

1 Introduced by House Committee on General, Housing, and Military Affairs

2 Referred to Committee on

3 Date:

4 Subject: State-sanctioned sterilizations; eugenics; Truth and Reconciliation

5 Commission Development Task Force

6 Statement of purpose of bill as introduced: This bill proposes to create a task
7 force to develop a proposal for a Truth and Reconciliation Commission to
8 examine the history and impacts of Vermont’s State-sanctioned and
9 eugenically inspired sterilizations.

10 An act relating to creating the Truth and Reconciliation Commission
11 Development Task Force

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

13 Sec. 1. TRUTH AND RECONCILIATION COMMISSION

14 DEVELOPMENT TASK FORCE; REPORT

15 (a) Creation. There is created the Truth and Reconciliation Commission
16 Development Task Force to develop a proposal for legislation to create a
17 Truth and Reconciliation Commission to examine the historical record and
18 adverse impacts of Vermont’s State-sanctioned and eugenically inspired
19 sterilizations.

1 (b) Membership. The Task Force shall be composed of the following
2 members:

3 (1) a member of a Native American Indian tribe that is recognized
4 pursuant to 1 V.S.A. chapter 23, who shall be appointed by the Vermont
5 Commission on Native American Affairs;

6 (2) an advocate for Vermonters with disabilities, who shall be
7 appointed by the Vermont Developmental Disabilities Council;

8 (3) an individual with experience working to implement racial justice
9 reforms or representing communities of color in Vermont, who shall be
10 appointed by the Racial Equity Advisory Panel;

11 (4) an individual with expertise in the protection of human rights and
12 prevention of discrimination; who shall be appointed by the Vermont Human
13 Rights Commission;

14 (5) an individual with expertise in the treatment of psychological
15 trauma within distinct communities and groups; who shall be appointed by
16 the Committee on Committees.

17 (6) a historian with expertise in the history of the eugenics movement
18 in Vermont, who shall be appointed by the Governor; and

19 (7) an individual with expertise in restorative justice, who shall be
20 appointed by the Speaker of the House.

21 (c) Powers and duties.

1 (1) The Task Force shall develop a proposal for legislation to create a
2 Truth and Reconciliation Commission to examine the historical record and
3 adverse impacts of Vermont’s State-sanctioned and eugenically inspired
4 sterilizations. The proposal shall address the following:

5 (A) the membership of the Commission;
6 (B) the specific issues to be examined by the Commission;
7 (C) the work product to be produced by the Commission, including
8 whether that work product will include the creation of a comprehensive
9 historical record of eugenically-inspired sterilizations in Vermont, an
10 examination of the long-term impacts of eugenically-inspired sterilizations on
11 the communities targeted by the Vermont Eugenics Survey, and
12 recommendations for legislative action to address or mitigate long-term
13 impacts that the Commission identifies;

14 (D) the amount of time in which the Commission will conduct its
15 work and the date by which the Commission will produce a final work
16 product;

17 (E) the technical, administrative, and legal support that should be
18 provided to the Commission, including whether the Commission should be
19 permitted to hire staff or utilize State resources to assist with its work;

1 (F) the amount of funding that should be provided to the
2 Commission and potential sources for that funding, including State
3 appropriations, and grants and donations from public and private sources;

4 (G) whether the Commissioners will be engaged in their work for
5 the Commission on a full-time or part-time basis;

6 (H) the amount of compensation that should be provided to each
7 Commissioner;

8 (I) whether the State should be required to cooperate with the
9 Commission;

10 (J) whether the Commission should have access to documents and
11 records that would otherwise be kept confidential;

12 (K) whether the Commission should be given the power to issue
13 subpoenas to compel the attendance of witnesses and the production of
14 documents;

15 (L) whether the Commission should be given the power to enter and
16 inspect buildings and properties that had a role in relation to eugenically-
17 inspired sterilizations that occurred in Vermont;

18 (M) whether it may be necessary to prevent the use in other
19 proceedings of information that is provided to the Commission; and

20 (N) what will happen to the complete record of the Commission's
21 work and findings after the Commission ceases to exist.

1 (2) In developing its proposal, the Task Force shall solicit and consider
2 input from:

3 (A) members of communities that were targeted by the Vermont
4 Eugenics Survey;

5 (B) scholars and others who have studied the history of Vermont’s
6 State-sanctioned and eugenically inspired sterilizations;

7 (C) individuals with expertise in restorative and community justice;

8 (D) individuals with expertise in the formation or operation of truth
9 and reconciliation commissions; and

10 (E) the general public.

11 (d) Assistance. For the sole purpose of preparing recommended
12 legislation, the Task Force shall have the assistance of the Office of
13 Legislative Council.

14 (e) Report. On or before January 15, 2021, the Task Force shall submit a
15 written report to the House Committee on General, Housing, and Military
16 Affairs and the Senate Committee on Economic Development, Housing and
17 General Affairs with its recommendations for legislative action. The report
18 shall include recommended legislation for consideration by the General
19 Assembly.

20 (f) Meetings.

1 (1) The member appointed by the Speaker of the House shall call the
2 first meeting of the Task Force to occur on or before September 1, 2020.

3 (2) The Task Force shall select a chair from among its members at the
4 first meeting.

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

6 (4) The Task Force shall cease to exist on January 30, 2021.

7 (g) Compensation and reimbursement. For attendance at meetings,
8 members of the Task Force shall be entitled to per diem compensation and
9 reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more
10 than six meetings.

11 (h) Appropriation. The sum of \$5,500.00 is appropriated from the General
12 Fund in fiscal year 2021 for per diem compensation and reimbursement of
13 expenses for members of the Task Force.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2020.