

Journal of the House

Friday, March 19, 2021

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

A moment of silence was observed in lieu of a devotion.

Senate Bill Referred

S. 107

Senate bill, entitled

An act relating to confidential information concerning the initial arrest and charge of a juvenile

Was read and referred to the Committee on Judiciary.

Amendment Offered; Read Third Time; Bill Passed

H. 218

House bill, entitled

An act relating to the sale of unpasteurized raw milk

Was taken up and pending third reading of the bill, **Reps. Rosenquist of Georgia and Hango of Berkshire** moved that the bill be amended as follows:

In Sec. 1, 6 V.S.A. chapter 152, in section 2778, in subsection (b), by adding a subdivision (5) to read:

(5) Prior to delivery of raw milk to a farm stand or CSA organization for sale, the producer shall test the milk for Escherichia coli, Salmonella, Listeria monocytogenes, and Campylobacter using polymerase chain reaction pathogen testing. If the results of the test indicate the presence of Escherichia coli, Salmonella, Listeria monocytogenes, or Campylobacter, the producer shall dispose of the milk and not sell it to a consumer, farm stand, or CSA organization.

Which was disagreed to in a vote by division, Yeas 15, Nays 81. Thereupon, the bill was read the third time and passed.

Third Reading; Bill Passed**H. 101**

House bill, entitled

An act relating to the implementation of 2018 Acts and Resolves No. 173 by providing grant funding to build systems-driven, sustainable literacy support for all students with measurable outcomes

Was taken up, read the third time, and passed.

Third Reading; Recess; Bill Passed**H. 106**

House bill, entitled

An act relating to equitable access to a high-quality education through community schools

Was taken up and read the third time.

At nine o'clock and fifty-two minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

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

Thereupon, the bill was passed.

Third Reading; Bill Passed**H. 426**

House bill, entitled

An act relating to addressing the needs and conditions of public school facilities in the State

Was taken up, read the third time, and passed.

Bill Amended; Read Third Time; Bill Passed**H. 434**

House bill, entitled

An act relating to establishing the Agricultural Innovation Board

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

In Sec. 1, 6 V.S.A. chapter 215, subchapter 7A, in Section 4964, in subdivision (b)(1), by striking “15” where it appears and inserting in lieu thereof “14”

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

Second Reading; Bill Amended; Third Reading Ordered

H. 313

Rep. Birong of Vergennes for the Committee on General, Housing, and Military Affairs, to which had been referred House bill entitled,

An act relating to miscellaneous amendments to alcoholic beverage laws

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

Sec. 1. 7 V.S.A. § 204 is amended to read:

§ 204. APPLICATION AND RENEWAL FEES FOR LICENSES AND PERMITS; DISPOSITION OF FEES

(a) The following fees shall be paid when applying for a new license or permit or to renew a license or permit:

* * *

(6) For a third-class license, \$1,095.00 for an annual license and \$550.00 for a six-month license. For a stand-alone third-class license, the issuing municipality may assess an additional \$50.00 local processing fee.

* * *

(b) Except for fees collected for first-, second-, and third-class licenses, the fees collected pursuant to subsection (a) of this section shall be deposited in the Liquor Control Enterprise Fund. The other fees shall be distributed as follows:

(1) Third-class license fees: 55 percent shall go to the Liquor Control Enterprise Fund; and 45 percent shall go to the General Fund and shall fund alcohol abuse prevention and treatment programs. The local processing fee for stand-alone third-class licenses shall be retained by the issuing municipality.

* * *

Sec. 2. 7 V.S.A. § 230 is added to read:

§ 230. SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION

(a) The Board of Liquor and Lottery and the local control commissioners may authorize:

(1) first- and third-class licensees to sell malt beverages, vinous beverages, and spirits-based prepared drinks for off-premises consumption. All sales of alcoholic beverages for off-premises consumption must be accompanied by a food order.

(2) second-class licensees to provide curbside pickup of unopened containers of the alcoholic beverages that the licensee is permitted to sell from the licensed premises pursuant to section 222 of this subchapter.

(3) fourth-class licensees to provide curbside pickup of unopened containers of the alcoholic beverages that the licensee is permitted to sell from the licensed location pursuant to section 224 of this subchapter.

(b) For any alcoholic beverage sold pursuant to subdivision (a)(1) of this section, the first- or third-class licensee shall provide the alcoholic beverage in a container:

(1) with a securely affixed tamper-evident seal; and

(2) bearing a label that:

(A) states that the beverage contains alcohol; and

(B) lists the ingredients and serving size.

(c) A licensee may sell alcoholic beverages pursuant to this section between 10:00 a.m. and 11:00 p.m.

(d) The Board of Liquor and Lottery may adopt rules and forms necessary to implement this section.

Sec. 3. 7 V.S.A. § 253 is amended to read:

§ 253. FESTIVAL PERMITS

* * *

(b)(1) A festival required to be permitted under this section is any event that is open to the public for which the primary purpose is to serve one or more of the following: malt beverages, vinous beverages, fortified wines, or spirits.

(c) A festival permit holder is permitted to conduct an event that is open to the public at which one or more of the following are served: malt beverages, vinous beverages, fortified wines, or spirits.

(d) The permit holder shall ensure the following:

(1) Attendees at the festival shall be required to pay an entry fee of not less than \$5.00.

(2)(A) Malt beverages for sampling shall be offered in glasses that contain not more than 12 ounces with not more than 60 ounces served to any patron at one event.

(B) Vinous beverages for sampling shall be offered in glasses that contain not more than five ounces with not more than 25 ounces served to any patron at one event.

(C) Fortified wines for sampling shall be offered in glasses that contain not more than three ounces with not more than 15 ounces served to any patron at one event.

(D) Spirits for sampling shall be offered in glasses that contain not more than one ounce with not more than five ounces served to any patron at one event.

(E) Patrons attending a festival where combinations of malt, vinous, fortified wines, or spirits are mutually sampled shall not be served more than a combined total of six U.S. standard drinks containing 3.6 fluid ounces or 84 grams of pure ethyl alcohol.

(3) The event shall be conducted in compliance with all the requirements of this title.

(e)(1) A festival permit holder may purchase invoiced volumes of malt or vinous beverages directly from a manufacturer or packager licensed in Vermont, or a manufacturer or packager that holds a federal Basic Permit or Brewers Notice or evidence of licensure in a foreign country that is satisfactory to the Board.

(2) The invoiced volumes of malt or vinous beverages may be transported to the site and sold by the glass to the public by the permit holder or its employees and volunteers only during the event.

(e)(f) A festival permit holder shall be subject to the provisions of this title, including section 214 of this title, and the rules of the Board regarding the sale of the alcoholic beverages and shall pay the tax on the malt or vinous beverages pursuant to section 421 of this title.

(d)(g) A person shall be granted ~~no~~ not more than four festival permits per year, and each permit shall be valid for ~~no~~ not more than four consecutive days.

Sec. 4. 7 V.S.A. § 256 is amended to read:

§ 256. PROMOTIONAL TASTINGS FOR LICENSEES

(a)(1) At the request of a first- or second-class licensee, a holder of a manufacturer's, rectifier's, or wholesale dealer's license may distribute without charge to the first- or second-class licensee's management and staff, provided they are of legal age ~~and are off duty for the rest of the day~~, two ounces per person of vinous or malt beverages for the purpose of promoting the beverage.

(2) At the request of a holder of a third-class license, a manufacturer or rectifier of spirits or fortified wines may distribute without charge to the third-class licensee's management and staff, provided they are of legal age ~~and are off duty for the rest of the day~~, one-quarter ounce of each beverage and ~~no~~ not more than a total of one ounce to each individual for the purpose of promoting the beverage.

(3) No permit is required for a tasting pursuant to this subsection, ~~but written notice of the event shall be provided to the Division of Liquor Control at least two days prior to the date of the tasting.~~

* * *

Sec. 5. REPEAL

7 V.S.A. § 230 is repealed on July 1, 2023.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2021.

Rep. Mattos of Milton, for the Committee on Ways and Means, recommended that the bill ought to pass when amended as recommended by the Committee on General, Housing, and Military Affairs and when further amended by striking out Sec. 6 in its entirety and inserting in lieu thereof the following:

Sec. 6. FEE REDUCTION FOR RENEWAL OF FIRST- AND THIRD-
CLASS LICENSES BY CLUBS; TEMPORARY PROVISION

Notwithstanding 7 V.S.A. § 204(a)(4) and (6), in the year 2021, the first- and third-class license renewal fees shall be waived for any club as defined in 7 V.S.A. § 2.

Sec. 7. EFFECTIVE DATES

This act shall take effect on July 1, 2021, except that Sec. 6 (Fee reduction for first- and third-class licenses) shall take effect on passage.

The bill, having appeared on the Calendar one day for Notice, was taken up, read the second time, and the report of the Committee on General, Housing, and Military Affairs was amended as recommended by the Committee on Ways and Means.

Thereupon, the report of the Committee on General, Housing, and Military Affairs as amended was agreed to and third reading ordered.

Committee Bill; Second Reading; Third Reading Ordered

H. 431

Rep. Sims of Craftsbury spoke for the Committee on Energy and Technology.

House bill, entitled

An act relating to miscellaneous energy subjects

Rep. Kornheiser of Brattleboro, for the Committee on Ways and Means, recommended the bill ought to pass.

Having appeared on the Calendar one day for Notice, was taken up, read the second time, and third reading ordered.

Adjournment

At eleven o'clock and four minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, March 23, 2021, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 19.

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. 27

House concurrent resolution recognizing July 2021 as Park and Recreation Month in Vermont and designating July 16, 2021 as Vermont Park and Recreation Professionals Day

H.C.R. 28

House concurrent resolution honoring Dr. William Ashe for his leadership and service on behalf of Vermonters with developmental and intellectual disabilities

[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 2021, seventy-sixth Biennial session.]