

House concurrent resolution congratulating the Proctor High School Phantoms girls' soccer team on winning a second consecutive Division IV championship.

By All Members of the House,

By All Members of the Senate,

H.C.R. 9.

House concurrent resolution recognizing the unwavering dedication of Vermont's health care workforce during the COVID-19 pandemic.

By Rep. Cordes,

H.C.R. 10.

House concurrent resolution recognizing the important health care contribution of nurse anesthetists in Vermont.

By Reps. Terenzini and others,

By Senators Collamore, Hooker and Terenzini,

H.C.R. 11.

House concurrent resolution honoring the Thomas Dairy for 99 years of agricultural and entrepreneurial excellence.

By Rep. Webb,

H.C.R. 12.

House concurrent resolution recognizing the important work of MENTOR Vermont and designating January 21, 2021 as Mentoring Day in Vermont.

By Reps. Burke and others,

H.C.R. 13.

House concurrent resolution honoring former Brattleboro Police Chief Michael Fitzgerald.

By Rep. Webb,

H.C.R. 14.

House concurrent resolution in memory of historic preservation architect Martin S. Tierney of Burlington.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 2, 2021, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 11.

TUESDAY, FEBRUARY 2, 2021

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Joan Javier-Duval of Montpelier.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Senate Resolution Placed on Notice Calendar**S.R. 6.**

Senate resolution of the following title was offered, read the first time and is as follows:

By the Committee on Natural Resources and Energy,

S.R. 6. Senate resolution relating to disapproving of Executive Order 02-21.

Whereas, on January 14, 2021, the Governor signed Executive Order 02-21 reorganizing the Natural Resources Board and its District Commissions, and

Whereas, according to the Executive Order, effective April 15, 2021, a professional Natural Resources Board would decide major permit applications with assistance from two District Commissioners from the district where the project is located, and

Whereas, the Senate Committee on Natural Resources and Energy has taken testimony and public comment concerning this Executive Order, and

Whereas, the Senate agrees with the Governor that it is to the benefit of the State of Vermont to “maximize natural resources protections, enable well planned growth, increase predictability and reduce redundancy with other state regulatory programs,” it finds complexities and possible unintended consequences that must be analyzed and addressed to achieve these goals, and

Whereas, the Senate believes the best mechanism both to resolve these complexities and unintended consequences and to explore, in depth, the options for reorganizing the Natural Resources Board is to use the standing committee process, with the resulting opportunity for enhanced research, analysis, and public participation, and

Whereas, the Senate is committed to working cooperatively with the Administration to produce legislation that will achieve our shared goals of updating the Act 250 process, and

Whereas, as part of this process, the Senate Committee on Natural Resources and Energy looks forward to reviewing and taking testimony on the Administration's complete proposal for changing the Act 250 permit process, *now therefore be it*

Resolved by the Senate:

That the Senate, pursuant to 3 V.S.A. § 2002, disapproves of Executive Order 02-21, *and be it further*

Resolved: That the Senate invites the Administration to bring forward draft legislation to optimize the Act 250 permit and appeals process, *and be it further*

Resolved: That the Secretary of the Senate be directed to send a copy of this resolution to Governor Philip B. Scott.

Thereupon, under Rule 34 and 51, the resolution was placed on the Calendar for notice.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 12.

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Balint,

J.R.S. 12. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 5, 2021, it be to meet again no later than Tuesday, February 9, 2021.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 57.

By Senators Perchlik, Benning, Collamore, Starr and White,

An act relating to secondary enforcement of the motorcycle helmet law.

To the Committee on Transportation.

S. 58.

By Senators McCormack, Brock and Perchlik,

An act relating to prohibiting use of the gay and trans panic defense.

To the Committee on Judiciary.

Message from the House No. 14

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

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 138. An act relating to fiscal year 2021 budget adjustments.

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

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 3, 2021.

WEDNESDAY, FEBRUARY 3, 2021

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Joint Resolutions Placed on Calendar

J.R.S. 13.

Joint Senate resolution of the following title was offered, read the first time and is as follows:

By Senator Balint,

J.R.S. 13. Joint resolution providing for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

Whereas, Vermont has been declared by the Governor to be in a State of Emergency as a result of a pandemic known as "COVID-19"; and

Whereas, it is critical to take steps to control outbreaks of COVID-19 to minimize the risk to the public, maintain the health and safety of Vermonters, and limit the spread of infection in our community; and

Whereas, technology exists that would enable the General Assembly to conduct a Joint Assembly during this time of a declared emergency in a manner: consistent with public access to, and transparency of, its proceedings, as demanded by the Vermont Constitution; and consistent with and in compliance with statutory and legislative rule requirements regarding the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 18, 2021, at ten o'clock and thirty minutes in the forenoon to vote on the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College, *and be it further*

Resolved: That the Joint Assembly shall be concurrently conducted electronically at which members of the General Assembly may participate and debate from a remote location; that voting by ballot shall be conducted, as practicable, consistent with Vermont's "Early or Absentee Voters" statute at 17 V.S.A. §2531, et seq.; that after nominations and debates, if necessary, the Joint Assembly shall recess until Thursday, February 25, 2021 at 2:00 pm (or as otherwise ordered by the Joint Assembly) so that ballots may be submitted; and that upon reconvening, the results of the vote shall be announced or the Joint Assembly shall proceed until the above is completed.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action tomorrow.

J.R.S. 14.

Joint Senate resolution of the following title was offered, read the first time and is as follows:

By Senator Balint,

J.R.S. 14. Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2021.

Whereas, in 1997 the election of three trustees of the University of Vermont and State Agricultural College was decided by plurality vote, which required one ballot only, and

Whereas, in 1999 the election of three trustees of the University of Vermont and State Agricultural College was decided by majority vote, which required a total of eight ballots, and

Whereas, in 2001 and subsequent bienniums the elections of three trustees of the University of Vermont and State Agricultural College were decided by plurality vote, each of which required one ballot only, and

Whereas, if an election for multiple vacancies is to be decided by a plurality vote, then a great savings of time can be effectuated, *now therefore be it*

Resolved by the Senate and House of Representatives:

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of three trustees of the University of Vermont and State Agricultural College at a Joint Assembly to be held on February 18, 2021, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be three.

(2) The three candidates receiving the most votes shall be declared elected to fill the three vacancies.

(3) In the event that the first balloting for the Trustee vacancies results in a tie vote for one or more of the three vacant positions, then as necessary voting shall continue on successive ballots until the vacancies have been filled, again by election declared of those candidates receiving the most votes.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action tomorrow.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 59.

By Senators Hooker, Hardy, Lyons, Pollina and Ram,

An act relating to an income tax surcharge to reduce State retirement liabilities.

To the Committee on Finance.

S. 60.

By Senator Cummings,

An act relating to allowing municipal and cooperative utilities to offer innovative rates and services.

To the Committee on Finance.

S. 61.

By Senator Starr,

An act relating to the definition of agricultural land for the purposes of use value appraisals.

To the Committee on Agriculture.

S. 62.

By Senators Sirotkin, Balint, Clarkson, Hooker and Lyons,

An act relating to creating a New Vermont Employee Incentive Program.

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

Bill Referred

House bill of the following title was read the first time and referred:

H. 138.

An act relating to fiscal year 2021 budget adjustments.

To the Committee on Appropriations.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 4, 2021.

THURSDAY, FEBRUARY 4, 2021

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. 15

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

Madam President:

I am directed to inform the Senate that:

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 12. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam President:

I am directed by the Governor to inform the Senate that on the third day of February, 2021 he approved and signed a bill originating in the Senate of the following title:

S. 9. An act relating to extending certain workers' compensation amendments related to COVID-19.

Bills Introduced

Senate bills of the following titles were introduced, read the first time and referred:

S. 63.

By Senators Hardy, Clarkson, Pearson and Pollina,

An act relating to the prohibition of school resource officers.

To the Committee on Education.

S. 64.

By Senators Bray, Benning, Collamore, Ingalls, Lyons, Perchlik, Pollina and Terenzini,

An act relating to electric cooperatives and property tax exemptions for broadband infrastructure.

To the Committee on Finance.

Third Reading Ordered

S.R. 6.

Senate resolution entitled:

Senate resolution relating to disapproving of Executive Order 02-21.

Having appeared on the Calendar for notice for one day, was taken up.

Thereupon, the Senate Resolution was read the second time by title only pursuant to Rule 43, and third reading of the Senate Resolution was ordered on a roll call, Yeas 22, Nays 8.

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

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Bray, Campion, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, McCormack, Nitka, Pearson, Perchlik, Pollina, Ram, Sears, Sirotkin, Starr, Westman, White.

Those Senators who voted in the negative were: Benning, Brock, Chittenden, Collamore, Ingalls, Mazza, Parent, Terenzini.

Joint Resolutions Adopted on the Part of the Senate

Joint Senate resolutions entitled:

J.R.S. 13. Joint resolution providing for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

J.R.S. 14. Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2021.

Having been placed on the Calendar for action, were taken up and adopted severally on the part of the Senate.

Message from the House No. 16

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

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 151. An act relating to vital records, mausoleums and columbaria, and emergency health orders.

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

Adjournment

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

FRIDAY, FEBRUARY 5, 2021

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 65.

By Senators Sirotkin, Clarkson, Hardy and Ram,

An act relating to paid family leave.

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

S. 66.

By Senators Campion and Westman,

An act relating to electric bicycles.

To the Committee on Transportation.

Bill Referred

House bill of the following title was read the first time and referred:

H. 151.

An act relating to vital records, mausoleums and columbaria, and emergency health orders.

To the Committee on Government Operations.

Senate Resolution Adopted on the Part of the Senate

S.R. 6.

Senate resolution of the following title was read the third time and adopted on the part of the Senate:

Senate resolution relating to disapproving of Executive Order 02-21.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 9, 2021, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 12.

TUESDAY, FEBRUARY 9, 2021

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Diane Nancekivell of Middlebury.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Senate Resolution Referred**S.R. 7.**

Senate resolution of the following title was offered, read the first time and is as follows:

Senate resolution reaffirming the friendship between Vermont and the Republic of China (Taiwan) and supporting enhanced United States–Taiwan bilateral relations and Taiwan’s role in the international community.

By Senators Kitchel, Cummings and Westman,

S.R. 7. Senate resolution reaffirming the friendship between Vermont and the Republic of China (Taiwan) and supporting enhanced United States–Taiwan bilateral relations and Taiwan’s role in the international community.

Whereas, the United States and the Republic of China (Taiwan) share a vibrant bilateral relationship marked by a mutually beneficial partnership, supported by our common values of freedom, democracy, the rule of law, and a free market economy, and

Whereas, the United States is Taiwan’s second-largest trading partner; Taiwan is the tenth-largest goods trading partner of the United States; and bilateral trade in goods and services between the United States and Taiwan totaled approximately \$103.9 billion in 2019, and

Whereas, President Tsai Ing-wen has expressed Taiwan’s desire to reach a Bilateral Trade Agreement with the United States that will benefit the Vermont–Taiwan trade relationship, and

Whereas, Vermont and Taiwan have enjoyed vibrant bilateral relations that include: Taiwan being Vermont's second-largest export market and in 2019 its largest Asian export market; the establishment of a driver's license reciprocity agreement between Vermont and Taiwan; and Taiwan's donation of 44,000 surgical masks to Vermont to help combat COVID-19, and

Whereas, Taiwan can be a vital partner on issues related to public health, criminal justice, aviation safety, and climate change, *now therefore be it*

Resolved by the Senate:

That the Senate of the State of Vermont reaffirms the friendship between Vermont and the Republic of China (Taiwan) and supports enhanced United States–Taiwan bilateral relations and Taiwan's role in the international community, *and be it further*

Resolved: That the Secretary of Senate be directed to send a copy of this resolution to President Joseph R. Biden, Governor Philip B. Scott, the Vermont Congressional Delegation, President Tsai Ing-wen of the Republic of China (Taiwan), and Jonathan Sun, Director-General of the Taipei Economic and Cultural Office in Boston.

Thereupon, the President, in her discretion, treated the joint resolution as a bill and referred it to the Committee on Economic Development, Housing and General Affairs.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 15.

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Balint,

J.R.S. 15. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 12, 2021, it be to meet again no later than Tuesday, February 16, 2021.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 67.

By Senators Pearson, Perchlik, Pollina and Sirotkin,

An act relating to creating a right to repair agricultural equipment.

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

S. 68.

By Senators Hooker, Balint, Clarkson, Collamore and Terenzini,

An act relating to low-alcohol spirits beverages.

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

S. 69.

By Senators Benning, Chittenden, Clarkson, Collamore, Cummings, Hooker, Parent, Pollina and Terenzini,

An act relating to suicide prevention initiatives.

To the Committee on Health and Welfare.

S. 70.

By Senator Pearson,

An act relating to requiring health insurance plans to provide two primary care visits per year without cost sharing.

To the Committee on Health and Welfare.

S. 71.

By Senators Pearson and Sirotkin,

An act relating to applying Vermont prevailing wages to school construction projects.

To the Committee on Institutions.

S. 72.

By Senators Lyons and Sears,

An act relating to the Interstate Compact on the Placement of Children.

To the Committee on Health and Welfare.

S. 73.

By Senators Collamore, Brock, Ingalls, Parent and Terenzini,

An act relating to allowing probation and parole officers to carry firearms while on duty.

To the Committee on Institutions.

S. 74.

By Senators McCormack, Clarkson, Lyons and Sirotkin,

An act relating to modifications to Vermont's patient choice at end of life laws.

To the Committee on Health and Welfare.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 10, 2021.

WEDNESDAY, FEBRUARY 10, 2021

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. 17

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

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 18. An act relating to sexual exploitation of children.

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

The House has adopted House resolution of the following title:

H.R. 7. House resolution disapproving Executive Order 01-21.

The House has considered joint resolutions originating in the Senate of the following titles:

J.R.S. 13. Joint resolution providing for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

J.R.S. 14. Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2021.

And has adopted the same in concurrence.

Bill Introduced

Senate bill of the following title was introduced, read the first time and referred:

S. 75.

By Senators Terenzini, Benning, Brock, Collamore, Cummings, Hooker, Lyons, McCormack, Parent, Pollina and White,

An act relating to screening students for dyslexia.

To the Committee on Education.

Bill Referred

House bill of the following title was read the first time and referred:

H. 18.

An act relating to sexual exploitation of children.

To the Committee on Judiciary.

Proposal of Amendment; Third Reading Ordered**H. 138.**

Senator Kitchel, for the Committee on Appropriations, to which was referred House bill entitled:

An act relating to fiscal year 2021 budget adjustments.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2020 Acts and Resolves No. 154, Sec. B.140 is amended to read:

Sec. B.140 Municipal current use

Grants	<u>16,985,000</u>	<u>17,120,500</u>
Total	16,985,000	17,120,500
Source of funds		
General fund	<u>16,985,000</u>	<u>17,120,500</u>
Total	16,985,000	17,120,500

Sec. 2. 2020 Acts and Resolves No. 154, Sec. B.145 is amended to read:

Sec. B.145 Total general government

Source of funds		
General fund	94,990,855	95,126,355
Transportation fund	3,911,594	3,911,594

Special funds	15,637,864	15,637,864
Federal Coronavirus Relief Fund	3,774,765	3,774,765
Federal funds	1,153,855	1,153,855
Internal service funds	134,313,374	134,313,374
Interdepartmental transfers	7,858,390	7,858,390
Enterprise funds	6,840	6,840
Pension trust funds	8,271,560	8,271,560
Private purpose trust funds	<u>1,134,819</u>	<u>1,134,819</u>
Total	271,053,916	271,189,416

Sec. 3. 2020 Acts and Resolves No. 154, Sec. B.209 is amended to read:

Sec. B.209 Public safety - state police

Personal services	59,804,906	60,206,906
Operating expenses	11,932,334	11,932,334
Grants	<u>1,693,707</u>	<u>1,693,707</u>
Total	73,430,947	73,832,947
Source of funds		
General fund	28,156,891	28,558,891
Transportation fund	13,350,000	13,350,000
Special funds	3,145,278	3,145,278
Federal Coronavirus Relief Fund	21,790,000	21,790,000
Federal funds	5,023,746	5,023,746
Interdepartmental transfers	<u>1,965,032</u>	<u>1,965,032</u>
Total	73,430,947	73,832,947

Sec. 4. 2020 Acts and Resolves No. 154, Sec. B.238 is amended to read:

Sec. B.238 Liquor control - enforcement and licensing

Personal services	1,953,092	1,953,092
Operating expenses	<u>465,104</u>	<u>480,104</u>
Total	2,418,196	2,433,196
Source of funds		
General fund	0	15,000
Federal funds	184,484	184,484
Enterprise funds	<u>2,233,712</u>	<u>2,233,712</u>
Total	2,418,196	2,433,196

Sec. 5. 2020 Acts and Resolves No. 154, Sec. B.240 is amended to read:

Sec. B.240 Total protection to persons and property

Source of funds

General fund	152,022,889	152,439,889
Transportation fund	13,350,000	13,350,000

Special funds	89,170,106	89,170,106
Tobacco fund	561,843	561,843
Federal Coronavirus Relief Fund	23,451,164	23,451,164
Federal funds	83,776,486	83,776,486
ARRA funds	600,000	600,000
Interdepartmental transfers	15,090,107	15,090,107
Enterprise funds	<u>12,797,151</u>	<u>12,797,151</u>
Total	390,819,746	391,236,746

Sec. 6. 2020 Acts and Resolves No. 154, Sec. B.300 is amended to read:

Sec. B.300 Human services - agency of human services - secretary's office

Personal services	11,121,179	16,921,417
Operating expenses	5,183,112	5,183,112
Grants	<u>8,818,674</u>	<u>8,818,674</u>
Total	25,122,965	30,923,203

Source of funds

General fund	14,043,208	14,847,651
Special funds	135,517	135,517
Federal Coronavirus Relief Fund	0	3,393,180
Federal funds	9,910,637	11,513,252
Global Commitment fund	453,000	453,000
Interdepartmental transfers	<u>580,603</u>	<u>580,603</u>
Total	25,122,965	30,923,203

Sec. 7. 2020 Acts and Resolves No. 154, Sec. B.301 is amended to read:

Sec. B.301 Secretary's office - global commitment

Grants	<u>1,623,904,822</u>	<u>1,631,591,649</u>
Total	1,623,904,822	1,631,591,649

Source of funds

General fund	522,372,868	520,682,392
Special funds	32,293,557	32,293,557
Tobacco fund	21,049,373	21,049,373
State health care resources fund	17,078,501	17,078,501
Federal funds	1,020,542,541	1,032,002,623
Interdepartmental transfers	<u>10,567,982</u>	<u>8,485,203</u>
Total	1,623,904,822	1,631,591,649

Sec. 8. 2020 Acts and Resolves No. 154, Sec. B.306 is amended to read:

Sec. B.306 Department of Vermont health access - administration

Personal services	129,834,613	132,665,708
Operating expenses	26,285,655	26,285,655

Grants	<u>5,192,301</u>	<u>5,192,301</u>
Total	161,312,569	164,143,664
Source of funds		
General fund	32,314,433	32,645,528
Special funds	3,378,509	3,378,509
Federal funds	116,496,036	116,496,036
Global Commitment fund	<u>4,330,710</u>	6,830,710
Interdepartmental transfers	<u>4,792,881</u>	<u>4,792,881</u>
Total	161,312,569	164,143,664

Sec. 9. 2020 Acts and Resolves No. 154, Sec. B.307 is amended to read:

Sec. B.307 Department of Vermont health access - Medicaid program - global commitment

Personal services	547,983	547,983
Grants	<u>726,492,200</u>	<u>742,313,519</u>
Total	727,040,183	742,861,502
Source of funds		
Global Commitment fund	<u>727,040,183</u>	<u>742,861,502</u>
Total	727,040,183	742,861,502

Sec. 10. 2020 Acts and Resolves No. 154, Sec. B.309 is amended to read:

Sec. B.309 Department of Vermont health access - Medicaid program - state only

Grants	<u>51,417,964</u>	<u>37,928,235</u>
Total	51,417,964	37,928,235
Source of funds		
General fund	39,365,706	37,771,688
Global Commitment fund	<u>12,052,258</u>	<u>156,547</u>
Total	51,417,964	37,928,235

Sec. 11. 2020 Acts and Resolves No. 154, Sec. B.310 is amended to read:

Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched

Grants	<u>33,096,001</u>	<u>33,003,393</u>
Total	33,096,001	33,003,393
Source of funds		
General fund	12,164,088	12,141,484
Federal funds	<u>20,931,913</u>	<u>20,861,909</u>
Total	33,096,001	33,003,393

Sec. 12. 2020 Acts and Resolves No. 154, Sec. B.311 is amended to read:

Sec. B.311 Health - administration and support

Personal services	5,618,392	5,618,392
Operating expenses	6,355,826	7,853,373
Grants	<u>4,040,881</u>	<u>4,040,881</u>
Total	16,015,099	17,512,646
Source of funds		
General fund	2,704,133	4,201,680
Special funds	2,041,597	2,041,597
Federal Coronavirus Relief Fund	1,000,000	1,000,000
Federal funds	7,493,305	7,493,305
Global Commitment fund	2,681,102	2,681,102
Interdepartmental transfers	<u>94,962</u>	<u>94,962</u>
Total	16,015,099	17,512,646

Sec. 13. 2020 Acts and Resolves No. 154, Sec. B.312 is amended to read:

Sec. B.312 Health - public health

Personal services	46,668,668	46,668,668
Operating expenses	10,183,898	11,635,723
Grants	<u>36,833,198</u>	<u>36,833,198</u>
Total	93,685,764	95,137,589
Source of funds		
General fund	10,325,430	11,777,255
Special funds	18,763,637	18,763,637
Tobacco fund	1,088,918	1,088,918
Federal Coronavirus Relief Fund	1,650,000	1,650,000
Federal funds	47,328,052	47,328,052
Global Commitment fund	13,264,921	13,264,921
Interdepartmental transfers	1,239,806	1,239,806
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	93,685,764	95,137,589

Sec. 14. 2020 Acts and Resolves No. 154, Sec. B.313 is amended to read:

Sec. B.313 Health - alcohol and drug abuse programs

Personal services	4,999,801	4,999,801
Operating expenses	442,000	596,474
Grants	<u>48,713,374</u>	<u>48,713,374</u>
Total	54,155,175	54,309,649
Source of funds		
General fund	1,234,338	1,388,812
Special funds	1,281,066	1,281,066

Tobacco fund	949,917	949,917
Federal funds	18,491,664	18,491,664
Global Commitment fund	<u>32,198,190</u>	<u>32,198,190</u>
Total	<u>54,155,175</u>	<u>54,309,649</u>

Sec. 15. 2020 Acts and Resolves No. 154, Sec. B.314 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	32,711,706	32,999,191
Operating expenses	4,574,758	4,574,758
Grants	<u>240,423,028</u>	<u>241,673,561</u>
Total	<u>277,709,492</u>	<u>279,247,510</u>
Source of funds		
General fund	8,869,021	9,074,739
Special funds	1,686,673	1,686,673
Federal Coronavirus Relief Fund	737,104	940,763
Federal funds	11,127,574	11,127,574
Global Commitment fund	<u>253,591,013</u>	<u>254,108,677</u>
Interdepartmental transfers	<u>1,698,107</u>	<u>2,309,084</u>
Total	<u>277,709,492</u>	<u>279,247,510</u>

Sec. 16. 2020 Acts and Resolves No. 154, Sec. B.316 is amended to read:

Sec. B.316 Department for children and families - administration & support services

Personal services	37,989,806	38,800,363
Operating expenses	16,737,674	17,383,274
Grants	<u>3,739,106</u>	<u>3,819,106</u>
Total	<u>58,466,586</u>	<u>60,002,743</u>
Source of funds		
General fund	32,556,013	33,832,876
Special funds	2,708,800	2,708,990
Federal funds	20,975,521	21,104,561
Global Commitment fund	2,005,816	2,005,816
Interdepartmental transfers	<u>220,436</u>	<u>350,500</u>
Total	<u>58,466,586</u>	<u>60,002,743</u>

Sec. 17. 2020 Acts and Resolves No. 154, Sec. B.317 is amended to read:

Sec. B.317 Department for children and families - family services

Personal services	38,776,869	38,741,148
Operating expenses	5,069,385	5,083,785
Grants	<u>78,055,766</u>	<u>79,379,516</u>
Total	<u>121,902,020</u>	<u>123,204,449</u>

Source of funds		
General fund	43,478,598	43,949,508
Special funds	729,587	729,587
Federal funds	32,002,165	32,276,133
Global Commitment fund	45,579,021	46,209,021
Interdepartmental transfers	<u>112,649</u>	<u>40,200</u>
Total	121,902,020	123,204,449

Sec. 18. 2020 Acts and Resolves No. 154, Sec. B.318 is amended to read:

Sec. B.318 Department for children and families - child development

Personal services	4,612,052	4,771,627
Operating expenses	862,982	862,982
Grants	<u>82,319,977</u>	<u>77,515,651</u>
Total	87,795,011	83,150,260
Source of funds		
General fund	25,392,931	20,545,726
Special funds	16,820,000	16,820,000
Tobacco fund	2,000,000	2,000,000
Federal funds	33,551,078	33,753,532
Global Commitment fund	10,008,502	10,008,502
Interdepartmental transfers	<u>22,500</u>	<u>22,500</u>
Total	87,795,011	83,150,260

Sec. 19. 2020 Acts and Resolves No. 154, Sec. B.319 is amended to read:

Sec. B.319 Department for children and families - office of child support

Personal services	11,107,221	11,140,898
Operating expenses	<u>3,568,636</u>	<u>3,568,636</u>
Total	14,675,857	14,709,534
Source of funds		
General fund	4,392,533	4,426,210
Special funds	455,719	455,719
Federal funds	9,440,005	9,440,005
Interdepartmental transfers	<u>387,600</u>	<u>387,600</u>
Total	14,675,857	14,709,534

Sec. 20. 2020 Acts and Resolves No. 154, Sec. B.321 is amended to read:

Sec. B.321 Department for children and families - general assistance

Personal services	15,000	15,000
Grants	<u>8,981,574</u>	<u>24,294,694</u>
Total	<u>8,996,574</u>	<u>24,309,694</u>
Source of funds		

General fund	8,599,239	8,849,239
Federal funds	111,320	111,320
Global Commitment fund	286,015	286,015
Interdepartmental transfers	<u>0</u>	<u>15,063,120</u>
Total	8,996,574	24,309,694

Sec. 21. 2020 Acts and Resolves No. 154, Sec. B.323 is amended to read:

Sec. B.323 Department for children and families - reach up

Operating expenses	48,524	48,524
Grants	<u>39,867,197</u>	<u>35,758,350</u>
Total	<u>39,915,721</u>	35,806,874
Source of funds		
General fund	22,361,264	18,252,417
Special funds	6,133,482	6,133,482
Federal Coronavirus Relief Fund	5,197,333	5,197,333
Federal funds	3,542,024	3,542,024
Global Commitment fund	<u>2,681,618</u>	<u>2,681,618</u>
Total	<u>39,915,721</u>	35,806,874

Sec. 22. 2020 Acts and Resolves No. 154, Sec. B.325 is amended to read:

Sec. B.325 Department for children and families - office of economic opportunity

Personal services	534,250	545,613
Operating expenses	44,078	44,078
Grants	<u>10,566,655</u>	<u>10,566,655</u>
Total	<u>11,144,983</u>	11,156,346
Source of funds		
General fund	5,307,854	5,319,217
Special funds	57,990	57,990
Federal funds	4,423,154	4,423,154
Global Commitment fund	<u>1,355,985</u>	<u>1,355,985</u>
Total	<u>11,144,983</u>	11,156,346

Sec. 23. 2020 Acts and Resolves No. 154, Sec. B.327 is amended to read:

Sec. B.327 Department for children and families - Woodside rehabilitation center

Personal services	3,928,957	3,863,818
Operating expenses	675,455	675,455
Grants	<u>2,000,000</u>	
Total	<u>4,604,412</u>	6,539,273
Source of funds		

General fund	4,507,412	6,412,273
Global Commitment fund	0	30,000
Interdepartmental transfers	97,000	97,000
Total	4,604,412	6,539,273

Sec. 24. 2020 Acts and Resolves No. 154, Sec. B.329 is amended to read:

Sec. B.329 Disabilities, aging, and independent living - administration & support

Personal services	33,409,543	33,542,021
Operating expenses	5,883,996	5,883,996
Total	39,293,539	39,426,017
Source of funds		
General fund	17,410,292	17,542,770
Special funds	1,390,457	1,390,457
Federal funds	19,426,506	19,426,506
Interdepartmental transfers	1,066,284	1,066,284
Total	39,293,539	39,426,017

Sec. 25. 2020 Acts and Resolves No. 154, Sec. B.330 is amended to read:

Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants

Grants	18,762,373	19,375,620
Total	18,762,373	19,375,620
Source of funds		
General fund	7,441,442	7,454,782
Federal funds	7,148,466	7,748,373
Global Commitment fund	4,172,465	4,172,465
Total	18,762,373	19,375,620

Sec. 26. 2020 Acts and Resolves No. 154, Sec. B.333 is amended to read:

Sec. B.333 Disabilities, aging, and independent living - developmental services

Grants	234,832,050	235,177,424
Total	234,832,050	235,177,424
Source of funds		
General fund	155,125	155,125
Special funds	15,463	15,463
Federal funds	359,857	359,857
Global Commitment fund	234,256,605	234,601,979
Interdepartmental transfers	45,000	45,000
Total	234,832,050	235,177,424

Sec. 27. 2020 Acts and Resolves No. 154, Sec. B.334.1 is amended to read:

Sec. B.334.1 Disabilities, aging and independent living - Long Term Care

Grants	<u>225,276,530</u>	<u>226,190,987</u>
Total	<u>225,276,530</u>	<u>226,190,987</u>
Source of funds		
General fund	498,579	498,579
Federal funds	2,083,333	2,083,333
Global Commitment fund	<u>222,694,618</u>	<u>223,609,075</u>
Total	<u>225,276,530</u>	<u>226,190,987</u>

Sec. 28. 2020 Acts and Resolves No. 154, Sec. B.338 is amended to read:

Sec. B.338 Corrections - correctional services

Personal services	<u>120,895,262</u>	<u>115,752,606</u>
Operating expenses	23,059,297	23,059,297
Grants	<u>8,808,427</u>	<u>8,808,427</u>
Total	<u>152,762,986</u>	<u>147,620,330</u>
Source of funds		
General fund	<u>140,696,389</u>	<u>135,553,733</u>
Special funds	935,963	935,963
Federal Coronavirus Relief Fund	4,950,000	4,950,000
Federal funds	473,523	473,523
Global Commitment fund	5,310,796	5,310,796
Interdepartmental transfers	<u>396,315</u>	<u>396,315</u>
Total	<u>152,762,986</u>	<u>147,620,330</u>

Sec. 29. 2020 Acts and Resolves No. 154, Sec. B.342 is amended to read:

Sec. B.342 Vermont veterans' home - care and support services

Personal services	<u>19,575,182</u>	<u>21,088,921</u>
Operating expenses	<u>4,455,065</u>	<u>4,455,065</u>
Total	<u>24,030,247</u>	<u>25,543,986</u>
Source of funds		
General fund	2,858,379	2,858,379
Special funds	<u>11,858,292</u>	<u>12,729,031</u>
Federal Coronavirus Relief Fund	0	643,000
Federal funds	<u>9,313,576</u>	<u>9,313,576</u>
Total	<u>24,030,247</u>	<u>25,543,986</u>

Sec. 30. 2020 Acts and Resolves No. 154, Sec. B.346 is amended to read:

Sec. B.346 Total human services

Source of funds

General fund	986,362,972	977,495,760
Special funds	115,532,594	116,403,523
Tobacco fund	25,088,208	25,088,208
State health care resources fund	17,078,501	17,078,501
Federal Coronavirus Relief Fund	13,534,437	17,774,276
Federal funds	1,457,654,882	1,471,852,944
Global Commitment fund	1,583,321,128	1,592,184,231
Internal service funds	1,930,685	1,930,685
Interdepartmental transfers	33,220,909	46,869,842
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	4,233,749,316	4,266,702,970

Sec. 31. 2020 Acts and Resolves No. 154, Sec. B.501 is amended to read:

Sec. B.501 Education - education services

Personal services	12,205,290	12,205,290
Operating expenses	1,073,385	1,073,385
Grants	<u>124,979,229</u>	<u>128,479,229</u>
Total	<u>138,257,904</u>	141,757,904
Source of funds		
General fund	4,593,768	4,593,768
Special funds	2,844,721	2,844,721
Tobacco fund	750,388	750,388
Federal funds	<u>130,069,027</u>	<u>133,569,027</u>
Total	<u>138,257,904</u>	141,757,904

Sec. 32. 2020 Acts and Resolves No. 154, Sec. B.516 is amended to read:

Sec. B.516 Total general education

Source of funds		
General fund	165,324,647	165,324,647
Special funds	21,134,730	21,134,730
Tobacco fund	750,388	750,388
Education fund	1,800,256,714	1,800,256,714
Federal funds	<u>136,967,503</u>	140,467,503
Global Commitment fund	260,000	260,000
Interdepartmental transfers	582,172	582,172
Pension trust funds	<u>5,929,795</u>	<u>5,929,795</u>
Total	<u>2,131,205,949</u>	2,134,705,949

Sec. 33. 2020 Acts and Resolves No. 154, Sec. B.700 is amended to read:

Sec. B.700 Natural resources - agency of natural resources - administration

Personal services	<u>2,772,491</u>	3,772,491
-------------------	------------------	-----------

Operating expenses	<u>1,043,407</u>	<u>1,043,407</u>
Total	3,815,898	4,815,898
Source of funds		
General fund	3,134,594	4,134,594
Special funds	581,393	581,393
Interdepartmental transfers	<u>99,911</u>	<u>99,911</u>
Total	3,815,898	4,815,898

Sec. 34. 2020 Acts and Resolves No. 154, Sec. B.702 is amended to read:

Sec. B.702 Fish and wildlife - support and field services

Personal services	18,228,943	18,228,943
Operating expenses	7,048,001	7,093,001
Grants	<u>785,636</u>	<u>785,636</u>
Total	26,062,580	26,107,580
Source of funds		
General fund	6,506,744	6,551,744
Special funds	669,737	669,737
Fish and wildlife fund	9,099,448	9,099,448
Federal funds	8,611,533	8,611,533
Interdepartmental transfers	<u>1,175,118</u>	<u>1,175,118</u>
Total	26,062,580	26,107,580

Sec. 35. 2020 Acts and Resolves No. 154, Sec. B.714 is amended to read:

Sec. B.714 Total natural resources

Source of funds		
General fund	31,157,460	32,202,460
Special funds	66,055,122	66,055,122
Fish and wildlife fund	9,099,448	9,099,448
Federal funds	52,185,233	52,185,233
Interdepartmental transfers	<u>10,440,051</u>	<u>10,440,051</u>
Total	168,937,314	169,982,314

Sec. 36. 2020 Acts and Resolves No. 154, Sec. B.901 is amended to read:

Sec. B.901 Transportation - aviation

Personal services	4,307,908	4,307,908
Operating expenses	5,037,764	5,011,524
Grants	<u>210,000</u>	<u>210,000</u>
Total	9,555,672	9,529,432
Source of funds		
Transportation fund	4,553,828	4,527,588

Federal funds	<u>5,001,844</u>	<u>5,001,844</u>
Total	<u>9,555,672</u>	<u>9,529,432</u>

Sec. 37. 2020 Acts and Resolves No. 154, Sec. B.903 is amended to read:

Sec. B.903 Transportation - program development

Personal services	54,357,099	54,357,099
Operating expenses	241,593,174	243,193,174
Grants	<u>26,825,000</u>	<u>26,825,000</u>
Total	<u>322,775,273</u>	<u>324,375,273</u>
Source of funds		
Transportation fund	42,204,675	42,204,675
TIB fund	8,904,313	8,904,313
Federal funds	271,141,834	272,741,834
Local match	<u>524,451</u>	<u>524,451</u>
Total	<u>322,775,273</u>	<u>324,375,273</u>

Sec. 38. 2020 Acts and Resolves No. 154, Sec. B.907 is amended to read:

Sec. B.907 Transportation - rail

Personal services	5,016,835	5,016,835
Operating expenses	26,447,613	19,897,613
Grants	<u>30,000</u>	<u>30,000</u>
Total	<u>31,494,448</u>	<u>24,944,448</u>
Source of funds		
Transportation fund	14,942,605	11,592,605
TIB fund	760,000	760,000
Federal funds	14,634,998	11,434,998
Interdepartmental transfers	<u>1,156,845</u>	<u>1,156,845</u>
Total	<u>31,494,448</u>	<u>24,944,448</u>

Sec. 39. 2020 Acts and Resolves No. 154, Sec. B.910 is amended to read:

Sec. B.910 Department of motor vehicles

Personal services	22,480,038	23,062,038
Operating expenses	<u>11,865,495</u>	<u>12,171,495</u>
Total	<u>34,345,533</u>	<u>35,233,533</u>
Source of funds		
General fund	0	138,000
Transportation fund	32,852,324	32,852,324
Federal Coronavirus Relief Fund	0	750,000
Federal funds	1,345,934	1,345,934
Interdepartmental transfers	<u>147,275</u>	<u>147,275</u>
Total	<u>34,345,533</u>	<u>35,233,533</u>

Sec. 40. 2020 Acts and Resolves No. 154, Sec. B.919 is amended to read:

Sec. B.919 Transportation - municipal mitigation assistance program

Operating expenses	210,000	210,000
Grants	<u>5,845,000</u>	<u>6,495,715</u>
Total	<u>6,055,000</u>	<u>6,705,715</u>
Source of funds		
Transportation fund	650,000	650,000
Special funds	<u>3,977,000</u>	<u>4,627,715</u>
Federal funds	<u>1,428,000</u>	<u>1,428,000</u>
Total	<u>6,055,000</u>	<u>6,705,715</u>

Sec. 41. 2020 Acts and Resolves No. 154, Sec. B.922 is amended to read:

Sec. B.922 Total transportation

Source of funds

General fund	0	138,000
Transportation fund	<u>254,180,308</u>	<u>250,804,068</u>
TIB fund	11,100,770	11,100,770
Special funds	<u>4,027,000</u>	<u>4,677,715</u>
Federal Coronavirus Relief Fund	0	750,000
Federal funds	<u>350,643,331</u>	<u>349,043,331</u>
Internal service funds	20,982,875	20,982,875
Interdepartmental transfers	1,661,970	1,661,970
Local match	<u>913,177</u>	<u>913,177</u>
Total	<u>643,509,431</u>	<u>640,071,906</u>

Sec. 42. 2020 Acts and Resolves No. 154, Sec. D.101 is amended to read:

Sec. D.101 FUND TRANSFERS, REVERSIONS AND RESERVES

* * *

(b) Notwithstanding any provision of law to the contrary, in fiscal year 2021:

* * *

(4) The following amount shall be transferred from the General Fund to the fund indicated:

<u>21270</u>	<u>Forest Parks Revolving Fund</u>	<u>1,200,000.00</u>
--------------	------------------------------------	---------------------

* * *

(c) Notwithstanding any provision of law to the contrary, in fiscal year 2021:

* * *

(1) The following amounts shall revert to the General Fund from the accounts indicated:

* * *

3420010000 Department of Health – Administration 252,948.23

* * *

(f) Notwithstanding any provision of law to the contrary, in fiscal year 2021:

(1) the following amount shall revert to the Clean Water Fund from the account indicated:

6140040000 Environmental Conservation –
 Office of Water Programs 650,715.00

(g) Notwithstanding any provision of law to the contrary, in fiscal year 2021:

(1) the following amount shall be transferred from the Transportation Fund to the account indicated:

20191 Transportation Infrastructure Bond Fund 200,000.00

Sec. 43. 2020 Acts and Resolves No. 154, Sec. E.301 is amended to read:

Sec. E.301 Secretary's Office – Global Commitment

* * *

(b) In addition to the State funds appropriated in this section, a total estimated sum of ~~\$24,283,719~~ \$24,147,353 is anticipated to be certified as State matching funds under the Global Commitment as follows:

* * *

(2) ~~\$2,816,169~~ \$2,679,803 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

Sec. 44. PRIORITIZING USE OF NON-CORONAVIRUS RELIEF
FEDERAL FUNDS; LEGISLATIVE INTENT

(a) It is the intent of the General Assembly to use federal funds from sources other than the Coronavirus Relief Fund (CRF), including federal funds provided to the State in the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, instead of using CRF monies whenever possible in order to apply CRF monies to other eligible purposes in light of the extension for using CRF

monies from December 30, 2020 to December 31, 2021 in Sec. 1001 of the federal act.

(b) As soon as federal guidance is provided, similar actions taken by other states are known, or recommendations are made from knowledgeable consultants or contractors, the Secretary of Administration, in consultation with the Commissioner of Finance and Management and the Secretaries of Human Services and of Commerce and Community Development, shall report to the House and Senate Committees on Appropriations regarding the application of federal funds from the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, for eligible expenditures previously covered using CRF monies that were appropriated for emergency housing, rental arrearage assistance, utility arrearage assistance, nutrition assistance, and other social or human services purposes identified by the Secretaries and Commissioner.

Sec. 44a. LEGISLATURE: CRF USE THROUGH JUNE 30, 2021

(a) In light of the extension of time to use monies from the Coronavirus Relief Fund pursuant to Sec. 1001 of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, the Legislature may continue to use monies remaining from the Coronavirus Relief Fund appropriated to the Legislative Branch during the 2020 session for appropriate expenditures during the remainder of fiscal year 2021.

Sec. 45. CORONAVIRUS RELIEF FUNDS; EMERGENCY RESPONSE;
PUBLIC HEALTH, SAFETY, OR WELFARE

(a) The Secretary of Administration may allocate up to a total of \$3,000,000.00 from the Coronavirus Relief Fund (CRF) through May 15, 2021, to the extent those monies available, for emergency response to address one or more issues affecting the public health, safety, or welfare.

(b) If the Secretary identifies a need to expend less than \$100,000.00 for emergency response to address an issue or issues affecting the public health, safety, or welfare, the Secretary may expend the CRF monies and shall notify the Joint Fiscal Committee of the expenditure.

(c)(1) If the Secretary of Administration identifies a need to expend \$100,000.00 or more for emergency response to address an issue or issues affecting the public health, safety, or welfare, the Secretary shall inform the Joint Fiscal Committee of the proposed expenditure.

(2) Any member of the Joint Fiscal Committee may request that the proposed expenditure be held for consideration by the full Committee by directing a request to the Secretary of Administration through the Joint Fiscal Office within 24 hours following receipt of the notice of proposed expenditure. The Office shall also immediately inform the other members of the Joint Fiscal

Committee of the request for consideration and shall inform the General Assembly of the Secretary's proposed expenditure.

(3) Upon a Joint Fiscal Committee member's request for a proposed expenditure to be held for consideration, the Joint Fiscal Committee shall meet within three days to consider the proposed expenditure and determine whether to approve it.

(A) If the Joint Fiscal Committee approves the proposed expenditure, the Secretary may proceed to expend the CRF monies as proposed.

(B) If the Joint Fiscal Committee disapproves a proposed expenditure, the Secretary shall not expend the CRF monies as proposed but may submit the proposal to the General Assembly for consideration as an appropriation or may revise and resubmit the proposal to the Joint Fiscal Committee for reconsideration under this section.

(C) If the Joint Fiscal Committee does not meet within the three-day period or does not approve or disapprove the proposed expenditure within three days following receipt of the proposal, the Secretary may proceed to expend the CRF monies as proposed.

(4) If no member of the Joint Fiscal Committee has requested that the expenditure be held for consideration and approval upon expiration of the 24-hour period following receipt of the notice of proposed expenditure, Secretary may proceed to expend the CRF monies as proposed.

Sec. 46. 2020 Acts and Resolves No. 137, Sec. 13 is amended to read:

Sec. 13. COVID-RESPONSE ACCELERATED BROADBAND
CONNECTIVITY PROGRAM

* * *

(n) Any unexpended funds under the Program as of December 20, 2020 shall be returned to the State Coronavirus Relief Fund. Notwithstanding any provision of law to the contrary, the Commissioner of Public Service is authorized to continue disbursing funds under the Program for any broadband project contracted for prior to December 20, 2020 and not completed on or before December 30, 2020. The Commissioner shall retain any remaining balance of funds appropriated under this section and shall not disburse them for any other purpose without specific authorization from the General Assembly.

* * *

Sec. 47. COVID-RESPONSE TEMPORARY BROADBAND SUBSIDY PROGRAM; EXTENSION

(a) It is the intent of the General Assembly that the COVID-Response Temporary Broadband Lifeline Program established under 2020 Acts and Resolves No. 137, Sec. 13(d) be extended for an additional two months covering the period beginning on January 1, 2021 and ending on February 28, 2021.

(b) To accomplish the purpose of this section and notwithstanding any other provision of law to the contrary, the Department of Public Service is authorized to use \$275,000.00 of the unobligated balance remaining from the appropriations for broadband programs under Act 137 and 2020 Acts and Resolves No. 154 to extend the COVID-Response Temporary Broadband Lifeline Program to cover the period from January 1, 2021 through February 28, 2021.

Sec. 47a. FISCAL YEAR 2021 SUPPLEMENTAL VERMONT STATE COLLEGES APPROPRIATION

(a) In fiscal year 2021, in addition to other appropriations, the sum of \$3,600,000.00 is appropriated from the Coronavirus Relief Fund to Vermont State Colleges to assist with expenses related to the COVID-19 pandemic.

(b) In fiscal year 2021 or 2022, to the extent that Coronavirus Relief Funds are identified as available by the Commissioner of Finance, up to \$800,000 is appropriated to Vermont State Colleges to assist with expenses related to the COVID-19 pandemic.

Sec. 47b. 2020 Acts and Resolves No. 120, Sec. A.49(a)(2) is amended to read:

(2) The Vermont State Colleges (VSC): \$22,758,000 is granted to the VSC for costs and business disruption impacts through December 30, 2020 31,2021 due to the COVID-19 pandemic.

Sec. 48. AGENCY OF COMMERCE AND COMMUNITY DEVELOPMENT; EVERYONE EATS

(a) It is the intent of the General Assembly to continue funding the Restaurants and Farmers Feeding the Hungry Program, known as Everyone Eats, through the end of fiscal year 2021 to the extent that sufficient Federal Emergency Management Agency (FEMA) funds are made available to meet Program needs.

(b) The Commissioner of Finance and Management shall use the excess receipts authority under 32 V.S.A. § 511 to make interdepartmental transfers from the FEMA account to the Agency of Commerce and Community

Development for the purpose of funding the Everyone Eats Program through the end of fiscal year 2021.

Sec. 49. 2020 Acts and Resolves No. 120, Sec. A.49(a)(9) is amended to read:

(9) Agency of Human Services: ~~\$300,000~~ \$375,000 is appropriated to the Agency of Human Services to be granted to Vermont Legal Aid for increased costs of providing access to justice services in response to the COVID-19 pandemic. Up to 50% of this amount shall be used to cover the cost of per use electronic judicial filing fees though ~~December 30, 2020~~ March 31, 2021 to ensure all court users have timely access to justice as the judicial system resumes operations relying on greater digital remote online processes to ensure public health and safety after closure due to COVID-19.

Sec. 50. 2020 Acts and Resolves No. 136, Sec. 7, as amended by 2020 Acts and Resolves No. 154, Sec. B.1121, is further amended to read:

Sec. 7. AGENCY OF HUMAN SERVICES; HEALTH CARE PROVIDER STABILIZATION GRANT PROGRAM

* * *

(e) Extraordinary relief to long-term care facilities; adult day programs; transfer authorized. Notwithstanding any provision of this section to the contrary, the Agency of Human Services may:

(1) disburse funds appropriated by this section to any long-term care facility in urgent need of extraordinary financial relief in the event of a COVID-19 outbreak in the facility;

(2) disburse funds appropriated by this section to any adult day service provider during the remainder of fiscal year 2021 if the Agency determines that the funds are necessary to ensure the provider's sustainability and funds are available for this purpose; and

(3) transfer funds appropriated by this section to the Agency of Commerce and Community Development for distribution to health care providers receiving financial assistance through the Economic Recovery program.

(f) Reports.

* * *

Sec. 50a. DEPARTMENT FOR CHILDREN AND FAMILIES; VSNIP
FISCAL YEAR 2021 SUPPLEMENTAL APPROPRIATION

\$300,000.00 is appropriated to the Department for Children and Families from the General Fund to ensure the Vermont Spay Neuter Incentive Program is in fiscal balance by the close fiscal year 2021.

Sec. 51. DEPARTMENT FOR CHILDREN AND FAMILIES; HOUSING
FOR HOUSEHOLDS EXPERIENCING HOMELESSNESS;
CONTINUED USE OF FUNDS IN FISCAL YEAR 2021

In light of the extension of time to use monies from the Coronavirus Relief Fund pursuant to Sec. 1001 of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, the Department for Children and Families may continue to use monies remaining from the Coronavirus Relief Fund appropriation to the Department in 2020 Acts and Resolves No. 137, Sec. 12, for programs and services that support safe, stable housing opportunities for Vermont households experiencing homelessness as a result of the COVID-19 public health emergency and related administrative costs during the remainder of fiscal year 2021.

* * *

Sec. 51a. DEPARTMENT FOR CHILDREN AND FAMILIES; HOUSING
FOR JUSTICE-INVOLVED JUVENILES

(a) The Department of Buildings and General Services shall review and approve any design documents prior to the State issuing a request for proposal for any project to renovate housing to make it building-secure for justice-involved juveniles.

(b) For the project described in subsection (a) of this section, the State shall secure a warranty bond on the entire cost of the project.

Sec. 52. 2020 Acts and Resolves No. 137, Sec. 11(a)(4) is amended to read:

(4) Rental assistance; eviction protection. \$25,000,000.00 \$27,800,000.00 to the Department of Housing and Community Development for a grant to the Vermont State Housing Authority, which shall administer the distribution of funds to landlords on behalf of tenants in need of rental arrearage assistance.

* * *

Sec. 53. [DELETED]

Sec. 54. 2020 Acts and Resolves No. 136, Sec. 6(f) is amended to read:

(f) Each covered employer that receives a grant shall, not later than 90 days after receiving the grant ~~and in no event later than~~ or by December 15, 2020, whichever is earlier, report to the Agency on a standard form provided by the Secretary the amount of grant funds used to provide hazard pay to eligible employees and the amount of any remaining grant funds that were not spent; provided, however, that the Agency may allow a grace period for reporting, in the Agency's discretion. All unspent grant funds shall be returned to the Agency pursuant to a procedure adopted by the Secretary.

Sec. 55. 2020 Acts and Resolves No. 121, Sec. 4(b), as amended by 2020 Acts and Resolves No. 154, Sec. G.103, is further amended to read:

(b) Within the Agency of Transportation's Proposed Fiscal Year 2021 Transportation Program for Rail, authorized spending for Statewide – Amtrak Contract is reduced by ~~\$750,000.00~~ \$4,100,000.00 in Transportation Fund monies and \$3,200,00.00 in federal fund monies.

Sec. 56. 2019 Acts and Resolves No. 59, Sec. 34, as amended by 2020 Acts and Resolves No. 121, Sec. 14, and 2020 Acts and Resolves No. 154, Sec. G.112, is further amended to read:

Sec. 34. VEHICLE INCENTIVE AND EMISSIONS REPAIR PROGRAMS

(a) Vehicle incentive and emissions repair programs administration.

* * *

(3) Subject to State procurement requirements, the Agency may retain a contractor or contractors to assist with marketing, program development, and administration of the programs. Up to \$150,000.00 of program funding may be set aside for this purpose for the programs described in subsection (c) of this section in fiscal year 2020 and \$50,000.00 of program funding shall be set aside for this purpose for the programs described in ~~subsection~~ subdivision (c)(1) of this section in fiscal year 2021 ~~and to ensure that the emissions repair program is operational not later than July 1, 2021.~~

* * *

(c) High fuel efficiency vehicle incentive and emissions repair programs. Used high fuel efficiency vehicle purchase incentive and emissions repair programs for Vermont residents shall structure high fuel efficiency purchase incentive payments and emissions repair vouchers by income to help Vermonters benefit from more efficient driving, including Vermont's most vulnerable. Not less than \$750,000.00 shall be provided in point-of-sale and point-of-repair vouchers.

* * *

(2) The emissions repair program, ~~which shall be operational on or before July 1, 2021,~~ shall:

* * *

Sec 57. BODY CAMERA DEPLOYMENT

(a) The Departments of Fish and Wildlife, of Liquor Control, and of Motor Vehicles shall only deploy the use of body cameras after appropriate training of staff and the adoption of policies on use and retention of records by each department. The Secretary of Administration shall provide a report to the Joint Fiscal and the Joint Justice Oversight Committees in September 2021 on the status of use of body cameras in these departments.

Sec. 58. 10 V.S.A. § 591(g) is amended to read:

(g) Members of the Council and members of subcommittees who are not State employees shall be entitled to per diem compensation and reimbursement of expenses for each day spent in the performance of their duties, as permitted under 32 V.S.A. § 1010. These payments shall be made from monies appropriated to the Agency of Natural Resources.

Sec. 59. EFFECTIVE DATES

This act shall take effect on passage, except that, notwithstanding 1 V.S.A. § 214:

(1) Sec. 50(e)(1) (extraordinary relief to long-term care facilities) shall take effect retroactively on November 1, 2020;

(2) Secs. 50(e)(2) (adult day programs) and 49 (judicial filing fees) shall take effect retroactively on December 1, 2020;

(3) Sec. 50(e)(3) (transfer authority) shall take effect retroactively on July 1, 2020; and

(4) Secs. 47 (broadband access) and 54 (hazard pay reports) shall take effect retroactively on December 15, 2020.

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

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

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 11, 2021.

THURSDAY, FEBRUARY 11, 2021

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. 18

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

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 20. An act relating to pretrial risk assessments and pretrial services.

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

Message from the House No. 19

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

Madam President:

I am directed to inform the Senate that:

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 15. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 76.

By Senators Terenzini, Benning, Brock, Collamore, Ingalls, Parent and Starr,

An act relating to the expansion of, and grant funding for, school resource officers in Vermont schools.

To the Committee on Education.

S. 77.

By Senators Sears, Pearson, Sirotkin and Westman,

An act relating to sports wagering.

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

Bill Referred

House bill of the following title was read the first time and referred:

H. 20.

An act relating to pretrial risk assessments and pretrial services.

To the Committee on Judiciary.

Bill Passed in Concurrence with Proposal of Amendment; Rules Suspended; Bill Messaged

H. 138.

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

An act relating to fiscal year 2021 budget adjustments.

Thereupon, on motion of Senator Balint, the rules were suspended and the bill was ordered messaged to the House forthwith.

Adjournment

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

FRIDAY, FEBRUARY 12, 2021

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. 20

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

Madam President:

I am directed to inform the Senate that:

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 15. House concurrent resolution congratulating the Putney Food Co-op on its 80th anniversary.

H.C.R. 16. House concurrent resolution extending future best wishes to and honoring Ikey Spear for her leadership as an outstanding social work practitioner and educator.

H.C.R. 17. House concurrent resolution honoring former Vermont House Clerk William M. MaGill for his notable contributions to the State legislative process.

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

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 78.

By Senator Hooker,

An act relating to binding interest arbitration for employees of the Vermont Judiciary.

To the Committee on Government Operations.

S. 79.

By Senators Sirotkin, Clarkson and Balint,

An act relating to improving rental housing health and safety.

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

S. 80.

By Senator Pearson,

An act relating to limiting employee compensation for State-funded nonprofit organizations.

To the Committee on Finance.

Bill Amended; Third Reading Ordered**S. 42.**

Senator Terenzini, for the Committee on Health and Welfare, to which was referred Senate bill entitled:

An act relating to establishing the Emergency Service Provider Wellness Commission.

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

Sec. 1. 18 V.S.A. § 7257b is added to read:

§ 7257b. EMERGENCY SERVICE PROVIDER WELLNESS
COMMISSION

(a) As used in this section:

(1) “Chief executive of an emergency service provider organization” means a person in charge of an organization that employs or supervises emergency service providers in their official capacity.

(2) “Emergency service provider” means a person:

(A) currently or formerly recognized by a Vermont Fire Department as a firefighter;

(B) currently or formerly licensed by the Department of Health as an emergency medical technician, emergency medical responder, advanced emergency medical technician, or paramedic;

(C) currently or formerly certified as a law enforcement officer by the Vermont Criminal Justice Council, including constables and sheriffs;

(D) currently or formerly employed by the Department of Corrections as a probation, parole, or correctional facility officer; or

(E) currently or formerly certified by the Vermont Enhanced 911 Board as a 911 call taker or employed as an emergency communications dispatcher providing service for an emergency service provider organization.

(3) “Licensing entity” means a State entity that licenses or certifies an emergency service provider.

(b) There is created the Emergency Service Provider Wellness Commission within the Agency of Human Services that, in addition to the purposes listed below, shall consider the diversity of emergency service providers on the basis of gender, race, age, ethnicity, sexuality, disability status, and the unique needs

that emergency service providers who have experienced trauma may have as a result of their identity status:

(1) to identify where increased or alternative supports or strategic investments within the emergency service provider community, designated or specialized service agencies, or other community service systems could improve the physical and mental health outcomes and overall wellness of emergency service providers;

(2) to identify how Vermont can increase capacity of qualified clinicians in the treatment of emergency service providers to ensure that the services of qualified clinicians are available throughout the State without undue delay;

(3) to create materials and information, in consultation with the Department of Health, including a list of qualified clinicians, for the purpose of populating an electronic emergency service provider wellness resource center on the Department of Health's website;

(4) to educate the public, emergency service providers, State and local governments, employee assistance programs, and policymakers about best practices, tools, personnel, resources, and strategies for the prevention and intervention of the effects of trauma experienced by emergency service providers;

(5) to identify gaps and strengths in Vermont's system of care for both emergency service providers who have experienced trauma and their immediate family members to ensure access to support and resources that address the impacts of primary and secondary trauma;

(6) to recommend how peer support services and qualified clinician services can be delivered regionally or statewide;

(7) to recommend how to support emergency service providers in communities that are resource challenged, remote, small, or rural;

(8) to recommend policies, practices, training, legislation, rules, and services that will increase successful interventions and support for emergency service providers to improve health outcomes, job performance, and personal well-being and reduce health risks, violations of employment, and violence associated with the impact of untreated trauma, including whether to amend Vermont's employment medical leave laws to assist volunteer emergency service providers in recovering from the effects of trauma experienced while on duty; and

(9) to consult with federal, State, and municipal agencies, organizations, entities, and individuals in order to make any other recommendations the Commission deems appropriate.

(c)(1) The Commission shall comprise the following members and, to the extent feasible, include representation among members that reflects the gender, racial, age, ethnic, sexual, social, and disability status of emergency service providers in the State:

(A) the Chief of Training of the Vermont Fire Academy or designee;

(B) a representative, appointed by the Vermont Criminal Justice Council;

(C) the Commissioner of Health or designee;

(D) the Commissioner of Public Safety or designee;

(E) the Commissioner of the Department of Corrections or designee;

(F) the Commissioner of Mental Health or designee;

(G) the Commissioner of Human Resources or designee;

(H) a law enforcement officer who is not a chief or sheriff, appointed by the President of the Vermont Police Association;

(I) a representative, appointed by the Vermont Association of Chiefs of Police;

(J) a representative, appointed by the Vermont Sheriffs' Association;

(K) a volunteer firefighter, appointed by the Vermont State Firefighters' Association;

(L) a representative of the designated and specialized service agencies, appointed by Vermont Care Partners;

(M) a representative, appointed by the Vermont State Employees Association;

(N) a representative, appointed by the Vermont Troopers' Association;

(O) a professional firefighter, appointed by the Professional Firefighters of Vermont;

(P) a clinician associated with a peer support program who has experience in treating workplace trauma, appointed by the Governor;

(Q) a professional emergency medical technician or paramedic, appointed by the Vermont State Ambulance Association;

(R) a volunteer emergency medical technician or paramedic, appointed by the Vermont State Ambulance Association;

(S) a person who serves or served on a peer support team, appointed by the Governor;

(T) a representative, appointed by the Vermont League of Cities and Towns;

(U) a Chief, appointed by the Vermont Career Fire Chiefs Association;

(V) a Chief, appointed by the Vermont Fire Chiefs Association;

(W) a representative, appointed by the Vermont Association for Hospitals and Health Systems; and

(X) the Executive Director of the Enhanced 911 Board or designee.

(2) The members of the Commission specified in subdivision (1) of this subsection shall serve three-year terms. Any vacancy on the Commission shall be filled in the same manner as the original appointment. The replacement member shall serve for the remainder of the unexpired term.

(3) Commission members shall recuse themselves from any discussion of an event or circumstance that the member believes may involve an emergency service provider known by the member and shall not access any information related to it. The Commission may appoint an interim replacement member to fill the category represented by the recused member for review of that interaction.

(d)(1) The Commissioner of Health or designee shall call the first meeting of the Commission to occur on or before September 30, 2021.

(2) The Commission shall select a chair and vice chair from among its members at the first meeting and annually thereafter.

(3) The Commission shall meet at such times as may reasonably be necessary to carry out its duties but at least once in each calendar quarter.

(4) The Department of Health shall provide technical, legal, and administrative assistance to the Commission.

(e) The Commission's meetings shall be open to the public in accordance with 1 V.S.A. chapter 5, subchapter 2. Notwithstanding 1 V.S.A. § 313, the Commission may go into executive session in the event a circumstance or an event involving a specific emergency service provider is described, regardless of whether the emergency service provider is identified by name.

(f) Commission records describing a circumstance or an event involving a specific emergency service provider, regardless of whether the emergency

service provider is identified by name, are exempt from public inspection and copying under the Public Records Act and shall be kept confidential.

(g) To the extent permitted under federal law, the Commission may enter into agreements with agencies, organizations, and individuals to obtain otherwise confidential information.

(h) Notwithstanding 2 V.S.A. § 20(d), the Commission shall report its conclusions and recommendations to the Governor and General Assembly as the Commission deems necessary but not less frequently than once per calendar year. The report shall disclose individually identifiable health information only to the extent necessary to convey the Commission's conclusions and recommendations, and any such disclosures shall be limited to information already known to the public. The report shall be available to the public through the Department of Health.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

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, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Reps. Mrowicki and Bos-Lun,

By Senators Balint and White,

H.C.R. 15.

House concurrent resolution congratulating the Putney Food Co-op on its 80th anniversary.

By Rep. Pugh,

By Senator Ram,

H.C.R. 16.

House concurrent resolution extending future best wishes to and honoring Ikey Spear for her leadership as an outstanding social work practitioner and educator.

By All Members of the House,

H.C.R. 17.

House concurrent resolution honoring former Vermont House Clerk William M. MaGill for his notable contributions to the State legislative process.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 16, 2021, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 15.

TUESDAY, FEBRUARY 16, 2021

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Rabbi Tobi Weisman of Montpelier.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 16.

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Balint,

J.R.S. 16. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 19, 2021, it be to meet again no later than Tuesday, February 23, 2021.

Committee Bill Introduced

Senate committee bill of the following title was introduced, read the first time, and, under the rule, placed on the Calendar for notice the the next legislative day:

S. 81.

By the Committee on Economic Development, Housing and General Affairs,

An act relating to the disclosure of tax information to facilitate the administration of COVID-19-related unemployment insurance benefits.

Bill Passed**S. 42.**

Senate bill of the following title was read the third time and passed:

An act relating to establishing the Emergency Service Provider Wellness Commission.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 17, 2021.

WEDNESDAY, FEBRUARY 17, 2021

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Committee Relieved of Further Consideration; Bill Committed**S. 71.**

On motion of Senator Benning, the Committee on Institutions was relieved of further consideration of Senate bill entitled:

An act relating to applying Vermont prevailing wages to school construction projects,

and the bill was committed to the Committee on Economic Development, Housing and General Affairs.

Committee Relieved of Further Consideration; Bill Committed**S. 73.**

On motion of Senator Benning, the Committee on Institutions was relieved of further consideration of Senate bill entitled:

An act relating to allowing probation and parole officers to carry firearms while on duty,

and the bill was committed to the Committee on Government Operations.

**Appointment of Senate Members to Green Mountain Care Board
Nominating Committee**

Pursuant to the provisions of 18 V.S.A. § 9390, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Green Mountain Care Board Nominating Committee, for a term of two years:

Senator Pearson
Senator Lyons

**Appointment of Senate Members to Government Accountability
Committee**

Pursuant to the provisions of Sec. 5(b) of No. 206 of the Acts of 2008, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Legislative Government Accountability for the current biennium:

Senator White
Senator Collamore
Senator Perchlik
Senator Ram

Appointment of Senate Member to Governor's Snowmobile Council

Pursuant to the provisions of 23 V.S.A. § 3216, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Governor's Snowmobile Council for a term of two years:

Senator Kitchel

Appointment of Task Force to Revitalize the Vermont Dairy Industry

Pursuant to the provisions of Act No. 129 Sec. 31(c)(1) (Acts of 2020)(Adj. Sess.), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Task Force to Revitalize the Vermont Dairy Industry during this biennium:

Senator Starr
Senator Brock

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 82.

By Senators Pollina, Benning, Bray, Brock, Champion, Chittenden, Collamore, Cummings, Hardy, Hooker, Kitchel, Pearson, Perchlik, Sirotkin and Terenzini,

An act relating to providing the State Auditor with access to accountable care organization records.

To the Committee on Health and Welfare.

S. 83.

By Senator Ingalls,

An act relating to the Dairy Industry Stabilization Program.

To the Committee on Agriculture.

S. 84.

By Senator Ram,

An act relating to the use of exclusionary discipline for students who are under eight years of age and to school district truancy referrals to the State's Attorneys.

To the Committee on Education.

S. 85.

By Senators Hooker, McCormack, Perchlik and Pollina,

An act relating to designating certain sheriff's deputies as classified State employees.

To the Committee on Government Operations.

Bill Amended; Third Reading Ordered**S. 18.**

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

An act relating to limiting earned good time sentence reductions for offenders convicted of certain crimes.

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

Sec. 1. 13 V.S.A. § 5321 is amended to read:

§ 5321. APPEARANCE BY VICTIM

* * *

(d) At or before the sentencing hearing, the prosecutor's office shall instruct the victim of a listed crime, in all cases where the court imposes a sentence that includes a period of incarceration, that a sentence of incarceration is to the custody of the Commissioner of Corrections and that the Commissioner of Corrections has the authority to affect the actual time the defendant shall serve in incarceration through good time credit, furlough, work-release, and other early release programs. In addition, the prosecutor's office shall explain the significance of a minimum and maximum sentence to the victim ~~and shall also~~, explain the function of parole and how it may affect the actual amount of time the defendant may be incarcerated, and inform the victim of the maximum amount of earned time that the defendant could accrue and that earned time only affects when a defendant is eligible for parole consideration but does not necessarily result in the defendant's release.

* * *

Sec. 2. 28 V.S.A. § 818 is amended to read:

§ 818. EARNED GOOD TIME; REDUCTION OF TERM

(a) On or before September 1, 2020, the Department of Corrections shall file a proposed rule pursuant to 3 V.S.A. chapter 25 implementing an earned good time program to become effective on January 1, 2021. The Commissioner shall adopt rules to carry out the provisions of this section as an emergency rule and concurrently propose them as a permanent rule. The emergency rule shall be deemed to meet the standard for the adoption of emergency rules pursuant to 3 V.S.A. § 844(a).

(b) The earned good time program implemented pursuant to this section shall comply with the following standards:

(1) The program shall be available for all sentenced offenders, including furloughed offenders, provided that the program shall not be available to offenders on probation or parole, to offenders eligible for a reduction of term pursuant to section 811 of this title, to offenders sentenced to serve an interrupted sentence, or to offenders sentenced to life without parole. Offenders currently serving a sentence shall be eligible to begin earning a reduction in term when the earned good time program becomes effective. Notwithstanding this subdivision (1), when an offender has been convicted of a disqualifying offense, the offender's ability to participate and earn time in the program shall be determined pursuant to subdivision (5) of this subsection.

(2) Offenders shall earn a reduction of seven days in the minimum and maximum sentence for each month during which the offender:

(A) is not adjudicated of a major disciplinary rule violation; and

(B) is not reincarcerated from the community for a violation of release conditions, provided that an offender who loses a residence for a reason other than fault on the part of the offender shall not be deemed reincarcerated under this subdivision.

(3) An offender who receives post-adjudication treatment in a residential setting for a substance use disorder shall earn a reduction of one day in the minimum and maximum sentence for each day that the offender receives the inpatient treatment. While a person is in residential substance abuse treatment, he or she shall not be eligible for ~~good~~ earned time except as provided in this subsection.

(4) The Department shall:

(A) ensure that all victims of record are notified of the earned ~~good~~ time program at its outset and made aware of the option to receive notifications from the Department pursuant to this subdivision;

(B) provide timely notice not less frequently than every 90 days to the offender any time the offender receives a reduction in his or her term of supervision pursuant to this section;

(C) maintain a system that documents and records all such reductions in each offender's permanent record; and

(D) record any reduction in an offender's term of supervision pursuant to this section on a monthly basis and ensure that victims who want information regarding changes in scheduled release dates have access to such information.

(5) Notwithstanding 1 V.S.A. § 214, an offender who is serving a sentence for a disqualifying offense on the effective date of this subdivision (5) shall not earn any earned time sentence reductions under this section after the effective date of this act. This subdivision (5) shall not be construed to limit or affect earned time that an offender has earned on or before the effective date of this act.

(c) As used in this section:

(1) "Disqualifying offense" means:

(A) murder in violation of 13 V.S.A. § 2301;

(B) voluntary manslaughter in violation of 13 V.S.A. § 2304;

(C) kidnapping in violation of 13 V.S.A. § 2405;

(D) lewd and lascivious conduct with a child in violation of 13 V.S.A. § 2602, provided that the offense shall not be considered a disqualifying offense if the offender is under 18 years of age, the child is at least 12 years of age, and the conduct is consensual;

(E) sexual assault in violation of 13 V.S.A. § 3252(a) or (b);

(F) aggravated sexual assault in violation of 13 V.S.A. § 3253; or

(G) aggravated sexual assault of a child in violation of 13 V.S.A. § 3253a.

(2) “Interrupted sentence” means a sentence that is not served continuously, including a sentence to be served in intervals or a sentence to the work crew.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

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, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 18, 2021.

THURSDAY, FEBRUARY 18, 2021

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. 21

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

Madam President:

I am directed to inform the Senate that:

The House has considered joint resolution originating in the Senate of the following title:

J.R.S. 16. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Committee Relieved of Further Consideration; Bill Committed

S. 67.

On motion of Senator Sirotkin, the Economic Development, Housing and General Affairs was relieved of further consideration of Senate bill entitled:

An act relating to creating a right to repair agricultural equipment and the bill was committed to the Committee on Agriculture.

Committee Bills Introduced

Senate committee bills of the following titles were severally introduced, read the first time, and, under the rule, placed on the Calendar for notice the next legislative day:

S. 86.

By the Committee on Transportation,

An act relating to miscellaneous changes to laws related to vehicles and vessels.

S. 87.

By the Committee on Government Operations,

An act relating to emergency provisions for the operation of government.

Bill Passed

S. 18.

Senate bill of the following title was read the third time and passed:

An act relating to limiting earned good time sentence reductions for offenders convicted of certain crimes.

Senate Committee Bill Committed

S. 81.

Senate Committee bill entitled:

An act relating to the disclosure of tax information to facilitate the administration of COVID-19-related unemployment insurance benefits.

Was taken up.

Thereupon, pending second reading of the bill, on motion of Senator Sirotkin, the bill was committed to the Committee on Economic Development, Housing and General Affairs.

Adjournment

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

FRIDAY, FEBRUARY 19, 2021

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. 22

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

Madam President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

H. 81. An act relating to statewide public school employee health benefits.

H. 122. An act relating to boards and commissions.

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

The House has considered Senate proposal of amendment to the following House bill:

H. 138. An act relating to fiscal year 2021 budget adjustments.

And has severally concurred therein with a further proposal of amendment thereto, in the adoption of which the concurrence of the Senate is requested.

Message from the House No. 23

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

Madam President:

I am directed to inform the Senate that:

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 18. House concurrent resolution in memory of Cynthia M. (Peterson) Eastman.

H.C.R. 19. House concurrent resolution congratulating Megan Nick of Shelburne on her victories in the 2021 FIS Freestyle World Cup competition.

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

Bill Introduced

Senate bill of the following title was introduced, read the first time and referred:

S. 88.

By Senator Cummings,

An act relating to insurance, banking, and securities.

To the Committee on Finance.

Bills Referred

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

H. 81.

An act relating to statewide public school employee health benefits.

To the Committee on Education.

H. 122.

An act relating to boards and commissions.

To the Committee on Government Operations.

Rules Suspended; House Proposals of Amendment to Senate Proposal of Amendment Concurred In; Rules Suspended; Bill Messaged

H. 138.

Appearing on the Calendar for notice, on motion of Senator Balint, the rules were suspended and House proposals of amendment to Senate proposal of amendment to House bill entitled:

An act relating to fiscal year 2021 budget adjustments.

Was taken up for immediate consideration.

The House concurs in the Senate proposal of amendment with the following amendments thereto:

First: By striking out Sec. 57, body camera deployment, in its entirety and inserting in lieu thereof a new Sec. 57 to read as follows:

Sec. 57. BODY CAMERA DEPLOYMENT

The Departments of Fish and Wildlife, of Liquor Control, of Motor Vehicles shall only deploy the use of body cameras after appropriate training of staff and the adoptions of policies on use and retention of records. The departments shall identify the on-going cost and funding source for training, data storage and redaction and report these findings to the House and Senate Committees on Appropriations on or before March 15, 2021. The Secretary of Administration shall provide a report to the Joint Fiscal and the Joint Justice Oversight Committees in September 2021 on the status of use of body cameras in these departments.

Second: By striking out Sec. 59, effective dates, in its entirety and inserting in lieu thereof the following:

Sec. 59. 2020 Acts and Resolves No. 154, Sec. B.1122 is amended to read:

Sec. B.1122 VERMONT CORONAVIRUS ECONOMIC STIMULUS
EQUITY PROGRAM

* * *

(b) Establishment of Program; eligibility; maximum award.

(1) On or before November 15, 2020, the Agency of Administration shall establish the Vermont Coronavirus Economic Stimulus Equity Program to award direct relief grant payments to eligible adults and eligible children.

(2) In order to receive payment under the Program, an eligible adult shall certify that he or she:

(A) is a resident of Vermont;

(B) was ineligible to receive an economic impact payment under the CARES Act due to reasons of immigration status; and

(C) had an adjusted gross income of less than \$99,000.00 in taxable year 2019 or, if filing jointly, an adjusted gross income of less than \$198,000.00 in taxable year 2019.

(3) Each eligible adult shall receive \$1,200.00 and \$500.00 for each eligible child, provided that an eligible adult shall not receive an award for an eligible child if another applicant received an award for that child.

(4) Each award issued under this section shall be issued as a direct payment from the State of Vermont.

(5) All applications for a payment under this section shall be submitted on or before ~~March 1,~~ May 1, 2021.

* * *

Sec. 60. 32 V.S.A. § 3102 is amended to read as follows:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

* * *

(e) The Commissioner may, in his or her discretion and subject to such conditions and requirements as he or she may provide, including any confidentiality requirements of the Internal Revenue Service, disclose a return or return information:

* * *

(8) To the Commissioner of Labor for the purpose of establishing the identity or liability of employers for unemployment compensation, for the purpose of verifying the earnings of individuals in order to determine the amount of Pandemic Unemployment Assistance they are eligible to receive, and for the purpose of verifying and correcting personally identifiable information necessary for the creation and issuance of tax documents to individuals who received benefits through unemployment insurance and related federal and State benefit programs administered by the Department of Labor.

* * *

Sec. 61. 32 V.S.A. § 3102(e)(8) is amended to read:

(8) To the Commissioner of Labor for the purpose of establishing the identity or liability of employers for unemployment compensation, and for the purpose of verifying the earnings of individuals in order to determine the amount of Pandemic Unemployment Assistance they are eligible to receive, ~~and for the purpose of verifying and correcting personally identifiable information necessary for the creation and issuance of tax documents to individuals who received benefits through unemployment insurance and related federal and State benefit programs administered by the Department of Labor.~~

Sec. 62. 32 V.S.A. § 3102(e)(8) is amended to read:

(8) To the Commissioner of Labor for the purpose of establishing the identity or liability of employers for unemployment compensation ~~and for the purpose of verifying the earnings of individuals in order to determine the amount of Pandemic Unemployment Assistance they are eligible to receive.~~

Sec. 63. USE OF FORCE TRAINING

Funds appropriated to the Department of Public Safety for use of force training pursuant to Act 165 of 2020 that are not expended in fiscal year 2021 shall carry forward to fiscal year 2022 and shall only be used for training in accordance with the standards for law enforcement use of force policy that is in place on July 1, 2021.

Sec. 64. EFFECTIVE DATES

(a) Notwithstanding 1 V.S.A. § 214:

(1) Sec. 50(e)(1) (extraordinary relief to long-term care facilities) shall take effect retroactively on November 1, 2020;

(2) Secs. 50(e)(2) (adult day programs) and 49 (judicial filing fees) shall take effect retroactively on December 1, 2020;

(3) Sec. 50(e)(3) (transfer authority) shall take effect retroactively on July 1, 2020;

(4) Secs. 47 (broadband access) and 54 (hazard pay reports) shall take effect retroactively on December 15, 2020; and

(5) Sec. 60 (32 V.S.A. § 3102) shall take effect on passage and shall apply retroactively to January 15, 2021.

(b) Sec. 61 (32 V.S.A. § 3102 (e)(8)) shall take effect on July 1, 2021.

(c) Sec. 62 (32 V.S.A. § 3102 (e)(8)) shall take effect on July 1, 2022.

(d) The remaining sections shall take effect on passage.

Thereupon, the question, Shall the Senate concur in the House proposals of amendment to the Senate proposal of amendment?, was decided in the affirmative.

Thereupon, on motion of Senator Balint, the rules were suspended, and the bill was ordered messaged to the House forthwith.

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Reps. Lefebvre and Graham,

H.C.R. 18.

House concurrent resolution in memory of Cynthia M. (Peterson) Eastman.

By Reps. Brumsted and Webb,

H.C.R. 19.

House concurrent resolution congratulating Megan Nick of Shelburne on her victories in the 2021 FIS Freestyle World Cup competition.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, February 23, 2021, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 16.

TUESDAY, FEBRUARY 23, 2021

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Senate Resolution Placed on Calendar

S.R. 8.

Senate resolution of the following title was offered, read the first time and is as follows:

By Senator Balint,

S.R. 8. Senate resolution relating to adoption of a temporary Rule 44A.

Resolved by the Senate:

That a temporary rule, to be designated Rule 44A, be adopted by the Senate, to read as follows:

Rule 44A. (a) Any bill failing to make the crossover dates of March 12, 2021 and March 19, 2021 shall be referred to the Committee on Rules. This provision shall not apply to the following measures:

- (1) The transportation capital bill;
- (2) The capital construction bill;
- (3) The general appropriations bill (“The Big Bill”); and
- (4) The fees bill; and

(5) The miscellaneous tax bill.

(b) The Committee on Rules may release any bills referred to it for reference to another committee of jurisdiction pursuant to Senate Rule 24 or to the Notice Calendar, as applicable.

(c) All bills referred to the Committee on Rules pursuant to this temporary Rule 44A and still in the Committee on Rules on the convening of the 2022 adjourned session shall be referred to another committee of jurisdiction pursuant to Senate Rule 24 or placed on the Notice Calendar, as applicable.

(d) This Temporary Rule 44A shall expire on the convening of the 2022 adjourned session.

Thereupon, in the discretion of the President, under Rule 51, the resolution was placed on the Calendar for action the next legislative day.

Bill Introduced

Senate bill of the following title was introduced, read the first time and referred:

S. 89.

By Senators Hooker, Clarkson, Hardy, Lyons, Perchlik, Pollina and Ram,

An act relating to the creation of the Workforce Development Educational Loan Benefit Program for doctors, nurses, and teachers, including childcare educators.

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

Third Readings Ordered

S. 86.

Senate committee bill entitled:

An act relating to miscellaneous changes to laws related to vehicles and vessels.

Having appeared on the Calendar for notice for one day, was taken up.

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

S. 87.

Senate committee bill entitled:

An act relating to emergency provisions for the operation of government.

Having appeared on the Calendar for notice for one day, was taken up.

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

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Wednesday, February 24, 2021.

WEDNESDAY, FEBRUARY 24, 2021

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the Governor Appointments Referred

A message was received from the Governor, by Brittney L. Wilson, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

The nomination of

Mathews, Nancy of South Burlington - Member of the Fish and Wildlife Board - from June 19, 2020 to February 28, 2026.

To the Committee on Natural Resources and Energy.

The nomination of

Cheney, Margaret of Norwich - Member of the Public Utility Commission - from July 23, 2020 to February 28, 2025.

To the Committee on Finance.

The nomination of

Katz, Adrienne of Williston - Member of the Board of Libraries - from August 24, 2020 to February 29, 2024.

To the Committee on Education.

The nomination of

Samuelson, Jennifer Deck of Manchester Center - Member of the State Board of Education - from August 24, 2020 to February 28, 2022.

To the Committee on Education.

The nomination of

Saunders, James of Barre - Member of the Board of Libraries - from August 24, 2020 to February 29, 2024.

To the Committee on Education.

The nomination of

Collier, Andrew of Westford - Member of the Natural Resources Board - from September 1, 2020 to February 29, 2024.

To the Committee on Natural Resources and Energy.

The nomination of

Leavitt, Thomas of Waterbury Center - Member of the Vermont Housing Finance Agency - from July 15, 2020 to February 28, 2024.

To the Committee on Finance.

The nomination of

Peña, Angelita of Bristol - Member of the State Board of Education - from August 24, 2020 to June 30, 2022.

To the Committee on Education.

The nomination of

Wobby, Lauren of Northfield - Member of the Vermont Educational and Health Buildings Financing Agency - from July 15, 2020 to February 28, 2026.

To the Committee on Finance.

The nomination of

Ferland, Brad of Hardwick - Member of the Fish and Wildlife Board - from November 1, 2021 to February 28, 2026.

To the Committee on Natural Resources and Energy.

The nomination of

Ellis, Dawn of Burlington - Member of the Human Rights Commission - from December 28, 2020 to February 28, 2025.

To the Committee on Judiciary.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 90.

By Senators Lyons, Terenzini, Campion, Chittenden, Cummings, Hardy, Hooker and Perchlik,

An act relating to establishing an amyotrophic lateral sclerosis registry.

To the Committee on Health and Welfare.

S. 91.

By Senators Westman, Hardy, Hooker, McCormack and Perchlik,

An act relating to Parent Child Center Network.

To the Committee on Health and Welfare.

S. 92.

By Senators Clarkson and Hooker,

An act relating to beverages in children's meals.

To the Committee on Health and Welfare.

S. 93.

By Senator Sears,

An act relating to exempting certain services from the requirements for unemployment insurance and workers' compensation coverage.

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

S. 94.

By Senator White,

An act relating to the cannabis excise tax and local fees.

To the Committee on Finance.

S. 95.

By Senators Collamore and White,

An act relating to government accountability and State quality of life outcomes.

To the Committee on Government Operations.

Bills Passed

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

S. 86. An act relating to miscellaneous changes to laws related to vehicles and vessels.

S. 87. An act relating to emergency provisions for the operation of government.

Bill Amended; Third Reading Ordered

S. 45.

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

An act relating to earned discharge from probation.

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

Sec. 1. 28 V.S.A. § 200 is added to read:

§ 200. PURPOSE OF PROBATION

It is the policy of this State that the purpose of probation is to rehabilitate offenders, reduce the risk that they will commit a subsequent offense, and protect the safety of the victim and the community.

Sec. 2. 28 V.S.A. § 251 is amended to read:

§ 251. DURATION OF PROBATION

(a) The court placing a person on probation may terminate the period of probation and discharge the person at any time if such termination is warranted by the conduct of the offender and the ends of justice.

(b)(1) Upon the Commissioner's motion to discharge pursuant to subsection 252(d) of this title, the sentencing court shall terminate the period of probation and discharge the person at the midpoint of the probation term unless the prosecutor seeks a continuation of probation within 21 days of receipt of notice of the Commissioner's motion; and

(A) the court finds by a preponderance of the evidence that termination and discharge will present a risk of danger to the victim of the offense or to the community; or

(B) the court finds by clear and convincing evidence that the probationer is not substantially in compliance with the conditions of probation that are related to the probationer's rehabilitation or to victim or community safety.

(2) If the court grants the prosecutor's motion to continue probation, it may continue probation for the full term or any portion thereof. The court

shall also review the conditions of probation and remove any conditions that are no longer necessary for the remainder of the term.

(c) A probationer shall not be deemed ineligible for discharge or term reduction due to unpaid restitution, fees, or surcharges.

Sec. 3. 28 V.S.A. § 252 is amended to read:

§ 252. CONDITIONS OF PROBATION AND MIDPOINT REVIEW

(a) Conditions, generally. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the offender will lead a law-abiding life or to assist the offender to do so. The court shall provide as an explicit condition of every sentence to probation that if the offender is convicted of another offense during the period for which the sentence remains subject to revocation, then the court may impose revocation of the offender's probation.

(b) Probation conditions. When imposing a sentence of probation, the court may, as a condition of probation, require that the offender:

(1) Work faithfully at a suitable employment or faithfully pursue a course of study or of vocational training that will equip the offender for suitable employment.

(2) Work faithfully for a prescribed number of hours at community service activity acceptable to the court, or, if so ordered by the court, acceptable to a probation officer.

(3) Undergo available medical or psychiatric treatment and remain at a specified institution if required for that purpose.

(4) Attend or reside at a facility established for the instruction, recreation, or residence of persons on probation.

(5) Support the offender's dependents and meet other family responsibilities.

(6) Make restitution or reparation to the victim of his or her conduct, or to the Victims' Compensation Fund to the extent it has made payment to or on behalf of the victim in accordance with 13 V.S.A. chapter 167, for the damage or injury ~~which~~ that was sustained. When restitution or reparation is a condition of the sentence, the court, in accordance with 13 V.S.A. § 7043, shall fix the amount thereof, which shall not exceed an amount the defendant can or will be able to pay, and shall fix the manner of performance.

(7) Pay a fine authorized in accordance with law.

(8) Refrain from purchasing or possessing a firearm or ammunition therefor, destructive device, or other dangerous weapon unless granted written permission by the court or probation officer.

(9) Report to a probation officer at reasonable times as directed by the court or the probation officer.

(10) Permit the probation officer to visit the offender at reasonable times at his or her home or elsewhere.

(11) Remain within the jurisdiction of the court, unless granted permission to leave by the court or the probation officer.

(12) Answer all reasonable inquiries by the probation officer and promptly notify the probation officer of any change in address or employment.

(13) Not in any way harass the victim or the family of the victim.

(14) Not contact the victim, unless this condition is specifically waived by the victim.

(15) Participate in the Restorative Justice Program conducted by a community reparative board, pursuant to chapter 12 of this title. The court may direct a reparative board to assist in determining restitution to the victim, as provided by subdivision (6) of this subsection.

(16) Submit to periodic polygraph testing if the offender is being placed on probation for a sex offense that requires registration pursuant to 13 V.S.A. chapter 167, subchapter 3.

(17) If the probation officer has reasonable grounds to believe the offender has violated a probation condition, permit a probation officer or designee to monitor or examine the offender's activities, communications, and use of any computer or other digital or electronic media, including cell phone, smartphone, digital camera, digital video camera, digital music player or recorder, digital video player or recorder, personal digital assistant, portable electronic storage device, gaming system, or any other contemporary device capable of the storage of digital electronic communication or data storage or access to the Internet or other computer or digital network.

(18) Satisfy any other conditions reasonably related to his or her rehabilitation. Such conditions may include prohibiting the use of alcohol, prohibiting having contact with minors, prohibiting or limiting the use of a computer or other electronic devices, and permitting a probation officer access to all computers or other digital or electronic media, mail covers, subscription services, and credit card statements. The court shall not impose a condition prohibiting the offender from engaging in any legal behavior unless the

condition is reasonably related to the offender's rehabilitation or necessary to reduce risk to public safety.

(c) Certificate. When an offender is placed on probation, he or she shall be given a certificate explicitly setting forth the conditions upon which he or she is being released.

(d) Review and recommendation for discharge.

(1) The Commissioner shall review the record of each probationer serving a specified term during the month prior to the midpoint of that probationer's specified term and ~~may~~ shall file a motion requesting the sentencing court to dismiss the probationer from probation ~~or deduct a portion of the specified term from the period of probation~~ if the offender:

(A) has successfully completed a program or has attained a goal or goals specified by the conditions of probation not been found by the court to have violated the conditions of probation in the six months prior to the review;

(B) is not serving a sentence for committing a crime specified in 13 V.S.A. chapter 19, subchapters 6 and 7; 13 V.S.A. chapter 72, subchapter 1; or 13 V.S.A. § 2602; and

(C) has completed any rehabilitative or risk reduction services, the duration of which are set and knowable at the outset of probation, and that are required as a condition of probation.

~~The Commissioner may include in the motion a request that the court deduct a portion of the specified term for each condition completed or goal attained. Any motion under this section shall be made pursuant to a rule adopted by the Commissioner under 3 V.S.A. chapter 25 that shall provide that the decision to make or refrain from making a motion shall be made at the sole discretion of the Commissioner and shall not be subject to appeal.~~

(2) If the probationer does not meet the criteria set forth in subdivision (1) of this subsection, or if the court denies the Commissioner's motion to discharge, the Commissioner shall file a motion requesting the sentencing court to discharge the probation term once the probationer meets the criteria set forth in subdivision (1) of this subsection.

(3) The prosecutor shall make a reasonable effort to notify any victim of record of a motion filed to reduce a probationer's term pursuant to this subsection. "Reasonable effort" means attempting to contact the victim by first-class mail at the victim's last known address and by telephone at the victim's last known phone number.

Sec. 4. DEPARTMENT OF CORRECTIONS; PROBATION MIDPOINT REVIEW; REPORT

(a) Beginning on July 1, 2021, the Department of Corrections shall collect the following data regarding the probation midpoint review process:

(1) the number of probation discharge or probation term reduction motions filed by the Department;

(2) the number of probation terms that were reduced or terminated pursuant to this Act; and

(3) the amount of time reduced from probation terms as a result of probation term reduction motions granted by the court.

(b) On or before August 1, 2022 and August 1, 2023, the Department shall report to the Joint Legislative Justice Oversight Committee with the data collected pursuant to this section and any recommendations for further legislative action to improve the probation midpoint review process.

Sec. 5 SENTENCING COMMISSION; PROBATION TERMS FOR MISDEMEANORS

During the 2021 legislative interim, the Vermont Sentencing Commission shall review 28 V.S.A. § 205 and the December 3, 2020 report of the Pew Charitable Trusts, "States Can Shorten Probation and Protect Public Safety," and consider whether Vermont should limit the duration of probation terms for misdemeanor offenses to two years. On or before October 1, 2021, the Commission shall issue its recommendation pursuant to this section to the Joint Legislative Justice Oversight Committee.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

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, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

Senate Resolution Adopted

S.R. 8.

Senate resolution entitled:

Senate resolution relating to adoption of a temporary Rule 44A

Having been placed on the Calendar for action, was taken up and adopted.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 25, 2021.

THURSDAY, FEBRUARY 25, 2021

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. 24

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

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 89. An act relating to limiting liability for agritourism.

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

The House has considered a bill originating in the Senate of the following title:

S. 14. An act relating to deed restrictions and housing density.

And has passed the same in concurrence.

Bill Introduced

Senate bill of the following title was introduced, read the first time and referred:

S. 96.

By Senator Ram,

An act relating to the State Planning Office.

To the Committee on Government Operations.

Bill Referred

House bill of the following title was read the first time and referred:

H. 89.

An act relating to limiting liability for agritourism.

To the Committee on Judiciary.

Bill Passed

S. 45.

Senate bill of the following title was read the third time and passed:

An act relating to earned discharge from probation.

Bill Amended; Third Reading Ordered

S. 11.

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

An act relating to prohibiting robocalls.

Reported recommending 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.

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, the recommendation of amendment was 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.

FRIDAY, FEBRUARY 26, 2021

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. 25

A message was received from the House of Representatives by Ms. Melissa Kucserik, its First Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 338. An act relating to reapportionment proposal deadlines.

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

Message from the House No. 26

A message was received from the House of Representatives by Ms. Melissa Kucserik, its First Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 315. An act relating to COVID-19 relief.

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

Bills Introduced

Senate bills of the following titles were introduced, read the first time and referred:

S. 97.

By Senator Sears,

An act relating to miscellaneous judiciary procedures.

To the Committee on Judiciary.

S. 98.

By Senators Ram and Hardy,

An act relating to reducing the imposition of cash bail.

To the Committee on Judiciary.

S. 99.

By Senators Pearson, Ram, Baruth, Brock, Chittenden, Lyons and Sirotkin,

An act relating to repealing the statute of limitations for civil actions based on childhood physical abuse.

To the Committee on Judiciary.

Committee Bill Introduced

Senate committee bill of the following title was introduced, read the first time, and, under the rule, placed on the Calendar for notice the next legislative day:

S. 100.

By the Committee on Agriculture,

An act relating to universal school breakfast and lunch for all public school students and to creating incentives for schools to purchase locally produced foods.

Bill Introduced

Senate bill of the following title was introduced, read the first time and referred:

S. 101.

By Senators Sirotkin, Balint, Brock, Clarkson and Ram,

An act relating to promoting housing choice and opportunity in smart growth areas.

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

Committee Bill Introduced

Senate committee bill of the following title was introduced, read the first time, and, under the rule, placed on the Calendar for notice the next legislative day:

S. 102.

By the Committee on Agriculture,

An act relating to the regulation of agricultural inputs for farming.

Bills Referred

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

H. 315.

An act relating to COVID-19 relief.

To the Committee on Appropriations.

H. 338.

An act relating to reapportionment proposal deadlines.

To the Committee on Government Operations.

Bill Passed

S. 11.

Senate bill of the following title:

An act relating to prohibiting robocalls.

Was read the third time and passed on a roll call, Yeas 30, Nays 0.

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

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Benning, Bray, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Hooker, Ingalls, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Parent, Pearson, Perchlik, Pollina, Ram, Sears, Sirotkin, Starr, Terenzini, Westman, White.

Those Senators who voted in the negative were: None.

Third Reading Ordered**S. 53.**

Senator Pearson, for the Committee on Finance, to which was referred Senate bill entitled:

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

Reported that the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered on a roll call, Yeas 30, Nays 0.

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: Balint, Baruth, Benning, Bray, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Hooker, Ingalls, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Parent, Pearson, Perchlik, Pollina, Ram, Sears, Sirotkin, Starr, Terenzini, Westman, White.

Those Senators who voted in the negative were: None.

Rules Suspended; Bills Committed

Pending entry on the Calendar for notice, on motion of Senator Starr the rules were suspended and Senate Committee bill entitled:

S. 100. An act relating to universal school breakfast and lunch for all public school students and to creating incentives for schools to purchase locally produced foods.

Was taken up for immediate consideration.

Thereupon, pending second reading of the bill, on motion of Senator Starr the bill was committed to the Committee on Education.

Pending entry on the Calendar for notice, on motion of Senator Pearson the rules were suspended and Senate Committee bill entitled:

S. 102. An act relating to the regulation of agricultural inputs for farming.

Was taken up for immediate consideration.

Thereupon, pending second reading of the bill, on motion of Senator Pearson the bill was committed to the Committee on Natural Resources and

Energy.

Message from the House No. 27

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

Madam President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 135. An act relating to the State Ethics Commission.

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

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 20. House concurrent resolution congratulating the 2020 class of Boy Scouts who have achieved the rank of Eagle.

H.C.R. 21. House concurrent resolution honoring the Georgia Elementary and Middle School for its effective active shooter response training.

H.C.R. 22. House concurrent resolution congratulating Elinor Purrier of Berkshire on her record U.S. indoor two-mile run at the 2021 New Balance Indoor Grand Prix and on her recent marriage to Jamie St. Pierre.

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

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Reps. Fagan and others,

By All Members of the Senate,

H.C.R. 20.

House concurrent resolution congratulating the 2020 class of Boy Scouts who have achieved the rank of Eagle.

By Rep. Rosenquist,

By Senators Brock and Parent,

H.C.R. 21.

House concurrent resolution honoring the Georgia Elementary and Middle School for its effective active shooter response training.

By Reps. Leffler and others,

By Senators Brock, Ingalls, Parent and Starr,

H.C.R. 22.

House concurrent resolution congratulating Elinor Purrier of Berkshire on her record U.S. indoor two-mile run at the 2021 New Balance Indoor Grand Prix and on her recent marriage to Jamie St. Pierre.

Adjournment

On motion of Senator Balint, the Senate adjourned, to reconvene on Tuesday, March 9, 2021, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 6.

TUESDAY, MARCH 9, 2021

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Stannard Baker of Burlington.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

**Message from the Governor
Appointments Referred**

A message was received from the Governor, by Brittney L. Wilson, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

The nomination of

Holmes, Jessica, Dr. of Cornwall - Member of the Green Mountain Care Board - from September 30, 2020 to September 30, 2026.

To the Committee on Health and Welfare.

The nomination of

Bolio, Craig of Essex Junction - Commissioner of the Department of Taxes - from March 1, 2021 to February 28, 2023.

To the Committee on Finance.