in 10 V.S.A. § 581.

(3) Report its findings and recommendations with regard to subdivisions (1) and (2) of this section to the house and senate committees on appropriations and on natural resources and energy, the house committee on ways and means, and the senate committee on finance.

Members appointed for 2007-2008: Senators: Claire Ayer, Vince Illuzzi, Ginny Lyons, and Mark MacDonald; and Representatives Robert Dostis, Joyce Errecart, Tony Klein, and John Morley.

Staff: Al Boright (LC), Sara Teachout (JFO), Shirley Adams (CA).

ENERGY AND NATURAL RESOURCE RELATED STUDIES - APPENDIX C

Health and Welfare

Commission on Health Care Reform. The duties of this statutory joint commission are established in 2 V.S.A. § 902, which provide that the commission shall:

(1) Monitor the development, implementation, and ongoing operation of health care reform initiatives as defined in section 2222a of Title 3 and the initiatives contained in Act No. 191 (Adj. Sess.) (2006);

(2) study areas of health care reform as required by the general assembly; and

(3) receive input and make recommendations, generally, to the house committees on health care and on ways and means, the senate committees on health and welfare and on finance, and the general assembly regarding the long-term development of policies and programs designed to ensure that, by 2009, Vermont has an integrated system of care that provides all Vermonters access to affordable, high quality health care that is financed in a fair and equitable manner, including the following:

(A) extending universal access to diagnostic or other services to all Vermonters;

(B) methods of reducing the cost of health insurance or providing alternative coverage through Catamount Health to individuals who pay 10 percent or more of their gross income for premiums and cost-sharing or medical expenses;

(C) strategies for reducing the cost of health insurance or providing alternative coverage through Catamount Health to individuals in the individual or other high cost markets; and

(D) determining needed analysis and criteria for implementing a health insurance requirement by January 1, 2011 if less than 96 percent of Vermonters have health insurance by 2010, including methods of enforcement, providing proof of insurance to individuals, and any other criteria necessary for the requirement to be effective in achieving universal health care coverage. **The commission continues until 2011.**

Members appointed in 2007-2008: Senators Jane Kitchel, Ann Cummings, Kevin Mullin, and Doug Racine and Representatives Steve Maier, Harry Chen, Mark Larson, and Topper McFaun. Governor's appointments: former Senator John Bloomer, Jr. and former Speaker Walter Freed.

Staff: Executive director; Jim Hester. Consultants retained by the commission in 2008 are Kenneth Thorpe of Emory University and Hans Kastensmith of Health Capitol Associates.

Health Access Oversight Committee. The duties of this statutory joint committee are established in 2 V.S.A. § 852, which provides that the committee shall carry on a continuing review of the operation of the Medicaid program and all Medicaid waiver programs that may affect the administration and beneficiaries of these programs. The committee will meet regularly during the 2008 interim and submit a **report to the governor and general assembly not later than January 15, 2009.**

Members appointed for 2007-2008: Senators Jeanette White, Claire Ayer, Jane Kitchel, Kevin Mullin, and Doug Racine; and Representatives Ann Pugh, William Frank, Peter Hunt, Lucy Leriche, and Patty O'Donnell.

Staff: Jennifer Carbee (LC), Robin Lunge (LC), Nolan Langweil (JFO), Lynn Hegamy (CA)

Mental Health Oversight Committee. Sec. 141c of Act No. 122 of 2004 set up a mental health oversight committee of four members of each chamber. The authorizing legislation was amended by the FY'08 Appropriations bill (H.537), Sec. 124b, to specify that the committee shall ensure that consumers have access to a comprehensive and adequate continuum of mental health services. Sec. 124b of H 537 of 2007 revised the committee's functions and extended it indefinitely beyond its former sunset date of July 1, 2009. It is expected to be active in the 2008 interim, primarily with overseeing the implementation of the Vermont State Hospital Futures Plan.

Members appointed for 2007-2008: Representatives Mike Fisher, Mitzi Johnson, Anne Donahue, and Tom Koch and Senators Doug Racine, George Coppentrath, Diane Snelling, and Jeanette White.

Staff: Jennifer Carbee (LC), Robin Lunge (LC), Nolan Langweil (JFO), Stephanie Barrett (JFO), Stephen Klein (JFO), Lynn Hegamy (CA)

The Vermont Child Poverty Council. S.177 of 2007 created the Vermont Child Poverty Council, as follows:

Sec. 1. VERMONT CHILD POVERTY COUNCIL

(a) The Vermont child poverty council is created to examine child poverty in Vermont and to make recommendations to the governor and general assembly on methods of improving the financial stability and well-being of children. The council shall develop a ten-year plan to reduce the number of children living in poverty in the state by at least 50 percent.

(b)(1) The council shall consist of the following members or their designees:

- (A) the president pro tempore of the senate;
- (B) the speaker of the house of representatives;
- (C) the chair of the senate committee on health and welfare;
- (D) the chair of the house committee on human services;
- (E) the chair of the senate committee on education;
- (F) the chair of the house committee on education;
- (G) the commissioners of the departments for children and families; of health; of

education; and of labor; and

(H) one representative each from Voices for Vermont's Children, the Vermont low income advocacy council, Vermont Legal Aid, and the Vermont superintendents' association.

(2) The council, at its first meeting, shall elect one of the legislative members as chair or two legislative members as cochairs. **The legislative council and the joint fiscal office shall provide staff support to the council.**

(3) The council shall meet up to six times while the general assembly is not in session to perform its functions under this section. In addition, during the 2007 legislative interim, the council shall hold 14 public hearings as required under subsection (d) of this section.

(c) The plan shall contain:

- (1) an identification and analysis of the occurrence of poverty in the state;
- (2) an analysis of the long-term effects of child poverty on children, their families, and their communities;
- (3) an analysis of costs of child poverty to municipalities and the state;
- (4) an inventory of state-wide public and private programs that address child poverty;
- (5) the percentage of the target population served by such programs and the current state funding levels, if any, for such programs;
- (6) an identification and analysis of any deficiencies or inefficiencies of such programs;

and

(7) procedures and priorities for implementing strategies and biannual benchmarks to achieve at least a 50 percent reduction in child poverty in the state by June 30, 2017. Such procedures, priorities, and benchmarks shall include improving or adequately funding:

- (A) workforce training and placement to promote career progression, for parents of children living in poverty;
- (B) educational opportunities, including higher education opportunities, and advancement for such parents and children, including, but not limited to, pre-literacy, literacy, and family literacy programs;
- (C) affordable housing for such parents and children;
- (D) early care and education programs for such children and their families;
- (E) after-school programs and mentoring programs for such children and their families;
- (F) affordable health care access for such parents and children, including access to mental health services and family planning;
- (G) treatment programs and services, including substance abuse programs and services, for such parents and children;
- (H) accessible childhood nutrition programs; and
- (I) the Reach-Up program and other public benefit programs through the agency of human services serving low income families.

(d) In developing the working plan, the council shall first consult with experts, with parents of children living in poverty, and with providers of services to children and families living in poverty. The council shall hold one public hearing in each of the 14 counties.

(e) Funds from private and public sources may be accepted and utilized by the council to develop and implement the plan and provisions of this section. Legislative members of the committee shall be entitled to compensation and reimbursement for expenses under section 406 of Title 2. All other members not receiving compensation for service on the committee from another source are entitled to compensation under section 1010 of Title 32.

(f) Not later than January 1, 2008, the council shall submit the working plan to the house committees on appropriations and human services and the senate committees on appropriations and health and welfare. **On January 1, 2009, and annually thereafter, until January 1, 2018, the council shall report to these committees on yearly progress toward benchmarks, updates to the plan, and recommendations for budgetary and policy changes in order to accomplish the goals of this act**

(g) **The council shall cease to exist on June 30, 2018.**

Appointments: Rep. Carolyn Partridge (Speaker's designee); Rep. Ann Pugh (H. HS), Rep. Janet Ancel (H. Ed); Senator Jane Kitchel (Pro Tem designee), Senator Doug Racine (S. H& W), and Senator Giard (Sen. Ed designee).

Staff: Robin Lunge (LC), Jennifer Carbee (LC), Maria Belliveau (JFO), Roz Daniels (CA)

National Legislative Association on Prescription Drug Pricing.

The Vermont legislature will continue to be an active member of this interstate organization. The appointed Vermont legislators are expected to participate, and the legislative staff will assist those members if requested and will stay informed of the organization's activities.

Members appointed for 2007-2008: Senators Peter Shumlin, Dick Sears, Kevin Mullin, and John Campbell (alternate); and Representatives Sarah Copeland-Hanzas, Bill Keogh, and Scott Wheeler.

Staff: Robin Lunge (LC), Nolan Langweil (JFO)

Commission on Alzheimer's Disease and Related Disorders. Section 3085b of Title 3 establishes this 16 member commission to advise state agencies on matters of state policy relating to Alzheimer's disease and other dementia-related disorders in Vermont for both the public and private sectors. Members include one senator and one representative of the Vermont General Assembly.

Appointments: Senate appointment to be made; Rep. Patsy French
Staff:

Vermont Tobacco Evaluation and Review Board. Section 9504 of Title 18 establishes this 14-member, independent state board to work in partnership with the agency of human services and the department of health on budget, policy, and programs for tobacco prevention and treatment. Members include one senator (Sara Kittell) and one representative (Patsy French) of the Vermont general assembly.

Appointments: Senator Sara Kittell; Rep. Patsy French
Staff: Stephanie Barrett (JFO)

End-of-Life Care, Palliative Care, and Pain Management Study

S.281 of the 2008 session creates a legislative study committee on palliative care, end-of-life care, and pain management. The committee consists of three senators and three representatives who must collaborate with a number of state agencies and other stakeholders to discuss and make recommendations on legislative and nonlegislative solutions for improving palliative care, end-of-life care, management of chronic pain, and access to these services for children. The committee may meet no more than four times during the 2008 interim and must submit a report on its findings and recommendations, including the appropriateness of an annual report card and future activities, to the house committees on human services and on health care and the senate committee on health and welfare no later than January 15, 2009.

Appointments: 3 Senate: Lyons, Miller, Flanagan
3 House: Frank, Haas, McAllister

Staff: Jennifer Carbee (LC), Nolan Langweil (JFO), Lynn Hegamy (CA)

HEALTH, WELFARE AND HUMAN SERVICES REPORTS – APPENDIX D
Housing and community development

H. 863 OF 2008, (Housing Bill) contained the following:

Sec. 16. SMART GROWTH; STUDY COMMITTEE

- (a) A smart growth study committee is created to:
- (1) Study Act 250 (10 V.S.A. § 6086) criterion 5, relating to traffic, criterion 9(H), relating to scattered development, criterion 9(L), relating to rural development, and other criteria identified by the committee, to determine the effectiveness of those criteria to promote compact settlement patterns, prevent sprawl, and protect important natural resources, and to make recommendations to improve the effectiveness of those criteria in preserving the economic vitality of Vermont's existing settlements and preventing sprawl development.
 - (2) Evaluate the development potential of existing designated downtowns, new town centers, and village centers and evaluate the community and natural resource impacts of developing surrounding lands.
 - (3) Make recommendations for incentives designed to encourage municipalities to preserve Vermont's working landscape and to develop Vermont neighborhoods and new housing.
 - (4) Develop recommendations for how best to conduct periodic assessments of the effectiveness of the designation programs established under chapter 76A of Title 24.
- (b) The committee shall be composed of the following 13 members:
- (1) **Two members of the house, one from the committee on general, housing and military affairs and one from the committee on natural resources and energy.**
 - (2) **Two members of the senate, one from the committee on economic development, housing and general affairs and one from the committee on natural resources and energy.**
 - (3) A representative from each of the following organizations:
 - (A) Vermont homebuilders and remodelers association.
 - (B) Lake Champlain regional chamber of commerce.
 - (C) Vermont planners association.
 - (D) Vermont association of planning and development agencies.
 - (E) Smart growth Vermont.
 - (F) Vermont natural resources council.
 - (G) Vermont natural resources board.
 - (H) Vermont association of realtors.
 - (I) Vermont league of cities and towns.
 - (J) The land use law center at Vermont Law School.
 - (c) The four legislative members shall be entitled to per diem compensation and reimbursement of necessary expenses as provided to members of standing committees under 2 V.S.A. § 406 for attendance at a meeting when the general assembly is not in session.
 - (d) The chair shall be elected from any of the four legislative members by the members of the study committee from among the four legislative members. **The committee shall meet as needed, and the legislative council shall provide administrative support.**
 - (e) The committee shall issue a brief **report** on its findings and recommendations to the **house committees on general, housing and military affairs and on natural resources and energy and the senate committees on economic development, housing and general affairs and on natural resources and energy on or before January 15, 2009.**

Appointments 2 House Klein, Trombley
2 Senate Carris, Lyons

Staff: Al Boright (LC), Michael O’Grady (LC), Shirley Adams (CA)

RENTAL HOUSING SAFETY AND HABITABILITY STUDY

Sec. 22. RENTAL HOUSING SAFETY AND HABITABILITY STUDY

(a) Legislative purpose and intent. It is the intent of the general assembly to provide for rental housing safety and habitability. A safe rental housing study committee is hereby established to achieve all the following goals:

- (1) Promote the health and safety of the citizens of Vermont.
- (2) Facilitate compliance with existing health and safety standards.
- (3) Provide support to municipal health officers.
- (4) Create a resource for tenants and landlords.
- (5) Enable communities to focus on problem properties.
- (6) Encourage a private sector response to a public health and safety need.
- (7) Reduce fire fatalities.
- (8) Establish a statewide rental housing inspection system.

(b) Safe rental housing study committee. A safe rental housing study committee is created to consist of the following 14 members:

- (1) The director of the division of fire safety, or designee.
- (2) The commissioner of the department of health, or designee.
- (3) The commissioner of the department of housing and community affairs, or designee.
- (4) The attorney general, or designee.
- (5) The executive director of the Vermont housing finance agency, or designee.
- (6) A representative of commercial landlords.
- (7) A representative of nonprofit landlords.
- (8) A tenant representative.
- (9) A municipal inspection program representative.
- (10) A town health officer from a municipality without an exempt program.
- (11) A regional revolving loan fund representative.
- (12) An architect.
- (13) The executive director of the Vermont state housing authority, or designee.
- (14) A representative of the coalition of Vermont firefighters.

(c) Appointment of members. The speaker of the house and the senate president pro tempore shall appoint members of the committee and shall designate a chair by July 1, 2008.

(d) Duties. Before January 15, 2010, the committee shall review and consider:

- (1) The development of a simplified rental housing code, to include lead safety, habitability, and basic life safety standards.
- (2) A priority for inspections based on factors including: the age of the rental unit, a score of the rental units’ self-assessment, and complaints from rental units at the address.
- (3) Procedures for scheduled, complaint-based, emergency and time-of-sale inspections, including a time frame and a priority for scheduled inspections.
- (4) Standards for licensed rental housing inspectors to include:
 - (A) Training standards.
 - (B) A code of professional ethics.
 - (C) Curriculum outlines and a delivery mechanism.
- (5) A funding structure necessary and appropriate to implement the inspection program.
- (6) A procedure for issuing a certificate of habitability.
- (7) Procedures to assure enforcement and compliance.
- (8) Recommendations regarding the role of town health officers in regard to safe rental housing.
- (9) Training and education resources for landlords and tenants, including all the following:

- (A) A rental housing code self-assessment checklist.
- (B) A central resource for rental unit owners and managers that provides:
 - (i) Lead safety, minimum housing habitability, and basic life safety standards available from one site.
 - (ii) Coordinated training across disciplines for owners and managers of rental housing units.
- (10) Incentives and development of a process for municipalities to establish an inspection program.
- (11) An implementation schedule, to begin July 1, 2010, that provides for the commencement of inspections beginning January 1, 2011.
- (12) Staffing levels necessary to establish and maintain the program and provide for enforcement.
- (13) An appropriation sufficient to fund the certification program, licensing, complaint-driven inspections, and enforcement.
- (14) A system for coordinating appropriate displacement services.
- (15) A program and the identification of resources for repair and improvement.
- (e) Reports. **The committee shall submit an interim report on its progress to date on or before January 15, 2009 to the house committee on general, housing and military affairs and the senate committee on economic development, housing and general affairs. The committee shall submit a final written report on its findings on or before January 15, 2010 to the house committee on general, housing and military affairs and the senate committee on economic development, housing and general affairs.**
- (f) Appropriation. In fiscal year 2009, there is appropriated from the general fund to the department of public safety the amount of \$30,000.00 to be used by the department for the purpose of assisting the rental housing safety and habitability study committee in carrying out its duties.

APPOINTMENTS: leaders appoint non legislative members.

Staff: No legislative staff, Dept of Public Safety to assist

Judiciary, Law Enforcement, Corrections, and the Courts

Joint Legislative Corrections Oversight Committee. 2 V.S.A. ch. 22, to oversee the department of corrections, to provide assistance to legislative committees, and to make recommendations regarding department policy and budget proposals. Sec. 19 of H.859 directs the committee to investigate issues regarding minor children of incarcerated parents and report its recommendations in its 2009 annual report to the general assembly.

Members appointed in 2007-2008: Representatives Alice Emmons, Peg Flory, Martha Heath, and Jason Lorber; Senators Susan Bartlett, George Copenrath, Ed Flanagan, and Richard Sears. New Appointments: Representative Sandy Haas from Human Services, and one Senator from Health and Welfare.

Staff: Erik Fitzpatrick (LC), Maria Belliveau (JFO), Stephanie Barrett (JFO), and Sheri Burch (CA).

Joint Committee on Judicial Rules. The Joint Committee on Judicial Rules will meet periodically to review rules proposed and promulgated by the Advisory Committees on Civil Rules, Criminal Rules, Evidence, Family Court Rules, Probate Rules, the Judicial Conduct Board, and the Board of Bar Examiners.

Members appointed for 2007-2008: Senators Dick Sears, Alice Nitka, John Campbell, and Vince Illuzzi; and Representatives Bill Lippert, Maxine Grad, Duncan Kilmartin and John Anderson.

Staff: Erik Fitzpatrick (LC), Michele Childs (LC), and Katie Pickens (CA).

Joint Committee on Judicial Retention. Preparation for the 2009 judicial retention vote on 4 judges. In addition, LC staff will be working with the committee, the VBA, the judiciary and others to consider recommending revisions to the retention process.

Members appointed for 2007-2008: Senators John Campbell (Chair), Kevin Mullin, Ed Flanagan, Alice Nitka and Representatives Willem Jewett (Vice-Chair), Avis Gervais, Margaret Flory, and Alison Clarkson.

Staff: Michele Childs (LC), Erik FitzPatrick (LC), and Debbie Curtis (CA).

Judicial Nominating Board. Established by 4 V.S.A. § 601(b)(3) as an 11-member board, with six legislators, three elected from each house, to screen and recommend to the governor appointments to the judiciary. Usually, no legislative staff is required, but the Legislative Council does provide some research and technical support on occasion.

Members elected in 2007-2008 are Senators Sara Kittell, Phil Scott, and John Campbell, and Representatives Greg Clark, Dick Marek, and Kathy Pellett.

Staff: No legislative staff, but will assist when necessary

Adam Walsh Child Protection and Safety Act. The Senate Judiciary Committee will meet in the fall of 2008 to review a staff study of the legal and fiscal impacts of state compliance with the federal Adam Walsh Child Protection and Safety Act of 2006 and the fiscal impacts of failure to comply.

**Appointments: None; staff study; Senate Judiciary will meet as needed in fall 2008
Staff: Michele Childs (LC)**

Substance Abuse Treatment for Offenders, (H.859) provides:

Sec. 15. Budgetary savings, allocations in FY09 and FY10

(c) The JFC may authorize further spending of funds from FY09.

(d) The JFO shall track and report to the JFC in January and July 2009 savings in the corrections budget resulting from this act.

Sec. 18. Accountability, reports

(f) The JFO & the office of finance & management shall jointly document the impact of the policies & provisions of this act to the general assembly by 1/15/10.

Staff: _____ JFO

JUDICIARY RELATED REPORTS – APPENDIX F

Legislative Management

Legislative Information Technology. Act 64 (H. 134) of 2005 created a legislative information technology committee of four house members appointed by the speaker and four senators appointed by the committee on committees to be responsible for the coordination and integration of information technology in the legislative branch and the adoption of a legislative IT budget. Also created is a “Legislative Staff Information Systems Team” to plan and coordinate and advise the committee.

Members appointed in 2007-2008: Representatives Ken Atkins, Scott Orr, Susan Davis and Ira Trombley; and Senators Don Collins, Jim Condos, George Copenrath and Bill Carris.

Staff: The IT “Staff Systems Team” - Duncan Goss (IT), Emily Bergquist (LC), Steve Klein (JFO), David Gibson (SS), Don Milne (HC), and Francis Brooks (SGT), and Theresa Utton (CA).

Legislative documents and process office automation project

Sec 274 of H. 537

Sec. 274. FY 2008 GENERAL FUND ONE-TIME APPROPRIATIONS

(a) In fiscal year 2008, the following amounts are appropriated from the general fund:

(2) \$150,000 to the legislature for the legislative documents and process office automation project.

Staff: Al Boright (LC), Duncan Goss (IT), David Gibson (SS), Don Milne (HC), Rich Reed (JFO)

Municipal Charter Project. Legislative council staff will continue the codification of municipal charters pursuant to the schedule developed by the house committee on local government in prior years and oversee their publication as part of Title 24 Appendix in the Vermont Statutes Annotated.

Staff: Michael Chernick (LC), Brian Leven (LC), and Al Boright (LC).

Statutory Revision and Codification. Legislative council staff, under the auspices of the statutory revision committee, will codify and, with the publisher, edit for printing in the Vermont Statutes Annotated supplements all the codified acts of the 2007 Session. Codified statutory sections containing errors that have been identified since publication of the 2006 supplements, and that are within the statutory authority of the council to correct, will be corrected and republished in the 2007 supplements. In addition to publication of the annual supplements, three volumes, including Title 32 (Part 1), will be reissued as replacements for the existing cloth bound books. The statutory revision

committee will also continue work on a new drafting manual for the legislative council's future use.

Legislative Council Statutory Revision Committee- Al Boright (Ch.), Donna Russo-Savage, Brian Leven, Erik Fitzpatrick, Jessica Chaves (editor), and Michael Chernick.

Natural Resources

Solid Waste Management, Working Group. H. 537 of 2007 (FY 2008 appropriations act) created a Solid Waste Management Facilities Working Group with a final report to be made in January 2009.

Sec. 293b. REPORT; SOLID WASTE MANAGEMENT FACILITIES WORKING GROUP

(a) The agency of natural resources shall report to the committees on natural resources and energy by no later than January 15, 2008 with regard to:

(1) how the agency's reorganization will necessitate changes with regard to the way the state regulates and manages solid waste;

(2) the strengths and weaknesses of the state's existing solid waste management system;

(3) information that is necessary in assessing the extent to which the state's regulatory process succeeds in implementing the waste management priorities established in 10 V.S.A. § 6604;

(4) the direction in which the agency proposes that the solid waste management system should evolve over the next ten years, including those steps the agency can take on matters within its existing jurisdiction.

(b) The agency of natural resources shall convene a solid waste working group by no later than February 15, 2008. The working group shall include: **one member of the senate to be appointed by the committee on committees; one member of the house of representatives to be appointed by the speaker of the house;** the secretary of natural resources or his or her designee; two representatives of solid waste management districts; two representatives of citizens groups involved with solid waste issues; a member of the Vermont league of cities and towns to be recommended by the league; a representative of an environmental group; two representatives of the private solid waste industry in Vermont, one a landfill owner and one a solid waste hauler; a representative from the business sector; and a third party consultant skilled in solid waste facility design or risk assessment; together with representatives of other interests as added to the group by the secretary. The working group shall examine the report required by this section and develop proposals and recommendations to implement and improve upon the report, including best management practices. The group shall not be limited to matters recommended by the secretary. **The group shall report to the house and senate committees on natural resources and energy by no later than January 15, 2009.**

Appointments: Rep. J. McCullough and Senator Robert Hartwell
Staff: Mike O'Grady (LC,) and Al Boright (LC) liaison

Outdoor Lighting Guidelines for Use

Act No. 155 of 2006 (H.28) creates a "20-member legislative outdoor lighting advisory board" to consist of one member of the house and one member of the senate and many other members appointed by the governor. The advisory board is to be "administratively staffed by the legislative council" and supported by various state agency boards and

departments, and develop and make outdoor lighting guidelines **no later than June 30, 2007.**

Staff: Al Boright (LC)

VERMONT CLIMATE CHANGE OVERSIGHT COMMITTEE, S. 350 of 2008
(Energy Independence and Economic Prosperity) established the following:

Sec. 14. VERMONT CLIMATE CHANGE OVERSIGHT COMMITTEE

(a) The Vermont climate change oversight committee is established, to consist of nine members who shall **not be members of the general assembly at the time of appointment.** Members shall include the state treasurer or a designee together **with one member appointed by the speaker of the house, one member appointed by the committee on committees,** and two members appointed by the governor, one of whom shall be a board member of the Vermont climate collaborative. **In addition, there shall be a chair and a vice chair appointed by joint action of the speaker of the house, the committee on committees, and the governor, and two additional public members appointed in this manner.** Members shall be appointed who have skills and knowledge that will support the needs of the committee, which may include persons with knowledge of business, “green” business and technology, economics, public health, public utilities, agriculture, ecological science, carbon trading, municipal planning, transportation and land use planning and development, forestry and ecology, waste management, and education.

(b) The powers of the committee are vested in its members, and a quorum shall consist of five members. No action of the committee shall be considered valid unless the action is supported by a majority vote of its members. **The committee shall be entitled to staff assistance from the natural resources board and from the agency of natural resources,** which shall coordinate any requested assistance from state agencies and departments. The committee shall invite public input, form task forces, work with stakeholder groups and state entities, work with local, state-based, and national interest groups, and take other appropriate steps to gather information and develop its recommendations.

(c) The primary mission of the committee shall be to consider the recommendations of the governor’s commission on climate change and its plenary group and the recommendations of the Vermont council on rural development and to delegate and oversee program development by appropriate working groups that shall make recommendations with regard to how climate change issues should best be addressed in statute and as part of the climate change action plan. Membership of the working groups shall include members of the Vermont climate collaborative, wherever possible. The working groups shall develop recommendations that shall be designed to reduce greenhouse gas emissions in ways that are permanent, quantifiable, and verifiable, and shall bring those recommendations back to the climate change oversight committee. The committee shall assure that these recommendations:

- (1) identify barriers to be overcome in reducing the greenhouse gas emissions of the state;
- (2) identify areas that merit priority consideration in this regard because of their ease of implementation and their potential to reduce greenhouse gas emissions;
- (3) develop recommendations for ways to overcome those barriers;
- (4) identify resource needs and funding options; and
- (5) facilitate state and private entities in addressing these issues.

(d) In this process, the committee shall work with the Vermont climate collaborative and other interested persons and groups.

(e) The committee shall present a preliminary report to the committees of the general assembly having jurisdiction over matters relating to the environment, agriculture, energy, transportation, commerce, and public health by January 30, 2009, and shall deliver a final report by January 30, 2010.

Appointments:

Staff: Natural Resources Board and ANR, Al Boright (LC) and Mike O’Grady (LC) to monitor.

Natural resources related reports - appendix G

Taxation and Fiscal

Tax Expenditure Budget. Act 75 of 2005 (H.521) directed the tax department to begin biennial reporting of tax expenditures in 2009. Interim reporting began on income taxes in 2006, income and sales taxes begins in 2007, and income, sales, meals & rooms, and property taxes begins in 2008. The joint fiscal office is directed to work with the tax department to identify the specific tax expenditures or categories of expenditures to be included in the next report, or subsequent reports, prior to each September report to the joint fiscal committee.

Members: None, but report is to House Committees on Ways and Means and on Appropriations and Senate Committees on Finance and on Appropriations.

Staff: Sara Teachout (JFO)

Basic Needs Budgets. Every other year beginning January 1, 2007, the joint fiscal office shall issue a report on or before January 15. The report shall be updated as needed on or before January 1 of the interim year to reflect any significant economic, policy, or statutory changes that substantially affect the information in the report issued the previous January 15.

Members: None, but report is to House Committee on General, Housing and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs.

Staff: Sara Teachout (JFO).

Basic needs budget technical advisory council created in H 766 of 2008:

Sec. 2. BASIC NEEDS BUDGET TECHNICAL ADVISORY COUNCIL; ESTABLISHED; DUTIES

(a) A basic needs budget technical advisory council is established to **work with the joint fiscal office** and a panel of experts. The council shall:

- (1) Review the current methodology for calculating the basic needs budget and determining livable wage.
- (2) Take testimony from a variety of stakeholders, including employers and employees, in order to acquire broad public comment.
- (3) Make written recommendations for revisions to the methodology to the joint fiscal committee by November 15, 2008.

(b) The basic needs budget technical advisory council shall consist of eight members, who shall serve from July 1, 2008, until January 15, 2009, when the basic needs budget and livable wage report is issued. Members of the council shall include:

- (1) **One member appointed by the speaker of the house who shall be co-chair and of a different political party from the legislative member appointed under subdivision (2) of this subsection.**

(2) **One member appointed by the senate president pro tempore who shall be co-chair and of a different political party from the legislative member appointed under subdivision (1) of this subsection.**

(3) **One member jointly appointed by the speaker of the house and the president pro tempore of the senate who may be from either chamber of the legislature.**

(4) Five additional members with expertise and experience with the data and methodology used to calculate the basic needs budgets and who shall include a representative of each of the following selected by the organization:

- (A) The Vermont sustainable jobs fund.
- (B) The Vermont small business development center.
- (C) The agency of human services, division of operations and planning.
- (D) The department of labor, economic and labor market information division.
- (E) The Vermont society for human resources management.

(c) **The chairs of the house committee on general, housing and military affairs and the senate committee on economic development, housing and general affairs, or their designees shall be co-chairs of the council. The joint fiscal office shall provide administrative support** and shall engage a panel of independent experts to assist with data analysis and methodological considerations. For service on the council, members of the council who are members of the general assembly shall be entitled to per diem compensation and reimbursement for expenses as provided in 2 V.S.A. § 406; and other members of the council who are not also state employees shall be entitled to per diem compensation and reimbursement for expenses as provided to members of state boards by 32 V.S.A. § 1010.

(d) The council shall convene at least every ten years, or as requested by the joint fiscal committee.

Members: **Speaker, House member Head
Pro Tem, Senator (different party) Illuzzi
Joint Speaker and Pro Tem (either House) Carris**

Staff: **Sara Teachout (JFO), Rachel Levin (CA)**

TAX INCREMENT FINANCING DATA, H.888 Sec. 65.

(a) The **joint fiscal office** and the department of taxes shall analyze:

(1) Fiscal aspects of the four existing tax increment financing districts (TIFs). The study shall assemble the details of each TIF's financial components since their inception and analyze the fiscal impact on the state level.

(2) The best option for addressing how tax increment financing property should be included in the determination of the host town's common level of appraisal, and what provisions may need to be added to tax increment financing laws to address the possibility of changes to the state education financing structure.

(3) How existing tax increment financing districts meet the goals of economic development, whether they provide municipalities with more useful development tools than possible alternatives, and how they affect the state's education fund stability.

(4) Homestead property within tax increment financing districts and whether the education tax revenue retained by the municipality is net or gross of property tax adjustments; and shall propose language and a method to ensure that the actual amount of education tax increment retained is net of property tax adjustments.

(5) The following types of financing instruments: conventional loans, certificates of participation, lease-purchase, revenue anticipation notes, and bank loans.

(6) In collecting and analyzing data on the issues in subdivisions (1) through (3) of this section, the joint fiscal office and the department of taxes shall consult with the Vermont League of Cities and Towns, the Vermont Economic Progress Council, Smart Growth Vermont, the Lake Champlain Regional Chamber of Commerce, and the Vermont chapter of the National Education Association.

(2) The joint fiscal office and the department of taxes shall **report** their findings to the house committee on ways and means and the senate committee on finance by January 15, 2009.

Staff: Sara Teachout (JFO)

FISCAL RELATED REPORTS – APPENDIX H

Transportation

Joint Transportation Oversight Committee.

A statutory joint committee of the chairs of the transportation committees and the money committees; four scheduled meetings during the 2007 interim.

Members ex officio in 2007– 2008: Senators Susan Bartlett, Ann Cummings, and Dick Mazza; and Representatives Martha Health, Michael Obuchowski, and Richard Westman.

Staff: Mike Slater (LC), Neil Schickner (JFO), and Sheri Burch (CA).

Long-Term Needs Assessment for Funding Repair, Maintenance, and Rehabilitation of Bridges and Culverts. (H.889)

Sec. 29. BRIDGES AND CULVERTS, LONG-TERM ASSESSMENT, FUNDING OPTIONS

(a) The state treasurer, working jointly with the agency of transportation and **the joint fiscal office**, shall prepare a report containing a long-term needs assessment for repair, maintenance, and rehabilitation of bridges and culverts in the state and provide funding options and recommendations for such long-term needs.

(b) The report shall include, but not be limited to, the following:

(1) an evaluation of bridges and culverts using the established performance measures defined and used by the agency of transportation's program development division, and develop a plan, with estimated costs, for meeting such performance measures;

(2) a definition of preventive maintenance, present the agency's five-year plan for doing such maintenance, and the estimated costs for this maintenance;

(3) an estimate of the cost of replacing structures over the age of 70 years.

(c) The funding options and recommendations shall be developed by the state treasurer, who shall select and oversee, pursuant to a public competitive selection process, an investment bank to act as an adviser to the state to develop multiple financing proposals, including but not limited to general obligation, revenue, and GARVEE bond options, for a long-term program dedicated to funding life cycle rehabilitation work on bridges and culverts in the state system and on town bridges eligible for funding under the town highway bridge program that will extend the useful lives of these structures on a long-term, cost-effective basis.

(d) On or before November 15, 2008 the treasurer shall provide the report to a special committee composed of the following: the members of the joint transportation oversight committee, the secretary of transportation, the treasurer, the secretary of administration, two gubernatorial appointees, and the commissioner of finance and management. The chair of Joint Transportation Oversight Committee shall be in the chair of the special committee. The special committee shall meet as necessary to review the report, and by December 1, 2008 shall make such recommendations to the governor as the committee may deem appropriate regarding funding options for such programs including annual reductions in the amount of transportation funds appropriated for general government purposes as well as other state revenues generated by transportation functions that are not deposited in the transportation fund.

(e) The state treasurer shall also provide the report to the Capital Debt Affordability Advisory Committee for its consideration and deliberations.

Appointments: Members are all ex officio
Staff: Neil Schickner (JFO), Catherine Benham (JFO), and Mike Slater (LC) to assist

Public Transit Study, H. 889, Transportation bill

Sec. 35. PUBLIC TRANSIT STUDY

(a) Public transit study. Consistent with the goals, findings, and recommendations of the January 15, 2008 legislative report (Sec. 45 of No. 75 of the Acts of 2007) titled "A Study Regarding the Regional Connectivity of Vermont's Public Transit System," the agency of transportation, in cooperation with the legislature's **joint fiscal office**, shall conduct a further study to develop findings and recommendations for improving the efficient and effective delivery of public transit services in Vermont.

(b) Goal of study. The goal of the study is to recommend a governance and funding structure for public transportation that creates the most efficient use of taxpayer funds while simultaneously creating the most efficient system of public transportation services consistent with the statutory policy goals in 24 V.S.A. § 5083. The study shall:

(1) Make use of the data and information generated by the current short-range transit planning process to assess the strengths and weaknesses of the public transit delivery system;

(2) Compare the organizational structure and current service delivery system with those of several other states;

(3) Analyze different possible organizational structures for Vermont that could lower administrative or operating costs and improve service delivery throughout the state.

(c) The agency shall direct the study with the involvement of the agency of human services and of all public transit providers in the state who are direct grantees and sub-recipients of state and federal funds.

(d) Consistent with federal United We Ride initiatives, the study shall consider all federal and state funding invested through or by state and federal agencies on public, human service, and related transportation programs and shall evaluate the potential for achieving greater efficiency through coordination of effort or consolidation of funding and effort.

(e) The study report shall be delivered to the general assembly on or before January 15, 2009.

Staff: Neil Schickner (JFO), Mike Slater (LC) to assist

TRANSPORTATION RELATED REPORTS – APPENDIX I