

# Senate Calendar

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THURSDAY, FEBRUARY 25, 2021  
SENATE CONVENES AT: 1:00 P.M.

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**ACTION CALENDAR**

**NEW BUSINESS**

**Third Reading**

**S. 45.**

An act relating to earned discharge from probation.

**Second Reading**

**Favorable with Recommendation of Amendment**

**S. 11.**

An act relating to prohibiting robocalls.

**Reported favorably with recommendation of amendment by Senator  
Sears for the Committee on Judiciary.**

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 9 V.S.A. § 2464e is added to read:

§ 2464e. ROBOCALLS; PROHIBITION; PENALTY

(a) Intent. It is the intent of the General Assembly in adopting this section:

(1) to create a State law prohibition on the use of automatic telephone dialing systems and on the placement of robocalls to Vermont consumers that is coextensive with the federal limitations created in the Telephone Consumer Protection Act and the Telemarketing and Consumer Fraud and Abuse Prevention Act; and

(2) to continue to permit certain robocalls to the extent they are allowed under federal law, including:

(A) calls made for an emergency purpose;

(B) calls made with the prior express written consent of the called party;

(C) calls conveying messages that are purely informational;

(D) calls concerning the collection of a debt but not including calls that attempt to sell consumers services to reduce debt;

(E) political calls;

(F) calls from health care providers; and

(G) messages from charities, provided that if the call originates from a person whom the charity hires to make a call on the charity's behalf, the call may only go to members of the charity or prior donors, and provided further that such callers include an automated option to allow a consumer to stop future calls.

(b) Definitions. As used in this section, "automatic telephone dialing system" means equipment that has the capacity:

(1) to store or produce telephone numbers to be called, using a random or sequential number generator; and

(2) to dial such numbers.

(c) Prohibition. A person shall not initiate a telephone call to a Vermont consumer using an automatic telephone dialing system or an artificial or prerecorded voice in violation of the federal Telephone Consumer Protection Act, 47 U.S.C. § 227, or the federal Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. §§ 6101–6108, and the regulations adopted pursuant to those laws.

(d) Civil violation.

(1) A violation of this section constitutes a violation of section 2453 of this title.

(2) Each prohibited telephone call constitutes a separate violation under this subsection.

(3)(A) A person who receives a telephone call in violation of this section may bring an action in Superior Court for damages or a civil penalty, injunctive relief, punitive damages in the case of a willful violation, and reasonable costs and attorney's fees.

(B) The court may issue an award for the greater of a person's damages or a civil penalty of \$500.00 for a first violation and \$1,000.00 for each subsequent violation.

(e) Criminal penalties.

(1) A person who violates this section shall be imprisoned for not more than 90 days or fined not more than \$1,000.00 per violation, or both.

(2) Each telephone call constitutes a separate violation under this subsection.

(f) The Attorney General shall exercise his or her authority and discretion to work cooperatively with other state and federal government entities to identify callers who initiate robocalls to consumers in violation of this section and to enforce the provisions of this section regardless of the location of the caller.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

(Committee vote: 5-0-0)

**NOTICE CALENDAR**

**Second Reading**

**Favorable**

**S. 53.**

An act relating to exempting feminine hygiene products from the Vermont Sales and Use Tax.

**Reported favorably by Senator Pearson for the Committee on Finance.**

(Committee vote: 7-0-0)

**CONCURRENT RESOLUTIONS FOR NOTICE**

**Concurrent Resolutions For Notice Under Joint Rule 16**

The following joint concurrent resolutions have been introduced for approval by the Senate and House. They will be adopted by the Senate unless a Senator requests floor consideration before the end of the session of the next legislative day. Requests for floor consideration should be communicated to the Secretary's Office.

**H.C.R. 20 - 22** (For text of Resolutions, see Addendum to House Calendar for February 25, 2021)

**NOTICE OF JOINT ASSEMBLY**

**February 25, 2021 - 2:00 p.m. – House Chamber** - Pursuant to J.R.S. 13 - Election of three (3) trustees for the University of Vermont and State Agricultural College.

Ballots must be received by Noon, Thursday, February 25, 2021.

## **JFO 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 #3030** - \$450,000 to the VT Department of Disabilities, Aging and Independent Living from the Kessler Foundation. Funds will be used to support the expansion or re-designation of current positions in the Department and to create three (3) limited service positions to assist Social Security Disability Insurance and Supplemental Security Income beneficiaries to transition to self-sustaining employment. The request includes one (1) Vocational Rehabilitation Benefits Counselor and two (2) Vocational Rehabilitation Counselor II to complete the work. *Kessler grant funds will support 70% of the VR Benefit Counselor position and 21% of the VR Counselor II positions. The remaining balance will be covered by VR federal funds.*

*[JFO received 1/25/2021]*

**JFO #3031** - \$450,000 to the Department of Public Safety from the Office of Justice Programs for the services and support for victims in the immediate aftermath and during the investigation of a crime. The grant will fully fund one (1) limited-service position, Victim Services Specialist, to provide these services through 9/30/2023 and will also cover \$15,417 in indirect departmental costs.

*[JFO received 1/25/2021]*

**JFO #3032** - \$206,394 to the VT Dept. of Environmental Conservation from the United States Climate Alliance, United Nations Fund, for one (1) limited service position, Environmental Analyst VII, to serve in a leadership role in advancing Vermont's climate mitigation priorities. Position to be funded through 9/30/22.

*[JFO received 1/25/2021]*

**JFO #3033** - One (1) limited service position, Criminal Intelligence Analyst, to the VT. Dept of Public Safety to support information sharing and analysis to prevent and prepare for hazards and threats. Funds from the US Dept. of Homeland Security from previously awarded JFO Grant #2212.

*[JFO received 1/27/2021]*

**JFO #3034** - \$200,000,000 to the VT Agency of Administration from the US Dept. of the Treasury, Emergency Rental Assistance Program. The funds will be used to assist eligible households that have difficulty making timely payments of rent and utilities due to the COVID-19 pandemic. Included in the funding are five (5) limited service positions to administer this sizable grant program.

*[JFO received 2/3/2021]*

**JFO #3035** - \$550,749 to the VT Agency of Human Services from the Center for Disease Control and Prevention to enhance and coordinate healthy aging efforts within the 'Healthy Brain Initiative' framework. Funds will be used to develop systemic public health approaches to improve the public health approach to Alzheimer's and related dementias and decrease preventable hospitalizations among Vermonters 65 and older with Alzheimer's and related dementias. Two (2) limited service positions: One (1) Public Health Program Administrator and one (1) Public Health Analyst II to administer the program.

*[JFO received 2/4/2021]*

**JFO #3036** - \$3,800,000 to the VT Dept of Health from the Center for Disease Control and Prevention to increase and sustain the public health approach to suicide prevention. This grant includes funding for three (3) limited service positions. Two (2) positions in the Dept of Health: Public Health Programs Administrator and Public Health Analyst II. One (1) position in the Dept of Mental Health: Marketing and Outreach Coordinator. Grant amount is \$760,000 per year for 5 years.

*[JFO received 2/16/2021]*

**JFO #3037** - \$135,000 to the VT Dept of Mental Health from Vibrant Emotional Health for the development of the 988-implementation plan to ensure compliance with the federal mandate for universal access to suicide and prevention services by July 16, 2022. *[Note: One (1) limited service position is included within JFO #3036].*

*[JFO received 2/16/2021]*

**JFO #3038** - \$40,000 to the VT Agency of Commerce and Community Development from the Chittenden County Regional Planning Commission. ACCD is a sub-grantee of the Chittenden County Regional Planning Commission and is awarded a maximum of \$40,000; original funds are from the U.S. Economic Development Administration. Funds will be used for work related to the West Central Vermont Comprehensive Economic Development Strategy project.

*[JFO received 2/18/2021]*

**FOR INFORMATION ONLY**

**CROSSOVER DATES**

The Joint Rules Committee established the following Crossover deadlines:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 12, 2021**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by Friday March 12, 2021.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 19, 2021**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

**Note:** The Senate will not act on bills that do not meet these crossover deadlines, without the consent of the Senate Rules Committee.

**Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill and the Fee/Revenue bills.**