

# House Calendar

---

Thursday, April 7, 2022

94th DAY OF THE ADJOURNED SESSION

House Convenes at 3:00 P.M.

---

## TABLE OF CONTENTS

---

**Page No.**

### **ACTION CALENDAR**

#### **Committee Bill for Second Reading**

- H. 744** Approval of an amendment to the charter of the City of Burlington  
Rep. LaClair for Government Operations.....2158

#### **Favorable with Amendment**

- S. 239** An act relating to enrollment in Medicare supplemental insurance  
policies  
Rep. Black for Health Care .....2158

#### **Favorable**

- S. 113** An act relating to establishing a cause of action for medical monitoring  
expenses..... 2159  
Rep. Burditt for Judiciary

### **NOTICE CALENDAR**

#### **Favorable with Amendment**

- S. 265** An act relating to expanding criminal threatening to include threats to  
third persons  
Rep. Notte for Judiciary .....2159

#### **Favorable**

- S. 72** An act relating to the Interstate Compact on the Placement of Children  
Rep. Gregoire for Human Services..... 2161  
Rep. Jessup for Appropriations.....2161  
Rep. Gregoire et al Amendment .....2161

**Action Postponed Until April 20, 2022**

**Governor's Veto**

**H. 157** Registration of construction contractors..... 2162

**Action Postponed Until May 17, 2022**

**Governor's Veto**

**S. 30** An act relating to prohibiting possession of firearms within hospital buildings.....2162

**Consent Calendar**

**H.C.R. 135** Designating April 27, 2022 as Alzheimer’s Awareness Day at the State House.....2162

**H.C.R. 136** Congratulating the 2021 Bellows Falls Union High School Terriers Division II championship football team..... 2163

**H.C.R. 137** Honoring Bellows Free Academy-St. Albans boys’ ice hockey Head Coach Toby Ducolon for his outstanding achievements..... 2163

**H.C.R. 138** Congratulating the Champlain Valley Union High School RoboHawks on winning the 2022 Vermont State FIRST Tech Challenge Robotics Championships.....2163

---

---

**ORDERS OF THE DAY**

---

---

**ACTION CALENDAR**

**Committee Bill for Second Reading**

**H. 744**

An act relating to approval of an amendment to the charter of the City of Burlington.

**(Rep. LaClair of Barre Town** will speak for the Committee on Government Operations.)

**Favorable with Amendment**

**S. 239**

An act relating to enrollment in Medicare supplemental insurance policies

**Rep. Black of Essex**, for the Committee on Health Care, recommends that the House propose to the Senate that the bill be amended as follows:

In Sec. 2, Medicare supplemental coverage; Medicare advantage plans; Department of Financial Regulation; report, as follows:

First: By striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) The Department of Financial Regulation shall convene a group of interested stakeholders, including Vermonters eligible for Medicare by reason of age, disability status, or end stage renal disease and representatives of health care providers, the Community of Vermont Elders, the area agencies on aging, the Office of the Health Care Advocate, and the Department of Vermont Health Access, to consider issues relating to Medicare Advantage plans and to the availability of, enrollment in, and use of supplemental coverage by individuals enrolled in Medicare. A majority of the stakeholders shall not have a financial stake in any Medicare supplemental coverage or Medicare Advantage product.

Second: In subsection (b), by adding a new subdivision to be subdivision (4) to read as follows:

(4) the costs of Medicare Part B premiums, Medicare Part D plans, Medicare supplement plans, and Medicare Advantage plans; the effect of those costs on access to health care for Vermonters with low income who are not eligible for Medicaid or for a Medicare Savings Program; the income eligibility thresholds for Medicare Savings Programs in Vermont and in other

states; and whether Vermont should consider revising the income eligibility thresholds for its Medicare Savings Programs;

and by renumbering the remaining subdivisions in subsection (b) to be numerically correct

**(Committee vote:9-0-2)**

**(For text see Senate Journal March 25, 2022 )**

**Favorable**

**S. 113**

An act relating to establishing a cause of action for medical monitoring expenses

**Rep. Burditt of West Rutland**, for the Committee on Judiciary, recommends that the bill ought to pass in concurrence.

**(Committee Vote:11-0-0)**

**(For text see Senate Journal February 2, 2022 )**

**NOTICE CALENDAR**

**Favorable with Amendment**

**S. 265**

An act relating to expanding criminal threatening to include threats to third persons

**Rep. Notte of Rutland City**, for the Committee on Judiciary, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 1702 is amended to read:

§ 1702. CRIMINAL THREATENING

(a) A person shall not by words or conduct knowingly:

(1) threaten another person or a group of particular persons; and

(2) as a result of the threat, place the other person in reasonable apprehension of death, ~~or~~ serious bodily injury, or sexual assault to the other person, a person in the group of particular persons, or any other person.

(b) A person who violates subsection (a) of this section shall be imprisoned not more than one year or fined not more than \$1,000.00, or both.

(c) A person who violates subsection (a) of this section with the intent to prevent another person from reporting to the Department for Children and Families the suspected abuse or neglect of a child shall be imprisoned not more than two years or fined not more than ~~\$1,000.00~~ \$2,000.00, or both.

(d) A person who violates subsection (a) of this section by making a threat that places any person in reasonable apprehension that death, serious bodily injury, or sexual assault will occur at a public or private school; postsecondary education institution; place of worship; polling place during election activities; the Vermont State House; or any federal, State, or municipal building shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

(e) A person who violates subsection (a) of this section with the intent to terrify, intimidate, or unlawfully influence a person to prevent that person from complying with State laws or rules, State court or administrative orders, or State executive orders shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

(f) A person who violates subsection (a) of this section with the intent to terrify, intimidate, or unlawfully influence the conduct of a candidate for public office, a public servant, an election official, or a public employee in any decision, opinion, recommendation, vote, or other exercise of discretion taken in capacity as a candidate for public office, a public servant, an election official, or a public employee, or with the intent to retaliate against a candidate for public office, a public servant, an election official, or a public employee for any previous action taken in capacity as a candidate for public office, a public servant, an election official, or a public employee, shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

(g) As used in this section:

(1) “Serious bodily injury” ~~shall have~~ has the same meaning as in section 1021 of this title.

(2) “Threat” and “threaten” ~~shall~~ do not include constitutionally protected activity.

(3) “Candidate” has the same meaning as in 17 V.S.A. § 2103.

(4) “Election official” has the same meaning as in 17 V.S.A. § 2455.

(5) “Public employee” means a classified employee within the Legislative, Executive, or Judicial Branch of the State and any of its political subdivisions and any employee within a county or local government and any of the county’s or local government’s political subdivisions.

(6) “Public servant” has the same meaning as in 17 V.S.A. § 2103.

(7) “Polling place” has the same meaning as described in 17 V.S.A. chapter 51, subchapter 4.

(8) “Sexual assault” has the same meaning as sexual assault as described in section 3252 of this title.

~~(e)(h) Any person charged under this section who is under 18 years of age younger than the age identified in 33 V.S.A. § 5201(d) shall be adjudicated as a juvenile delinquent subject to a juvenile proceeding.~~

~~(f) It shall be an affirmative defense to a charge under this section that the person did not have the ability to carry out the threat. The burden shall be on the defendant to prove the affirmative defense by a preponderance of the evidence.~~

## Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

**( Committee Vote: 9-2-0)**

**Favorable**

**S. 72**

An act relating to the Interstate Compact on the Placement of Children

**Rep. Gregoire of Fairfield**, for the Committee on Human Services, recommends that the bill ought to pass in concurrence.

**(Committee Vote:11-0-0)**

**(For text see Senate Journal March 22, 2022 )**

**Rep. Jessup of Middlesex**, for the Committee on Appropriations, recommends that the bill ought to pass in concurrence.

**(Committee Vote:11-0-0)**

**(For text see Senate Journal March 22, 2022 )**

**Amendment to be offered by Reps. Gregoire of Fairfield and Small of Winooski to S. 72**

Representatives Gregoire of Fairfield and Small of Winooski move that the House propose to the Senate that the bill be amended as follows:

First: In Sec. 2, 33 V.S.A. chapter 59, in subdivision 5902(20), by striking out “he or she” and inserting in lieu thereof “the person”

Second: In Sec. 2, 33 V.S.A. chapter 59, in subdivision 5903(a)(3), by striking out “The” and inserting in lieu thereof “the”

Third: In Sec. 2, 33 V.S.A. chapter 59, in subdivision 5903(b)(4), by striking out “his or her” and inserting in lieu thereof “the child’s”

Fourth: In Sec. 2, 33 V.S.A. chapter 59, in subdivision 5903(b)(7), by striking out “his or her”

Fifth: In Sec. 2, 33 V.S.A. chapter 59, in subdivision 5904(d)(7), after the word “receiving”, by striking out “the”

Sixth: In Sec. 2, 33 V.S.A. chapter 59, in subdivision 5908(2)(D), by striking out “his or her” and inserting in lieu thereof “the”

Seventh: In Sec. 2, 33 V.S.A. chapter 59, in section 5924, by striking out “his or her” and inserting in lieu thereof “the child’s”

**Action Postponed Until April 20, 2022**

**Governor's Veto**

**H. 157**

An act relating to registration of construction contractors.

For text of Veto Message please see House Journal of February 10, 2022

**Action Postponed Until May 17, 2022**

**Governor's Veto**

**S. 30**

An act relating to prohibiting possession of firearms within hospital buildings.

For text of Veto Message, please see Senate Journal of March 11, 2022

**Consent Calendar**

**Concurrent Resolutions**

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 the end of the session of the next legislative day. Requests for floor consideration in either chamber should be communicated to the Senate Secretary’s office or the House Clerk’s office. For text of resolutions, see Addendum to House Calendar and Senate Calendar.

**H.C.R. 135**

House concurrent resolution designating April 27, 2022 as Alzheimer’s Awareness Day at the State House

**H.C.R. 136**

House concurrent resolution congratulating the 2021 Bellows Falls Union High School Terriers Division II championship football team

**H.C.R. 137**

House concurrent resolution honoring Bellows Free Academy-St. Albans boys' ice hockey Head Coach Toby Ducolon for his outstanding achievements

**H.C.R. 138**

House concurrent resolution congratulating the Champlain Valley Union High School RoboHawks on winning the 2022 Vermont State FIRST Tech Challenge Robotics Championships

**For Informational Purposes**

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 #3092 - \$420,000** to the VT Agency of Natural Resources, Dept of Environmental Conservation from the Environmental Protection Agency. The grant is for improved drinking water in underserved areas and will support construction of replacement drinking water infrastructure for the town of Milton's Mobile Home Cooperative.

*[Received March 23, 2022]*

**JFO #3093 - \$1,000,000.00** to the VT Agency of Commerce and Community Development from the U.S. Economic Development Administration. Funds for the use of Statewide Economic Recovery Planning.

*[Received March 23, 2022]*

**JFO #3094** – 11 (eleven) limited-service positions to the VT Agency of Human Services, Dept for Children and Families, to administer and support emergency and transitional housing programs. Positions funded through previously approved grant [#3034](#) (U.S. Emergency Assistance Rental Program) and funded through 9/30/2025.

*[Received 3/23/2022, expedited review approved on 3/29/2022]*

**JFO #3095 - \$1,859,890** to the VT Department of Public Safety from the Federal Emergency Management Agency. Funding for flooding that occurred in Bennington and Windham counties between 7/29/21 and 7/30/21.

*[Received March 23, 2022]*