

**House Committee on Appropriations
RECORD OF ACTION ON BILL**

H 96 S _____

Title: Creating Truth + Reconciliation Commission
Sponsor: Reps Christie & Development Task Force
Colston Stevens, and others

Date Recommended Out of Committee 3/17/22 Reporter Rep. Toleno

**Use one Record of Action for all votes (attach extra sheets if needed).
Attach a copy of the final draft of each document voted upon.**

MEMBERS	VOTES OF THE COMMITTEE																
	VOTE #1 Bill Recommended		VOTE NO. 2 <i>Bill as amended</i>		VOTE NO. 3		VOTE NO. 4		VOTE NO. 5		VOTE NO. 6		VOTE NO. 7		VOTE NO. 8		
	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	
Fagan		✓		✓													
Feltus		✓		✓													
Harrison		✓		✓													
Helm	abs.		abs.														
Jessup	✓		✓														
Scheu	✓		✓														
Squirrell	✓		✓														
Toleno	✓		✓														
Townsend	✓		✓														
Yacovone	✓		✓														
Hooper	✓		✓														

List each vote by:

VOTE # (1, 2, 3, etc), DATE (mm/dd/yy), DRAFT #, Amendment Sponsor (if applicable) and vote tally.

Amendment Moved by Scheu seconded by Townsend
to approve HAC amendment, draft 1.3.
7-3-11

Bill as amended Moved by Jessup, seconded by Scheu
to approve H 96 as amended by House
General, and further amended by HAC.
17-3-1

1 TO THE HOUSE OF REPRESENTATIVES:

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

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

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

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

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

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

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

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

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

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

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

20 § 909. ACCESS TO INFORMATION; CONFIDENTIALITY

21 (a) Access to State records and information.

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

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

12 (b) Confidentiality requirements.

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

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

21 (c) Exceptions.

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

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

9 (d) Private proceedings.

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

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

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

3 Sec. 3. APPROPRIATION

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

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9 (Committee vote: _____)

10

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Representative _____

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FOR THE COMMITTEE

