

Journal of the Senate

THURSDAY, APRIL 22, 2021

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Bill Referred to Committee on Finance

H. 433.

House bill of the following title, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule was referred to the Committee on Finance:

An act relating to the Transportation Program and miscellaneous changes to laws related to transportation.

Bill Referred to Committee on Appropriations

H. 171.

House bill of the following title, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule, was referred to the Committee on Appropriations:

An act relating to the governance and financing of Vermont's child care system.

Bill Passed in Concurrence with Proposal of Amendment

H. 128.

House bill of the following title was read the third time and passed in concurrence with proposal of amendment:

An act relating to limiting criminal defenses based on victim identity.

Third Reading Ordered

H. 199.

Senator Nitka, for the Committee on Judiciary, to which was referred House bill entitled:

An act relating to validating legal instruments used in connection with the conveyance of real estate.

Reported that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

Proposals of Amendment; Third Reading Ordered

H. 145.

Senator Benning, for the Committee on Judiciary, to which was referred House bill entitled:

An act relating to amending the standards for law enforcement use of force.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: By striking out Sec. 4 in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. 13 V.S.A. § 2305 is amended to read:

§ 2305. JUSTIFIABLE HOMICIDE

If a person kills or wounds another under any of the circumstances enumerated below, he or she shall be guiltless:

(1) in the just and necessary defense of ~~his or her~~ the person's own life or the life of ~~his or her husband, wife~~ the person's spouse, parent, child, ~~brother, sister, master, mistress, servant~~ sibling, guardian, or ward; or

(2) if the person reasonably believed that he or she was in imminent peril and that it was necessary to repel that peril with deadly force, in the forceful or violent suppression of a person attempting to commit murder, sexual assault, aggravated sexual assault, burglary, or robbery, with force or violence; or

(3) ~~in the case of a civil officer; or a military officer or private soldier when lawfully called out to suppress riot or rebellion, or to prevent or suppress invasion, or to assist in serving legal process, in suppressing opposition against him or her in the just and necessary discharge of his or her duty~~ law enforcement officer as defined in 20 V.S.A. § 2351(a) using force in compliance with 20 V.S.A. § 2368(b)(1)–(2), and (5) or deadly force in compliance with 20 V.S.A. § 2368(c)(1)–(4) and (6).

Second: In Sec. 8, effective dates, in subsection (b), by striking out the word "September" and inserting in lieu thereof the word October

And that the bill ought to pass in concurrence with such proposals of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposals of amendment were collectively agreed to, and third reading of the bill was ordered.

Adjournment

On motion of Senator Balint, the Senate adjourned until eleven o'clock and thirty minutes in the morning.