

# House Calendar

---

Wednesday, February 5, 2020

30th DAY OF THE ADJOURNED SESSION

House Convenes at 1:00 P.M.

---

## TABLE OF CONTENTS

---

	<b>Page No.</b>
<b>ACTION CALENDAR</b>	
<b>Third Reading</b>	
<b>H. 619</b> Permitting candidate expenditures for child care costs.....	310
<b>Favorable with Amendment</b>	
<b>H. 572</b> The Maternal Mortality Review Panel.....	310
Rep. Gregoire for Human Services	
Rep. Fagan for Appropriations.....	313
<b>Governor's Veto</b>	
<b>H. 107</b> Paid family and medical leave.....	313
<b>NOTICE CALENDAR</b>	
<b>Favorable with Amendment</b>	
<b>H. 568</b> Human trafficking and prostitution.....	315
Rep. Notte for Judiciary	
<b>Senate Proposal of Amendment</b>	
<b>H. 760</b> Fiscal year 2020 budget adjustments.....	318

---

---

**ORDERS OF THE DAY**

---

---

**ACTION CALENDAR**

**Third Reading**

**H. 619**

An act relating to permitting candidate expenditures for child care costs

**Favorable with Amendment**

**H. 572**

An act relating to the Maternal Mortality Review Panel

**Rep. Gregoire of Fairfield**, for the Committee on Human Services, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 1552 is amended to read:

§ 1552. MATERNAL MORTALITY REVIEW PANEL ESTABLISHED

(a) There is established the Maternal Mortality Review Panel to conduct comprehensive, multidisciplinary reviews of maternal deaths in Vermont for the purposes of identifying factors associated with the deaths and making recommendations for system changes to improve health care services for women in this State.

(b)(1) The members of the Panel shall be appointed by the Commissioner of Health as follows:

~~(1)~~(A) Two members from the Vermont section of the American College of Obstetricians and Gynecologists, one of whom shall be a generalist obstetrician and one of whom shall be a maternal fetal medicine specialist.

~~(2)~~(B) One member from the Vermont chapter of the American Academy of Pediatrics, specializing in neonatology.

~~(3)~~(C) One member from the Vermont chapter of the American College of Nurse-Midwives.

~~(4)~~(D) One member who is a midwife licensed pursuant to 26 V.S.A. chapter 85.

~~(5)~~(E) One member from the Vermont section of the Association of Women's Health, Obstetric and Neonatal Nurses.

~~(6)~~(F) The Director of the Division of Maternal and Child Health in the Vermont Department of Health, or designee.

~~(7)~~(G) An epidemiologist from the Department of Health with experience analyzing perinatal data, or designee.

~~(8)~~(H) The Chief Medical Examiner or designee.

~~(9)~~(I) A representative of the community mental health centers.

~~(10)~~(J) A member of the public.

~~(b)~~(2) The Commissioner may appoint any of the following members to one-year terms:

(A) a licensed clinical provider specializing in substance use disorder;

(B) an expert in pharmaceutical management of mental health; and

(C) a social worker.

(3) The Panel may consult experts as needed on a case by case basis. An expert consulted pursuant to this subdivision shall be subject to the same restrictions and protections as Panel members with regard to privacy, security, and the disclosure of information.

(c) The term of each member listed in subdivision (b)(1) of this section shall be three years and the terms shall be staggered. The Commissioner shall appoint the initial Chair of the Panel, who shall call the first meeting of the Panel and serve as Chair for six months, after which time the Panel shall elect its Chair. ~~Members of the Panel shall receive no compensation.~~

(e)(d) The Commissioner may delegate to the Northern New England Perinatal Quality Improvement Network (NNEPQIN) the functions of collecting, analyzing, and disseminating maternal mortality information; organizing and convening meetings of the Panel; and such other substantive and administrative tasks as may be incident to these activities. The activities of the NNEPQIN and its employees or agents shall be subject to the same confidentiality provisions as apply to members of the Panel.

(e) The Department may enter into reciprocal agreements with other states that have maternal mortality review panels provided access under such agreements is consistent with privacy, security, and disclosure protections in this chapter.

(f) The Panel's review process shall not commence until any criminal prosecution arising out of the maternal mortality is concluded by the Attorney General and a State's Attorney provides written notice to the Panel that no criminal charges shall be filed.

(g) Annually, on or before January 15, the Panel shall submit a report with its findings and recommendations to the House Committee on Human Services and to the Senate Committee on Health and Welfare.

(h) Members of the Panel shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than three meetings annually. These payments shall be made from monies appropriated to the Department of Health.

Sec. 2. 18 V.S.A. § 1555 is amended to read:

§ 1555. INFORMATION RELATED TO MATERNAL MORTALITY

(a)(1) Health care providers; health care facilities; clinics; laboratories; medical records departments; and State offices, agencies, and departments shall report all maternal mortality deaths to the Chair of the Maternal Mortality Review Panel and to the Commissioner of Health or designee.

(2) The Commissioner and the Chair may acquire the information described in subdivision (1) of this subsection from health care facilities, maternal mortality review programs, and other sources in other states to ensure that the Panel's records of Vermont maternal mortality cases are accurate and complete.

(b)(1) The Commissioner shall have access to individually identifiable information relating to the occurrence of maternal deaths only on a case-by-case basis where public health is at risk. As used in this section, "individually identifiable information" includes vital records; hospital discharge data; prenatal, fetal, pediatric, or infant medical records; hospital or clinic records; laboratory reports; records of fetal deaths or induced terminations of pregnancies; and autopsy reports.

(2) The Commissioner or designee may retain identifiable information regarding facilities where maternal deaths occur and geographic information on each case solely for the purposes of trending and analysis over time. In accordance with the rules adopted pursuant to subdivision 1556(4) of this title, all individually identifiable information on individuals and identifiable information on facilities shall be removed prior to any case review by the Panel.

(3) The Chair shall not acquire or retain any individually identifiable information.

(c) If a root cause analysis of a maternal mortality event has been completed, the findings of such analysis shall be included in the records supplied to the review Panel.

(d) If the Chair determines that it is necessary, the Panel may acquire any public safety or police records related to a maternal death.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

**( Committee Vote: 11-0-0)**

**Rep. Fagan of Rutland City**, for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Human Services.

**(Committee Vote: 11-0-0)**

**Governor's Veto**

**H. 107**

An act relating to paid family and medical leave.

**Text of Veto Message**

The text of the communication from His Excellency, the Governor, whereby he vetoed and returned unsigned **House Bill No. H. 107** to the House is as follows:

January 31, 2020  
The Honorable William M. MaGill  
Clerk of the Vermont House of Representatives  
State House  
Montpelier, VT 05633  
Dear Mr. MaGill:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I am returning H.107, *An act relating to paid family leave*, without my signature because of my objections described herein:

Reversing our demographic crisis and the negative economic impacts it is creating across the state, is the only way to ensure we can continue to invest in essential services and shared priorities, such as a more expansive paid family and medical leave program. We must not pass, and I will not support, legislation that worsens the affordability challenges and regional economic inequity in our state.

I share the goal to provide a program that allows workers time to take care of family and personal health needs, and to bond with new children. That's why my administration has advocated for, and acted on, a voluntary paid family and medical leave plan.

Our approach is voluntary for employers and employees. It can be accomplished more efficiently, affordably and quickly, without a \$29 million payroll tax that Vermont workers simply should not be burdened with, and without putting the risk of underfunding on taxpayers.

This voluntary plan is already moving forward. We've come to an agreement with the Vermont State Employees Union to provide state employees with a paid family and medical leave benefit. This allows us to create an 8,500-member base to establish an affordable family and medical leave insurance option for all Vermonters.

We've issued a request for proposals (RFP) for insurance companies to bid on covering state employees as of July 1, 2020. The successful bidder will also be required to make the coverage available for Vermont employers and individuals at a rate comparable to the state-rate. And, we expect to be able to make it available at least a year before H.107 is projected to provide benefits to Vermonters.

This approach gives the state flexibility, and we could always add to it, or even make it mandatory in the future if deemed necessary. But we'll have a stronger foundation and tested administrative structure to build on. I truly believe this is an approach that will make this important benefit available to Vermonters more quickly, and is a more economically and fiscally responsible – lower cost – path to getting where the Legislature proposes to go in H.107. Importantly, it doesn't require a \$29 million payroll tax that we all know could grow.

My objections to H.107 also extend beyond the tax on workers. H.107 creates a cumbersome bureaucracy with the potential for long-term administrative issues and costs for the Departments of Tax (Tax), Labor (VDOL) and Financial Regulation (DFR) – and the program as a whole. No other program in state government is simultaneously administered by three different Departments, as H.107 proposes for this program. And H.107 fails to take into account increased administrative costs at Tax and DFR, and underestimates the costs at VDOL, which will add to pressures on the General Fund.

For years, Vermonters have made it clear they don't want, nor can they afford, new broad-based taxes. We cannot continue to make the state less affordable for working Vermonters and more difficult for employers to employ them – even for well-intentioned programs like this one. Vermonters can't afford for us to get this wrong, especially at their expense.

Based on the objections outlined above, I cannot support this legislation and must return it without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,  
Philip B. Scott  
Governor

**NOTICE CALENDAR**  
**Favorable with Amendment**  
**H. 568**

An act relating to human trafficking and prostitution

**Rep. Notte of Rutland City**, for the Committee on Judiciary, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS AND INTENT

(a) The majority of Vermont’s laws on prostitution were adopted more than 100 years ago and have remained largely unchanged since that time.

(b) Under current Vermont law:

(1) The term “prostitution” includes “the offering or receiving of the body for sexual intercourse for hire and shall also be construed to include the offering or receiving of the body for indiscriminate sexual intercourse without hire.”

(2) “Slave traffic,” a section of law codified in 1910 pursuant to “An act to prevent what is commonly known as the ‘white slave’ traffic,” prohibits transportation of persons into and out of the State not only for the purpose of prostitution but also for “any immoral purpose.” Historically, these types of laws were used to prosecute men of color for having relationships with white women.

(3) A person who has a sexually transmitted infection is eligible for probation or parole “only on such terms and conditions as shall ensure medical treatment therefor and prevent the spread of such disease.”

(c) In 2011, Vermont adopted comprehensive laws to address the issue of human trafficking. These laws prohibit coerced commercial sex and commercial sex involving minors and penalties range from a maximum of five years imprisonment (facilitation of human trafficking) to a mandatory 20 years to life imprisonment (aggravated trafficking). Vermont’s prostitution laws were never updated to reflect the adoption of the human trafficking laws.

(d) A working group, composed of the Attorney General’s Office, the Vermont Center for Crime Victim Services, and the Vermont Network Against Domestic and Sexual Violence, was created by 2019 Acts and Resolves No. 32

for the purpose of examining a number of issues related to prostitution and human trafficking. This working group recommended that no changes be made at this time to the laws on human trafficking, but that “the legislature create a study committee to examine laws related to sex work and prostitution” that includes a wide array of stakeholders. Based on this recommendation, it is the intent of the General Assembly to create a study committee to review the existing prostitution laws for the purpose of developing a modern approach to State involvement in sexual activity for hire by consenting adults while maintaining criminal penalties for trafficking, coercion, and exploitation of minors and strong protections for victims of those crimes.

Sec. 2. 13 V.S.A. § 2638 is added to read:

§ 2638. IMMUNITY FROM LIABILITY

(a) As used in this section:

(1) “Human trafficking” has the same meaning as in section 2651 of this title.

(2) “Prostitution” has the same meaning as in section 2631 of this title.

(b) A person who, in good faith and in a timely manner, reports to law enforcement that the person is a victim of or a witness to a crime that arose from the person’s involvement in prostitution or human trafficking shall not be cited, arrested, or prosecuted for a violation of the following offenses:

(1) section 2632 of this title (prostitution);

(2) section 2601a of this title (prohibited conduct);

(3) 18 VSA § 4230(a)(1)-(3) (marijuana possession);

(4) 18 VSA § 4231(a)(1) and (2) (cocaine possession);

(5) 18 VSA § 4232(a)(1) and (2) (LSD possession);

(6) 18 VSA § 4233(a)(1) and (2) (heroin possession);

(7) 18 VSA § 4234(a)(1) and (2) (depressant, stimulant, and narcotic drugs possession);

(8) 18 VSA § 4234a(a)(1) and (a) (methamphetamine possession);

(9) 18 VSA § 4235(b)(1) (hallucinogenic drugs possession); and

(10) 18 VSA § 4235a(a)(1) (Ecstasy possession).

(c) The immunity provisions of this section apply only to the use and derivative use of evidence gained as a proximate result of the person reporting to law enforcement that the person is a victim of or a witness to a crime that



arose from the person's involvement in prostitution or human trafficking and do not preclude prosecution of the person on the basis of evidence obtained from an independent source.

(d) A person who qualifies for immunity pursuant to subsection (b) or (c) of this section shall not be subject to the provisions of 18 V.S.A. chapter 84, subchapter 2 concerning property subject to forfeiture, except that prima facie contraband shall be subject to forfeiture.

(e) Except in cases of reckless or intentional misconduct, law enforcement shall be immune from liability for citing or arresting a person who is later determined to qualify for immunity under this section.

### Sec. 3. SEX WORK STUDY COMMITTEE

(a) Creation. There is created the Sex Work Study Committee to make recommendations to the General Assembly regarding modernization of Vermont's prostitution laws.

(b) Membership. The Committee shall be composed of the following members:

(1) a current member of the House of Representatives appointed by the Speaker of the House;

(2) a current member of the Senate appointed by the Committee on Committees;

(3) the Attorney General or designee;

(4) the Executive Director of the Department of State's Attorneys and Sheriffs or designee;

(5) the Defender General or designee;

(6) the Executive Director of the Center for Crime Victim Services or designee;

(7) the Executive Director of the Vermont Chapter of the American Civil Liberties Union or designee;

(8) the Executive Director of the Network Against Domestic and Sexual Violence or designee and an at-large member with knowledge of Vermont's sex work industry appointed by the Executive Director of the Network Against Domestic and Sexual Violence; and

(9) the Executive Director of the Vermont Pride Center or designee and an at-large member with knowledge of Vermont's sex work industry appointed by the Executive Director of the Vermont Pride Center.

(c) Powers and duties. The Committee shall review 13 V.S.A. chapter 59, subchapter 2 for the purpose of developing a modern approach to State involvement in sexual activity for hire by consenting adults while maintaining criminal penalties for trafficking, coercion, and exploitation of minors and strong protections for victims of those crimes. The Committee shall examine the advantages and disadvantages of criminalization, partial decriminalization, full decriminalization, and legalization and regulation.

(d) Assistance. For purposes of scheduling meetings and preparing recommended legislation, the Committee shall have the assistance of the Office of Legislative Council.

(e) Report. On or before December 15, 2020, the Committee shall submit proposed legislation to the General Assembly based upon its recommendations.

(f) Meetings.

(1) The member of the House of Representatives and the member of the Senate shall be co-chairs of the Committee and call the Committee to order.

(2) A majority of the membership shall constitute a quorum.

(3) The Committee shall cease to exist on December 31, 2020.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

(2) The at-large members of the Committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

**( Committee Vote: 11-0-0)**

### **Senate Proposal of Amendment**

#### **H. 760**

An act relating to fiscal year 2020 budget adjustments

The Senate proposes to the House to amend the bill as follows:

First: By striking out Secs. 12, 14, and 34 in their entirety and inserting in lieu thereof new Secs. 12, 14, and 34 to read as follows:

Sec. 12. 2019 Acts and Resolves No. 72, Sec. B.301 is amended to read:

Sec. B.301 Secretary's office - global commitment

Operating expenses	3,150,212	3,150,212
Grants	<u>1,631,994,544</u>	<u>1,630,119,013</u>
Total	<u>1,635,144,756</u>	<u>1,633,269,225</u>
Source of funds		
General fund	<u>562,258,602</u>	557,208,815
Special funds	34,969,169	34,969,169
Tobacco fund	21,049,373	21,049,373
State health care resources fund	<u>16,915,501</u>	21,101,110
Federal funds	<u>984,584,332</u>	983,572,979
Interdepartmental transfers	<u>15,367,779</u>	<u>15,367,779</u>
Total	<u>1,635,144,756</u>	<u>1,633,269,225</u>

Sec. 14. 2019 Acts and Resolves No. 72, Sec. B.306 is amended to read:

Sec. B.306 Department of Vermont health access - administration

Personal services	134,603,806	140,308,825
Operating expenses	29,905,859	29,905,859
Grants	<u>7,314,723</u>	<u>6,764,723</u>
Total	<u>171,824,388</u>	<u>176,979,407</u>
Source of funds		
General fund	<u>29,222,317</u>	32,242,529
Special funds	6,096,108	6,096,108
Federal funds	124,749,165	124,749,165
Global Commitment fund	4,214,196	9,369,215
Interdepartmental transfers	<u>7,542,602</u>	<u>4,522,390</u>
Total	<u>171,824,388</u>	<u>176,979,407</u>

Sec. 34. 2019 Acts and Resolves No. 72, Sec. B.346 is amended to read:

Sec. B.346 Total human services

Source of funds		
General fund	<u>997,706,686</u>	1,007,088,907
Special funds	<u>123,880,549</u>	123,986,513
Tobacco fund	23,088,208	23,088,208
State health care resources fund	<u>16,915,501</u>	21,101,110
Federal funds	<u>1,420,544,308</u>	<u>1,422,626,911</u>

Global Commitment fund	1,590,055,367	1,374,334,713
Internal service funds	2,035,610	2,035,610
Interdepartmental transfers	39,446,402	36,346,190
Permanent trust funds	25,000	25,000
Total	4,213,697,631	4,010,633,162

Second: In Sec. 45, by striking out subdivision (c)(1) in its entirety and inserting in lieu thereof a new subdivision (c)(1) to read as follows:

(1) The following amounts shall revert to the General Funds Fund from the accounts indicated:

<u>1130030000</u>	<u>Department of Libraries</u>		<u>106,000.00</u>
<u>1210001000</u>	<u>Legislative Council</u>	<u>75,000.00</u>	<u>50,000.00</u>
<u>1210002000</u>	<u>Legislature</u>	<u>175,000.00</u>	<u>200,000.00</u>
<u>1210891801</u>	<u>Working Group Expenses</u>		<u>7,704.00</u>
<u>1220000000</u>	<u>Joint Fiscal Office</u>		<u>30,000.00</u>
<u>1240001000</u>	<u>Lieutenant Governor</u>		<u>1,555.54</u>
<u>2130100000</u>	<u>State's Attorneys</u>		<u>116,991.45</u>
<u>2130200000</u>	<u>Sheriffs</u>		<u>354,968.67</u>
<u>2130400000</u>	<u>Special investigative unit</u>		<u>2,603.49</u>
<u>2170010000</u>	<u>Criminal Justice Training Council</u>		<u>6,772.00</u>
<u>3300010000</u>	<u>Vermont Veterans' Home</u>		<u>50,000.00</u>
<u>3310000000</u>	<u>Commission on Women</u>		<u>1,732.18</u>
<u>3330010000</u>	<u>Green Mountain Care Board</u>		<u>80,674.56</u>
<u>1260891402</u>	<u>Public Retirement Plan Study</u>		<u>1,159.71</u>
<u>2240891101</u>	<u>Case Mgmt Syst-docket files</u>		<u>3,777.50</u>
<u>5100891904</u>	<u>Staff to Student Task Force</u>		<u>7,320.00</u>

And by striking out subsection (f) in its entirety and inserting in lieu thereof a new subsection (f) to read as follows:

(f) The following General Fund amount shall be reserved in fiscal year 2020 for fiscal year 2021 budget expenditures: \$18,365,715. These funds shall be unreserved in fiscal year 2021.

Third: In Sec. 49 by inserting a new subsection (d) to read as follows:

(d) In fiscal year 2020, the sum of \$25,000 is appropriated to the Secretary of Administration to support initial planning and expenses of the Vermont 250th Commission to be formed to coordinate commemorative celebrations statewide for the 250th anniversary of various historic events and battles leading to our declaration as an independent State (this period is currently referred to as the Vermont Republic).

Fourth: By striking out Sec. 52 in its entirety and inserting in lieu thereof a new Sec. 52 to read as follows:

Sec. 52. 16 V.S.A. § 2857 amended to read:

§ 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM

(a) Program creation. The Vermont National Guard Tuition Benefit Program (Program) is created, under which a member of the Vermont National Guard (member) who meets the eligibility requirements in subsection (c) of this section is entitled to the following tuition benefit for up to full-time attendance:

(1) For courses at either campus of the Northern Vermont University (NVU), the Vermont Technical College (VTC), the University of Vermont and State Agricultural College (UVM), or at the Community College of Vermont (CCV), the benefit shall be the in-state residence tuition rate for the relevant institution.

(2) For courses at a Vermont State College, other than NVU, VTC, or CCV, or at any eligible Vermont private postsecondary institution, the benefit shall be the in-state tuition rate charged by NVU.

(3) For courses at an eligible training institution offering nondegree, certificate training, or continuing education programs, the benefit shall be the lower of the institution's standard tuition or the in-state tuition rate charged by NVU.

\* \* \*

Fifth: By striking out Sec. 54 in its entirety and inserting in lieu thereof a new Sec. 54 to read as follows:

Sec. 54. CALENDAR YEAR 2020 DELIVERY SYSTEM REFORM  
INVESTMENT COORDINATION

(a) In order to ensure coordination of funding and the strategic alignment of resources for delivery system-reform (DSR) related investments in calendar year 2020, the Agency of Human Services shall ensure that DSR projects recommended for funding are consistent with the criteria defined in Attachment I (Menu of Approvable Delivery System Investments) of the Global Commitment for Health Section 1115 Demonstration. At a minimum, the Agency shall apply the metrics for evaluation as prescribed in Attachments I and J (Investment Application Template) of the Global Commitment for Health Section 1115 Demonstration and may also consider additional metrics that align with the Vermont All-Payer Accountable Care Organization Model Agreement's three population health and health outcomes targets. In addition,

the Agency shall require the Accountable Care Organization and DSR investment recipients to evaluate each project to determine whether it should be scaled or sunset, based on its performance against established metrics. All DSR investment projects to support implementation of Vermont's All-Payer Accountable Care Organization (ACO) model shall be designed and prioritized in partnership with the Agency and with the relevant departments within the Agency and funding shall be dependent on the approval of the Agency and relevant departments.

Sixth: By striking out Sec. 70 in its entirety and inserting three new sections to be numbered Secs. 70, 70a and 71 to read as follows:

Sec. 70. 2019 Acts and Resolves No. 58, Sec. 5, is amended to read:

Sec. 5. CREATION OF NEW CORRECTIONAL OFFICER POSITIONS

~~On or before June 30, 2020, the Secretary of Administration shall create 30 new Correctional Officer I positions in the Department of Corrections, which shall be funded within existing departmental appropriations.~~

(a) The establishment of the following permanent classified positions is authorized in fiscal year 2020:

(1) In the Department of Corrections – fifteen (15) Correctional Officer I.

(b) Notwithstanding any other provision of law, through December 31, 2021, no vacant Correctional Officer I positions shall be reassigned to the Department of Human Resources State position pool.

(c) The Agency of Human Services and the Department of Corrections shall report to the Legislative Joint Justice Oversight and Joint Fiscal Committees at their respective meetings in November 2020 on the status of correctional facility staff recruitment, retention and reduction in the use of overtime, and the status of initial and ongoing training for correctional facility staff.

Sec. 70a. DEPARTMENT OF CORRECTIONS; GRADUATED SANCTIONS; REENTRY HOUSING; REPORT

(a) The Department of Corrections shall review and strengthen existing graduated sanctions and incentives policies to ensure they reflect current research on best practices for responses to violation behavior that most effectively achieve behavior change and uphold public safety. The Department shall also identify reentry housing needs for corrections populations. As a part of this work, the Department shall:

(1) formalize the use of incentives and sanctions in supervision practices at a 4:1 ratio and require incentives to be entered and tracked in the community supervision case management system;

(2) analyze how supervision staff currently understand, implement, and input data regarding the Department's graduated sanctions policy to identify where practices differ across the State and, where necessary, provide additional staff training on the use and tracking of graduated sanctions;

(3) develop and implement a homeless screening tool for use when a person is booked into or released from Department facilities and track reports of homelessness among corrections populations in the Department's case management system;

(4) identify and quantify high utilizers of corrections, homeless, and behavioral health services; inform statewide permanent supportive housing planning; and establish data match partnerships with appropriate Agency of Human Services departments to match Department of Corrections, Homeless Management Information System (HMIS), and Medicaid information;

(5) explore establishing a collaborative approach for the Department, the Department of Mental Health, and the Vermont Department of Health to contract with housing providers to coordinate responses for shared clients and identify how the State can better leverage local and federal housing vouchers;

(6) explore how the Department's contractors could leverage federal Medicaid funding or other funding to allow the Department's contractors' clients to stay in supportive housing after they are no longer under the supervision of the Department;

(7) reduce barriers to recovery housing by establishing evidence-based norms and expectations for contracts and certifications for sober and recovery housing providers, including allowing for the use of medications and restricting evictions due to relapse; and

(8) explore opportunities to redefine housing requirements for incarcerated persons in order to receive approval for furlough release.

(b) On or before April 1, 2020, the Department shall report to the Senate Committee on Judiciary, the House Committee on Corrections and Institutions, and the House and Senate Committees on Appropriations on:

(1) the Department's plan to reduce its use of short-term incarceration sanctions for people on furlough, the number of short-term incarceration sanctions imposed, and the number of graduated sanctions imposed;

(2) recommendations for funding in the fiscal year 2021 budget; and

(3) the Department's progress toward completing the remaining work required by this section.

Sec. 71. EFFECTIVE DATES

(a) This act shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214, Sec. 52 (National Guard tuition benefit program) shall take effect on passage and shall apply retroactively to July 1, 2019.

(No House Amendments. )

**Public Hearings**

**PUBLIC HEARING**

Joint Community-Based Public Hearings on Fiscal Year 2021 State Budget  
House and Senate Committees on Appropriations

**Monday, February 10, 2020** – The Vermont House and Senate Committees on Appropriations are seeking public input on the Governor's Recommended FY 2021 State Budget and will hold community-based public hearings on **Monday, February 10, 2020**, at the following locations:

**6:00 – 7:00 p.m.**

**Barre City:** Downstreet Housing and Community Development, 22 Keith Ave, Suite 100

**Dorset:** Dorset Town Office, 112 Mad Tom Road, East Dorset

**Morrisville:** People's Academy High School, Auditorium, top of Copley Avenue

**Rutland City:** Rutland Public Schools, Longfellow School Building, Board Room

**St. Johnsbury:** St. Johnsbury House, main dining room, 1207 Main St.

**St. Albans City:** St. Albans City School, Library, 29 Bellows Street

**Winooski:** Vermont Student Assistance Corporation (VSAC), 10 East Allen Street (follow the signs when entering the building)

**5:30 – 6:30 p.m.**

**Bennington:** Bennington College, Center for the Advancement of Public Action (CAPA), One College Drive

**Springfield:** Springfield Town Hall, 96 Main Street, 3<sup>rd</sup> floor Conference Room (Selectmen's Hall)

The Committees will take testimony on the Governor's recommended State budget at the above date and times. Anyone interested in testifying should come to one of the hearings. Time limits on testimony may apply depending on volume of participants. If you have a story you would like to share privately with the committee members, please contact Theresa to schedule this



at the end of one of the hearings. To view the Governor's FY 2021 recommended budget, go to the Department of Finance and Management's website or [by clicking HERE](#).

For more information about the format of these events, contact Theresa Utton-Jerman or Rebecca Buck at [tutton@leg.state.vt.us](mailto:tutton@leg.state.vt.us) or [rbuck@leg.state.vt.us](mailto:rbuck@leg.state.vt.us), or call 802-828-5767 or toll-free within Vermont at 1-800-322-5616. Written testimony can be submitted electronically to Theresa or Rebecca through e-mail or mailed to the House and Senate Committees on Appropriations, 115 State Street, Montpelier, VT, 05633.

### **PUBLIC HEARING**

Held by the House Committee on Judiciary for **H. 610, An act relating to firearms and domestic violence**

**February 18, 2020** in the **House Chamber, 5:00 - 7:00 P.M.** Rep. Nader Hashim, Clerk of the Committee; Mike Bailey, Committee Assistant

#### **Advocates Hearings**

#### **Governor's FY 2021 Recommended State Budget**

#### **House Committee on Appropriations**

**Wednesday, February 19, 2020 at 9:30 a.m. – 11:00 a.m. in room 11 of the State House** for all proposed Human Services sections of the budget, and

**Thursday, February 20, 2020, 1:00 p.m. – 2:00 p.m. in room 11** for all other sections of the proposed budget. The House Committee on Appropriations will receive testimony on the Governor's recommended FY 2021 State budget during these Advocate hearings. Please sign up in advance, with Theresa Utton-Jerman through [tutton@leg.state.vt.us](mailto:tutton@leg.state.vt.us) or in room 40 of the State House.

The Governor's budget proposal can be viewed at the Department of Finance & Management's website or [click here](#).

#### **Information Notice**

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3):

JFO #2993 – \$180,000 from the U.S. Environmental Protection Agency to the VT Dept. of Environmental Conservation. Funds will be used to perform lead testing on drinking water sources in all schools in the state.

[JFO received 01/31/20]

JFO #2994 – \$72,623 from the National Young Farmers Coalition to the VT Dept. of Disabilities, Aging and Independent Living. Funds will be used towards building a network of legal, financial and behavioral resources for the

Vermont farming community. One (1) limited-service position has been requested in conjunction with this grant.

[JFO received 01/31/20]

JFO #2995 – \$10,000 from the U.S. Forest Service to the VT Dept. of Environmental Conservation. Funds will be used to perform water quality monitoring activities on federal land.

[JFO received 01/31/20]

JFO #2996 – \$749,519 from the U.S. Dept. of Justice to the VT Dept. of States Attorneys and Sheriffs. Funds will be used to support and enhance the State's response to domestic violence in Windham and Bennington Counties.

[JFO received 01/31/20]