**House / Senate Bill #(s) &Title:** Amendments/updates to the Vermont Constitution

**Constitutional Authority:**

Chapter 1 Article 7 “… *that the community hath an indubitable, unalienable, and indefeasible right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal.”*

Chapter 2 Section 72: Amending the Constitution

1. **Purpose:** The purpose of this bill is to add, amend, and delete articles and sections of the Vermont Constitution in order to bring it up to date with 21st century living. Major changes:
   1. Chapter 1: limit the number of bills to be passed into law to five per election cycle, and the number of taxes levied at any one time to 5 (fees, fines, and penalties may not be used as revenue). Reduce jury to 5 maximum, chosen by the judge. In search/seizure, replace “papers” with “private communications”, add businesses. Add the internet to freedom of the press. Add “as originally intended and amended” to constitutional interpretation. New article: right to a safe and sustainable natural, built, and social environment, without unnecessary infringement on individual rights and liberties; government must meet basic needs of those who can’t work.
   2. Chapter 2: legislators may work virtually in their districts and must recuse themselves for business interests. Reduce House members to 72, Senate to 28 (2 per county); Governor, Lt. Governor, Senators elected every 4 years; term limits for the above and House representatives set at 12 years; Governor appoints Sec. of State, Treasurer, Attorney General, and Auditor. Reasonable compensation for state employees set as average of private sector for similar work. Voting requires state photo ID. Schools for convenient instruction chosen by parents, State reimburses reasonable educational expenses from birth to eighteen, State allowed to annually test and request alternative placement if child isn’t reasonably progressing. Employers must pay minimum living wage for each employee plus 1 dependent; dependents may work for less than minimum wage; self employed exempt.

This bill also updates the spelling and wording of the Constitution to modernize and clarify its meaning. For example, “ought to” is replaced by “shall” in many places, “hath” changed to “has”, etc. (300 words maximum)

1. **Specific Problem(s) Addressed & Outcomes Required**:

Although Vermont’s Constitution has been updated to include amendments and use of gender-inclusive language it hasn’t been overhauled to reflect 21st century living. This bill takes on the task of modernizing language and spelling as well as making some significant changes to Vermonter’s rights and the structure of Vermont’s state government. These changes shall strengthen the use of the Constitution as the boundary beyond which the three branches of government cannot go. It shall also increase citizen accessibility and state employee accountability while reducing cost of government by simplifying its structure.

Specific outcomes expected:

1. Requiring the Vermont Constitution to be interpreted as originally intended and amended, while adding 21st century citizen rights (private communications and businesses included in search and seizure, internet added to free press, right to safe and sustainable environment and social safety net added) shall eliminate the stretching or disregarding of the Constitution by those who consider it “out-of-date”.
2. Restructuring state government to reduce cost by: reducing the number of General Assembly members from 180 to 100; reducing the frequency and number of elected officials (some 4 year terms, some appointments); reducing juries to a maximum of 5 chosen by the presiding judge; eliminating paper printing in favor of electronic documents; allowing representatives to work virtually in their districts rather than stay in Montpelier; setting state employee compensation the same as the average Vermont private sector compensation for similar work.
3. Simplifying state government to provide easier accessibility and accountability by: limiting the number of bills that become law to 5 each biennial election cycle, and the number of taxes levied to 5 at any one time; a short and simple format for bill submission; all state employees required to recuse themselves when making decisions in which they have personal gain interest; private sector firm audits the Treasury annually; state photo ID required for voting; reasonable basic education costs from birth to eighteen paid to the learning center/school of parents’/guardians’ choice by the state, with few strings attached; employers must meet the basic needs of employees (food, shelter, commute, dependent care, health/disability care, and higher education if the job requires it) via a minimum living wage, dependents may work for less than this minimum, self-employed exempt; state government only meets the basic needs of those who can’t work full time due to age or disability. (500 words maximum)

**Problem:** Revenue\_\_25\_ Social\* \_25\_ % (social services/education reforms) Economic\*\*\_\_\_\_Environmental\_\_25\_\_ Other (government structure)\_25\_

\*Includes education, healthcare, & social safety net.

\*\*Includes commerce, regulation & economic development.

**Specific Metrics for Measuring Success:**

1. Modernizing the Vermont Constitution to eliminate obsolescence:
   1. It takes four years from the year 2/3 of the Senate proposes an amendment to the Vermont constitution and a majority of the House concurs before the amendment is ratified by Vermont voters.
      1. Because the entire Constitution is being modernized, this bill requires that only the website where the proposed changes are to be posted in full be advertised in newspapers as Vermont statute currently requires. In addition to this advertising, the location of this website shall be prominently displayed on the Vermont Legislature website and thoroughly linked to internet search engines.
         1. This website shall be designed to elicit comments, suggestions, and an unofficial voting process to allow Vermonters to participate in the development of this constitutional update.
         2. A specific measure of success is that the second biennial voting on the proposed amendment by the General Assembly incorporates public feedback on this website to alter the original amendment. The General Assembly may vote to send the altered amendment to voters immediately or, if changes are significant, require an additional General Assembly vote following an election.
2. Restructuring Vermont state government to reduce cost:
   1. On the website that provides the proposed constitutional amendment in full, there shall be displayed:
      1. Cost savings for reducing General Assembly members from 180 to 100 estimated, using cost averages for the past ten years.
      2. Costs listed for election campaigns of those positions with changed terms (two to four years) or appointed, using costs for the past ten years. Cost savings for proposed changes estimated.
      3. Costs of jury trials in the past ten years, showing costs of choosing jury members and providing for them during the length of the trial. Additional statistics on wait times for jury trials and other relevant information that makes the case for jury trial cost containment. Cost savings for proposed changes estimated.
      4. Cost of paper printing and storage by legislature over the last ten years, and state government as a whole. Cost savings for proposed changes estimated.
      5. Cost of legislators residing in Montpelier during the sessions over the last ten years. Cost savings for proposed changes estimated.
      6. Tabulation of data on Vermont private sector employee pay (similar education, experience, skill, location of employment) compared with state employee pay levels, over the last ten years. Cost savings for the proposed changes estimated.

The specific metric for success for this state government restructuring shall be the above totals for estimated changes shall measure in millions annually.

1. Simplifying Vermont state government to improve citizen access and state employee accountability:
   1. On the website that provides the proposed constitutional amendment in full, there shall be displayed:
      1. The number of bills proposed and passed into law for each General Assembly session in the past ten years.
      2. The number of bills passed into law that have increased or added taxes, fees, fines or penalties for each General Assembly session in the past ten years. Links to the wording of these laws shall be provided.
      3. The total length in number of words and number of pages of passed legislation over the last ten years.
      4. Current statues and executive directives concerning state employee ethics guidelines shall be provided; links to reports showing Vermont’s performance in this area shall be provided.
      5. Audit procedures for the Treasury shall be provided and measured against the proposed amendment requirement.
      6. Current state voting procedures shall be provided and measured against the proposed amendment requirement of photo ID as to cost and benefit against voter fraud.
      7. Current school funding and statutes, regulations, and requirements shall be posted and measured against the cost and simplicity of the proposed amendment requirement of the state funding reasonable and standardized basic education costs from birth to eighteen years, sent to the learning center/school of parent/guardian choice.
      8. Human services funding for working poor programs (those who have jobs but are eligible and receive government benefits) and state-run healthcare administration spending over the past ten years shall be posted and measured against the cost and simplicity of the proposed amendment requiring employers to pay for minimum living needs of employees, with the state paying for the minimum living needs of those who can’t work and can’t support themselves.
   2. Each section listed above shall elicit comments, suggestions, and an unofficial voting process to allow Vermonters to participate in the development of this constitutional update.

The specific metric for success for this state government simplification shall be a positive measurement for the proposed changes of the quantity and quality of public input on the website for each section.

**Data Collection & Public Reporting:** Weekly\_\_\_ Monthly\_\_\_\_ Quarterly\_\_\_\_ Annually\_XX\_

**Website(s) for Reporting Data:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Legislative Review Frequency:** Quarterly: \_\_\_1 yr:\_\_\_ 2 yrs:\_XX\_ 3 yrs:\_\_\_\_ 5 yrs:\_\_\_\_

**Sunset date:** There shall be no sunset date for this constitutional amendment.

**Bill text:**

Executive sections (what shall be accomplished)

Section 1: MODERNIZING THE VERMONT CONSTITUTION

Section 2: RESTRUCTURING VERMONT GOVERNMENT FOR COST REDUCTION AND EFFICIENCY

Section 3: SIMPLIFYING VERMONT GOVERNMENT TO IMPROVE CITIZEN ACCESS AND STATE EMPLOYEE ACCOUNTABILITY

Administrative sections (how it shall be accomplished)

Section 4: FUNDING:

1. *Website design, implementation, management*
2. *Advertisement expenses :*

Section 5: LEGISLATIVE LANGUAGE: The changes to the Vermont Constitution shall be shown against the original language using highlights, font colors, and lines through deleted text, as attached to this bill.

Section 6: NEW REQUIRED FORMS AND PROCEDURES:

1. Modernizing the Vermont Constitution
   1. Process for incorporating suggestions from the public website into the second round of General Assembly voting on the proposed amendment
   2. Process for determining if the changes to the proposed amendment differs enough in the second biennial vote to be considered a new proposed amendment requiring an additional round of General Assembly voting before being offered to the public.
2. Restructuring State Government
   1. Determination of cost savings (procedures)
3. Simplifying State Government
   1. Format of website section information?

Section 8: MISCELLANEOUS ADMINISTRATIVE DETAILS:

1. Modernizing the Vermont Constitution:
2. Restructuring State Government
3. Simplifying State Government