

# Journal of the House

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**Tuesday, August 25, 2020**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rep. Marybeth Redmond of Essex.

## **House Resolution Adopted**

### **H.R. 23**

House resolution, entitled

House resolution extending the House declaring a state of emergency

Offered by the Committee on Rules

Whereas Governor Philip B Scott declared a state of emergency with regards to the COVID-19 pandemic until September 15, 2020, and

Whereas the Center for Disease Control (CDC) has issued guidelines for people to maintain a safe social distance of six feet and minimize gatherings to reduce the infection rates of COVID-19, and

Whereas the separation of powers between branches of government necessitates the Governor's Declaration of Emergency does not include the Legislative Branch, and

Whereas the House of Representatives must meet in order to address the needs of Vermonters and confront the threat of COVID-19 to the State of Vermont, and

Whereas the House must complete its business in the safest manner possible to prevent the spread of COVID-19, now therefore be it

Resolved by the House of Representatives:

That based on the Governor's declared state of emergency, Center for Disease Control (CDC) guidelines and protecting the safety of Vermonters, the House of Representatives declares that there is a state of emergency until September 30, 2020 for its rules and procedures.

Which was read and adopted.

**Message from the Senate No. 69**

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 Governor has informed the Senate that on the first day of July, 2020, he approved and signed bills originating in the Senate of the following titles:

**S. 128.** An act relating to physician assistant licensure.

**S. 232.** An act relating to implementing the expansion of juvenile jurisdiction.

**S. 301.** An act relating to miscellaneous telecommunications changes.

The Governor has informed the Senate that on the second day of July, 2020, he approved and signed a bill originating in the Senate of the following title:

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

The Governor has informed the Senate that on July 2, 2020, he did not approve and *allowed to become law without his signature* a bill originating in the Senate of the following title:

**S. 348.** An act relating to temporary elections procedures in the year 2020.

**Text of Communication from Governor**

The text of the communication to the Senate from His Excellency, the Governor, setting forth his reasons for refusing to sign and *allowing to become law without his signature*, **Senate Bill No. S. 348**, is as follows:

“July 2, 2020

Vermont General Assembly  
115 State Street  
Montpelier, Vermont 05633

Dear Legislators:

Today, S. 348, *an act relating to temporary elections procedures in the year 2020* will go into law without my signature due to a technical flaw.

There appears to be a cross-reference to a section of the bill that does not exist, leaving the authority of the Secretary of State ambiguous as it relates to ballot returns.

It is my understanding that Legislative Council explained this mistake to the House Government Operations Committee and recommended clean-up, but there was a decision made to enact this legislation rather than taking the time to rectify.

This is particularly concerning in light of the concerns expressed by many regarding the return process for ballots mailed to all Vermonters.

I have said publicly if the General Assembly decided to remove me from this process, I would not stand in the way. For these reasons, I am letting S. 348 become law without my signature and I hope the General Assembly will correct the bill's flaws and ensure full and adequate oversight of the mail-in ballot program it has created upon return in August.

Sincerely,

/s/Philip B. Scott  
Governor

PBS/kp

c: The Honorable Mitzi Johnson, Speaker of the House  
The Honorable Tim Ashe, President *Pro Tempore*  
The Honorable William MaGill, Clerk of the Vermont House of Representatives  
The Honorable John Bloomer, Secretary of the Vermont Senate”

The Governor has informed the Senate that on the thirteenth day of July, 2020, he approved and signed bills originating in the Senate of the following titles:

**S. 219.** An act relating to addressing racial bias and excessive use of force by law enforcement.

**S. 338.** An act relating to justice reinvestment.

**S. 339.** An act relating to miscellaneous changes to laws related to vehicles.

**S. 342.** An act relating to temporary workers' compensation amendments related to COVID-19.

### **Message from the Senate No. 70**

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 adopted joint resolution of the following title:

**J.R.S. 60.** Joint resolution relating to weekend adjournment.

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

**Adjournment**

At ten o'clock and thirty-eight minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Thursday, August 27, 2020 at two o'clock in the afternoon.