

Journal of the Senate

WEDNESDAY, MARCH 27, 2024

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 35

A message was received from the House of Representatives by Ms. Courtney Reckord, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 121. An act relating to enhancing consumer privacy.

H. 639. An act relating to flood risk disclosure, accessibility standards for State-funded residential construction, housing accountability, and recovery residence evictions.

H. 706. An act relating to banning the use of neonicotinoid pesticides.

H. 845. An act relating to designating November as Vermont Month of the Veteran.

H. 878. An act relating to miscellaneous judiciary procedures.

In the passage of which the concurrence of the Senate is requested.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 121.

An act relating to enhancing consumer privacy.

To the Committee on Economic Development, Housing and General Affairs.

H. 639.

An act relating to flood risk disclosure, accessibility standards for State-funded residential construction, housing accountability, and recovery residence evictions.

To the Committee on Economic Development, Housing and General Affairs.

H. 706.

An act relating to banning the use of neonicotinoid pesticides.

To the Committee on Agriculture.

H. 845.

An act relating to designating November as Vermont Month of the Veteran.

To the Committee on Government Operations.

H. 878.

An act relating to miscellaneous judiciary procedures.

To the Committee on Judiciary.

Bills Passed

Senate bills of the following titles were severally read the third time and passed:

S. 192. An act relating to forensic facility admissions criteria and processes.

S. 98. An act relating to Green Mountain Care Board authority over prescription drug costs.

Was read the third time, and passed, on a roll call, Yeas 23, Nays 5.

Senator Lyons having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Kitchel, Lyons, MacDonald, McCormack, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Westman, White, Wrenner.

Those Senators who voted in the negative were: Collamore, Ingalls, Norris, Weeks, Williams.

Those Senators absent and not voting were: Hashim, Mazza.

S. 114. An act relating to removal of criminal penalties for possessing, dispensing, or selling psilocybin and establishment of the Psychedelic Therapy Advisory Working Group.

S. 120. An act relating to postsecondary schools and sexual misconduct protections.

S. 204. An act relating to reading assessment and intervention.

Bill Amended; Bill Passed

S. 220.

Senate bill entitled:

An act relating to Vermont's public libraries.

Was taken up.

Thereupon, pending third reading of the bill, Senator Wrenner moved to amend the bill as follows:

In Sec. 6, 22 V.S.A. § 143, in subsection (b), following "The board shall consist of not" by striking out the word "less" and inserting in lieu thereof the word fewer

Which was agreed to.

Thereupon, the bill was read the third time and passed, on a roll call, Yeas 23. Nays 6.

Senator Hardy having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Champion, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Kitchel, Lyons, MacDonald, McCormack, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Westman, White, Wrenner.

Those Senators who voted in the negative were: Brock, Collamore, Ingalls, Norris, Weeks, Williams.

The Senator absent and not voting was: Mazza.

Bill Amended; Bill Passed

S. 254.

Senate bill entitled:

An act relating to including rechargeable batteries and battery-containing products under the State battery stewardship program.

Was taken up.

Thereupon, pending third reading of the bill, Senator Bray moved to amend the bill as follows:

First: In Sec. 1, 10 V.S.A. chapter 168, after section 7590, by inserting the following:

Subchapter 5. Private Right of Action

§ 7591. PRIVATE RIGHT OF ACTION

(a) Action against producer with no ~~primary~~ battery stewardship plan. A producer, ~~a primary or a battery stewardship organization implementing an approved primary battery stewardship plan in compliance with the requirements of this chapter, a rechargeable battery steward, or a rechargeable battery stewardship organization~~ may bring a civil action against another producer or ~~primary~~ battery stewardship organization for damages when:

(1) the plaintiff producer, ~~primary or battery stewardship organization, rechargeable battery steward, or rechargeable battery stewardship organization~~ incurs more than \$1,000.00 in actual reimbursable costs collecting, handling, recycling, or properly disposing of primary batteries or rechargeable batteries sold or offered for sale in the State by that other producer;

(2) the producer from whom damages are sought:

(A) can be identified as the producer of the collected primary batteries or rechargeable batteries from a brand or marking on the discarded battery or from other information available to the plaintiff producer, ~~primary or battery stewardship organization, rechargeable battery steward, or rechargeable battery stewardship organization~~; and

(B) does not operate or participate in an approved ~~primary~~ battery stewardship organization in the State or is not otherwise in compliance with the requirements of this chapter.

(b) Action against producer with an approved ~~primary~~ battery stewardship plan. A battery producer, ~~a primary or a battery stewardship organization in compliance with the requirements of this chapter, a rechargeable battery steward, or a rechargeable battery stewardship organization~~ may bring a civil action for damages against a ~~primary~~ battery producer or ~~primary~~ a battery stewardship organization in the State that is in compliance with the requirements of this chapter, provided that the conditions of subsection ~~(d)~~(c) of this section have been met.

~~(c) Action against rechargeable battery stewardship organization.—A producer, a primary battery stewardship organization in compliance with the requirements of this chapter, a rechargeable battery steward, or a rechargeable battery stewardship organization may bring a civil action for damages against a rechargeable battery stewardship organization registered by the Secretary, provided that the conditions of subsection (d) of this section have been met.~~

~~(d) Condition precedent to cause of action. Except as authorized under subsection (a) of this section, a cause of action under this section shall be allowed only if:~~

~~(1) a plaintiff producer, primary or battery stewardship organization, or rechargeable battery stewardship organization submitted a reimbursement request to another producer, primary or battery stewardship organization, or rechargeable battery stewardship organization under subchapter 4 of this chapter; and~~

~~(2) the plaintiff producer, primary battery or stewardship organization, or rechargeable battery stewardship organization does not receive reimbursement within:~~

~~(A) 90 days of the reimbursement request, if no independent audit is requested under subchapter 4 of this chapter; or~~

~~(B) 60 days after completion of an audit if an independent audit is requested under subchapter 4 of this chapter, and the audit confirms the validity of the reimbursement request.~~

~~(e) Action against individual producer or steward.~~

~~(1) A civil action under this section may be brought against an individual primary battery producer or an individual rechargeable battery steward only if the primary battery producer is implementing its own primary battery stewardship plan, the primary battery producer has failed to register to participate in a primary battery stewardship plan, or the rechargeable battery steward is implementing its own registered rechargeable battery stewardship organization.~~

~~(2) A primary battery producer participating in an approved primary battery stewardship plan covering multiple producers or a rechargeable battery steward participating in a rechargeable battery stewardship organization representing multiple stewards shall not be sued individually for reimbursement.~~

~~(3) An action against a primary battery producer participating in a primary battery stewardship plan covering multiple producers or an action against a rechargeable battery steward participating in a rechargeable battery~~

~~stewardship organization shall be brought against the stewardship organization implementing the plan.~~

~~(f)(d)~~ Role of Agency. The Agency shall not be a party to or be required to provide assistance or otherwise participate in a civil action authorized under this section solely due to its regulatory requirements under this chapter, unless subject to subpoena before a court of jurisdiction.

~~(g)(e)~~ Damages; definitions. As used in this section, “damages” means the actual, reimbursable costs a plaintiff producer, primary or battery stewardship organization, ~~or rechargeable battery stewardship organization~~ incurs in collecting, handling, recycling, or properly disposing of primary batteries or rechargeable batteries reasonably identified as having originated from another primary battery producer, primary or battery stewardship organization, ~~or rechargeable battery stewardship organization~~.

Second: In Sec. 1, 10 V.S.A. chapter 168, prior to section 7592, in the subchapter heading after “Subchapter” and before “General Provisions” by striking out “5” where it appears and inserting in lieu thereof 6.

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Bill Passed in Concurrence

H. 554.

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

An act relating to approval of the adoption of the charter of the Town of South Hero.

Bill Amended; Third Reading Ordered

S. 285.

Senator Vyhovsky, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to law enforcement interrogation policies.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. LEGISLATIVE INTENT; LAW ENFORCEMENT INTERROGATION POLICIES

It is the intent of the General Assembly to prevent false confessions and wrongful convictions of individuals subject to law enforcement interrogation.

to progress towards a total prohibition of the use of deception in all forms of interrogation, and to ultimately improve trust between Vermont's communities and law enforcement. To achieve these objectives, it is the further intent of the General Assembly to create a minimum set of law enforcement interrogation standards that incorporate evidence-based best practices by:

(1) prohibiting law enforcement's use of threats, physical harm, and deception during interrogations of all persons; and

(2) mandating that the Vermont Criminal Justice Council develop, adopt, and enforce a statewide model interrogation policy that applies to all Vermont law enforcement agencies and constables exercising law enforcement authority pursuant to 24 V.S.A. § 1936a.

Sec. 2. VERMONT CRIMINAL JUSTICE COUNCIL; MODEL INTERROGATION POLICY

(a) On or before October 1, 2024, the Law Enforcement Advisory Board, in consultation with the Office of the Attorney General, shall collaborate and create a model interrogation policy that applies to all persons subject to various forms of interrogation, including the following:

(1) custodial interrogations occurring in a place of detention;

(2) custodial interrogations occurring outside a place of detention;

(3) interrogations that are not considered custodial, regardless of location; and

(4) the interrogation of individuals with developmental, intellectual, and psychiatric disabilities; substance use disorder; and low literacy levels.

(b) The model interrogation policy shall prohibit the use of physical harm, threats, and deception during custodial interrogations of all persons.

(1) At a minimum, the model interrogation policy shall define "deception" as the knowing communication of false facts about evidence or unauthorized statements regarding leniency by a law enforcement officer to a subject of custodial interrogation.

(2) The model interrogation policy shall also address other forms of interrogation involving persons under 20 years of age wherein the use of deception is prohibited.

(c) The model interrogation policy shall prohibit any training of law enforcement officers that employs the use of deception, including the REID Technique of Investigative Interviewing and Advanced Interrogation Techniques.

(d)(1) On or before December 1, 2024, the Law Enforcement Advisory Board shall submit the model interrogation policy to the Joint Legislative Justice Oversight Committee and testify before the Committee.

(2) On or before January 1, 2025, the Vermont Criminal Justice Council, in consultation with stakeholders, including the Agency of Human Services, the Vermont League of Cities and Towns, and the Vermont Human Rights Commission, shall update the Law Enforcement Advisory Board's model interrogation policy to establish one cohesive model policy for law enforcement agencies and constables to adopt, follow, and enforce as part of the agency's or constable's own interrogation policy.

Sec. 3. 20 V.S.A. § 2359 is amended to read:

§ 2359. COUNCIL SERVICES CONTINGENT ON AGENCY
COMPLIANCE; GRANT ELIGIBILITY

(a) On and after January 1, 2022, a law enforcement agency shall be prohibited from having its law enforcement applicants or officers trained by the Police Academy or from otherwise using the services of the Council if the agency is not in compliance with the requirements for collecting roadside stop data under section 2366 of this chapter, the requirement to report to the Office of Attorney General death or serious bodily injuries under 18 V.S.A. § 7257a(b), or the requirement to adopt, follow, or enforce any policy required under this chapter.

(b) On and after April 1, 2025, a law enforcement agency shall be prohibited from receiving grants, or other forms of financial assistance, if the agency is not in compliance with the requirement to adopt, follow, or enforce the model interrogation policy established by the Council pursuant to section 2371 of this title.

(c) The Council shall adopt procedures to enforce the requirements of this section, which may allow for waivers for agencies under a plan to obtain compliance with this section.

Sec. 4. 20 V.S.A. § 2371 is added to read:

§ 2371. STATEWIDE POLICY; INTERROGATION METHODS

(a) Definitions. As used in this section:

(1) "Custodial interrogation" has the same meaning as in 13 V.S.A. § 5585.

(2) "Place of detention" has the same meaning as in 13 V.S.A. § 5585.

(b) Model policy contents.

(1) The Vermont Criminal Justice Council shall establish a model interrogation policy that applies to all persons subject to various forms of interrogation, including the following:

(A) custodial interrogations occurring in a place of detention;

(B) custodial interrogations occurring outside a place of detention;

(C) interrogations that are not considered custodial, regardless of location; and

(D) the interrogation of individuals with developmental, intellectual, and psychiatric disabilities; substance use disorder; and low literacy levels.

(2) The model interrogation policy shall prohibit the use of physical harm, threats, and deception during custodial interrogations of all persons.

(A) At a minimum, the model interrogation policy shall define “deception” as the knowing communication of false facts about evidence or unauthorized statements regarding leniency by a law enforcement officer to a subject of custodial interrogation.

(B) The model interrogation policy shall also address other forms of interrogation involving persons under 20 years of age wherein the use of deception is prohibited.

(3) The model interrogation policy shall prohibit any training of law enforcement officers that employs the use of deception, including the Reid Technique of Investigative Interviewing and Advanced Interrogation Techniques.

(c) Policy adoption and updates.

(1) On or before April 1, 2025, each law enforcement agency and every constable who exercises law enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title shall adopt, follow, and enforce an interrogation policy that includes each component of the model interrogation policy established by the Council, and each law enforcement officer or constable who exercises law enforcement authority shall comply with the provisions of an agency’s or a constable’s policy.

(2) On or before October 1, 2025, and every odd-numbered year thereafter, the Vermont Criminal Justice Council, in consultation with others, including the Office of the Attorney General, the Agency of Human Services, and the Human Rights Commission, shall review and, if necessary, update the model interrogation policy.

(d) Compliance. To encourage fair and consistent interrogation methods statewide, the Vermont Criminal Justice Council, in consultation with the Office of the Attorney General, shall review the policies of law enforcement agencies and constables required to adopt a policy pursuant to subsection (c) of this section to ensure that those policies establish each component of the model policy on or before April 15, 2025. If the Council finds that a policy does not meet each component of the model policy, it shall work with the law enforcement agency or constable to bring the policy into compliance. If, after consultation with its attorney or with the Council, or with both, the law enforcement agency or constable fails to adopt a policy that meets each component of the model policy, that agency or constable shall be deemed to have adopted and shall follow and enforce the model policy established by the Council.

(e) Training. The Council shall incorporate the provisions of this section into the training it provides.

(f) Reporting.

(1) Annually, as part of their training report to the Council, every law enforcement agency and every constable who exercises law enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title shall report to the Council whether the agency or constable has adopted an interrogation policy in accordance with subsections (c) and (d) of this section. The Vermont Criminal Justice Council shall determine, as part of the Council's annual certification of training requirements, whether current officers have received training on interrogation methods as required by subsection (e) of this section.

(2) Annually, on or before July 1, the Vermont Criminal Justice Council shall report to the House and Senate Committees on Judiciary regarding which law enforcement agencies and officers have received training on interrogation methods.

Sec. 5. EFFECTIVE DATES

This act shall take effect on July 1, 2024, except that Secs. 3 (council services contingent on agency compliance; grant eligibility) and 4 (statewide policy; interrogation methods) shall take effect on April 1, 2025.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and pending the question, Shall the bill be amended as recommended by the Committee on Judiciary?, Senator Brock moved to amend the recommendation of the Committee on Judiciary by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. LEGISLATIVE INTENT; LAW ENFORCEMENT
INTERROGATION POLICIES

It is the intent of the General Assembly to prevent false confessions and wrongful convictions of individuals subject to law enforcement interrogation and to ultimately improve trust between Vermont's communities and law enforcement. To achieve these objectives, it is the further intent of the General Assembly to create a minimum set of law enforcement interrogation standards that incorporate evidence-based best practices by:

(1) addressing the use of deception during custodial interviews of juveniles; and

(2) mandating that the Vermont Criminal Justice Council develop, adopt, and enforce a statewide model interrogation policy that applies to all Vermont law enforcement agencies and constables exercising law enforcement authority pursuant to 24 V.S.A. § 1936a.

Sec. 2. VERMONT CRIMINAL JUSTICE COUNCIL; MODEL
INTERROGATION POLICY

(a) On or before October 1, 2024, the Law Enforcement Advisory Board and the Office of the Attorney General shall collaborate to create a model interrogation policy that applies to juveniles subject to custodial interrogation. Such a model policy shall include the following:

(1) At a minimum, the model interrogation policy shall define "deception" as the knowing communication of false facts about evidence or unauthorized statements regarding leniency by a law enforcement officer to a subject of custodial interrogation.

(2) The model interrogation policy shall also address the use of deception during the custodial interviews of juveniles.

(b)(1) On or before December 1, 2024, the Law Enforcement Advisory Board shall submit the model interrogation policy to the Joint Legislative Justice Oversight Committee and testify before the Committee.

(2) On or before January 1, 2025, the Vermont Criminal Justice Council, in consultation with stakeholders, including the Agency of Human Services, the Vermont League of Cities and Towns, and the Vermont Human Rights Commission, shall update the Law Enforcement Advisory Board's model interrogation policy to establish one cohesive model policy for law enforcement agencies and constables to adopt, follow, and enforce as part of the agency's or constable's own interrogation policy.

Sec. 3. 20 V.S.A. § 2359 is amended to read:

§ 2359. COUNCIL SERVICES CONTINGENT ON AGENCY COMPLIANCE; GRANT ELIGIBILITY

(a) On and after January 1, 2022, a law enforcement agency shall be prohibited from having its law enforcement applicants or officers trained by the Police Academy or from otherwise using the services of the Council if the agency is not in compliance with the requirements for collecting roadside stop data under section 2366 of this chapter, the requirement to report to the Office of Attorney General death or serious bodily injuries under 18 V.S.A. § 7257a(b), or the requirement to adopt, follow, or enforce any policy required under this chapter.

(b) On and after April 1, 2025, a law enforcement agency shall be prohibited from receiving grants, or other forms of financial assistance, if the agency is not in compliance with the requirement to adopt, follow, or enforce the model interrogation policy established by the Council pursuant to section 2371 of this title.

(c) The Council shall adopt procedures to enforce the requirements of this section, which may allow for waivers for agencies under a plan to obtain compliance with this section.

Sec. 4. 20 V.S.A. § 2371 is added to read:

§ 2371. STATEWIDE POLICY; INTERROGATION METHODS

(a) Definitions. As used in this section:

(1) “Custodial interrogation” has the same meaning as in 13 V.S.A. § 5585.

(2) “Place of detention” has the same meaning as in 13 V.S.A. § 5585.

(b) Model policy contents. The Vermont Criminal Justice Council shall establish a model interrogation policy that applies to juveniles subject to custodial interrogation. Such a model policy shall include the following:

(1) At a minimum, the model interrogation policy shall define “deception” as the knowing communication of false facts about evidence or unauthorized statements regarding leniency by a law enforcement officer to a subject of custodial interrogation.

(2) The model interrogation policy shall also address the use of deception during the custodial interviews of juveniles.

(c) Policy adoption and updates.

(1) On or before April 1, 2025, each law enforcement agency and every constable who exercises law enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title shall adopt, follow, and enforce an interrogation policy that includes each component of the model interrogation policy established by the Council, and each law enforcement officer or constable who exercises law enforcement authority shall comply with the provisions of an agency's or a constable's policy.

(2) On or before October 1, 2025, and every odd-numbered year thereafter, the Vermont Criminal Justice Council, in consultation with others, including the Office of the Attorney General, the Agency of Human Services, and the Human Rights Commission, shall review and, if necessary, update the model interrogation policy.

(d) Compliance. To encourage fair and consistent interrogation methods statewide, the Vermont Criminal Justice Council, in consultation with the Office of the Attorney General, shall review the policies of law enforcement agencies and constables required to adopt a policy pursuant to subsection (c) of this section to ensure that those policies establish each component of the model policy on or before April 15, 2025. If the Council finds that a policy does not meet each component of the model policy, it shall work with the law enforcement agency or constable to bring the policy into compliance. If, after consultation with its attorney or with the Council, or with both, the law enforcement agency or constable fails to adopt a policy that meets each component of the model policy, that agency or constable shall be deemed to have adopted and shall follow and enforce the model policy established by the Council.

(e) Training. The Council shall incorporate the provisions of this section into the training it provides.

(f) Reporting.

(1) Annually, as part of their training report to the Council, every law enforcement agency and every constable who exercises law enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title shall report to the Council whether the agency or constable has adopted an interrogation policy in accordance with subsections (c) and (d) of this section. The Vermont Criminal Justice Council shall determine, as part of the Council's annual certification of training requirements, whether current officers have received training on interrogation methods as required by subsection (e) of this section.

(2) Annually, on or before July 1, the Vermont Criminal Justice Council shall report to the House and Senate Committees on Judiciary regarding which law enforcement agencies and officers have received training on interrogation methods.

Sec. 5. EFFECTIVE DATES

This act shall take effect on July 1, 2024, except that Secs. 3 (council services contingent on agency compliance; grant eligibility) and 4 (statewide policy; interrogation methods) shall take effect on April 1, 2025.

Which was disagreed to, on a roll call, Yeas 11, Nays 18.

Senator Norris having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Brock, Chittenden, Collamore, Cummings, Ingalls, Lyons, Norris, Starr, Weeks, Westman, Williams.

Those Senators who voted in the negative were: Baruth, Bray, Campion, Clarkson, Gulick, Hardy, Harrison, Hashim, Kitchel, MacDonald, McCormack, Perchlik, Ram Hinsdale, Sears, Vyhovsky, Watson, White, Wrenner.

The Senator absent and not voting was: Mazza.

Thereupon, the pending question, Shall the bill be amended as recommended by the Committee on Judiciary?, was agreed to, on a roll call, Yeas 16, Nays 12.

Senator Vyhovsky having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Campion, Clarkson, Gulick, Hardy, Harrison, Hashim, Kitchel, Lyons, MacDonald, Perchlik, Ram Hinsdale, Vyhovsky, Watson, White.

Those Senators who voted in the negative were: Brock, Chittenden, Collamore, Cummings, Ingalls, McCormack, Norris, Sears, Starr, Weeks, Westman, Williams.

Those Senators absent and not voting were: Mazza, Wrenner.

Thereupon, third reading of the bill was ordered.

Bill Amended; Third Reading Ordered**S. 159.**

Senator Hardy, for the Committee on Government Operations, to which was referred Senate bill entitled:

An act relating to the County Governance Study Committee.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. COUNTY AND REGIONAL GOVERNANCE STUDY
COMMITTEE; REPORT

(a) Creation. There is created the County and Regional Governance Study Committee to address local government capacity challenges, enhance and optimize public safety, regional collaboration and planning, efficient, equitable, and transparent public resource allocation, and effective regional public services for individuals and municipalities.

(b) Membership. The Committee shall be, to the extent possible, composed of members from geographically diverse regions of the State. The Committee shall be composed of the following members:

(1) three current members of the House of Representatives, who shall not all be from the same political party, the first of whom shall be the Chair of the House Committee on Government Operations and Military Affairs, and the second and third of whom shall be appointed by the Speaker of the House; and

(2) three current members of the Senate, who shall not all be from the same political party, the first of whom shall be the Chair of the Senate Committee on Government Operations, and the second and third of whom shall be appointed by the Committee on Committees.

(c) Powers and duties.

(1) The Committee shall study and make recommendations to the General Assembly on how to improve the structure and organization of county and regional government, including:

(A) enhancement and optimization of public safety;

(B) enhancement of regional collaboration and planning;

(C) efficient, equitable, and transparent allocation of public resources;

(D) promotion of effective regional public services for individuals and municipalities;

(E) clarification of the role and oversight of elected county officials and their departments;

(F) reduction of duplicated public services and promotion of opportunities for intermunicipal collaboration;

(G) balance of availability and cost of services across municipalities in each county;

(H) mechanisms of county and regional government structures in other states; and

(I) impact of climate change and resiliency on the maintenance of public infrastructure, delivery of regional government services, and coordination of regional emergency planning.

(2) The Committee may, through the Joint Fiscal Office, contract with one or more consultants to assist with research, preparation of the report, and any other assistance with the Committee's work deemed necessary by the Committee.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Operations, the Office of Legislative Counsel, and the Joint Fiscal Office.

(e) Report. On or before November 1, 2025, the Committee shall report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The Chair of the Senate Committee on Government Operations shall call the first meeting of the Committee to occur on or before September 1, 2024.

(2) The Committee shall be co-chaired by the Chair of the House Committee on Government Operations and Military Affairs and the Chair of the Senate Committee on Government Operations.

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

(4) The Committee shall cease to exist on July 1, 2026.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in the member's capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for

not more than 10 meetings. These payments shall be made from monies appropriated to the General Assembly.

(h) Appropriation for consulting. The sum of \$50,000.00 is appropriated to the Joint Fiscal Office from the General Fund in fiscal year 2025 to contract with one or more consultants to assist with research, preparation of the report, and any other assistance with the Committee's work deemed necessary by the Committee.

Sec. 2. COUNTY AND REGIONAL GOVERNANCE TECHNICAL
ADVICE

(a) On or before September 1, 2024, the Executive Director of the Vermont Bond Bank, shall convene the first meeting of a County and Regional Governance Technical Advisory Group. The Technical Advisory Group shall analyze the subject matter being considered by the County and Regional Governance Study Committee and advise, assist, and provide recommendations to the Study Committee, specifically on the structure and organization of county and regional government. The Vermont Bond Bank shall participate in order to support improvements to local capacity.

(b) The following individuals and entities shall be invited to participate in the meeting or meetings described in this section:

- (1) the Department of State's Attorneys and Sheriffs;
- (2) the State Court Administrator;
- (3) the Vermont Association of County Judges;
- (4) the Vermont Association of Planning and Development Agencies;
- (5) the Vermont Municipal Clerks' and Treasurers' Association;
- (6) the Vermont League of Cities and Towns;
- (7) the Vermont Regional Development Corporations;
- (8) the Vermont School Boards Association;
- (9) the Vermont Town and City Management Association; and
- (10) other relevant stakeholders identified by the Technical Advisory Group.

(c) The Study Committee may at any time request advice from the Technical Advisory Group regarding issues relating to the structure and organization of county and regional government, which shall be provided by the Technical Advisory Group.

Sec. 3. FEDERAL DISASTER FUNDING FOR COUNTY AND REGIONAL GOVERNMENTS REPORT

On or before September 15, 2024, the Secretary of Administration, or designee, shall report to the County and Regional Governance Study Committee on federal funding opportunities resulting from the disaster declaration for the major flooding events of 2023 in the State, including the received federal funds, the status of pending applications for funding, and potential avenues for additional funds. The Secretary, or designee, shall provide an analysis of the impact of Vermont's lack of robust county or regional governance on the receipt of federal emergency funding.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read:

An act relating to the County and Regional Governance Study Committee

And that when so amended the bill ought to pass.

Senator Sears, for the Committee on Appropriations, to which the bill was referred, reported that the bill be amended as recommended by the Committee on Government Operations with the following amendment thereto:

In Sec. 1, County and Regional Governance Study Committee; report, by striking out subsection (h) in its entirety.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of the Committee on Government Operations was amended as recommended by the Committee on Appropriations.

Thereupon, the pending question, Shall the bill be amended as recommended by the Committee on Government Operations, as amended? was agreed to and third reading of the bill was ordered.

Committee Relieved of Further Consideration; Bill Committed

H. 614.

On motion of Senator Sears, the Committee on Judiciary was relieved of further consideration of House bill entitled:

An act relating to land improvement fraud and timber trespass,
and the bill was committed to the Committee on Agriculture.

Adjournment

On motion of Senator Baruth, the Senate adjourned until one o'clock in the afternoon on Thursday, March 28, 2024.