

Journal of the House

Friday, September 18, 2020

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

Devotional Exercises

Devotional exercises were conducted by Rep. Dylan Giambatista of Essex.

Senate Bill Referred

S. 354

Senate bill, entitled

An act relating to emergency provisions for the operation of government

Was read and referred to the committee on Government Operations.

Bill Referred to Committee on Appropriations

S. 124

Senate bill, entitled

An act relating to miscellaneous law enforcement amendments

Appearing on the Calendar, carrying an appropriation, under rule 35(a), was referred to the committee on Appropriations.

**Rules Suspended; Second Reading;
Bill Amended; Third Reading Ordered; Rules Suspended;
Third Reading; Bill Passed; Rules Suspended;
Bill Messaged to Senate Forthwith**

H. 952

On Motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to approval of amendments to the charter of the City of Burlington

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

Rep. Anthony of Barre City, for the committee on Ways and Means, to which had been referred the bill reported in favor of its passage.

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

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

**Second Reading; Proposal of Amendment Agreed to;
Third Reading Ordered**

S. 27

Rep. Till of Jericho, for the committee on Ways and Means, to which had been referred Senate bill, entitled

An act relating to maintaining the home health agency provider tax

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. FY 2022 PROPERTY TAX RATES; COMMISSIONER'S

DECEMBER 1 LETTER; FY 2021 PROJECTED EDUCATION

FUND DEFICIT

(a) Findings and purpose. Vermont law under 32 V.S.A. § 5402b(a) requires the Commissioner of Taxes, not later than December 1, 2020, to calculate and recommend statewide education property tax rates for fiscal year 2022. In making that recommendation, the Commissioner must calculate tax rates at an amount sufficient to cover any projected fiscal year 2021 deficit and to maintain the stabilization reserve under 16 V.S.A. § 4026 at five percent. In 2020 Acts and Resolves No. 122, Sec. 2, however, the General Assembly expressed its intent to address any projected deficit in the Education Fund for fiscal year 2021 by using federal funds, applying reversions, drawing down the stabilization reserve, using other sources of revenue, reducing costs, borrowing, or using any other source of funding, including making appropriations from the General Fund or other funds. The actions outlined in Act 122 with respect to a projected fiscal year 2021 deficit in the Education Fund are intended to relieve school boards of the responsibility for responding to such projected fiscal year 2021 deficit through school budgeting decisions for fiscal year 2022. Given that the statutory requirements imposed on the Commissioner for tax rate recommendations would not reflect the General Assembly's express intent in Act 122, the Commissioner shall calculate and recommend statewide education property tax rates for fiscal year 2022 as established under this section.

(b) December 1 letter for fiscal year 2022. Notwithstanding any other provision of law, to the extent that the fiscal year 2022 consensus projections under 32 V.S.A. § 5402b include a deficit in the Education Fund for fiscal year 2021, when calculating and making recommendations for the fiscal year 2022 property dollar equivalent yield, income dollar equivalent yield, and nonhomestead property tax rate as required under 32 V.S.A. § 5402b(a), the Commissioner shall:

(1) disregard the projected deficit in the Education Fund for fiscal year 2021; and

(2) assume the stabilization reserve created under 16 V.S.A. § 4026 is maintained for fiscal year 2022 at the fiscal year 2021 amount published in the Education Fund Outlook on or before December 1, 2020 as required under 32 V.S.A. § 5402b(c).

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read: “An act relating to the Commissioner of Taxes’ December 1 property tax rate letter for fiscal year 2022”

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

Bill Amended; Read Third Time; Bill Passed

H. 99

House bill, entitled

An act relating to trade in covered animal parts or products

Was taken up and pending third reading of the bill, **Rep. Brennan of Colchester** moved to amend the bill as follows:

In Sec. 1, 10 V.S.A. chapter 124, in section 5503, in subdivision (a)(3)(A), after the semi-colon, by striking the word “and” and inserting in lieu thereof the word “or”.

Which was disagreed to. Thereupon, the bill was read the third time and passed.

**Senate Proposal of Amendment Concurred in
With a Further Amendment Thereto**

H. 663

The Senate proposed to the House to amend House bill, entitled
An act relating to expanding access to contraceptives

The Senate proposes to the House to amend the bill by striking out Sec. 11, effective dates, and its reader assistance heading in their entirety and inserting in lieu thereof the following:

* * * School Wellness * * *

Sec. 11. 16 V.S.A. § 136 is amended to read:

§ 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS
AND COMPREHENSIVE HEALTH

(a) As used in this section:

* * *

(5) “Wellness program” means a program that includes comprehensive health education as defined in section 131 of this title, fitness, and nutrition.

(b) The Secretary ~~with the approval of the State Board~~ shall establish an Advisory Council on Wellness and Comprehensive Health that shall include at least three members ~~associated with the health services field~~ with expertise in health services, health education, or health policy. The members shall serve ~~without compensation but shall receive their actual expenses incurred in connection with their duties relating to wellness and comprehensive health programs.~~ The Council shall assist the Agency to plan, coordinate, and encourage wellness and comprehensive health programs in the public schools and shall meet not less than twice a year.

(c) The Secretary shall collaborate with other officials, agencies, and councils working on childhood wellness, including the Director of Trauma Prevention and Resilience Development established in 33 V.S.A. § 3403 and the Substance Misuse Prevention Oversight and Advisory Council created in 18 V.S.A. § 4803, to:

(1) Supervise the preparation of appropriate ~~nutrition and fitness wellness program~~ wellness program curricula for use in the public schools, promote programs for the preparation of teachers to teach these curricula, and assist in the development of wellness programs.

* * *

~~(5) Create a process for schools to share with the Department of Health any data collected about the height and weight of students in kindergarten through grade six. The Commissioner of Health may report any data compiled under this subdivision on a countywide basis. Any reporting of data must protect the privacy of individual students and the identity of participating schools.~~

* * *

Sec. 12. SCHOOL WELLNESS POLICY

On or before January 15, 2021, the Agency of Education, in collaboration with the Advisory Council on Wellness and Comprehensive Health created under 16 V.S.A. § 136, shall update and distribute to school districts a model wellness program policy, using the expanded definition of “wellness program” under 16 V.S.A. § 136, as amended by this act, that shall:

(1) be in compliance with all relevant State and federal laws; and

(2) reflect nationally accepted best practices for comprehensive health education and school wellness policies, such as guidance from the Centers for Disease Control and Prevention’s Whole School, Whole Community, Whole Child Model.

* * * Menstrual Hygiene Products * * *

Sec. 13. 16 V.S.A. § 1432 is added to read:

§ 1432. MENSTRUAL HYGIENE PRODUCTS

(a) By enacting this statute, the General Assembly intends to ensure that a female student attending a public school or an approved independent school has access to menstrual hygiene products at no cost and without the embarrassment of having to request them.

(b) A school district and an approved independent school shall make menstrual hygiene products available at no cost in a majority of gender-neutral bathrooms and bathrooms designated for females that are generally used by females in any of grades five through 12 in each school within the district or under the jurisdiction of the board of the independent school. The school district or independent school, in consultation with the school nurse who provides services to the school, shall determine which of the gender-neutral bathrooms and bathrooms designated for females to stock with menstrual hygiene products and which brands to use.

(c) School districts and approved independent schools shall bear the cost of supplying menstrual hygiene products and may seek grants or partner with a nonprofit or community-based organization to fulfill this obligation.

* * * Effective Dates * * *

Sec. 14. EFFECTIVE DATES

(a) Secs. 2 (8 V.S.A. § 4099c), 7 (26 V.S.A. § 2022), and 8 (26 V.S.A. § 2023) shall take effect on January 1, 2021.

(b) Sec. 13 (16 V.S.A. § 1432) shall take effect on November 1, 2020, and school districts and approved independent schools shall comply with the requirements of that section for the 2021–2022 school year and thereafter.

(c) The remainder of this act shall take effect on November 1, 2020.

Pending the question Will the House concur in the Senate proposal of amendment? **Reps. McFaun of Barre Town, Brumsted of Shelburne, Gregoire of Fairfield, Haas of Rochester, Nicoll of Ludlow, Noyes of Wolcott, Pajala of Londonderry, Pugh of South Burlington, Redmond of Essex and Wood of Waterbury**, moved to concur in the Senate proposal of amendment with a further amendment thereto by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Purpose * * *

Sec. 1. PURPOSE

Vermont has taken many steps to improve access to effective methods of contraception, including requiring health insurance to cover at least one drug, device, or product in each of the 18 methods of contraception for women without cost-sharing, as well as covering voluntary sterilizations for men and women without cost sharing and allowing a patient to have a 12-month supply of oral contraceptives dispensed all at once, as codified at 8 V.S.A. § 4099c, and directing Medicaid reimbursement policies that encourage the use of long-acting reversible contraceptives, as found in 2015 Acts and Resolves No. 120, Sec. 2 and in 33 V.S.A. § 1901j. The General Assembly finds, however, that some of these initiatives have not been implemented consistently across the State. In addition to a request that the Department of Financial Regulation investigate compliance with existing State and federal laws regarding access to contraceptives and take appropriate enforcement action as needed, this bill seeks to provide further opportunities for Vermonters to learn about and obtain contraceptives in order to prevent or reduce unintended pregnancies and sexually transmitted diseases in this State.

* * * Expanding Access to Contraceptives * * *

Sec. 2. 8 V.S.A. § 4099c is amended to read:

§ 4099c. REPRODUCTIVE HEALTH EQUITY IN HEALTH INSURANCE
COVERAGE

(a) As used in this section, “health insurance plan” means any individual or group health insurance policy, any hospital or medical service corporation or health maintenance organization subscriber contract, or any other health benefit plan offered, issued, or renewed for any person in this State by a health insurer, as defined by 18 V.S.A. § 9402. The term shall not include benefit plans providing coverage for a specific disease or other limited benefit coverage.

(b) A health insurance plan shall provide coverage for outpatient contraceptive services including sterilizations, and shall provide coverage for the purchase of all prescription contraceptives and prescription contraceptive devices approved by the federal Food and Drug Administration, except that a health insurance plan that does not provide coverage of prescription drugs is not required to provide coverage of prescription contraceptives and prescription contraceptive devices. A health insurance plan providing coverage required under this section shall not establish any rate, term, or condition that places a greater financial burden on an insured or beneficiary for access to contraceptive services, prescription contraceptives, and prescription contraceptive devices than for access to treatment, prescriptions, or devices for any other health condition.

(c) A health insurance plan shall provide coverage without any deductible, coinsurance, co-payment, or other cost-sharing requirement for at least one drug, device, or other product within each method of contraception for women identified by the U.S. Food and Drug Administration (FDA) and prescribed by an insured’s health care provider.

(1) The coverage provided pursuant to this subsection shall include patient education and counseling by the patient’s health care provider regarding the appropriate use of the contraceptive method prescribed.

(2)(A) If there is a therapeutic equivalent of a drug, device, or other product for an FDA-approved contraceptive method, a health insurance plan may provide coverage for more than one drug, device, or other product and may impose cost-sharing requirements as long as at least one drug, device, or other product for that method is available without cost-sharing.

(B) If an insured’s health care provider recommends a particular service or FDA-approved drug, device, or other product for the insured based on a determination of medical necessity, the health insurance plan shall defer to the provider’s determination and judgment and shall provide coverage without cost-sharing for the drug, device, or product prescribed by the provider for the insured.

(d) A health insurance plan shall provide coverage for voluntary sterilization procedures for men and women without any deductible, coinsurance, co-payment, or other cost-sharing requirement, except to the extent that such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to 26 U.S.C. § 223.

(e) A health insurance plan shall provide coverage without any deductible, coinsurance, co-payment, or other cost-sharing requirement for clinical services associated with providing the drugs, devices, products, and procedures covered under this section and related follow-up services, including management of side effects, counseling for continued adherence, and device insertion and removal.

(f)(1) A health insurance plan shall provide coverage for a supply of prescribed contraceptives intended to last over a 12-month duration, which may be furnished or dispensed all at once or over the course of the 12 months at the discretion of the health care provider. The health insurance plan shall reimburse a health care provider or dispensing entity per unit for furnishing or dispensing a supply of contraceptives intended to last for 12 months.

(2) This subsection shall apply to Medicaid and any other public health care assistance program offered or administered by the State or by any subdivision or instrumentality of the State.

(g) Benefits provided to an insured under this section shall be the same for the insured's covered spouse and other covered dependents.

(h) The coverage requirements of this section shall apply to self-administered hormonal contraceptives prescribed for an insured by a pharmacist in accordance with 26 V.S.A. § 2023.

Sec. 3. 16 V.S.A. § 131 is amended to read:

§ 131. ~~DEFINITIONS~~ DEFINITION

~~For purposes of~~ As used in this subchapter title, “comprehensive health education” means a systematic and extensive elementary and secondary educational program designed to provide a variety of learning experiences based upon knowledge of the human organism as it functions within its environment. The term includes the study of:

(1) Body structure and function, including the physical, psychosocial, and psychological basis of human development, sexuality, and reproduction.

(2) Community health to include environmental health, pollution, public health, and world health.

(3) Safety, including:

(A) first aid, disaster prevention, and accident prevention; and

(B) information regarding and practice of compression-only cardiopulmonary resuscitation and the use of automated external defibrillators.

(4) Disease, such as HIV infection, other sexually transmitted diseases, as well as other communicable diseases, and the prevention of disease.

(5) Family health and mental health, including instruction that promotes the development of responsible personal behavior involving decision making about sexual activity, including abstinence; skills that strengthen existing family ties involving communication, cooperation, and interaction between parents and students; and instruction to aid in the establishment of strong family life in the future, thereby contributing to the enrichment of the community; and which promotes an understanding of depression and the signs of suicide risk in a family member or fellow student that includes how to respond appropriately and seek help and provides an awareness of the available school and community resources such as the local suicide crisis hotline.

(6) Personal health habits, including dental health.

(7) Consumer health, including health careers, health costs, and utilizing health services.

(8) Human growth and development, including understanding the physical, emotional, and social elements of individual development and interpersonal relationships, including instruction in parenting methods and styles. This shall include information regarding the possible outcomes of premature sexual activity, contraceptives, adolescent pregnancy, childbirth, adoption, and abortion.

(9) Drugs, including education about alcohol, caffeine, nicotine, and prescribed drugs.

(10) Nutrition.

(11) How to recognize and prevent sexual abuse and sexual violence, including developmentally appropriate instruction about promoting healthy and respectful relationships, developing and maintaining effective communication with trusted adults, recognizing sexually offending behaviors, and gaining awareness of available school and community resources. An employee of the school shall be in the room during the provision of all instruction or information presented under this subdivision.

Sec. 4. 16 V.S.A. § 132 is added to read:

§ 132. SECONDARY SCHOOLS; PROVISION OF CONTRACEPTIVES

In order to prevent or reduce unintended pregnancies and sexually transmitted diseases, each school district shall make condoms available to all students in its secondary schools, free of charge. School district administrative teams, in consultation with school district nursing staff, shall determine the best manner in which to make condoms available to students. At a minimum, condoms shall be placed in locations that are safe and readily accessible to students, including the school nurse's office.

Sec. 5. 18 V.S.A. § 12 is added to read:

§ 12. PROVISION OF INFORMATION REGARDING CONTRACEPTIVES

In order to prevent or reduce unintended pregnancies and sexually transmitted diseases, the Department of Health, in partnership with health care providers and health insurers, shall communicate to adolescents and other individuals of reproductive age information regarding contraceptive access and coverage.

* * * Exception to Mandatory Reporting for School Employees
Providing Condoms * * *

Sec. 6. 33 V.S.A. § 4913 is amended to read:

§ 4913. REPORTING CHILD ABUSE AND NEGLECT; REMEDIAL
ACTION

(a) A mandated reporter is any:

* * *

(2) individual who is employed by a school district or an approved or recognized independent school, or who is contracted and paid by a school district or an approved or recognized independent school to provide student services, including any:

- (A) school superintendent;
- (B) headmaster of an approved or recognized independent school as defined in 16 V.S.A. § 11;
- (C) school teacher;
- (D) student teacher;
- (E) school librarian;
- (F) school principal; and
- (G) school guidance counselor;

* * *

(1) A mandated reporter as described in subdivision (a)(2) of this section shall not be deemed to have violated the requirements of this section solely on the basis of making condoms available to a secondary school student in accordance with 16 V.S.A. § 132.

Sec. 7. [Deleted.]

Sec. 8. [Deleted.]

Sec. 9. [Deleted.]

Sec. 10. COMPREHENSIVE HEALTH EDUCATION; REPORT

On or before April 15, 2021, the Agency of Education and Department of Health shall report to the House Committees on Human Services and on Education and the Senate Committees on Health and Welfare and on Education regarding their continued efforts to support schools and school districts in providing comprehensive health education to Vermont students, as required by 16 V.S.A. § 906(b)(3) and as defined in 16 V.S.A. § 131, including sexual health and safety.

* * * Effective Dates * * *

Sec. 11. EFFECTIVE DATES

(a) Secs. 2 (8 V.S.A. § 4099c), 4 (16 V.S.A. § 132), and 6 (33 V.S.A. § 4913) shall take effect on July 1, 2021.

(b) The remainder of this act shall take effect on November 1, 2020.

Which was agreed to.

**Rules Suspended; Second Reading; Proposals of Amendment Agreed to;
Third Reading Ordered**

S. 352

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

An act relating to making certain amendments to the Front-Line Employees Hazard Pay Grant Program

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

Rep Kimbell of Woodstock recommended for the committee on Commerce and Economic Development that the bill ought to pass in concurrence.

Rep. Pugh of South Burlington, for the committee on Human Services, recommended that the House propose to the Senate to amend the bill as follows:

First: In Sec. 3, 2020 Acts and Resolves No. 136, Sec. 14, by striking out subdivision (a)(1)(B) in its entirety and inserting in lieu thereof the following:

(B) a prospective workforce stabilization program for staff employed at family child care homes and center-based child care and preschool programs regulated by the Department for Children and Families for risks associated with elevated exposure to COVID-19;

Second: In Sec. 3, 2020 Acts and Resolves No. 136, Sec. 14, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) ~~Once the Department has determined how the appropriation set forth in this section shall be distributed, but not later than August 18, 2020, it shall report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare regarding how the funds are to be distributed across programs~~ Appropriations made pursuant to subdivision (a)(1)(B) of this section shall not occur until all allowable expenses for the purposes set forth in subdivisions (a)(1)(A), (C), and (D) of this section are allocated.

Rep. Myers of Essex, for the committee on Appropriations reported in favor of its passage in concurrence with proposal of amendment when amended as follows:

In Sec. 3, 2020 Acts and Resolves No. 136, Sec. 14, by striking out subdivision (a)(1)(B) in its entirety and inserting in lieu thereof the following:

(B) a prospective workforce stabilization program for staff employed at Department-regulated family child care homes, center-based child care and preschool programs, and afterschool programs that are not otherwise serving as school-age child care hubs for risks associated with elevated exposure to COVID-19;

Thereupon, the bill was read the second time, the reports of the committees on Appropriations and Human Services were agreed to.

Pending the question, Shall the bill be read a third time? **Reps. Kimbell of Woodstock, Marcotte of Coventry, Bancroft of Westford, Bock of Chester, Carroll of Bennington, Dickinson of St. Albans Town, Jerome of Brandon, Morris of Springfield, O'Sullivan of Burlington, Ralph Watson of Hartland and Toleno of Brattleboro** moved that the House propose to the Senate to amend the bill as follows:

First: In Sec. 1, 2020 Act and Resolves No. 136, Sec. 6, in subdivision (b)(2)(A), by striking out subdivisions (xiv) and (xv) and inserting in lieu thereof subdivisions (xiv) through (xvi) to read as follows:

(xiv) a traveling nurse agency or other business whose employees provide temporary or contract nursing services to or on behalf of a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A), provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided nursing services to a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A) during the eligible period;

(xv) a cleaning or janitorial service that provides cleaning or janitorial services to a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A) in locations that are open to the general public or regularly used by the residents or patients of that covered employer, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided cleaning or janitorial services to another covered employer during the eligible period; or

(xvi) a food service provider that prepares and provides meals for residents or patients of a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A), provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided food services to the residents or patients of a covered employer during the eligible period.

Second: In Sec. 1, 2020 Acts and Resolves No. 136, Sec. 6, by striking out subdivision (b)(4)(A)(iv) in its entirety and inserting in lieu thereof a new subdivision (b)(4)(A)(iv) to read as follows:

(iv) earns except in the case of employees of home health agencies and nursing homes, or employees of an employer described in subdivision (2)(A)(xiv) of this subsection (b) that provides nursing services to or on behalf of a home health agency or nursing home, earned an hourly base wage of \$25.00 or less during the eligible period;

Third: In Sec. 1, 2020 Acts and Resolves No. 136, Sec. 6, by striking out subdivision (c)(3) in its entirety and inserting in lieu thereof a new subdivision (c)(3) to read as follows:

(3) An eligible employee may elect not to receive hazard pay funded by a grant provided pursuant to the Program by providing notice to his or her employer pursuant to procedures adopted by the employer.

Fourth: In Sec. 1, 2020 Acts and Resolves No. 136, Sec. 6, in subdivision (c)(7), in the first sentence, by striking out the word “may” and inserting in lieu thereof the word “shall”

Fifth: In Sec. 1, 2020 Acts and Resolves No. 136, Sec. 6, by striking out subdivision (j)(1)(B) and inserting in lieu thereof a new subdivision (j)(1)(B) to read as follows:

(B) The notice sent to each potentially eligible employee pursuant to this subdivision (1) shall inform the individual that he or she is not required to apply for a grant.

Sixth: In Sec. 2, hazard pay; identification of former employees, in the first sentence, following the words “shall send notice to the covered employer” by striking out the words “that it may identify” and inserting in lieu thereof the words “requesting that it identify”

Thereupon, **Rep. Cordes of Lincoln** asked that the question be divided and that and that the second instance of amendment, Sec.(xiv) be voted on second, and the first instance of amendment, the remainder of the bill, be voted on first. Thereupon, the first instance of amendment was agreed to. Thereupon, the second instance of amendment was agreed to and third reading was ordered.

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

S. 353

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

An act relating to expanding the Front-Line Employees Hazard Pay Grant Program

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

Rep. Jerome of Brandon reported for the committee on Commerce and Economic Development that the House propose to the Senate to amend the bill when amended as follows:

First: By striking out Sec. 1, 2020 Acts and Resolves No. 136, Sec. 6, and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. 2020 Acts and Resolves No. 136, Sec. 6 is amended to read:

Sec. 6. FRONT-LINE EMPLOYEES HAZARD PAY GRANT
PROGRAM

(a)(1) There is established in the Agency of Human Services the Front-Line Employees Hazard Pay Grant Program to administer and award grants to certain ~~public safety, public health, health care, and human services~~ employers whose employees were engaged in activities substantially dedicated to mitigating or responding to the COVID-19 public health emergency during the eligible period or were providing essential services to Vermonters.

* * *

(b) As used in this section:

(1) “Agency” means the Agency of Human Services.

(2)(A) “Covered employer” means an entity that employs one or more individuals in Vermont in relation to its operation of one of the following:

* * *

(xv) a cleaning or janitorial service that provides cleaning or janitorial services to a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A) in locations that are open to the general public or regularly used by the residents or patients of that covered employer, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided cleaning or janitorial services to another covered employer during the eligible period; ~~or~~

(xvi) a food service provider that prepares and provides meals for residents or patients of a covered employer listed in subdivisions (i)–(v) and (vii)–(x) of this subdivision (b)(2)(A), provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided food services to the residents or patients of a covered employer during the eligible period;

(xvii) a grocery store;

(xviii) a pharmacy;

(xix) a retailer identified as essential in Sec. 6, paragraphs f and h of Addendum 6 to Executive Order 01-20, provided that, during the eligible period, the retail establishment was open to the general public for in-person sales;

(xx) a wholesale distributor making deliveries to a retailer described in subdivisions (xvii)–(xix) of this subdivision (b)(2)(A);

(xxi) a trash collection, waste management, or septic service;

(xxii) an operator of a privately owned water pollution abatement and control facility, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who performed work in the water pollution abatement and control facility;

(xxiii) a child care facility as defined in 33 V.S.A. § 3511 that provided child care services to essential service providers pursuant to Directive 2 of Executive Order 01-20;

(xxiv) a vocational rehabilitation service provider;

(xxv) a funeral establishment or crematory establishment as defined in 26 V.S.A. § 1211; or

(xxvi) an agency licensed pursuant to 26 V.S.A. § 3172 that provides security services, as defined in 26 V.S.A. § 3151, to another covered employer, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its eligible employees who provided security services to another covered employer during the eligible period.

* * *

~~(i)(1) The definition of “covered employer” set forth in subdivision (b)(2) of this section shall be deemed to include to the types of employers listed in subdivision (b)(2) of this subsection to the extent permitted by federal law and any applicable guidance if either of the following occurs:~~

~~(A) the permissible uses of monies in the Coronavirus Relief Fund pursuant to Sec. 5001 of the CARES Act, Pub. L. No. 116-136, as amended, and any related guidance are expanded to permit the payment of hazard pay to employees of some or all of the types of employers listed in subdivision (2) of this subsection (i); or~~

~~(B) a federal program that grants money directly to the State, which may be used to provide hazard pay to employees of some or all of the types of employers listed in subdivision (2) of this subsection (i), is enacted.~~

~~(2) The following types of employers may be deemed to be included within the definition of “covered employer” set forth in subdivision (b)(2) of this section if the requirements of subdivision (1) of this subsection are met:~~

~~(A) a grocery store;~~

~~(B) a pharmacy;~~

~~(C) a retailer identified as essential in Sec. 6, paragraphs f and h of addendum 6 to Executive Order 01-20, provided that, during the eligible period, the majority of the retail establishment was open to the general public for in-person sales rather than curbside pickup or delivery;~~

~~(D) a wholesale distributor making deliveries to a retailer described in subdivisions (A)–(C) of this subdivision (i)(2);~~

~~(E) a trash collection or waste management service;~~

~~(F) a janitorial service that provides cleaning or janitorial services to another covered employer;~~

~~(G) a child care facility as defined in 33 V.S.A. § 3511 that is providing child care services to essential service providers pursuant to Directive 2 of Executive Order 01-20;~~

~~(H) a vocational rehabilitation service provider; or~~

~~(I) a funeral establishment or crematory establishment as defined in 26 V.S.A. § 1211.~~

Second: In Sec. 2, appropriation, by striking out “\$19,500,000.00” and inserting in lieu thereof “\$12,500,000.00”

Rep. Myers of Essex, for the committee on Appropriations, recommended that the bill ought to pass in concurrence with proposal of amendment when amended as recommended by the committee on Commerce and Economic Development and when further amended as follows:

By striking out the second instance of amendment of the report of the committee on Commerce and Economic Development.

Thereupon, the bill read was the second time and the report of the committees on Commerce and Economic Development and Appropriations agreed to.

Pending the question, Shall the bill be read a third time? **Reps. Jerome of Brandon, Marcotte of Coventry, Bancroft of Westford, Bock of Chester, Carroll of Bennington, Dickinson of St. Albans Town, Kimbell of Woodstock, Morris of Springfield, O'Sullivan of Burlington, Ralph Watson of Hartland and Toleno of Brattleboro** moved that the House propose to the Senate to amend the bill as follows:

First: In Sec. 1, 2020 Acts and Resolves No. 136, Sec. 6, in subsection (b), after subdivision (2)(A)(xxiv), by inserting the following:

* * *

(4)(A) “Eligible employee” means an individual who:

* * *

~~(C) “Eligible employee” does not include an individual who has received unemployment insurance benefits for any week during the eligible period.~~

Second: By striking out Sec. 4, effective date, in its entirety and inserting in lieu thereof Secs. 4 through 10 to read as follows:

Sec. 4. 21 V.S.A. § 1347 is amended to read:

§ 1347. NONDISCLOSURE OR MISREPRESENTATION

* * *

(e)(1) In addition to the foregoing, when ~~it is found by~~ the Commissioner finds that a person intentionally misrepresented or failed to disclose a material fact with respect to his or her claim for benefits and in the event the person is not prosecuted under section 1368 of this title and the penalty provided in section 1373 of this title is not imposed, the person shall be disqualified and shall not be entitled to receive benefits to which he or she would otherwise be entitled after the determination for ~~such number of weeks not exceeding a~~ period of not more than 26 weeks as the Commissioner ~~shall deem~~ deems just. The notice of determination shall ~~also~~ specify the period of disqualification imposed ~~hereunder~~.

(2) During a state of emergency declared by the Governor in relation to a public health emergency or disaster that has caused the statewide seasonally adjusted unemployment rate for any month to rise to a level that is at least one percentage point above the average statewide seasonally adjusted unemployment rate for the previous 12 months, a period of disqualification imposed pursuant to subdivision (1) of this subsection (e) shall be temporarily suspended until the first full calendar week following the termination of the state of emergency. Nothing in this subdivision shall be construed to diminish the period of disqualification that a person shall be required to serve following the termination of the state of emergency.

* * *

Sec. 5. SUSPENSION OF PERIOD OF DISQUALIFICATION DURING
COVID-19 PUBLIC HEALTH EMERGENCY

Notwithstanding any provision of law to the contrary, during the state of emergency imposed pursuant to Executive Order 01-20, as amended, any period of disqualification imposed pursuant to 21 V.S.A. § 1347(e) shall be temporarily suspended until the first full calendar week following the termination of the state of emergency declared in relation to COVID-19 by Executive Order 01-20, as amended. Nothing in this section shall be construed to diminish a period of disqualification imposed pursuant to 21 V.S.A. § 1347.

Sec. 6. 21 V.S.A. § 1344 is amended to read:

§ 1344. DISQUALIFICATIONS

(a) An individual shall be disqualified for benefits:

* * *

(2) For any week benefits are claimed, except as provided in subdivision (a)(3) of this section, until he or she has presented evidence to the satisfaction of the Commissioner that he or she has performed services in employment for a bona fide employer and has had earnings in excess of six times his or her weekly benefit amount if the Commissioner finds that such individual is unemployed because:

* * *

(C) He or she has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the Commissioner, or to accept suitable work when offered him or her, or has during the course of a job interview for available employment made verbal statements ~~which~~ that are either untrue, show an unreasonable lack of interest, or are calculated to preclude an offer of work or a directive being made, or to return to his or her customary self-employment, if any, when so directed by the Commissioner. An individual shall not suffer more than one disqualification for these causes.

(D)(i) In determining whether or not any work or employment is suitable for an individual for purposes of this subdivision, the Commissioner shall consider the degree of risk involved to his or her health, safety, and morals, his or her physical fitness and prior training, his or her experience and prior earnings, his or her length of unemployment and prospects for securing local work in his or her customary occupation, and the distance of the available work from his or her residence.

(ii) Notwithstanding any other factors the Commissioner may consider in determining the degree of risk to an individual's health or safety, the Commissioner shall determine that work or employment that an individual has failed to apply for or declined to accept an offer for is not suitable for the individual based on the risk to his or her health or safety, or both, under the following circumstances:

(I) the individual is self-isolating or quarantining at the recommendation of a health care provider or pursuant to a specific recommendation, directive, or order issued by a public health authority with jurisdiction, the Governor, or the President for one of the following reasons:

(aa) the individual has been diagnosed with COVID-19;

(bb) the individual is experiencing the symptoms of COVID-19;

(cc) the individual has been exposed to COVID-19; or

(dd) the individual belongs to a specific class or group of persons that have been identified as being at high risk if exposed to or infected with COVID-19;

(II) there is an unreasonable risk that the individual could be exposed to or become infected with COVID-19 at the individual's place of employment;

(III) the individual is caring for or assisting a family member who is self-isolating or quarantining at the recommendation of a health care provider or pursuant to a specific recommendation, directive, or order issued by a public health authority with jurisdiction, the Governor, or the President for one of the following reasons:

(aa) the family member has been diagnosed with COVID-19;

(bb) the family member is experiencing the symptoms of COVID-19;

(cc) the family member has been exposed to COVID-19; or

(dd) the family member belongs to a specific class or group of persons that have been identified as being at high risk if exposed to or infected with COVID-19;

(IV) the individual is caring for or assisting a family member who has left employment because of an unreasonable risk that they could be exposed to or become infected with COVID-19 at their place of employment; or

(V) the individual is caring for a child under 18 years of age because the child's school or child care has been closed or the child care provider is unavailable due to a public health emergency related to COVID-19.

* * *

Sec. 7. 2020 Acts and Resolves No. 91, Sec. 33 is amended to read:

Sec. 33. 21 V.S.A. § 1344 is amended to read:

§ 1344. DISQUALIFICATIONS

(a) An individual shall be disqualified for benefits:

* * *

(2) For any week benefits are claimed, except as provided in subdivision (a)(3) of this section, until he or she has presented evidence to the satisfaction

of the Commissioner that he or she has performed services in employment for a bona fide employer and has had earnings in excess of six times his or her weekly benefit amount if the Commissioner finds that such individual is unemployed because:

(A) He or she has left the employ of his or her last employing unit voluntarily without good cause attributable to such employing unit. An individual shall not suffer more than one disqualification by reason of such separation. However, an individual shall not be disqualified for benefits if:

(i) the individual left such employment to accompany a spouse who:

~~(I)(i)~~ is on active duty with the U.S. Armed Forces and is required to relocate due to permanent change of station orders, activation orders, or unit deployment orders, and when such relocation would make it impractical or impossible, as determined by the Commissioner, for the individual to continue working for such employing unit; or

~~(II)(ii)~~ holds a commission in the U.S. Foreign Service and is assigned overseas, and when such relocation would make it impractical or impossible, as determined by the Commissioner, for the individual to continue working for such employing unit;

~~(ii) the individual has left employment to self-isolate or quarantine at the recommendation of a healthcare provider, or pursuant to a specific recommendation, directive, or order issued by a public health authority with jurisdiction, the Governor, or the President for one of the following reasons:~~

~~(I) the individual has been diagnosed with COVID-19;~~

~~(II) the individual is experiencing the symptoms of COVID-19;~~

~~(III) the individual has been exposed to COVID-19; or~~

~~(IV) the individual belongs to a specific class or group of persons that have been identified as being at high risk if exposed to or infected with COVID-19;~~

~~(iii) the individual has left employment because of an unreasonable risk that the individual could be exposed to or become infected with COVID-19 at the individual's place of employment;~~

~~(iv) the individual has left employment to care for or assist a family member of the individual who is self-isolating or quarantining at the recommendation of a healthcare provider or pursuant to a specific recommendation, directive, or order issued by a public health authority with jurisdiction, the Governor, or the President for one of the following reasons:~~

- ~~(I) the family member has been diagnosed with COVID-19;~~
~~(II) the family member is experiencing the symptoms of COVID-19;~~
~~(III) the family member has been exposed to COVID-19; or~~
~~(IV) the family member belongs to a specific class or group of persons that have been identified as being at high-risk if exposed to or infected with COVID-19;~~
~~(v) the individual has left employment to care for or assist a family member who has left employment because of an unreasonable risk that they could be exposed to or become infected with COVID-19 at their place of employment; or~~
~~(vi) the individual left such employment to care for a child under 18 years of age because the child's school or child care has been closed or the child care provider is unavailable due to a public health emergency related to COVID-19.~~

* * *

~~(G) As used in this subdivision (a)(2):~~

~~(i) "Family member" means an individual's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child. As used in this subdivision (a)(2)(G)(i), "spouse" includes a domestic partner or civil union partner.~~

~~(ii) "An unreasonable risk that the individual could be exposed to or become infected with COVID-19 at the individual's place of employment" shall include the individual's place of employment being out of compliance with the Guidance on Preparing Workplaces for COVID-19 issued by the U.S. Occupational Safety and Health Administration (OSHA) or any similar guidance issued by OSHA, the U.S. Centers for Disease Control, or the Vermont Department of Health and any other conditions or factors that the Commissioner determines to create an unreasonable risk.~~

~~(H)(i) Except as otherwise provided pursuant to subdivision (2) of this subdivision (a)(2)(H), an unemployed individual who is eligible for benefits pursuant to subdivisions (2)(A)(ii)–(vi) of this subsection shall be ineligible for benefits under those subdivisions if the individual becomes eligible for benefits provided pursuant to:~~

~~(I) enacted federal legislation that amends or establishes a federal program providing benefits for unemployed individuals that are similar to the benefits provided pursuant to subdivisions (2)(A)(ii)–(vi); or~~

~~(H) a national emergency declared by the President that results in the provision of benefits pursuant to Disaster Unemployment Assistance, Emergency Unemployment Compensation, Extended Unemployment Compensation, or any similar type program.~~

~~(ii) An individual who is receiving benefits pursuant to a federal program as set forth in subdivision (i) of this subdivision (a)(2)(H) shall not receive benefits pursuant to subdivisions (2)(A)(ii)–(vi) of this subsection except when and to the extent that the benefits provided by the applicable federal program are different from or are not in lieu of the benefits that are available pursuant to subdivisions (2)(A)(ii)–(vi) of this subsection, in which case the benefits provided under subdivisions (2)(A)(ii)–(vi) of this subsection shall continue.~~

~~(iii) Nothing in this subdivision (a)(2)(H) shall be construed to prevent an individual from receiving benefits pursuant to subdivisions (2)(A)(ii)–(vi) of this subsection if the individual’s employer refuses or fails to pay the individual for leave under the federal Emergency Family and Medical Leave Expansion Act or the federal Emergency Paid Sick Leave Act.~~

* * *

(D)(i) In determining whether or not any work or employment is suitable for an individual for purposes of this subdivision, the Commissioner shall consider the degree of risk involved to his or her health, safety, and morals, his or her physical fitness and prior training, his or her experience and prior earnings, his or her length of unemployment and prospects for securing local work in his or her customary occupation, and the distance of the available work from his or her residence.

~~(ii) Notwithstanding any other factors the Commissioner may consider in determining the degree of risk to an individual’s health or safety, the Commissioner shall determine that work or employment that an individual has failed to apply for or declined to accept an offer for is not suitable for the individual based on the risk to his or her health or safety, or both, under the following circumstances:~~

~~(I) the individual is self-isolating or quarantining at the recommendation of a health care provider or pursuant to a specific recommendation, directive, or order issued by a public health authority with jurisdiction, the Governor, or the President for one of the following reasons:~~

~~(aa) the individual has been diagnosed with COVID-19;~~

~~(bb) the individual is experiencing the symptoms of COVID-19;~~

~~(cc) the individual has been exposed to COVID-19; or~~

~~(dd) the individual belongs to a specific class or group of persons that have been identified as being at high-risk if exposed to or infected with COVID-19;~~

~~(II) there is an unreasonable risk that the individual could be exposed to or become infected with COVID-19 at the individual's place of employment;~~

~~(III) the individual is caring for or assisting a family member who is self-isolating or quarantining at the recommendation of a health care provider or pursuant to a specific recommendation, directive, or order issued by a public health authority with jurisdiction, the Governor, or the President for one of the following reasons:~~

~~(aa) the family member has been diagnosed with COVID-19;~~

~~(bb) the family member is experiencing the symptoms of COVID-19;~~

~~(cc) the family member has been exposed to COVID-19; or~~

~~(dd) the family member belongs to a specific class or group of persons that have been identified as being at high-risk if exposed to or infected with COVID-19;~~

~~(IV) the individual is caring for or assisting a family member who has left employment because of an unreasonable risk that they could be exposed to or become infected with COVID-19 at their place of employment; or~~

~~(V) the individual is caring for a child under 18 years of age because the child's school or child care has been closed or the child care provider is unavailable due to a public health emergency related to COVID-19.~~

* * *

(5) For any week in which the individual is receiving or has received remuneration in the form of:

* * *

~~(F) Sick pay or pay received pursuant to the federal Emergency Family and Medical Leave Expansion Act or the federal Emergency Paid Sick Leave Act.~~

* * *

Sec. 8. UNEMPLOYMENT INSURANCE RATE SCHEDULE FOR
BENEFIT YEAR BEGINNING JULY 1, 2021

(a) Notwithstanding any provision of 21 V.S.A. § 1326 to the contrary, the unemployment insurance contribution rate schedule for the benefit year beginning on July 1, 2021 shall not be more than two schedules higher than the contribution rate schedule for the previous benefit year.

(b) The provisions of this section shall not apply if, on April 15, 2021, the balance of the Unemployment Insurance Trust Fund is either below \$90,000,000.00 or projected to drop below that amount on or before December 31, 2021.

Sec. 9. UNEMPLOYMENT INSURANCE; BASE OF CONTRIBUTIONS
FOR 2021

(a) Notwithstanding 21 V.S.A. § 1321(b), the base of contributions for calendar year 2021 shall be the same amount as for calendar year 2020.

(b) On or before March 15, 2021, the Commissioner of Labor shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs that provides an assessment and recommendation regarding whether the base of contributions for calendar year 2022 can be reduced to the amount that, but for the provisions of subsection (a) of this section, it would have been set at for calendar year 2021 pursuant to the provisions of 21 V.S.A. § 1321(b).

Sec. 10. EFFECTIVE DATE

This act shall take effect on passage.

Which was agreed to and third reading ordered.

Thereupon, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed in 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**

S. 237

Rep. Stevens of Waterbury, for the committee on General, Housing, and Military Affairs, to which had been referred Senate bill, entitled

An act relating to promoting affordable housing

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:

* * * Municipal Zoning * * *

Sec. 1. 24 V.S.A. § 4412 is amended to read:

§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

Notwithstanding any existing bylaw, the following land development provisions shall apply in every municipality:

(1) Equal treatment of housing and required provisions for affordable housing.

* * *

(E) Except for flood hazard and fluvial erosion area bylaws adopted pursuant to section 4424 of this title, no bylaw shall have the effect of excluding as a permitted use one accessory dwelling unit that is located within or appurtenant to ~~an owner-occupied~~ a single-family dwelling on an owner-occupied lot. A bylaw may require a single-family dwelling with an accessory dwelling unit to be subject to the same review, dimensional, or other controls as required for a single-family dwelling without an accessory dwelling unit. An accessory dwelling unit means ~~an efficiency or one-bedroom apartment a distinct unit~~ that is clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

(i) The property has sufficient wastewater capacity.

(ii) The unit does not exceed 30 percent of the total habitable floor area of the single-family dwelling or 900 square feet, whichever is greater.

~~(iii) Applicable setback, coverage, and parking requirements specified in the bylaws are met.~~

(F) Nothing in subdivision (a)(1)(E) of this section shall be construed to prohibit:

(i) a bylaw that is less restrictive of accessory dwelling units; or

(ii) a bylaw that ~~requires conditional use review for one or more of the following that is involved in creation of an accessory dwelling unit:~~

~~(I) a new accessory structure;~~

~~(II) an increase in the height or floor area of the existing dwelling; or~~

~~(III) an increase in the dimensions of the parking areas regulates short-term rental units distinctly from residential rental units.~~

* * *

(2) Existing small lots. Any lot that is legally subdivided, is in individual and separate and nonaffiliated ownership from surrounding properties, and is in existence on the date of enactment of any bylaw, including an interim bylaw, may be developed for the purposes permitted in the district in which it is located, even though the small lot no longer conforms to minimum lot size requirements of the new bylaw or interim bylaw.

(A) A municipality may prohibit development of a lot not served by and able to connect to municipal sewer and water service if either of the following applies:

- (i) the lot is less than one-eighth acre in area; or
- (ii) the lot has a width or depth dimension of less than 40 feet.

* * *

Sec. 2. 24 V.S.A. § 4414 is amended to read:

§ 4414. ZONING; PERMISSIBLE TYPES OF REGULATIONS

* * *

(3) Conditional uses.

(A) In any district, certain uses may be allowed only by approval of the appropriate municipal panel, if general and specific standards to which each allowed use must conform are prescribed in the appropriate bylaws and if the appropriate municipal panel, under the procedures in subchapter 10 of this chapter, determines that the proposed use will conform to those standards. These general standards shall require that the proposed conditional use shall not result in an undue adverse effect on any of the following:

- (i) The capacity of existing or planned community facilities.
- (ii) The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.
- (iii) Traffic on roads and highways in the vicinity.
- (iv) Bylaws and ordinances then in effect.
- (v) Utilization of renewable energy resources.

* * *

(E) A multiunit dwelling project consisting of four or fewer units located in a district allowing multiunit dwellings may not be denied solely due to an undue adverse effect on the character of the area affected.

* * *

Sec. 3. 24 V.S.A. § 2291 is amended to read:

§ 2291. ENUMERATION OF POWERS

For the purpose of promoting the public health, safety, welfare, and convenience, a town, city, or incorporated village shall have the following powers:

* * *

(29) To regulate by means of an ordinance or bylaw the operation of short-term rentals within the municipality, provided that the ordinance or bylaw does not adversely impact the availability of long-term rental housing. As used in this subdivision, “short-term rental” means a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.

Sec. 4. 27 V.S.A. § 545 is added to read:

§ 545. COVENANTS, CONDITIONS, AND RESTRICTIONS OF
SUBSTANTIAL PUBLIC INTEREST

Deed restrictions, covenants, or similar binding agreements added after January 1, 2021 that prohibit or have the effect of prohibiting land development allowed under a municipality’s bylaws shall not be valid. This section shall not affect the enforceability of any property interest held in whole or in part by a qualified organization or State agency as defined in 10 V.S.A. § 6301a, including any restrictive easements, such as conservation easements and historic preservation rights and interests defined in 10 V.S.A. § 822. This section shall not affect the enforceability of any property interest that is restricted by a housing subsidy covenant as defined by section 610 of this title and held in whole or in part by an eligible applicant as defined in 10 V.S.A. § 303(4) or the Vermont Housing Finance Agency.

* * * Mobile Home Parks * * *

Sec. 5. MOBILE HOME PARK INFRASTRUCTURE

(a) The Department of Environmental Conservation shall:

(1) assist the Town of Brattleboro and the Tri-Park Cooperative in the implementation of the Tri-Park Master Plan and Deerfield River & Lower

Connecticut River Tactical Basin Plan, including through restructuring or forgiveness of State Revolving Loans RF1-104 and RF3-163 and additional loans to the extent possible, to allow for improvements to drinking water, wastewater, and stormwater infrastructure needs;

(2) provide similar assistance to the extent possible to similarly situated mobile home parks that also have infrastructure needs; and

(3) identify statutory and programmatic changes necessary to assist in the implementation of the plans and to improve access and terms by mobile home parks to the Clean Water Revolving Loan Fund, Water Infrastructure Sponsorship Program and the Drinking Water State Revolving Fund.

(b) On or before January 15, 2021, the Department shall report on actions taken and recommendations for statutory or programmatic changes to the Senate Committees on Economic Development, Housing and General Affairs and on Institutions and to the House Committees on General, Housing, and Military Affairs, on Natural Resources, Fish, and Wildlife, and on Corrections and Institutions.

Sec. 6. 10 V.S.A. § 10 is amended to read:

§ 10. VERMONT STATE TREASURER; CREDIT FACILITY FOR LOCAL INVESTMENTS

(a) Notwithstanding any provision of 32 V.S.A. § 433(a) to the contrary, the Vermont State Treasurer shall have the authority to establish a credit facility of up to 10 percent of the State's average cash balance on terms acceptable to the Treasurer and consistent with prudent investment principles and guidelines pursuant to 32 V.S.A. § 433(b)–(c) and the Uniform Prudent Investor Act, 14A V.S.A. chapter 9.

~~(b) The amount authorized in subsection (a) of this section shall include all credit facilities authorized by the General Assembly and established by the Treasurer, and the renewal or replacement of those credit facilities. The Treasurer may use amounts available under this section to provide financing for infrastructure projects in Vermont mobile home parks and may modify the terms of such financing in his or her discretion as is necessary to promote the availability of mobile home park housing and to protect the interests of the State.~~

* * * Effective Date * * *

Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Kornheiser of Brattleboro, for the committee on Ways and Means, recommended that House propose to the Senate to amend the bill as recommended by the committee on General, Housing, and Military Affairs.

The bill having appeared on the Calendar one day for Notice, was taken up, read the second time, the reports of the committees on General, Housing, and Military Affairs and Ways and Means were agreed to and third reading ordered.

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

S. 352

On Senate bill, entitled

An act relating to making certain amendments to the Front-Line Employees Hazard Pay Grant Program

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the bill placed on all remaining stages of passage.

Pending the third reading of the bill, **Rep. Till of Jericho** moved that the House propose to the Senate to amend the bill as follows:

In Sec. 1, 2020 Acts and Resolves No. 136, Sec. 6, by striking out subdivision (b)(4)(A)(iv) in its entirety and inserting in lieu thereof a new subdivision (b)(4)(A)(iv) to read as follows:

(iv) except in the case of employees of home health agencies and nursing homes, earns employees of an employer described in subdivision (2)(A)(xiv) of this subsection (b) that provides nursing services to or on behalf of a home health agency or nursing home, and resident physicians and dentists employed by an employer described in subdivision (2)(A)(v), earned an hourly base wage of \$25.00 or less during the eligible period;

Which was agreed to. Thereupon the bill was read a third time and bill 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:

H. 663

House bill, entitled

An act relating to expanding access to contraceptives

S. 352

Senate bill, entitled

An act relating to making certain amendments to the Front-Line Employees Hazard Pay Grant Program

S. 353

Senate bill, entitled

An act relating to expanding the Front-Line Employees Hazard Pay Grant Program

Message from the Senate No. 80

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 considered House proposal of amendment to Senate bill of the following title:

S. 220. An act relating to professional regulation.

And has concurred therein.

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

H. 674. An act relating to the definition of housesite for use value appraisals.

H. 969. An act relating to making appropriations for the support of government.

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

Adjournment

At three o'clock and twenty-five minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Monday, September 21, 2020, at four o'clock and thirty minutes in the afternoon, pursuant to the provisions of J.R.S. 64.

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. 325

House concurrent resolution congratulating the 2019 Brattleboro Union High School Colonels Division II championship football team;

H.C.R. 326

House concurrent resolution commemorating the 50th anniversary of Green Up Day and honoring Melinda Vieux for her superb organizational leadership;

H.C.R. 327

House concurrent resolution honoring former Georgia Conservation Commission Chair Kent Henderson for his outstanding municipal public service;

H.C.R. 328

House concurrent resolution honoring former Montpelier Police Chief Anthony John Facos for 33 years of dedicated municipal public service;

H.C.R. 329

House concurrent resolution celebrating the centennial of universal women's suffrage and General Assembly membership;

H.C.R. 330

House concurrent resolution congratulating Marjorie Adeline (Brown) LaValley on her 100th birthday;

H.C.R. 331

House concurrent resolution congratulating Jennifer H. Wood as the 2020 Vermont winner of the Presidential Award for Excellence in Mathematics and Science Teaching;

H.C.R. 332

House concurrent resolution honoring Brattleboro Justice of the Peace Elliott C. Greenblott for his civic and community leadership;

H.C.R. 333

House concurrent resolution congratulating the Town of Essex on being certified as one of Vermont's first two Quality Youth Development Communities;

H.C.R. 335

House concurrent resolution honoring François Clemmons on his exemplary musical and theatrical career;

H.C.R. 336

House concurrent resolution in memory of James Bernard Reardon of Essex;

H.C.R. 337

House concurrent resolution designating October 6, 2020 as Vermont Mask Day;

H.C.R. 338

House concurrent resolution honoring Vermont State employees who have performed their duties in a professional and exemplary manner during the COVID-19 pandemic;

H.C.R. 339

House concurrent resolution congratulating the Central Vermont Pioneers on winning the 2019 Empire State Sled Hockey Championship;

H.C.R. 340

House concurrent resolution congratulating the Colchester All-Stars on winning the 2020 Vermont State Little League Baseball championship;

H.C.R. 341

House concurrent resolution congratulating the 2019 Poultney High School Blue Devils Division III championship football team;

H.C.R. 342

House concurrent resolution honoring Curtis Tuff of Putney and his Curtis' All American BARBQ.

[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.]