

Journal of the House

Tuesday, January 31, 2023

At ten o'clock in the forenoon, the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rep. John O'Brien of Tunbridge.

Pledge of Allegiance

Page Grace Donahue of Roxbury led the House in the Pledge of Allegiance.

Message from the Senate No. 12

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolution of the following title:

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

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

Rules Suspended; House Bills Introduced

Pending first reading of House bills, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bills were read the first time by number and referred to committee or placed on the Notice Calendar as follows:

H. 125

By Reps. Brumsted of Shelburne and Dolan of Essex Junction,

House bill, entitled

An act relating to boards and commissions

To the Committee on Government Operations and Military Affairs.

H. 126

By Reps. Sheldon of Middlebury, Anthony of Barre City, Arrison of Weathersfield, Austin of Colchester, Bartholomew of Hartland, Bluemle of Burlington, Bongartz of Manchester, Bos-Lun of Westminster, Brown of Richmond, Brumsted of Shelburne, Burrows of West Windsor, Campbell of St.

Johnsbury, Chapin of East Montpelier, Chase of Colchester, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Cina of Burlington, Coffey of Guilford, Cole of Hartford, Demrow of Corinth, Dolan of Essex Junction, Dolan of Waitsfield, Donahue of Northfield, Durfee of Shaftsbury, Goldman of Rockingham, Headrick of Burlington, Holcombe of Norwich, Houghton of Essex Junction, Howard of Rutland City, Hyman of South Burlington, James of Manchester, Kornheiser of Brattleboro, Krasnow of South Burlington, LaLonde of South Burlington, Masland of Thetford, McCarthy of St. Albans City, Minier of South Burlington, Morris of Springfield, Mrowicki of Putney, Nicoll of Ludlow, Ode of Burlington, Priestley of Bradford, Rice of Dorset, Satcowitz of Randolph, Scheu of Middlebury, Squirrel of Underhill, Stebbins of Burlington, Torre of Moretown, Troiano of Stannard, White of Bethel, Whitman of Bennington, and Wood of Waterbury,

House bill, entitled

An act relating to community resilience and biodiversity protection

To the Committee on Environment and Energy.

H. 127

By Reps. Birong of Vergennes, Boyden of Cambridge, Canfield of Fair Haven, Demrow of Corinth, Elder of Starksboro, Hango of Berkshire, Morgan of Milton, Nicoll of Ludlow, Noyes of Wolcott, and Surprenant of Barnard,

House bill, entitled

An act relating to sports wagering

To the Committee on Government Operations and Military Affairs.

H. 128

By Reps. Sims of Craftsbury, Birong of Vergennes, Boyden of Cambridge, Buss of Woodstock, Demrow of Corinth, Hango of Berkshire, Leavitt of Grand Isle, Lipsky of Stowe, Noyes of Wolcott, Pajala of Londonderry, Pearl of Danville, Priestley of Bradford, Surprenant of Barnard, and Williams of Granby,

House bill, entitled

An act relating to removing regulatory barriers for working lands businesses

To the Committee on Agriculture, Food Resiliency, and Forestry.

H. 129

By Reps. Dolan of Waitsfield, Morris of Springfield, Ode of Burlington, and Sheldon of Middlebury,

House bill, entitled

An act relating to funding brownfields redevelopment

To the Committee on Environment and Energy.

H. 130

By Reps. Dolan of Waitsfield, Ode of Burlington, Roberts of Halifax, Small of Winooski, Squirrell of Underhill, and Whitman of Bennington,

House bill, entitled

An act relating to the management of biosolids

To the Committee on Environment and Energy.

H. 131

By Reps. Sims of Craftsbury, Boyden of Cambridge, Buss of Woodstock, Campbell of St. Johnsbury, Demrow of Corinth, Elder of Starksboro, Harrison of Chittenden, Jerome of Brandon, Leavitt of Grand Isle, Lipsky of Stowe, Masland of Thetford, Morris of Springfield, Priestley of Bradford, Surprenant of Barnard, and Torre of Moretown,

House bill, entitled

An act relating to the creation of the Green Mountain Recreation Fund

To the Committee on Agriculture, Food Resiliency, and Forestry.

H. 132

By Reps. Stevens of Waterbury, Bartley of Fairfax, Bluemle of Burlington, Burke of Brattleboro, Burrows of West Windsor, Carroll of Bennington, Garofano of Essex, Graning of Jericho, Howard of Rutland City, Krasnow of South Burlington, LaBounty of Lyndon, LaMont of Morristown, McCann of Montpelier, McGill of Bridport, Patt of Worcester, Stone of Burlington, and Whitman of Bennington,

House bill, entitled

An act relating to establishing a homeless bill of rights and prohibiting discrimination against persons without homes

To the Committee on General and Housing.

H. 133

By Reps. Smith of Derby, Arrison of Weathersfield, Bartholomew of Hartland, Bartley of Fairfax, Biron of Vergennes, Branagan of Georgia, Brennan of Colchester, Burke of Brattleboro, Christie of Hartford, Cina of Burlington, Clifford of Rutland City, Corcoran of Bennington, Demar of Enosburgh, Dickinson of St. Albans Town, Dolan of Waitsfield, Galfetti of Barre Town, Goslant of Northfield, Hango of Berkshire, Harrison of Chittenden, Higley of Lowell, Howard of Rutland City, Jerome of Brandon, Labor of Morgan, LaBounty of Lyndon, McFaun of Barre Town, Minier of South Burlington, Morgan of Milton, Morris of Springfield, Page of Newport City, Parsons of Newbury, Patt of Worcester, Peterson of Clarendon, Satcowitz of Randolph, Sibilia of Dover, Taylor of Milton, Templeman of Brownington, Toof of St. Albans Town, Walker of Swanton, and Williams of Granby,

House bill, entitled

An act relating to penalties and point assessments for using a portable electronic device while operating a moving motor vehicle

To the Committee on Transportation.

H. 134

By Reps. Templeman of Brownington, Burke of Brattleboro, Chase of Chester, Galfetti of Barre Town, Goldman of Rockingham, Hango of Berkshire, Lalley of Shelburne, Lipsky of Stowe, Maguire of Rutland City, McFaun of Barre Town, McGill of Bridport, O'Brien of Tunbridge, Pearl of Danville, Roberts of Halifax, Smith of Derby, Stone of Burlington, and Wilson of Lyndon,

House bill, entitled

An act relating to municipal speed limits on unposted and unpaved town highways

To the Committee on Transportation.

H. 135

By Reps. Bos-Lun of Westminster, Burrows of West Windsor, Arsenault of Williston, Buss of Woodstock, Campbell of St. Johnsbury, Casey of Montpelier, Christie of Hartford, Cina of Burlington, Garofano of Essex, Goldman of Rockingham, Headrick of Burlington, Hooper of Burlington, Howard of Rutland City, LaBounty of Lyndon, LaMont of Morristown, Maguire of Rutland City, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Rachelson of Burlington, Small of Winooski, Stone of Burlington, Torre of Moretown, and Troiano of Stannard,

House bill, entitled

An act relating to capping annual rent increases and security deposits

To the Committee on General and Housing.

H. 136

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to prohibiting the use of certain social media platforms on State-owned devices and networks

To the Committee on Government Operations and Military Affairs.

H. 137

By Rep. Stevens of Waterbury,

House bill, entitled

An act relating to expanding the Vermont Housing Improvement Program

To the Committee on General and Housing.

H. 138

By Rep. Kornheiser of Brattleboro,

House bill, entitled

An act relating to business practices for employers and contractors receiving State funds

To the Committee on Government Operations and Military Affairs.

H. 139

By Reps. Stevens of Waterbury, Anthony of Barre City, Bartley of Fairfax, Bluemle of Burlington, Burke of Brattleboro, Burrows of West Windsor, Carroll of Bennington, Chesnut-Tangerman of Middletown Springs, Garofano of Essex, Graning of Jericho, Howard of Rutland City, Krasnow of South Burlington, LaBounty of Lyndon, LaMont of Morristown, McCann of Montpelier, McGill of Bridport, Patt of Worcester, Stone of Burlington, Troiano of Stannard, and Whitman of Bennington,

House bill, entitled

An act relating to requiring employment breaks

To the Committee on General and Housing.

H. 140

By Reps. Williams of Barre City, Andriano of Orwell, Carroll of Bennington, Krasnow of South Burlington, Lalley of Shelburne, Masland of Thetford, McGill of Bridport, Morris of Springfield, Nugent of South Burlington, Priestley of Bradford, Rachelson of Burlington, Sims of Craftsbury, Stebbins of Burlington, and Torre of Moretown,

House bill, entitled

An act relating to requirements for State-funded grants

To the Committee on Government Operations and Military Affairs.

H. 141

By Reps. Sabilia of Dover and Small of Winooski,

House bill, entitled

An act relating to an inventory and needs assessment of organizations supporting Vermont's immigrant communities

To the Committee on General and Housing.

H. 142

By Reps. Small of Winooski, Christie of Hartford, Rachelson of Burlington, Bos-Lun of Westminster, Brumsted of Shelburne, Cina of Burlington, Garofano of Essex, Gregoire of Fairfield, Headrick of Burlington, Hyman of South Burlington, Logan of Burlington, McGill of Bridport, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Pajala of Londonderry, Surprenant of Barnard, and Whitman of Bennington,

House bill, entitled

An act relating to juvenile delinquency and criminal proceedings involving children

To the Committee on Judiciary.

H. 143

By Rep. Rachelson of Burlington,

House bill, entitled

An act relating to consumer protections related to the towing and storage of vehicles

To the Committee on Transportation.

H. 144

By Rep. Mulvaney-Stanak of Burlington,

House bill, entitled

An act relating to exempting unemployment compensation from income tax

To the Committee on Ways and Means.

H. 145

By the Committee on Appropriations,

House bill, entitled

An act relating to fiscal year 2023 budget adjustments

Pursuant to House Rule 48, was placed on the Notice Calendar.

Joint Resolution Referred to Committee**J.R.H. 1**

Joint resolution constituting an application for a Convention of the States under Article V of the Constitution of the United States

Offered by: Representatives Higley of Lowell, Burditt of West Rutland, Labor of Morgan, and Wilson of Lyndon

Whereas, the founders of our Constitution empowered State Legislators to be guardians of liberty against future abuses of power by the federal government, and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending, and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent, and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States, and

Whereas, it is the solemn duty of the States to protect the liberty of our people—particularly for the generations to come—by proposing Amendments to the Constitution of the United States through a Convention of the States under Article V for the purpose of restraining these and related abuses of power, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly of the State of Vermont hereby applies to Congress under the provisions of Article V of the Constitution of the United States, and be it further

Resolved: That the General Assembly requests that the convention of the States be limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress, and be it further

Resolved: That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the members of the Vermont Congressional Delegation, and to the presiding officers of each of the legislative houses in the several States, requesting their cooperation.

Was read by title, treated as a bill, and referred to the Committee on Government Operations and Military Affairs pursuant to House Rule 52.

Ceremonial Reading

H.C.R. 9

House concurrent resolution in memory of former Representative Joseph L. Krawczyk Jr. of Bennington

Offered by: Representatives Morrissey of Bennington, Bongartz of Manchester, Brownell of Pownal, Carroll of Bennington, Corcoran of Bennington, Durfee of Shaftsbury, James of Manchester, and Whitman of Bennington

Offered by: Senators Campion and Sears

Whereas, Joseph Krawczyk grew up in Bennington, graduated from Colorado State University–Pueblo, and earned a master’s degree from the U.S. Naval War College in Newport, Rhode Island, and

Whereas, he served with distinction in the U.S. Army for over two decades, attaining the rank of colonel, and he saw combat in Vietnam, and

Whereas, upon his military retirement, Joseph Krawczyk returned home, serving four terms in the Vermont House of Representatives and, for six years, concurrently chairing the Governor's Veterans Advisory Council, and

Whereas, Joseph Krawczyk's 12 years as a Bennington Select Board member included service as vice chair and chair, and

Whereas, in 2011, the Governor appointed him to the Board of the Vermont Veterans' Home, and, for a decade, he served as the panel's president, and

Whereas, Joseph Krawczyk died on December 13, 2022, and his survivors include his wife, Dolores, and his children, stepchildren, grandchildren, step-grandchildren, and step-great-grandchildren, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly extends its sincere sympathy to the family of former Representative Joseph L. Krawczyk Jr. of Bennington, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the family of Joseph L. Krawczyk Jr.

Having been adopted in concurrence on January 27, 2023 in accord with Joint Rule 16b, was read.

Remarks Journalized

On motion of **Rep. Hooper of Burlington**, the following remarks by **Rep. Morrissey of Bennington** were ordered printed in the Journal:

"Good Morning Madame Speaker,

We just heard the reading of the Resolution H.C.R. 9, in honor and memory of former Representative Joseph Krawczyk. I was honored to call Joe a longtime friend. Joseph Krawczyk knew the true meaning of what it meant to serve. Joe served his Country, his State of Vermont, and our Bennington Community with great distinction. In serving his country, Col. Krawczyk served in the U. S. Army for over 20 years, saw combat in Vietnam and was the recipient of not one, but two Purple Heart Medals, as well as numerous other service-related medals. Joe was a proud veteran, like his father and other Krawczyk family members.

In serving his State of Vermont, I had asked Joe to run for his House of Representative's seat, which he held for four terms. He sat in Seat 110, right behind me. At the same time, he served in the Legislature, Joe chaired the Governor's Veterans Advisory Council. Since 2011, after being appointed by the Governor, Joe served on the Board of Trustees for the Vermont Veterans Home. He served as the President for ten years, up until a short time before his death. In serving his beloved Bennington Community, Joe served for

twelve years on the Bennington Select Board, which he also chaired for several years.

On this day that we honor the former member of this chamber, Joseph Krawczyk, the Board of Trustee members and staff from the Vermont Veterans Home are pleased to be here at the State House to hear the reading of this Resolution. Seated in the Senate seats are Board of Trustee members: Col. Gary DeGasta who is now the President of the Board, Captain Brenda Cruikshank, former Representatives Col. Peter Fagan, and Representative Larry Cupoli, Representative Bob Hooper, and Charly Dickerson. The Vermont Veterans Home staff include: Asa Morin (COO), Melinda Crowl (Marketing & Admissions Coordinator, Robyn Boland (Executive Assistant), Steve McClaffery (Chief Financial Officer) and Melissa Jackson (chief Executive Officer).

Please take time today, to stop by the Card Room and visit with these Representatives of the Vermont Veterans Home. Now join me in giving a warm welcome to our Vermont Veterans Home guests, who are seated in the Senate seats.”

Ceremonial Reading

H.C.R. 21

House concurrent resolution honoring the organizations and individuals working to resolve Vermont’s rural broadband access crisis

Offered by: All Members of the House

Whereas, the State of Vermont is committed to solving the rural broadband access crisis, and to achieve this goal, the General Assembly has enacted 2015 Acts and Resolves No. 41, recognizing multi-municipality Communications Union Districts (CUDs,) for broadband implementation and management;

2019 Acts and Resolves No. 79, providing new State funding, a Department of Public Service (DPS) position, and the establishment of the Broadband Innovation Grant Program at DPS; and 2021 Acts and Resolves No. 71, creating the Vermont Community Broadband Board (VCBB) to oversee and manage the newly established Vermont Community Broadband Fund, and

Whereas, the CUDs have organized the Vermont Communications Union Districts Association (VCUDA) to assist the CUDS and represent their interests before the General Assembly and other organizations, and

Whereas, since 2007, Vermont’s first CUD, ECFiber, under its operator, ValleyNet, has pioneered the development, with public and private funding, including the bonding of universal broadband access in its jurisdiction, and serving over 7,500 customers via a nearly 1,700-mile network encompassing 31 towns, and

Whereas, in 2023, the 10 CUDs—Chittenden County CUD, CVFiber, DVFiber, ECFiber, Lamoille FiberNet, Maple Broadband, Northwest FiberworX, NEK Broadband, Otter Creek CUD, and Southern Vermont CUD—are currently providing or developing broadband service for customers in over 200 municipalities, facilitating access to educational, economic development, healthcare, and governmental services, as well as family entertainment, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly recognizes the central importance of CUDs to the establishment of statewide universal high-speed broadband access and congratulates the CUDs, the VCUDA, and the VCBB in this essential endeavor, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to each of the CUDs, the VCUDA, and the VCBB.

Having been adopted in concurrence on January 27, 2023 in accord with Joint Rule 16b, was read.

Joint Resolutions Adopted in Concurrence

J.R.S. 10

Joint resolution, entitled

Joint resolution providing for the election of a Sergeant at Arms, and three Trustees of the University of Vermont and State Agricultural College

Was taken up and adopted in concurrence.

J.R.S. 11

Joint resolution, entitled

Joint resolution establishing a procedure for the conduct of the election of the University of Vermont and State Agricultural College trustees by plurality vote by the General Assembly in 2023

Was taken up and adopted in concurrence.

Joint Committee on Judicial Retention Appointments

Pursuant to 4 V.S.A. § 607, the Speaker announced the appointment of the following members to the Joint Committee on Judicial Retention:

Rep. Troiano of Stannard

Rep. Notte of Rutland City

Rep. Arsenault of Williston

Rep. Oliver of Sheldon

Adjournment

At ten o'clock and thirty-nine minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at three o'clock in the afternoon.