

# Journal of the House

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Friday, June 12, 2020

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

## Devotional Exercises

Devotional exercises were conducted by Rep. Peter Reed of Braintree.

### **Third Reading; Bill Passed in Concurrence With Proposal of Amendment**

**S. 338**

Senate bill, entitled

An act relating to justice reinvestment

Was taken up, read the third time and passed in concurrence with proposal of amendment.

### **Rules Suspended; Second Reading; Favorable Report; Third Reading Ordered; Rules Suspended; Third Reading; Bill Passed in Concurrence**

**S. 350**

On motion of **Rep. McCoy of Poultney**, the rules were suspended and Senate bill, entitled

An act relating to creating emergency economic recovery grants

Appearing on the Calendar for Notice, was taken up for immediate consideration.

**Rep. Myers of Essex**, for the committee on Appropriations, to which had been referred the Senate bill reported in favor of its passage in concurrence.

Thereupon, the bill was read the second time and third reading was ordered.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed on all remaining stages of passage. Thereupon, the bill was read the third time and passed in concurrence.

**Second Reading; Proposal of Amendment Agreed to;  
Third Reading Ordered; Rules Suspended; Third Reading;  
Bill Passed in Concurrence with Proposal of amendment**

**S. 301**

**Rep. Chesnut-Tangerman of Middletown Springs**, for the committee on Energy and Technology, to which had been referred Senate bill, entitled

An act relating to miscellaneous telecommunications changes

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 30 V.S.A. § 248a is amended to read:

§ 248a. CERTIFICATE OF PUBLIC GOOD FOR COMMUNICATIONS  
FACILITIES

\* \* \*

(i) Sunset of Commission authority. Effective on July 1, ~~2020~~ 2023, no new applications for certificates of public good under this section may be considered by the Commission.

\* \* \*

(q)(1) Emergency waiver. Notwithstanding any other provisions of this section, when the Governor has declared a state of emergency pursuant to 20 V.S.A. § 9 and for 180 days after the declared state of emergency ends, the Commission may waive, for a specified and limited time, the prohibitions contained in this section upon site preparation for or construction of a temporary telecommunications facility necessary for maintaining or improving access to telecommunications services. Waivers issued under this subsection shall be valid for a period not to exceed the duration of the declared emergency plus 180 days.

(2) A person seeking a waiver under this subsection shall file a petition with the Commission and shall provide copies to the Department of Public Service and the Agency of Natural Resources. The Commission shall require that additional notice be provided to those listed in subsection (e) of this section and any affected communications union districts. Upon receipt of the petition, the Commission shall conduct an expedited preliminary hearing.

(3) An order granting a waiver may include terms, conditions, and safeguards to mitigate significant adverse impacts, including the posting of a

bond or other security, as the Commission deems proper, based on the scope and duration of the requested waiver.

(4) A waiver shall be granted only when the Commission finds that:

(A) good cause exists due to an emergency situation;

(B) the waiver is necessary to maintain or provide access to wireless telecommunications services;

(C) procedures will be followed to minimize significant adverse impacts under the criteria specified in subdivision (c)(1) of this section; and

(D) taking into account any terms, conditions, and safeguards that the Commission may require, the waiver will promote the general good of the State.

(5) Upon the expiration of a waiver, if a certificate of public good has not been issued under this section, the Commission shall require the removal, relocation, or alteration of the facilities subject to the waiver, as it finds will best promote the general good of the State.

## Sec. 2. REPORT ON CRITERIA

On or before February 1, 2021, the Public Utility Commission shall review the criteria used in awarding a certificate of public good under 30 V.S.A. § 248a and report to the Senate Committee on Finance and the House Committee on Energy and Technology any changes that should be made in light of the recent developments in telecommunications technology.

## Sec. 3. EXTENSION OF SECTION 248a NOTICE PERIOD DURING COVID-19 STATE OF EMERGENCY

Notwithstanding any contrary provision of law, during the declared state of emergency under 20 V.S.A. chapter 1 due to COVID-19, when an applicant provides notice that it will be filing an application for a certificate of public good under 30 V.S.A. § 248a, a municipal legislative body or a planning commission may request, and the Public Utility Commission shall grant, a 30 day extension to the original notice period for a total 90 day notice period. This extended notice period shall be available on any notice of application for a certificate of public good pursuant to 30 V.S.A. § 248a filed during the declared state of emergency under 20 V.S.A. chapter 1 due to COVID-19, except those for de minimis modifications.

Sec. 4. 2019 Acts and Resolves No. 79, Sec. 25 is amended to read:

Sec. 25. OUTAGES AFFECTING E-911 SERVICE; REPORTING;  
RULE; E-911 BOARD

The E-911 Board shall adopt a rule establishing protocols for the E-911 Board to obtain or be apprised of, in a timely manner, system outages applicable to wireless service providers, providers of facilities-based, fixed voice service that is not line-powered and to electric companies for the purpose of enabling the E-911 Board to assess 911 service availability during such outages. An outage for purposes of this section includes any loss of E-911 calling capacity, ~~whether caused by lack of function of the telecommunications subscriber's backup power equipment, lack of function within a telecommunications provider's system~~ network failure, or an outage in the electric power system. The rule shall incorporate threshold criteria for outage reporting that reflect the sparsely populated rural nature of Vermont. The E-911 Board shall file a final proposed rule with the Secretary of State and with the Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 841 on or before ~~February 1, 2020~~ September 30, 2020.

#### Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

The bill, having appeared on the Calendar one day for Notice, was taken up, read the second time, the report of the committee on Energy and Technology agreed to and third reading ordered.

Thereupon, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed on all remaining stages of passage. Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

**Second Reading; Proposal of Amendment Agreed to;  
Third Reading Ordered; Rules Suspended; Third Reading;  
Bill Passed in Concurrence with Proposal of Amendment**

#### S. 128

**Rep. Cordes of Lincoln**, for the committee on Health Care, to which had been referred Senate bill, entitled

An act relating to physician assistant licensure

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 26 V.S.A. chapter 31 is amended to read:

#### CHAPTER 31. PHYSICIAN ASSISTANTS

§ 1731. POLICY AND PURPOSE

The General Assembly recognizes the need to provide means by which physicians in this State may increase the scope and physician assistants may practice medicine in collaboration with physicians and other health care professionals to provide increased efficiency of their practice in order and to ensure that quality high-quality medical services are available to all Vermonters at reasonable cost. The General Assembly recognizes that physician assistants, with their education, training, and experience in the field of medicine, are well suited to provide these services to Vermonters.

§ 1732. DEFINITIONS

As used in this chapter:

(1) “Accredited physician assistant program” means a physician assistant educational program that has been accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA), or, prior to 2001, by either the Committee on Allied Health Education and Accreditation (CAHEA), or the Commission on Accreditation of Allied Health Education Programs (CAAHEP).

(2) “Board” means the State Board of Medical Practice established by chapter 23 of this title.

(3) “Delegation agreement” means a detailed description of the duties and scope of practice delegated by a primary supervising physician to a physician assistant that is signed by both the physician assistant and the supervising physicians. “Collaboration” means a physician assistant’s consultation with or referral to an appropriate physician or other health care professional as indicated based on the patient’s condition; the physician assistant’s education, training, and experience; and the applicable standards of care.

(4) “Disciplinary action” means any action taken by the Board against a physician assistant or an applicant, or an appeal of that action, when the action suspends, revokes, limits, or conditions licensure in any way. The term includes reprimands and administrative penalties.

(5) “Health care facility” has the same meaning as in 18 V.S.A. § 9402.

(6) “Participating physician” means a physician practicing as a sole practitioner, a physician designated by a group of physicians to represent their physician group, or a physician designated by a health care facility to represent that facility, who enters into a practice agreement with a physician assistant in accordance with this chapter.

(7) “Physician” means an individual licensed to practice medicine pursuant to chapter 23 or 33 of this title.

~~(5)~~(8) “Physician assistant” or “PA” means an individual licensed by the State of Vermont who is qualified by education, training, experience, and personal character to provide medical care with the direction and supervision of a Vermont licensed physician to practice medicine in collaboration with one or more physicians pursuant to this chapter.

(9) “Physician group” means a medical practice involving two or more physicians.

~~(6)~~(10) “Supervising physician” means an M.D. or D.O. licensed by the state of Vermont who oversees and accepts responsibility for the medical care provided by a physician assistant “Practice agreement” means an agreement that meets the requirements of section 1735a of this chapter.

~~(7)~~(11) “Supervision” means the direction and review by the supervising physician of the medical care provided by the physician assistant. The constant physical presence of the supervising physician is not required as long as the supervising physician and physician assistant are or easily can be in contact with each other by telecommunication “Practice as a physician assistant” means the practice of medicine by a PA pursuant to a practice agreement signed by a participating physician.

(8) “Disciplinary action” means any action taken against a physician assistant or an applicant by the Board or on appeal therefrom, when that action suspends, revokes, limits, or conditions licensure in any way, and includes reprimands and administrative penalties.

#### § 1733. LICENSURE

(a) The State Board of Medical Practice is responsible for the licensure of physician assistants, and the Commissioner of Health shall adopt, amend, or repeal rules regarding the training, practice, qualification, and discipline of physician assistants.

~~(b)~~ In order to practice, a licensed physician assistant shall have completed a delegation agreement as described in section 1735a of this title with a Vermont licensed physician signed by both the physician assistant and the supervising physician or physicians. The original shall be filed with the Board and copies shall be kept on file at each of the physician assistant’s practice sites. All applicants and licensees shall demonstrate that the requirements for licensure are met.

~~(c),(d)~~ [Repealed.]

#### § 1734. ELIGIBILITY

(a) The Board may grant a license to practice as a physician assistant to an applicant who meets all of the following requirements:

(1) ~~submits~~ Submits a completed application form provided by the ~~board;~~ Board.

(2) ~~pays~~ Pays the required application fee;.

(3) ~~has~~ Has graduated from an accredited physician assistant program or has passed and maintained the certification examination by the National Commission on the Certification of Physician Assistants (NCCPA) prior to 1988;.

(4) ~~has~~ Has passed the ~~certification examination given~~ Physician Assistant National Certifying Examination administered by the NCCPA;.

(5) ~~is~~ Is mentally and physically able to engage safely in practice as a physician assistant;.

(6) ~~does~~ Does not hold any license, certification, or registration as a physician assistant in another state or jurisdiction that is under current disciplinary action, or has been revoked, suspended, or placed on probation for cause resulting from the applicant's practice as a physician assistant, unless the Board has considered the applicant's circumstances and determines that licensure is appropriate;.

(7) ~~is~~ Is of good moral character;.

(8) ~~submits~~ Submits to the Board any other information that the Board deems necessary to evaluate the applicant's qualifications; ~~and~~.

(9) ~~has~~ Has engaged in practice as a physician assistant within the last three years or has complied with the requirements for updating knowledge and skills as defined by Board rules. This requirement shall not apply to applicants who have graduated from an accredited physician assistant program within the last three years.

(b), (c) [Repealed.]

(d) When the Board intends to deny an application for licensure, it shall send the applicant written notice of its decision by certified mail. The notice shall include a statement of the reasons for the action. Within 30 days of the date that an applicant receives such notice, the applicant may file a petition with the Board for review of its preliminary decision. At the hearing, the burden shall be on the applicant to show that licensure should be granted. After the hearing, the Board shall affirm or reverse its preliminary denial.

(e) Failure to maintain competence in the knowledge and skills of a physician assistant, as determined by the Board, shall be cause for revocation of licensure.

§ 1734b. RENEWAL OF LICENSE

(a) Licenses shall be renewed every two years on payment of the required fee. At least one month prior to the date on which renewal is required, the Board shall send to each licensee a license renewal application form and notice of the date on which the existing license will expire. On or before the renewal date, the licensee shall file an application for license renewal and pay the required fee. The Board shall register the applicant and issue the renewal license. Within one month following the date renewal is required, the Board shall pay the license renewal fees into the Medical Practice Board Special Fund. Any physician assistant while on extended active duty ~~in the uniformed services of the United States or member of the National Guard, State Guard, or reserve component~~ as a member of the U.S. Armed Forces, a reserve component of the U.S. Armed Forces, the National Guard, or the State Guard who is licensed as a physician assistant at the time of an activation or deployment shall receive an extension of licensure up to 90 days following the physician assistant's return from activation or deployment, provided the physician assistant notifies the Board of ~~his or her~~ the activation or deployment prior to the expiration of the current license, and certifies that the circumstances of the activation or deployment impede good faith efforts to make timely application for renewal of the license.

(b) A licensee shall demonstrate that the requirements for licensure are met.

(c) A licensee for renewal of an active license to practice shall have practiced as a physician assistant within the last three years or have complied with the requirements for updating knowledge and skills as defined by Board rules.

(d) A licensee shall promptly provide the Board with new or changed information pertinent to the information in ~~his or her~~ the physician assistant's license and license renewal applications at the time ~~he or she~~ the licensee becomes aware of the new or changed information.

(e) A license that has lapsed may be reinstated on payment of a renewal fee and a late renewal fee. The applicant shall not be required to pay renewal fees during periods when the license was lapsed. However, if a license remains lapsed for a period of three years, the Board may require the licensee to update ~~his or her~~ the licensee's knowledge and skills as defined by Board rules.

#### § 1734c. EXEMPTIONS

(a) Nothing in this chapter shall be construed to require licensure under this chapter of any of the following:



(1) ~~a physician~~ Physician ~~assistant student~~ students enrolled in a physician assistant educational program accredited by the Accreditation Review Commission on Education for the Physician Assistant;

(2) ~~a physician assistant~~ Physician assistants employed in the service of the U.S. Armed Forces or National Guard, including National Guard in state status, while performing duties incident to that employment;

(3) ~~a technician~~ Technicians or other ~~assistant or employee~~ assistants or employees of a physician who ~~performs~~ perform physician-delegated tasks but who ~~is~~ are not rendering services as a ~~physician assistant~~ assistants or identifying ~~himself or herself~~ themselves as a ~~physician assistant~~; or assistants.

(4) ~~a physician assistant~~ Physician assistants who ~~is~~ are duly licensed and in good standing in another state, territory, or jurisdiction of the United States or in Canada if the ~~physician assistant is~~ assistants are employed as or formally designated as the ~~team physician assistant~~ assistants by an athletic team visiting Vermont for a specific sporting event and the ~~physician assistant~~ assistants ~~limits his or her~~ limit their practice in this State to the treatment of the members, coaches, and staff of the sports team employing or designating the ~~physician assistant~~ assistants.

(b) Physician assistants licensed in this State or credentialed as physician assistants by a federal employer shall not be required to have a practice agreement when responding to a need for medical care created by a disaster or emergency, as that term is defined in 20 V.S.A. § 102(c).

#### § 1735a. SUPERVISION PRACTICE AGREEMENT AND SCOPE OF

##### PRACTICE

(a) It is the obligation of each team of physician and physician assistant to ensure that the physician assistant's scope of practice is identified; that delegation of medical care is appropriate to the physician assistant's level of competence; that the supervision, monitoring, documentation, and access to the supervising physician is defined; and that a process for evaluation of the physician assistant's performance is established. Except as provided in subsection 1734c(b) of this chapter and subsection (e) of this section, a physician assistant shall engage in practice as a physician assistant in this State only if the physician assistant has entered into a written practice agreement as set forth in subsection (b) of this section.

(1) A physician assistant shall enter into a practice agreement with a physician who practices as a sole practitioner only if the participating physician's area of specialty is similar to or related to the physician assistant's area of specialty.

(2) A physician assistant shall enter into a practice agreement with a participating physician who represents a physician group or health care facility only if one or more of the physicians practicing in the physician group or at the health care facility has an area of specialty similar to or related to the physician assistant's area of specialty.

~~(b) The information required in subsection (a) of this section shall be included in a delegation agreement as required by the Commissioner by rule. The delegation agreement shall be signed by both the physician assistant and the supervising physician or physicians, and a copy shall be kept on file at each of the physician assistant's practice sites and the original filed with the Board~~ A practice agreement shall include all of the following:

(1) Processes for physician communication, availability, decision-making, and periodic joint evaluation of services delivered when providing medical care to a patient.

(2) An agreement that the physician assistant's scope of practice shall be limited to medical care that is within the physician assistant's education, training, and experience. Specific restrictions, if any, on the physician assistant's practice shall be listed.

(3) A plan to have a physician available for consultation at all times when the physician assistant is practicing medicine.

(4) The signatures of the physician assistant and the participating physician; no other signatures shall be required.

~~(c) The physician assistant's scope of practice shall be limited to medical care which is delegated to the physician assistant by the supervising physician and performed with the supervision of the supervising physician. The medical care shall be within the supervising physician's scope of practice and shall be care which the supervising physician has determined that the physician assistant is qualified by education, training, and experience to provide~~ A practice agreement may specify the extent of the collaboration required between the PA and physicians and other health care professionals; provided, however, that a physician shall be accessible for consultation by telephone or electronic means at all times when a PA is practicing.

(d) The practice agreement shall be reviewed by the physician assistant and either the participating physician or a representative of the practice, physician group, or health care facility, at a minimum, at the time of the physician assistant's license renewal.

~~(d)~~(e) In the event of the unanticipated unavailability of a participating physician practicing as a sole practitioner due to serious illness or death, a physician assistant may continue to practice for not more than a 30-day period

without entering into a new practice agreement with another participating physician.

(f) The practice agreement shall be filed with the Board. The Board shall not request or require any modifications to the practice agreement. The practice agreement may be filed with the Board electronically at the option of the physician assistant; no original documents shall be required.

(g) Nothing in this section shall be construed to require the physical presence of a physician at the time and place at which a physician assistant renders a medical service.

(h) A physician assistant may prescribe, dispense, and administer, and procure drugs and medical devices to the extent delegated by a supervising physician to the same extent as may a physician. A physician assistant who is authorized by a supervising physician to prescribe prescribes controlled substances must register shall be registered with the federal Drug Enforcement Administration.

~~(e) A supervising physician and physician assistant shall report to the Board immediately upon an alteration or the termination of the delegation agreement.~~

#### § 1735b. PHYSICIAN ASSISTANT AS PRIMARY CARE PROVIDER

Notwithstanding any provision of law to the contrary, a physician assistant shall be considered a primary care provider when the physician assistant practices in one or more of the medical specialties for which a physician would be considered to be a primary care provider.

#### § 1736. UNPROFESSIONAL CONDUCT

(a) The following conduct and the conduct described in section 1354 of this title by a licensed physician assistant shall constitute unprofessional conduct. ~~When;~~ when that conduct is by an applicant or person who later becomes an applicant, it may constitute grounds for denial of licensure:

(1) fraud or misrepresentation in applying for or procuring a license or in applying for or procuring a periodic renewal of a license;

(2) occupational advertising that is intended or has a tendency to deceive the public;

(3) exercising undue influence on or taking improper advantage of a person using the individual's services, or promoting the sale of professional goods or services in a manner that exploits a person for the financial gain of the practitioner or of a third party;

(4) failing to comply with provisions of federal or state statutes or rules governing the profession;

(5) conviction of a crime related to the profession; and

(6) conduct that evidences unfitness to practice in the profession.

(b) Unprofessional conduct includes the following actions by a licensed physician assistant:

(1) Making or filing false professional reports or records, impeding or obstructing the proper making or filing of professional reports or records, or failing to file ~~the~~ a proper professional report or record.

(2) Practicing the profession when mentally or physically unfit to do so.

(3) ~~Practicing the profession without having a delegation agreement meeting the requirements of this chapter on file at the primary location of the physician assistant's practice and the Board~~ Practicing as a physician assistant without a practice agreement meeting the requirements of section 1735a of this chapter, except under the circumstances described in subsections 1734c(b) and 1735a(e) of this chapter. The Board's receipt of a practice agreement filed in accordance with subsection 1735a(f) of this chapter shall not be construed to constitute Board approval of the practice agreement or of its contents.

(4) Accepting and performing responsibilities that the individual knows or has reason to know ~~that he or she~~ the individual is not competent to perform.

(5) Making any material misrepresentation in the practice of the profession, whether by commission or omission.

(6) The act of holding ~~one's self~~ oneself out as, or permitting ~~one's self~~ oneself to be represented as, a licensed physician.

(7) ~~Performing otherwise than at the direction and under the supervision of a physician licensed by the Board or an osteopath licensed by the Vermont Board of Osteopathic Physicians and Surgeons; [Repealed.]~~

(8) Performing or offering to perform a task or tasks beyond the individual's ~~delegated~~ scope of practice.

(9) Administering, dispensing, procuring, or prescribing any controlled substance otherwise than as authorized by law.

(10) Habitual or excessive use or abuse of drugs, alcohol, or other substances that impair the ability to provide medical services.

(11) Failure to practice competently by reason of any cause on a single occasion or on multiple occasions. Failure to practice competently includes, as determined by the Board:

(A) performance of unsafe or unacceptable patient care; or

(B) failure to conform to the essential standards of acceptable and prevailing practice.

(c) A person aggrieved by a determination of the Board may, within 30 days of the order, appeal that order to the Vermont Supreme Court on the basis of the record created before the Board.

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#### § 1738. USE OF TITLE

Any person who is licensed to practice as a physician assistant in this State shall have the right to use the title “physician assistant” and the abbreviation “P.A.” ~~abbreviations “PA” and “PA-C.”~~ No other person ~~may shall~~ assume that title, ~~or use that abbreviation those abbreviations,~~ or use any other words, letters, signs, or devices to indicate that the person using them is a physician assistant.

#### § 1739. LEGAL LIABILITY

~~(a) The supervising physician delegating activities to a physician assistant shall be legally liable for such activities of the physician assistant, and the physician assistant shall in this relationship be the physician’s agent.~~

~~(b) Nothing in this chapter shall be construed as prohibiting a physician from delegating to the physician’s employees certain activities relating to medical care and treatment now being carried out by custom and usage when such activities are under the control of the physician. The physician delegating activities to his or her employees shall be legally liable for such activities of such persons, and such person shall in this relationship be the physician’s agent. Nothing contained in this chapter shall be construed to apply to nurses acting pursuant to chapter 28 of this title. Physician assistants are responsible for their own medical decision making. A participating physician in a practice agreement with a physician assistant shall not, by the existence of the practice agreement alone, be legally liable for the actions or inactions of the physician assistant; provided, however, that this does not otherwise limit the liability of the participating physician.~~

§ 1739a. ~~INAPPROPRIATE USE OF SERVICES BY PHYSICIAN;~~

~~UNPROFESSIONAL CONDUCT~~

~~Use of the services of a physician assistant by a physician in a manner which is inconsistent with the provisions of this chapter constitutes unprofessional conduct by the physician and such physician shall be subject to disciplinary action by the Board in accordance with the provisions of chapter 23 or 33 of this title, as appropriate. [Repealed.]~~

§ 1740. FEES

Applicants and persons regulated under this chapter shall pay the following fees:

(1) Original application for licensure, \$225.00; the Board shall use at least \$10.00 of this fee to support the cost of maintaining the Vermont Practitioner Recovery Network, which, for the protection of the public, monitors and evaluates, coordinates services for, and promotes rehabilitation of licensees who have or potentially have an impaired ability to practice medicine with reasonable skill and safety.

(2) Biennial renewal, \$215.00; the Board shall use at least \$10.00 of this fee to support the cost of maintaining the Vermont Practitioner Recovery Network, ~~which, for the protection of the public, monitors and evaluates, coordinates services for, and promotes rehabilitation of licensees who have or potentially have an impaired ability to practice medicine with reasonable skill and safety described in subdivision (1) of this section.~~

§ 1741. ~~NOTICE OF USE OF PHYSICIAN ASSISTANT TO BE POSTED~~

~~A physician, clinic, or hospital that utilizes the services of a physician assistant shall post a notice to that effect in a prominent place. [Repealed.]~~

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§ 1743. MEDICAID REIMBURSEMENT

The Secretary of Human Services shall, ~~pursuant to 3 V.S.A. chapter 25, adopt rules providing for a fee schedule for~~ provide reimbursement under Title XIX (Medicaid) of the Social Security Act and 33 V.S.A. chapter 19, ~~relating to medical assistance~~ that recognizes reasonable cost differences between services provided by physicians and those provided by physician assistants under this chapter.

§ 1743a. PAYMENT FOR MEDICAL SERVICES

(a) As used in this section:

(1) “Health insurer” has the same meaning as in 18 V.S.A. § 9402.

(2) “Participating provider” has the same meaning as in 18 V.S.A. § 9418 and includes providers participating in the Vermont Medicaid program.

(b) Health insurers and, to the extent permitted under federal law, Medicaid shall reimburse a participating provider who is a physician assistant for any medical service delivered by the physician assistant if the same service would be covered if delivered by a physician. Physician assistants are authorized to bill for and receive direct payment for the medically necessary services they deliver.

(c) To provide accountability and transparency for patients, payers, and the health care system, the physician assistant shall be identified as the treating provider in the billing and claims processes when the physician assistant delivered the medical services to the patient.

(d) A health insurer shall not impose any practice, education, or collaboration requirement for a physician assistant that is inconsistent with or more restrictive than the provisions of this chapter.

#### § 1744. ~~CERTIFIED PHYSICIAN ASSISTANTS~~

~~Any person who is certified by the Board as a physician assistant prior to the enactment of this section shall be considered to be licensed as a physician assistant under this chapter immediately upon enactment of this section, and shall be eligible for licensure renewal pursuant to section 1734b of this title. [Repealed.]~~

Sec. 2. 26 V.S.A. § 1354 is amended to read:

#### § 1354. UNPROFESSIONAL CONDUCT

(a) The Board shall find that any one of the following, or any combination of the following, whether the conduct at issue was committed within or outside the State, constitutes unprofessional conduct:

\* \* \*

(38) signing a blank or undated prescription form; or

~~(39) use of the services of a physician assistant by a physician in a manner that is inconsistent with the provisions of chapter 31 of this title; or [Repealed.]~~

\* \* \*

Sec. 3. 26 V.S.A. § 1444 is added to read:

#### § 1444. LIABILITY FOR ACTIONS OF AGENT

(a) A physician may delegate to a medical technician or other assistant or employee certain activities related to medical care and treatment that the

individual is qualified to perform by training, education, experience, or a combination of these when the activities are under the control of the physician. The physician delegating the activities to the individual shall be legally liable for the individual's performance of those activities, and in this relationship, the individual shall be the physician's agent.

(b)(1) Nothing in this section shall be construed to apply to a nurse acting pursuant to chapter 28 of this title.

(2) Nothing in this section shall be construed to apply to a physician assistant acting pursuant to chapter 31 of this title. Liability for the actions or inactions of a physician assistant shall be governed by the provisions of section 1739 of this title.

#### Sec. 4. DEPARTMENT OF HEALTH; RULEMAKING

The Department of Health shall amend the Board of Medical Practice rules pursuant to 3 V.S.A. chapter 25 to conform the provisions regarding physician assistant licensure to the provisions of this act. The Department shall complete its rulemaking process on or before July 1, 2021.

#### Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2020 and shall apply to all physician assistant licenses issued or renewed on and after that date, except that in Sec. 1, 26 V.S.A. § 1743a (payment for medical services) shall apply to Medicaid beginning on January 1, 2021, to the extent permitted under federal law.

Thereupon pending the question, Shall the House propose to the Senate to amend the bill as recommended by the committee on Health Care? **Rep. Cordes of Lincoln** moved to amend the report of the committee as follows:

In Sec. 1, 26 V.S.A. chapter 31, by striking § 1734b in its entirety and inserting in lieu thereof the following:

#### § 1734b. RENEWAL OF LICENSE

(a) Licenses shall be renewed every two years on payment of the required fee. At least one month prior to the date on which renewal is required, the Board shall send to each licensee a license renewal application form and notice of the date on which the existing license will expire. On or before the renewal date, the licensee shall file an application for license renewal and pay the required fee. The Board shall register the applicant and issue the renewal license. Within one month following the date renewal is required, the Board shall pay the license renewal fees into the Medical Practice Board Special Fund. Any physician assistant while on extended active duty ~~in the uniformed services of the United States or member of the National Guard, State Guard, or reserve component~~ as a member of the U.S. Armed Forces, a reserve



component of the U.S. Armed Forces, the National Guard, or the State Guard who is licensed as a physician assistant at the time of an activation or deployment shall receive an extension of licensure up to 90 days following the physician assistant's return from activation or deployment, provided the physician assistant notifies the Board of ~~his or her~~ the activation or deployment prior to the expiration of the current license, and certifies that the circumstances of the activation or deployment impede good faith efforts to make timely application for renewal of the license.

\* \* \*

(d) A licensee shall promptly provide the Board with new or changed information pertinent to the information in ~~his or her~~ the physician assistant's license and license renewal applications at the time ~~he or she~~ the licensee becomes aware of the new or changed information.

(e) A license that has lapsed may be reinstated on payment of a renewal fee and a late renewal fee. The applicant shall not be required to pay renewal fees during periods when the license was lapsed. However, if a license remains lapsed for a period of three years, the Board may require the licensee to update ~~his or her~~ the licensee's knowledge and skills as defined by Board rules.

Which was agreed to. Thereupon the report of the committee on Health Care, as amended, was agreed to and third reading ordered.

Thereupon, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed on all remaining stages of passage. Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

#### **Rules Suspended; Bills Messaged to Senate Forthwith**

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the following bills were ordered messaged to the Senate forthwith:

##### **S. 338**

Senate bill, entitled

An act relating to justice reinvestment

##### **S. 350**

Senate bill, entitled

An act relating to creating emergency economic recovery grants

##### **S. 301**

Senate bill, entitled

An act relating to miscellaneous telecommunications changes

**S. 128**

Senate bill, entitled

An act relating to physician assistant licensure

**Third Reading;  
Bill Passed in Concurrence**

**S. 348**

Senate bill, entitled

An act relating to temporary elections procedures in the year 2020

Was taken up and pending third reading of the bill, **Reps. Beck of St. Johnsbury, Canfield of Fair Haven and Mattos of Milton** moved to propose to the Senate to amend the bill as follows:

In Sec. 1, 2020 Acts and Resolves No. 92, Sec. 3, by striking subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c) If the Secretary of State orders or permits the mailing of 2020 General Election ballots to all registered voters pursuant to subsection (a) of this section, such a ballot shall not be collected or returned by a candidate in the election, the candidate's family member, the candidate's campaign staff, a political party, a political action committee, a corporation, a labor organization, a lobbyist employer, or any person acting on behalf of one or more of those persons, unless the person is a voter returning his or her own ballot.

(1)(A) Any person who collects or returns a ballot in violation of this subsection shall be fined not more than \$100.00 per violation for the first three violations, not more than \$500.00 per violation for the fourth through ninth violations, and not more than \$1,000.00 per violation for the tenth and subsequent violations.

(B) The Attorney General or a State's Attorney, whenever he or she has reason to believe any person to be or to have been in violation of this subsection, shall conduct a civil investigation in accordance with the procedures set forth in 17 V.S.A. § 2904.

(2) As used in this subsection, "family member" means a spouse, child, sibling, parent, spouse's parent, grandparent, or spouse's grandparent.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by Rep. Beck of St. Johnsbury and others? **Rep. Beck of St. Johnsbury** demanded the Yeas and Nays, which demand was sustained by the

Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House propose to the Senate to amend the bill as offered by Rep. Beck of St. Johnsbury and others? was decided in the negative. Yeas, 50. Nays, 94.

Those who voted in the affirmative are:

Bancroft of Westford	Gamache of Swanton	Norris of Shoreham
Batchelor of Derby	Goslant of Northfield	Page of Newport City
Bates of Bennington	Gregoire of Fairfield	Palasik of Milton
Beck of St. Johnsbury	Hango of Berkshire	Potter of Clarendon
Birong of Vergennes	Harrison of Chittenden	Quimby of Concord
Brennan of Colchester	Helm of Fair Haven	Reed of Braintree
Browning of Arlington	Higley of Lowell	Rogers of Waterville
Burditt of West Rutland	LaClair of Barre Town	Rosenquist of Georgia
Canfield of Fair Haven	Leffler of Enosburgh	Savage of Swanton
Corcoran of Bennington	Marcotte of Coventry	Scheuermann of Stowe
Cupoli of Rutland City	Martel of Waterford	Shaw of Pittsford
Dickinson of St. Albans Town	Mattos of Milton	Smith of Derby
Donahue of Northfield	McCoy of Poultney	Smith of New Haven
Fagan of Rutland City	McFaun of Barre Town	Strong of Albany
Fegard of Berkshire	Morgan of Milton	Sullivan of Dorset
Feltus of Lyndon	Morrissey of Bennington	Terenzini of Rutland Town
	Myers of Essex	Toof of St. Albans Town

Those who voted in the negative are:

Ancel of Calais	Haas of Rochester	O'Brien of Tunbridge
Anthony of Barre City	Hashim of Dummerston	Ode of Burlington
Austin of Colchester	Hill of Wolcott	O'Sullivan of Burlington
Bartholomew of Hartland	Hooper of Montpelier	Pajala of Londonderry
Bock of Chester	Hooper of Randolph	Partridge of Windham
Briglin of Thetford	Hooper of Burlington	Patt of Worcester
Brownell of Pownal	Houghton of Essex	Pugh of South Burlington
Brumsted of Shelburne	Howard of Rutland City	Rachelson of Burlington
Burke of Brattleboro	James of Manchester	Ralph of Hartland
Campbell of St. Johnsbury	Jerome of Brandon	Redmond of Essex
Chase of Colchester	Jessup of Middlesex	Scheu of Middlebury
Chesnut-Tangerman of Middletown Springs *	Killacky of South Burlington	Seymour of Sutton
Christie of Hartford	Kimbell of Woodstock	Sheldon of Middlebury
Cina of Burlington	Kitzmiller of Montpelier	Sibilia of Dover
Coffey of Guilford	Kornheiser of Brattleboro	Squirrell of Underhill
Colburn of Burlington	Krowinski of Burlington	Stevens of Waterbury
Colston of Winooski	LaLonde of South Burlington	Sullivan of Burlington
Conquest of Newbury	Lanpher of Vergennes	Szott of Barnard
Copeland Hanzas of Bradford	Lefebvre of Newark	Taylor of Colchester
Cordes of Lincoln	Lippert of Hinesburg	Till of Jericho
Demrow of Corinth	Long of Newfane	Toleno of Brattleboro
Dolan of Waitsfield	Macaig of Williston	Townsend of South Burlington
	Masland of Thetford	Troiano of Stannard

Donovan of Burlington	McCarthy of St. Albans City	Tully of Rockingham
Durfee of Shaftsbury	McCormack of Burlington	Walz of Barre City
Elder of Starksboro	McCullough of Williston	Webb of Shelburne
Emmons of Springfield	Morris of Springfield	White of Hartford
Gannon of Wilmington	Mrowicki of Putney *	Wood of Waterbury
Gardner of Richmond	Murphy of Fairfax	Yacovone of Morristown
Giambatista of Essex	Nicoll of Ludlow	Yantachka of Charlotte *
Gonzalez of Winooski	Notte of Rutland City	Young of Greensboro
Grad of Moretown	Noyes of Wolcott	

Those members absent with leave of the House and not voting are:

Carroll of Bennington	Conlon of Cornwall	Toll of Danville
Christensen of Weathersfield	Graham of Williamstown	

**Rep. Chesnut-Tangerman of Middletown Springs** explained his vote as follows:

“Madam Speaker:

I believe that we all agree that we want to prevent nefarious election activity of any kind, and to keep voters safe. However I don’t believe that this amendment is the correct vehicle to do that.”

**Rep. Mrowicki of Putney** explained his vote as follows:

“Madam Speaker:

My no vote, is to make sure we do everything we can to keep voters and those counting votes safe, and move this bill to let the Sec of State do the job he was elected to do, oversee elections and issue his election directive to cover issues as they arise.

My vote is also to make sure as many Vermonters as possible vote in this election and that we do nothing to suppress the vote.”

**Rep. Yantachka of Charlotte** explained his vote as follows:

“Madam Speaker:

I've known our Secretary of State for 15 years. He has a national reputation for guarding the integrity of our elections, He is dedicated not only to the right of every eligible citizen to vote, but also that votes cannot be fraudulently cast. I have every confidence that he and his staff will design a process that will do both. This amendment is unnecessary and I vote No.”

Thereupon, pending third reading of the bill, **Reps. Scheuermann of Stowe, Shaw of Pittsford and Leffler of Enosburgh** moved to propose to the Senate to amend the bill as follows:

In Sec. 1, 2020 Acts and Resolves No. 92, Sec. 3, by striking subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c)(1) If the Secretary of State orders or permits the mailing of 2020 General Election ballots to all registered voters pursuant to subsection (a) of this section, such a ballot shall not be collected or returned by a candidate in the election, the candidate’s family member, or the candidate’s campaign staff, unless the person is a voter returning his or her own ballot.

(2) As used in this subsection, “family member” means a spouse, child, sibling, parent, spouse’s parent, grandparent, or spouse’s grandparent.

(3) The prohibition on the collection or return of ballots set forth in this subsection does not apply to an election official’s performance of election duties at the 2020 General Election as permitted by law or to the handling of ballots in the ordinary course of business in the U.S. Postal Service.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by Rep. Scheuermann of Stowe and others? **Rep. McCoy of Poultney** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the House propose to the Senate to amend the bill as offered by Rep. Scheuermann of Stowe and others? was decided in the negative. Yeas, 57. Nays, 88.

Those who voted in the affirmative are:

Bancroft of Westford	Gamache of Swanton	Page of Newport City
Batchelor of Derby	Goslant of Northfield	Palasik of Milton
Bates of Bennington	Gregoire of Fairfield	Potter of Clarendon
Beck of St. Johnsbury	Hango of Berkshire	Quimby of Concord
Birong of Vergennes	Harrison of Chittenden	Reed of Braintree
Brennan of Colchester	Helm of Fair Haven	Rogers of Waterville
Browning of Arlington	Higley of Lowell	Rosenquist of Georgia
Burditt of West Rutland	Hooper of Randolph	Savage of Swanton
Canfield of Fair Haven	LaClair of Barre Town	Scheuermann of Stowe *
Carroll of Bennington	Lefebvre of Newark	Seymour of Sutton
Chesnut-Tangerman of Middletown Springs	Leffler of Enosburgh	Shaw of Pittsford
Corcoran of Bennington	Marcotte of Coventry	Sibilia of Dover
Cupoli of Rutland City	Martel of Waterford	Smith of Derby
Dickinson of St. Albans Town	Mattos of Milton	Smith of New Haven
Donahue of Northfield	McCoy of Poultney	Strong of Albany
Fagan of Rutland City	McFaun of Barre Town	Sullivan of Dorset
Fegard of Berkshire	Morgan of Milton	Terenzini of Rutland Town
Feltus of Lyndon	Morrissey of Bennington	Toof of St. Albans Town
	Murphy of Fairfax	Young of Greensboro
	Myers of Essex	

Those who voted in the negative are:

Ancel of Calais	Haas of Rochester	Ode of Burlington
Anthony of Barre City	Hashim of Dummerston	O'Sullivan of Burlington
Austin of Colchester	Hill of Wolcott	Pajala of Londonderry

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Bartholomew of Hartland *	Hooper of Montpelier	Partridge of Windham
Bock of Chester	Hooper of Burlington	Patt of Worcester
Briglin of Thetford	Houghton of Essex	Pugh of South Burlington
Brownell of Pownal	Howard of Rutland City	Rachelson of Burlington
Brumsted of Shelburne	James of Manchester	Ralph of Hartland *
Burke of Brattleboro	Jerome of Brandon	Redmond of Essex
Campbell of St. Johnsbury	Jessup of Middlesex	Scheu of Middlebury
Chase of Colchester	Killackey of South Burlington	Sheldon of Middlebury
Christie of Hartford	Kimbell of Woodstock	Squirrell of Underhill
Cina of Burlington	Kitzmiller of Montpelier	Stevens of Waterbury
Coffey of Guilford	Kornheiser of Brattleboro	Sullivan of Burlington
Colburn of Burlington	Krowinski of Burlington	Szott of Barnard
Colston of Winooski	LaLonde of South	Taylor of Colchester
Conlon of Cornwall	Burlington	Till of Jericho
Conquest of Newbury	Lanpher of Vergennes	Toleno of Brattleboro
Copeland Hanzas of	Lippert of Hinesburg	Toll of Danville
Bradford	Long of Newfane	Townsend of South
Cordes of Lincoln	Macaig of Williston	Burlington
Demrow of Corinth	Masland of Thetford	Troiano of Stannard
Dolan of Waitsfield	McCarthy of St. Albans City	Tully of Rockingham
Donovan of Burlington	McCormack of Burlington	Walz of Barre City
Durfee of Shaftsbury	McCullough of Williston	Webb of Shelburne
Elder of Starksboro	Morris of Springfield	White of Hartford
Gannon of Wilmington	Mrowicki of Putney	Wood of Waterbury
Gardner of Richmond	Nicoll of Ludlow	Yacovone of Morristown *
Giambatista of Essex	Notte of Rutland City	Yantachka of Charlotte
Gonzalez of Winooski	Noyes of Wolcott	
Grad of Moretown	O'Brien of Tunbridge	

Those members absent with leave of the House and not voting are:

Christensen of Weathersfield	Graham of Williamstown
Emmons of Springfield	Norris of Shoreham

**Rep. Bartholomew of Hartland** explained his vote as follows:

“Madam Speaker:

We should be removing barriers to voting, not making it harder, particularly during a public health emergency. This amendment does nothing to provide any additional security to the election process that isn’t already illegal. The Secretary of State already has the authority to regulate the process to insure the integrity of our elections.

The Secretary of State’s office has much to accomplish to prepare for the upcoming elections, to train Town Clerks, and to educate voters. Time is of the essence. We need to get this bill to the Governor’s desk.”

**Rep. Ralph of Hartland** explained his vote as follows:

“Madam Speaker:

I voted no. The ability of a political candidate to pick up ballots represents a constituent service that highlights the strengths of our citizen legislature and the strong relationships of trust that exists between voters and their elected officials. Picking up ballots further helps to strengthen our democratic process by making voting easier and more Personable. Eliminating this will weaken our VT process and potentially cause fewer people to vote who normally count on others to help get their ballots to the polling stations. VT is unique and different from the political dynamics that we see at the National Level and we should work to keep it that way.”

**Rep. Scheuermann of Stowe** explained her vote as follows:

“Madam Speaker:

We had the chance today to show Vermonters that election integrity is important to us; that the appearance of impropriety and perception of conflicts of interest are important to us. We failed, Madam Speaker, and we should be ashamed of ourselves.”

**Rep. Yacovone of Morristown** explained his vote as follows:

“Madam Speaker:

What candidate in their right mind would harvest ballots? Most do not seek political suicide. This amendment is flawed. When your wife cannot deliver her own mother’s ballot something is wrong. This amendment is a solution in search of a problem.”

Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass in concurrence? **Rep. Donahue of Northfield** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass in concurrence? was decided in the affirmative. Yeas, 115. Nays, 29.

Those who voted in the affirmative are:

Ancel of Calais	Gregoire of Fairfield *	Page of Newport City *
Anthony of Barre City	Haas of Rochester	Pajala of Londonderry
Austin of Colchester	Hashim of Dummerston	Partridge of Windham
Bartholomew of Hartland	Hill of Wolcott	Patt of Worcester
Bates of Bennington	Hooper of Montpelier	Pugh of South Burlington
Birong of Vergennes	Hooper of Randolph	Rachelson of Burlington
Bock of Chester	Hooper of Burlington	Ralph of Hartland
Briglin of Thetford	Houghton of Essex	Redmond of Essex *
Brownell of Pownal	Howard of Rutland City	Reed of Braintree
Browning of Arlington	James of Manchester	Rogers of Waterville
Brumsted of Shelburne	Jerome of Brandon	Scheu of Middlebury
Burke of Brattleboro	Jessup of Middlesex	Scheuermann of Stowe

Campbell of St. Johnsbury	Killacky of South Burlington	Seymour of Sutton
Carroll of Bennington	Kimbell of Woodstock	Shaw of Pittsford
Chase of Colchester	Kitzmiller of Montpelier	Sheldon of Middlebury
Chesnut-Tangerman of Middletown Springs	Kornheiser of Brattleboro	Sibilia of Dover
Christie of Hartford	Krowinski of Burlington	Smith of New Haven
Cina of Burlington	LaClair of Barre Town	Squirrell of Underhill
Coffey of Guilford	LaLonde of South Burlington	Stevens of Waterbury
Colburn of Burlington	Lanpher of Vergennes	Sullivan of Dorset
Colston of Winooski	Lefebvre of Newark	Sullivan of Burlington
Conlon of Cornwall	Lippert of Hinesburg	Szott of Barnard
Conquest of Newbury	Long of Newfane	Taylor of Colchester
Copeland Hanzas of Bradford *	Macaig of Williston	Terenzini of Rutland Town
Corcoran of Bennington	Marcotte of Coventry	Till of Jericho
Cordes of Lincoln	Masland of Thetford	Toleno of Brattleboro
Demrow of Corinth	McCarthy of St. Albans City	Toll of Danville
Dolan of Waitsfield	McCormack of Burlington	Townsend of South Burlington
Donovan of Burlington	McCullough of Williston	Troiano of Stannard
Durfee of Shaftsbury	McFaun of Barre Town	Tully of Rockingham
Elder of Starksboro	Morris of Springfield	Walz of Barre City
Fegard of Berkshire	Mrowicki of Putney	Webb of Shelburne
Feltus of Lyndon	Murphy of Fairfax	White of Hartford
Gannon of Wilmington	Myers of Essex	Wood of Waterbury
Gardner of Richmond	Nicoll of Ludlow	Yacovone of Morristown
Giambatista of Essex	Notte of Rutland City	Yantachka of Charlotte
Gonzalez of Winooski	Noyes of Wolcott	Young of Greensboro
Grad of Moretown	O'Brien of Tunbridge	
	Ode of Burlington *	
	O'Sullivan of Burlington	

Those who voted in the negative are:

Bancroft of Westford *	Fagan of Rutland City	Morgan of Milton
Batchelor of Derby	Gamache of Swanton	Morrissey of Bennington
Beck of St. Johnsbury	Goslant of Northfield	Palasik of Milton
Brennan of Colchester	Hango of Berkshire	Potter of Clarendon
Burditt of West Rutland	Harrison of Chittenden	Quimby of Concord
Canfield of Fair Haven	Higley of Lowell	Rosenquist of Georgia
Cupoli of Rutland City	Leffler of Enosburgh *	Savage of Swanton
Dickinson of St. Albans Town	Martel of Waterford	Smith of Derby
Donahue of Northfield *	Mattos of Milton	Strong of Albany
	McCoy of Poultney	Toof of St. Albans Town

Those members absent with leave of the House and not voting are:

Christensen of Weathersfield	Graham of Williamstown	Norris of Shoreham
Emmons of Springfield	Helm of Fair Haven	

**Rep. Bancroft of Westford** explained his vote as follows:

“Madam Speaker:



While I support allowing universal mail-in voting, I cannot in good conscience do so if there are no constraints on ballot harvesting. The lack of constraints exposes voters to the possibility of being pressured to vote a certain way. Allowing ballots to be harvested by candidates and special interest groups puts the voting process in jeopardy of abuse and calls into question the Integrity of the voting process.”

**Rep. Copeland Hanzas of Bradford** explained her vote as follows:

“Madam Speaker:

In passing this bill we are completing the work we began in March to make certain Vermonters can safely vote in November. This bill simply gives the Secretary of State the go ahead to execute the plan he began crafting at the beginning of March. All this bill does is put a ballot in every active, registered voters hands and make it possible for Vermonters to vote without putting their health or the health of our poll workers in jeopardy.”

**Rep. Donahue of Northfield** explained her vote as follows:

“Madam Speaker:

I voted for the original bill that established the opportunity to allow the mailing of ballots to every registered voter if needed for safety to maximize access to voting during this pandemic, and I fully intended to support moving forward through this revision to that bill. However, I was previously unaware that we had no laws – restrictions that are common in many other states – against collection of ballots by people unknown to the voter who might be visiting multiple homes. We are incentivizing that behavior when we send ballots to every voter. That presents a risk that is equivalent to the very risks we seek to reduce by reducing in-person voting, and it is inconsistent with the very reason that I otherwise support this bill. Rejection of that protective amendment would compel me to vote no. But the further rejection of a prohibition against candidates themselves collecting ballots is truly stunning.”

**Rep. Gregoire of Fairfield** explained his vote as follows:

“Madam Speaker:

Voting by mail was authorized in March. It is not the issue before us today. I’m disturbed that the governor’s role was not respected. He has asked to be removed and I will support that request. I am further disappointed by the lack of safeguards in place to protect voters.”

**Rep. Leffler of Enosburgh** explained her vote as follows:

“Madam Speaker:

It is our duty to ensure free and fair elections. I support mail in voting for Vermonters, which is why I voted for act 92. I cannot support this emergency measure without making the necessary corrections to existing law to keep candidates from harvesting ballots. For that reason, for fair elections especially in a pandemic, I vote no.”

**Rep. Ode of Burlington** explained her vote as follows:

“Madam Speaker:

Protecting Vermonters' right to vote, protecting poll workers' health, protecting voters' health, all in a global pandemic.

I am thankful to be able to vote to protect and promote democracy in our great little state, Vermont. I vote yes!”

**Rep. Page of Newport City** explained his vote as follows:

“Madam Speaker:

I vote yes for S348 because I feel that approving this bill is the right thing to do to protect our voting citizens. I regret that we were unable to approve some of the other amendments which I feel would have made this bill and our election system more secure and ultimately above reproach. Thank you.”

**Rep. Redmond of Essex** explained her vote as follows:

“Madam Speaker:

I vote yes on S.348. In Essex, Essex Junction and Westford, we experienced a five-fold increase in voting recently on our school budget using an all vote-by-mail program. I want all Vermonters to have this opportunity – to know that their health and safety is paramount during a pandemic and that all voters will have equal and convenient access to use their voices in the coming General Election this November.”

### **Message from the Senate No. 51**

A message was received from the Senate by Mr. Bloomer, its Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bill of the following title:

**S. 227.** An act relating to the provision of personal care products by lodging establishments.

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

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

**H. 750.** An act relating to creating a National Guard provost marshal.

**H. 936.** An act relating to sexual exploitation of children.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the House is requested.

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

**H. 254.** An act relating to adequate shelter for livestock.

**H. 635.** An act relating to regulation of long-term care facilities.

And has passed the same in concurrence.

### **Message from the Senate No. 52**

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

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

**S. 224.** An act relating to making miscellaneous changes to education laws.

**S. 351.** An act relating to providing financial relief assistance to the agricultural community due to the COVID-19 public health emergency.

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

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

**H. 608.** An act relating to incompatible local offices.

And has passed the same in concurrence.

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

**H. 558.** An act relating to exempting the Victims Compensation Board from the Open Meeting Law.

And has passed the same in concurrence with proposal of amendment in the

adoption of which the concurrence of the House is requested.

The Senate has on its part adopted Senate concurrent resolutions of the following titles:

**S.C.R. 20.** Senate concurrent resolution congratulating Destiny Thompson on winning first place for Region 1 in Hildene's 2020 Eighth Grade Lincoln Essay Competition.

**S.C.R. 21.** Senate concurrent resolution congratulating Bennington native Alyssa Clark on her remarkable running achievement.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

**H.C.R. 297.** House concurrent resolution congratulating O.C. McCuin & Sons of Highgate on its centennial.

**H.C.R. 298.** House concurrent resolution congratulating the 2020 Mill River Union High School Minutemen Division II championship cheerleading team.

**H.C.R. 299.** House concurrent resolution congratulating the Rutland High School Raiders cheerleading program on winning its sixth consecutive Division I championship.

**H.C.R. 300.** House concurrent resolution congratulating the 2020 Brattleboro Union High School Colonels Division I championship boys' Nordic skiing team.

**H.C.R. 301.** House concurrent resolution in memory of former Representative Bernard Juskiewicz of Cambridge.

**H.C.R. 302.** House concurrent resolution honoring former Williston Town Manager Richard McGuire.

**H.C.R. 303.** House concurrent resolution congratulating Richard Veitch of Townshend on his designation as the fourth Vermont Cartoonist Laureate.

**H.C.R. 304.** House concurrent resolution congratulating the 2020 Harwood Union High School Highlanders Division II championship boys' ice hockey team.

**H.C.R. 305.** House concurrent resolution in memory of Robert Irving Barasch of Plainfield.

**H.C.R. 306.** House concurrent resolution congratulating the 2020 Fair Haven Union High School Slaters State championship bowling team.

**H.C.R. 307.** House concurrent resolution congratulating the 2020 Fair Haven Union High School Slaters Division II championship boys' basketball

team.

**H.C.R. 308.** House concurrent resolution congratulating the 2020 Essex High School Hornets girls' ice hockey program on winning a second consecutive Division I championship.

**H.C.R. 309.** House concurrent resolution in memory of former Pownal Town Moderator and State Representative Charles B. Palmer of Pownal.

**H.C.R. 310.** House concurrent resolution congratulating the Mount Anthony Union High School Patriots on winning a 32nd consecutive State wrestling championship.

**H.C.R. 311.** House concurrent resolution congratulating the 2020 Hartford High School Hurricanes Division II championship girls' indoor track and field team.

**H.C.R. 312.** House concurrent resolution congratulating the Rutland County Agricultural Society on the 175th anniversary of the Vermont State Fair.

**H.C.R. 313.** House concurrent resolution honoring Steven Edgerley for his outstanding community leadership in Orleans County.

**H.C.R. 314.** House concurrent resolution designating Wednesday, September 23, 2020 as Alexander Twilight Day in Vermont.

**H.C.R. 315.** House concurrent resolution congratulating Madison Chagnon of Colchester on her selection by the Burlington Free Press as Miss Hockey 2020.

**H.C.R. 316.** House concurrent resolution congratulating the 2020 Spaulding High School Crimson Tide Division II championship girls' ice hockey team.

**H.C.R. 317.** House concurrent resolution congratulating the 2020 Thetford Academy Panthers Division II championship boys' indoor track and field team.

**H.C.R. 318.** House concurrent resolution congratulating the Thetford Academy Panthers boys' basketball program on winning a second consecutive Division III championship.

**H.C.R. 319.** House concurrent resolution honoring the Shaffe family and Shaffe's Men's Shop of Bennington.

**H.C.R. 320.** House concurrent resolution congratulating the Fiddlehead at Four Corners fine art and contemporary craft gallery on its 20th anniversary.

**Adjournment**

At three o'clock and thirteen minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, June 16, 2020, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S.57.

### **Concurrent Resolutions Adopted**

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House.

#### **H.C.R. 297**

House concurrent resolution congratulating O.C. McCuin & Sons of Highgate on its centennial;

#### **H.C.R. 298**

House concurrent resolution congratulating the 2020 Mill River Union High School Minutemen Division II championship cheerleading team;

#### **H.C.R. 299**

House concurrent resolution congratulating the Rutland High School Raiders cheerleading program on winning its sixth consecutive Division I championship;

#### **H.C.R. 300**

House concurrent resolution congratulating the 2020 Brattleboro Union High School Colonels Division I championship boys' Nordic skiing team;

#### **H.C.R. 301**

House concurrent resolution in memory of former Representative Bernard Juskiewicz of Cambridge;

#### **H.C.R. 302**

House concurrent resolution honoring former Williston Town Manager Richard McGuire;

#### **H.C.R. 303**

House concurrent resolution congratulating Richard Veitch of Townshend on his designation as the fourth Vermont Cartoonist Laureate;

#### **H.C.R. 304**

House concurrent resolution congratulating the 2020 Harwood Union High School Highlanders Division II championship boys' ice hockey team;

#### **H.C.R. 305**

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House concurrent resolution in memory of Robert Irving Barasch of Plainfield;

**H.C.R. 306**

House concurrent resolution congratulating the 2020 Fair Haven Union High School Slaters State championship bowling team;

**H.C.R. 307**

House concurrent resolution congratulating the 2020 Fair Haven Union High School Slaters Division II championship boys' basketball team;

**H.C.R. 308**

House concurrent resolution congratulating the 2020 Essex High School Hornets girls' ice hockey program on winning a second consecutive Division I championship;

**H.C.R. 309**

House concurrent resolution in memory of former Pownal Town Moderator and State Representative Charles B. Palmer of Pownal;

**H.C.R. 310**

House concurrent resolution congratulating the Mount Anthony Union High School Patriots on winning a 32nd consecutive State wrestling championship;

**H.C.R. 311**

House concurrent resolution congratulating the 2020 Hartford High School Hurricanes Division II championship girls' indoor track and field team;

**H.C.R. 312**

House concurrent resolution congratulating the Rutland County Agricultural Society on the 175th anniversary of the Vermont State Fair;

**H.C.R. 313**

House concurrent resolution honoring Steven Edgerley for his outstanding community leadership in Orleans County;

**H.C.R. 314**

House concurrent resolution designating Wednesday, September 23, 2020 as Alexander Twilight Day in Vermont;

**H.C.R. 315**

House concurrent resolution congratulating Madison Chagnon of Colchester on her selection by the Burlington Free Press as Miss Hockey 2020;

**H.C.R. 316**

House concurrent resolution congratulating the 2020 Spaulding High School Crimson Tide Division II championship girls' ice hockey team;

**H.C.R. 317**

House concurrent resolution congratulating the 2020 Thetford Academy Panthers Division II championship boys' indoor track and field team;

**H.C.R. 318**

House concurrent resolution congratulating the Thetford Academy Panthers boys' basketball program on winning a second consecutive Division III championship;

**H.C.R. 319**

House concurrent resolution honoring the Shaffe family and Shaffe's Men's Shop of Bennington;

**H.C.R. 320**

House concurrent resolution congratulating the Fiddlehead at Four Corners fine art and contemporary craft gallery on its 20th anniversary;

**S.C.R. 20**

Senate concurrent resolution congratulating Destiny Thompson on winning first place for Region 1 in Hildene's 2020 Eighth Grade Lincoln Essay Competition;

**S.C.R. 21**

Senate concurrent resolution congratulating Bennington native Alyssa Clark on her remarkable running achievement;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2020, seventy-fifth Biennial session.]