

Journal of the House

Tuesday, January 12, 2021

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

Devotional Exercises

Devotional exercises were conducted by Rep. Cina of Burlington.

Message from the Senate No. 5

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 joint resolution originating in the House of the following title:

J.R.H. 1. Joint resolution condemning the storming of the U.S. Capitol on January 6, 2021 as an attack on democracy.

And has adopted the same in concurrence.

January 8, 2021

Pledge of Allegiance

Speaker Jill Krowinski led the House in the Pledge of Allegiance.

House Bills Introduced

House bills of the following titles were severally introduced, read the first time and referred to committee as follows:

H. 54

By Reps. Sibilgia of Dover, Colburn of Burlington, Gannon of Wilmington, Marcotte of Coventry, Pajala of Londonderry, Partridge of Windham, Sims of Craftsbury, Small of Winooski, Campbell of St. Johnsbury, Christie of Hartford, Donnally of Hyde Park, Elder of Starksboro, and Rogers of Waterville,

House bill, entitled

An act relating to adjusting the existing weighting factors, and adding new

weighting factors, used to calculate equalized pupils;

To the Committee on Education.

H. 55

By Reps. Townsend of South Burlington, Anthony of Barre City, Austin of Colchester, Cina of Burlington, Colburn of Burlington, Ode of Burlington, Patt of Worcester, Suprenant of Barnard, Vyhovsky of Essex, and Yantachka of Charlotte,

House bill, entitled

An act relating to applying Vermont prevailing wages to school construction projects;

To the Committee on Education.

H. 56

By Reps. Shaw of Pittsford and Savage of Swanton,

House bill, entitled

An act relating to the use of colored signal lamps on law enforcement, fire department, and emergency medical service vehicles;

To the Committee on Transportation.

H. 57

By Reps. Yacovone of Morristown and Gannon of Wilmington,

House bill, entitled

An act relating to creating a Vermont Economic Solutions Act;

To the Committee on Commerce and Economic Development.

H. 58

By Rep. Kornheiser of Brattleboro,

House bill, entitled

An act relating to creating a right to repair agricultural equipment;

To the Committee on Agriculture and Forestry.

H. 59

By Rep. Taylor of Colchester,

House bill, entitled

An act relating to increasing the compensation for the Chair of the Parole

Board;

To the Committee on Corrections and Institutions.

H. 60

By Reps. Yacovone of Morristown and Patt of Worcester,
House bill, entitled

An act relating to winter tires on rental cars;

To the Committee on Transportation.

H. 61

By Rep. Murphy of Fairfax,

House bill, entitled

An act relating to the display of number plates on motor vehicles;

To the Committee on Transportation.

H. 62

By Rep. Coffey of Guilford,

House bill, entitled

An act relating to blocking at-grade rail crossings;

To the Committee on Transportation.

H. 63

By Rep. Conlon of Cornwall,

House bill, entitled

An act relating to statewide public school employee health benefits;

To the Committee on General, Housing, and Military Affairs.

H. 64

By Rep. Rogers of Waterville,

House bill, entitled

An act relating to prohibiting gifts to legislators from lobbying entities;

To the Committee on Government Operations.

**Bill Read Second Time; Consideration Interrupted by Recess
H. 48**

Rep. Copeland Hanzas of Bradford, for the Committee on Government Operations, to which had been referred

House bill, entitled

An act relating to authorizing alternative procedures for 2021 annual municipal meetings in response to COVID-19

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. LEGISLATIVE FINDINGS, INTENT, AND PURPOSE

(a) Findings.

(1) The General Assembly finds that the continued spread of COVID-19 in the State of Vermont has the potential to jeopardize the health, safety, and welfare of Vermonters voting in their 2021 annual municipal meetings. These meetings include annual town meetings, which are required by general law to be held on the first Tuesday of March; annual school district meetings, which are generally required to be held between the months of February and June; and other municipal annual meetings with meeting dates controlled by charter.

(2) While the General Assembly enacted 2020 Acts and Resolves No. 162 to permit municipal legislative bodies to vote to apply the Australian ballot system to their municipal meetings in the year 2021, the General Assembly finds that COVID-19 concerns persist regarding 2021 annual municipal meetings because:

(A) in municipalities applying the Australian ballot system to these meetings, general law requires voters to apply for an early voter absentee ballot, and a polling place is required for any voters who do not vote absentee; and

(B) many municipalities want to continue their custom of conducting annual meetings using floor votes.

(b) Intent and purpose. It is the intent of the General Assembly that the citizens of Vermont should be able to protect their health, safety, and welfare while also continuing to exercise their right to participate in annual municipal meetings. Accordingly, the purpose of this act is to:

(1) permit municipalities to move the date of their 2021 annual meeting to a potentially safer date later in the year;

(2) permit municipalities to mail out 2021 annual meeting early voter absentee Australian ballots to all active registered municipal voters to encourage absentee voting and thereby reduce exposure to COVID-19; and

(3) authorize the Secretary of State to order or permit supplemental elections procedures related to these 2021 annual municipal meeting provisions.

(c) Intent for the cooperation of municipalities. It is the intent of the General Assembly that municipal officials, including boards of civil authority and municipal clerks, shall cooperate with and assist school districts and other incorporated districts with the administration of annual district meetings and budget votes.

Sec. 2. ANNUAL MUNICIPAL MEETINGS IN THE YEAR 2021;

ALTERNATIVE PROCEDURES

(a) Notwithstanding any provision of law to the contrary, in the year 2021:

(1) a municipal legislative body may vote to move the date of the municipality's 2021 annual meeting to a date later in the year 2021;

(2) a municipal legislative body may require the municipal clerk to mail to all of the active registered voters in the municipality the Australian ballot to be used at the 2021 annual municipal meeting;

(3) the Town of Brattleboro may hold its annual Representative Town Meeting by electronic means;

(4) the Board of Supervisors of the Northeast Kingdom Waste Management District may vote to adopt the District's annual budget for the ensuing fiscal year; and

(5) the Secretary of State is authorized to order or permit, as applicable, appropriate elections procedures that supplement and relate to any municipal authority exercised under the provisions of this subsection in order to protect the health, safety, and welfare of voters, elections workers, and candidates in carrying out those meetings.

(b) In any municipality that moves the date of the 2021 annual meeting pursuant to subdivision (a)(1) of this section, municipal officers shall serve until the annual meeting and until successors are chosen.

(c) For any election procedure the Secretary of State orders or permits under this section, the Secretary shall adopt any necessary corresponding procedures that ensure the public can monitor polling places and the counting of votes.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

The bill, having appeared on the Calendar one day for notice, was taken up, and read the second time.

Recess

At ten o'clock and twenty-three minutes in the forenoon, the Speaker declared a recess until one o'clock in the afternoon.

At one o'clock in the afternoon, the Speaker called the House to order.

Consideration Resumed; Amendment Offered and Withdrawn**H. 48**

Consideration resumed on House bill, entitled

An act relating to authorizing alternative procedures for 2021 annual municipal meetings in response to COVID-19

Pending the question, Shall the bill be amended as recommended by the committee on Government Operations? **Rep. Toof of St. Albans Town** moved to amend the report of the committee on Government Operations as follows:

In Sec. 2 (Annual meetings in the year 2021; alternative procedures), by striking out subsection (a) in its entirety and inserting in lieu thereof the following:

(a) Notwithstanding any provision of law to the contrary, in the year 2021:

(1) a municipal legislative body shall vote to enact one or more of the following alternative procedures for the municipality's 2021 annual meeting:

(A) move the date of the annual municipal meeting to a date later in the year 2021; or

(B) require the municipal clerk to mail to all of the active registered voters in the municipality the Australian ballot to be used at the annual municipal meeting;

(2) the Town of Brattleboro may hold its annual Representative Town Meeting by electronic means;

(3) the Board of Supervisors of the Northeast Kingdom Waste Management District may vote to adopt the District's annual budget for the ensuing fiscal year; and

(4) the Secretary of State is authorized to order or permit, as applicable, appropriate elections procedures that supplement and relate to any municipal

authority exercised under the provisions of this subsection in order to protect the health, safety, and welfare of voters, elections workers, and candidates in carrying out those meetings.

Thereupon, **Rep. Toof of St. Albans Town** asked and was granted leave of the House to withdraw his amendment.

Bill Amended; Third Reading Ordered

H. 48

Thereupon, the report of the Committee on Government Operations was agreed to and third reading was ordered.

Rules Suspended; Third Reading; Bill Passed

H. 48

On House bill, entitled

An act relating to authorizing alternative procedures for 2021 annual municipal meetings in response to COVID-19

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.

Rules Suspended; Bill Messaged to Senate Forthwith

H. 48

On House bill, entitled

An act relating to authorizing alternative procedures for 2021 annual municipal meetings in response to COVID-19

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

**Committee Relieved of Consideration
and Bill Committed to Other Committee**

H. 29

Rep. Stevens of Waterbury moved that the Committee on General, Housing, and Military Affairs be relieved of House bill, entitled

An act relating to notifying prospective employees of ineligibility for unemployment insurance benefits

And that the bill be committed to the Committee on Commerce and Economic Development, which was agreed to.

Adjournment

At one o'clock and thirty-four minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at one o'clock and fifteen minutes in the afternoon.