

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Appropriations to which was referred House Bill No. 96  
3 entitled “An act relating to creating the Truth and Reconciliation Commission  
4 Development Task Force” respectfully reports that it has considered the same  
5 and recommends that the bill be amended as follows:

6 First: In Sec. 2, 1 V.S.A. chapter 25, in section 902, by striking out  
7 subdivision (b)(2)(D) in its entirety and inserting in lieu thereof a new  
8 subdivision (b)(2)(D) to read as follows:

9 (D)(i) Except as otherwise provided pursuant to subdivision (ii) of  
10 this subdivision (2)(D), committee members shall be entitled to per diem  
11 compensation and reimbursement of expenses as permitted under 32 V.S.A.  
12 § 1010 for not more than eight meetings per calendar year. These payments  
13 shall be made from monies appropriated to the Commission.

14 (ii) The commissioners may authorize committee members to  
15 receive per diem compensation and reimbursement of expenses as permitted  
16 under 32 V.S.A. § 1010 for additional meetings in each calendar year.  
17 Payments for additional meetings shall be made from grants or additional  
18 funding received by the Commissioners pursuant to subdivision 906(b)(11) of  
19 this chapter. In no event shall the per diem compensation and reimbursement  
20 of expenses for any additional meetings exceed the amounts permitted  
21 pursuant to 32 V.S.A. § 1010.

1        Second: In Sec. 2, 1 V.S.A. chapter 25, in section 906, in subsection (a), by  
2 striking out subdivisions (7)–(9) in their entirety and inserting in lieu thereof  
3 new subdivisions (7) and (8) to read as follows:

4            (7) work in consultation with the populations and communities  
5 identified pursuant to subdivision 902(b)(1) of this chapter, experts in  
6 restorative justice, and, in the commissioners’ discretion, other interested  
7 parties to ensure that the work of the Commission is open, transparent,  
8 inclusive, and meaningful; and

9            (8) supervise the work of the Executive Director of the Commission.

10        Third: In Sec. 2, 1 V.S.A. chapter 25, in section 906, in subsection (b), by  
11 striking out subdivision (11) in its entirety and inserting in lieu thereof  
12 subdivisions (11) and (12) to read as follows:

13            (11) Seek grants or funding other than annual State appropriations to  
14 further the work of the Commission.

15            (12) Take any other actions necessary to carry out the provisions of this  
16 chapter.

17        Fourth: In Sec. 2, 1 V.S.A. chapter 25, by striking out sections 909 and 910  
18 in their entirety and inserting in lieu thereof a new section 909 to read as  
19 follows:

20        § 909. ACCESS TO INFORMATION; CONFIDENTIALITY

21            (a) Access to State records and information.

1           (1) The Commission shall have access to and the right to copy any  
2           record or other information held by all executive, administrative, and judicial  
3           agencies and departments and all instrumentalities of the State. All executive,  
4           administrative, and judicial agencies and departments and all instrumentalities  
5           of the State shall cooperate with the Commission with respect to any request  
6           for access to any record or other information and shall provide all records or  
7           other information requested by the Commission to the extent permitted by law.

8           (2) The Commission shall keep confidential any information received  
9           from an executive, administrative, or judicial agency or department or an  
10           instrumentality of the State that is confidential or is exempt from the Public  
11           Records Act.

12           (b) Confidentiality requirements.

13           (1) Except as otherwise provided pursuant to subsection (c) of this  
14           section, information and records acquired by or provided to the Commission  
15           that would in any manner reveal an individual's identity shall be kept  
16           confidential and shall be exempt from public inspection and copying under the  
17           Public Records Act.

18           (2) The Commission shall not include the personally identifying  
19           information of any individual in any report that it produces without the  
20           express, written consent of the individual.

21           (c) Exceptions.

1           (1) Except as provided in subdivision (2) of this subsection, information  
2           and records acquired by or provided to the Commission shall only be available  
3           to the public in an anonymized form that does not reveal the identity of any  
4           individual.

5           (2) Information or records acquired by or provided to the Commission  
6           may be disclosed in a manner that would reveal the identity of an individual if  
7           that individual has provided their express, written consent to the disclosure of  
8           the information or record in a manner that would reveal their identity.

9           (d) Private proceedings.

10           (1) The Commission shall permit any individual who is interviewed by  
11           the Commission to elect to have their interview conducted in a manner that  
12           protects the individual's privacy and to have any recording of the interview  
13           kept confidential by the Commission. Any other record or document produced  
14           in relation to an interview conducted pursuant to this subdivision (d)(1) shall  
15           only be available to the public in an anonymized form that does not reveal the  
16           identity of any individual.

17           (2) The Commission shall adopt procedures and safeguards to ensure to  
18           the greatest extent possible that it does not conduct any interview in a manner  
19           that is open to the public if the interview will reveal the identities of  
20           individuals other than the interviewee without the express, written consent of  
21           those individuals.

1        Fifth: By striking out Sec. 3, appropriation, in its entirety and inserting in  
2        lieu thereof a new Sec. 3 to read as follows:

3        Sec. 3. APPROPRIATION

4        The sum of \$748,000.00 is appropriated from the General Fund to the Truth  
5        and Reconciliation Commission in fiscal year 2023.

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9        (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

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Representative \_\_\_\_\_

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FOR THE COMMITTEE