

STATE OF VERMONT
EXECUTIVE DEPARTMENT
EXECUTIVE ORDER NO. 07-17

[Merger of the Department of Liquor Control and the State Lottery Commission]

WHEREAS, the Governor, pursuant to 3 V.S.A. Section 2001, may make such changes in the organization of the Executive Branch or in the assignment of functions among its units as he considers necessary for efficient administration; and

WHEREAS, it is desirable to reorganize the departments and divisions of government by better coordinating certain activities and to improve the coordination, effectiveness and value of services to the public; and

WHEREAS, both the Department of Liquor Control and the State Lottery Commission have rights, powers, duties and responsibilities that involve, in significant part, the collection of proceeds, charges and other forms of revenue to the State of Vermont; and

WHEREAS, the State could improve and more efficiently deliver services to the public through the merger of the Department of Liquor Control and the State Lottery Commission; and

WHEREAS, streamlining and consolidating the functions of the Department of Liquor Control and the State Lottery Commission under a single Department offers the opportunity to realize cost savings, eliminate redundancy, improve accountability, provide more efficient use of specialized expertise and facilities, and promote more effective sharing of best practices and state of the art technology, among other benefits.

NOW THEREFORE, by virtue of the authority vested in me by 3 V.S.A. Chapter 41 as Governor, I, Philip B. Scott, do hereby create the Department of Liquor and Lottery by merging the Department of Liquor Control with the State Lottery Commission. The Department of Liquor and Lottery shall be successor to, and a continuation of, the Department of Liquor Control with the State Lottery Commission.

1. All duties, responsibilities and authority, including all contracts, grant agreements and MOUs of the Department of Liquor Control, are hereby transferred to the Department of Liquor and Lottery and shall continue in force and effect without any interruption in their functions.

2. The State Lottery Commission is abolished and all duties, responsibilities and authority, including all contracts, grant agreements and MOUs of the State Lottery Commission, are hereby transferred to the Department of Liquor and Lottery and shall continue in force and effect without any interruption in their functions.

3. The position of the Director of the Lottery Commission is abolished and all the duties, responsibilities and authority of the Director are hereby transferred to the Commissioner of Liquor and Lottery.

4. The position of the Commissioner of Liquor Control is hereby renamed the Commissioner of Liquor and Lottery with all of the duties, responsibilities and authority of the former Commissioner of Liquor Control and the former Director of the Lottery Commission.

The Commissioner of Liquor and Lottery shall be a State employee exempt from the State classified system who shall serve at the pleasure of the Governor, subject to Laws of 2016, Act No. 144 § 20.

5. All other authorized positions and equipment of the Department of Liquor Control and the State Lottery Commission are transferred to the Department of Liquor and Lottery.

6. Effective April 17, 2017, the Department of Liquor and Lottery shall be comprised of a Commissioner of Liquor and Lottery and a Board of Liquor and Lottery.

7. The Board of Liquor and Lottery will consist of a Chair and four (4) members who shall be appointed by the Governor, with the advice and consent of the Senate. Initially, the members of the Board of Liquor and Lottery shall be the five (5) members of the former Liquor Control Board who shall serve the remainder of their terms at the pleasure of the Governor, subject to removal pursuant to 7 V.S.A. § 102. Vacancies on the Board of Liquor and Lottery shall be filled by the Governor, with the advice and consent of the Senate. A member appointed by the Governor when the General Assembly is not in session shall be subject to approval by the Senate at its next regular, special or adjourned session. The members shall serve until their successors are appointed and qualified. No member of the Board of Liquor and Lottery shall have any pecuniary interest in any licensee licensed to conduct a lottery or to sell malt, vinous beverages and/or spirituous liquors. No member of the Board of Liquor and Lottery shall have a pecuniary interest in any contract awarded by the Board or Department.

8. The Chair shall have general charge of the offices and employees of the Board. The Chair shall receive reasonable compensation at a level to be determined by the Governor.

9. The term of each member, other than the Chair and the members of the former Liquor Control Board, shall be three (3) years.

10. Effective April 17, 2017, the Department of Liquor and Lottery shall consist of a Division of Liquor Control and a Division of State Lottery, with both divisions reporting to the Commissioner of Liquor and Lottery. The divisions shall each be headed by a Director appointed by the Commissioner of Liquor and Lottery. The Directors shall be exempt from the classified service.

11. The Governor shall annually submit a budget to the General Assembly.

12. The rules of the Department of Liquor Control and the State Lottery Commission in effect on the effective date of this Executive Order shall be the rules of the Department of Liquor and Lottery, until amended or repealed.

13. The Chair, in consultation with the Board of Liquor and Lottery and the Commissioner of Liquor and Lottery, shall further study the effectiveness, priority and delivery of liquor and lottery sales and services and shall report to the Governor additional recommendation for restructuring and/or statutory changes by November 17, 2017.

This Executive Order shall be submitted to the General Assembly pursuant to 3 V.S.A. § 2002 and shall take effect on April 17, 2017, unless disapproved by the General Assembly pursuant to 3 V.S.A. § 2002(b).

WITNESS my name hereunto subscribed
and the Great Seal of the State of Vermont
hereunto affixed at Montpelier this 15th day of
January, 2017.



A handwritten signature in black ink, appearing to read "Philip B. Scott", written over a horizontal line.

Philip B. Scott
Governor

By the Governor:

A handwritten signature in black ink, appearing to read "Brittney L. Wilson", written over a horizontal line.
Brittney L. Wilson
Secretary of Civil and Military Affairs

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