

House Calendar

Friday, January 28, 2022

25th DAY OF THE ADJOURNED SESSION

House Convenes at 9:30 A.M.

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ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 462

An act relating to miscellaneous Department of Health programs

H. 466

An act relating to surface water withdrawals and interbasin transfers

H. 693

An act relating to the annual budget vote of the Northeast Kingdom Waste Management District

S. 30

An act relating to prohibiting possession of firearms within hospital buildings

Amendment to be offered by Rep. Brennan of Colchester to S. 30

Representative Brennan of Colchester moves that the House proposal of amendment be amended in Sec. 2, 13 V.S.A. § 4019, in subdivision (d)(2), by striking out “30” and inserting in lieu thereof “15 business”

NOTICE CALENDAR

Favorable with Amendment

H. 320

An act relating to prohibiting agreements that prevent an employee from working for the employer following the settlement of a discrimination claim

Rep. Bluemle of Burlington, for the Committee on General, Housing, and Military Affairs, recommends the bill be amended as follows:

First: In Sec. 1, 21 V.S.A. § 495, by striking out subsection (i) in its entirety and inserting in lieu thereof a new subsection (i) to read as follows:

(i)(1) An agreement to settle a claim of a violation of subsection (a) of this section shall not prohibit, prevent, or otherwise restrict the employee from working for the employer or any parent company, subsidiary, division, or affiliate of the employer. Any provision of an agreement to settle a claim of a violation of subsection (a) of this section that violates this subsection shall be void and unenforceable with respect to the individual who made the claim.

(2) The provisions of this subsection shall not apply to any settlement agreement that was entered into on or before June 30, 2022.

Second: In Sec. 2, effective date, by striking out the number “2021” and inserting in lieu thereof the number “2022”

(Committee Vote: 8-3-0)

Constitutional Proposal

Prop 2 Declaration of rights; clarifying the prohibition on slavery and indentured servitude

First Day of Four Days requirement on the Notice Calendar pursuant to Rule 51a

Please note, due to a clerical error, the text of Proposal 2 that appeared for notice in the Calendar on January 25, 26, and 27 was incorrect. The correct text of Proposal 2 appears below

Rep. Colston of Winooski for Government Operations.

PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF VERMONT

Subject: Declaration of rights; clarifying the prohibition on slavery and indentured servitude

PROPOSAL 2

Sec. 1. PURPOSE

This proposal would amend the Constitution of the State of Vermont to clarify that slavery and indentured servitude in any form are prohibited.

Sec. 2. Article 1 of Chapter I of the Vermont Constitution is amended to read:

Article 1. [All persons born free; their natural rights; slavery and indentured servitude prohibited]

That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety; therefore ~~no person born in this country, or brought from over sea, ought to be holden by law, to serve any person as a servant, slave or apprentice, after arriving to the age of twenty-one years, unless bound by the person's own consent, after arriving to such age, or bound by law for the payment of debts, damages, fines, costs, or the like~~ slavery and indentured servitude in any form are prohibited.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

Prop 5 Declaration of rights; right to personal reproductive liberty

First Day of Four Days requirement on the Notice Calendar pursuant to Rule 51a

Rep. Pugh of South Burlington for Human Services.

PROPOSED AMENDMENT TO THE CONSTITUTION
OF THE STATE OF VERMONT

Subject: Declaration of rights; right to personal reproductive liberty

PROPOSAL 5

Sec. 1. PURPOSE

(a) This proposal would amend the Constitution of the State of Vermont to ensure that every Vermonter is afforded personal reproductive liberty. The Constitution is our founding legal document stating the overarching values of our society. This amendment is in keeping with the values espoused by the current Vermont Constitution. Chapter I, Article 1 declares “That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights.” Chapter I, Article 7 states “That government is, or ought to be, instituted for the common benefit, protection, and security of the people.” The core value reflected in Article 7 is that all people should be afforded all the benefits and protections bestowed by the government, and that the government should not confer special advantages upon the privileged. This amendment would reassert the principles of equality and personal liberty reflected in Articles 1 and 7 and ensure that government does not create or perpetuate the legal, social, or economic inferiority of any class of people. This proposed constitutional amendment is not intended to limit the scope of rights and protections afforded by Article 7 or any other provision in the Vermont Constitution.

(b) The right to reproductive liberty is central to the exercise of personal autonomy and involves decisions people should be able to make free from compulsion of the State. Enshrining this right in the Constitution is critical to ensuring equal protection and treatment under the law and upholding the right of all people to health, dignity, independence, and freedom.

Sec. 2. Article 22 of Chapter I of the Vermont Constitution is added to read:

Article 22. [Personal reproductive liberty]

That an individual's right to personal reproductive autonomy is central to the liberty and dignity to determine one's own life course and shall not be denied or infringed unless justified by a compelling State interest achieved by the least restrictive means.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

Consent Calendar

Concurrent Resolutions for Adoption Under Joint Rule 16a

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration before today's adjournment. Requests for floor consideration in either chamber should be communicated to the Secretary's office and/or the House Clerk's office, respectively. For text of resolutions, see Addendum to House Calendar and Senate Calendar of January 27, 2022.

H.C.R. 88

House concurrent resolution congratulating the 2021 St. Johnsbury Academy Hilltoppers Division I boys' cross-country championship team

H.C.R. 89

House concurrent resolution congratulating St. Johnsbury Academy Hilltopper Evan Thornton-Sherman on winning the 2021 individual boys' Division I cross-country running championship

H.C.R. 90

House concurrent resolution congratulating the Essex High School Hornets 2021 Division I championship varsity football team

H.C.R. 91

House concurrent resolution congratulating Iris Hsiang on winning the 2021 Rights & Democracy Human Rights Award for Vermont

H.C.R. 92

House concurrent resolution congratulating the Essex High School Hornets 2021 Division I championship boys' varsity soccer team

H.C.R. 93

House concurrent resolution congratulating the 2021 Thetford Academy Panthers Division III girls' cross-country championship team

H.C.R. 94

House concurrent resolution in memory of Robert D. Bates

H.C.R. 95

House concurrent resolution congratulating the 2021 Essex High School Hornets State championship girls' varsity volleyball team

PUBLIC HEARING

Public Hearings on the Governor's recommended Fiscal Year 2023 State budget

Joint House and Senate Committees on Appropriations

Tuesday, February 8, 2022 at 6:00 p.m. – 8:00 p.m. and Wednesday, February 9, 2022 at 3:00 p.m. to 5:00 p.m. – The Vermont House and Senate Committees on Appropriations are seeking public and advocate input on the Governor's recommended FY 2023 State budget and will hold two public hearings via videoconference.

Anyone interested in testifying should **sign-up in advance of the hearings through ONE of the online forms no later than 5:00 p.m. on February 7, 2022**. Instructions on how to access and participate in the hearing will be sent once you have signed up for one of the hearings. Time limits for testimony may apply depending on volume of participants.

Link to **form to sign-up for February 8, 2022:**

<https://legislature.vermont.gov/links/fy22-budget-adjustment-hearing-feb-8>

Link to **form to sign-up for February 9, 2022:**

<https://legislature.vermont.gov/links/fy22-budget-adjustment-hearing-feb-9>

Both hearings will be available to watch live on YouTube at the following link: <https://legislature.vermont.gov/committee/streaming/vermont-joint-fiscal> or your local access community cable channel. You can find your local channel at the following link: <https://vermontaccess.net/amo/>

For more information about the format of these events, contact Chrissy Gilhuly at cgilhuly@leg.state.vt.us or Theresa Utton-Jerman at tutton@leg.state.vt.us or call 802-828-2295 or toll-free within Vermont at 1-800-322-5616 (responses to phone calls may be delayed). Written testimony is encouraged and can be submitted electronically to Chrissy or Theresa through e-mail or mailed to the House and Senate Committee on Appropriations, c/o Joint Fiscal Office, 1 Baldwin Street, Montpelier, VT 05633-5701.

Information Notice

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3085 – Two (2) limited-service positions to the VT Department of Disabilities, Aging and Independent Living, Division of Vocational Rehabilitation from the Centers for Medicare and Medicaid Services. One (1) VR Program Coordinator to oversee at statewide scholarship, and mentor program for personal care attendants. One (1) VR Assistive Technology Specialist for vocational rehabilitation clients including transition age youth (high school students). Both positions funded through 9/30/2025 by previously approved grant JFO #2510.

[Received January 4, 2022]

JFO #3086 – \$925,840 to the VT Agency of Education from the U.S. Department of Agriculture Food and Nutrition Services. The grant will be used to fund two projects: Phase II of a current IT systems upgrade to improve interconnectivity and data transfer functionalities of the system; and a pilot of the Ed-Fi data model to explore improvements for data transfers between local education agencies, child nutrition programs and other state agencies. Edfi is a national data standard in education. Please see this link for more information on the data system: <https://www.ed-fi.org/>.

[Received January 4, 2022]

Joint Assembly

February 17, 2022 - 10:30 A.M. – Election of two (2) trustees for the Vermont State Colleges Corporation.

Candidates for the positions of trustee must notify the Secretary of State **in writing** not later than February 10, 2022 , by 4:30 P.M. pursuant to the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.