

# Journal of the House

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Friday, January 7, 2022

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.

## Message from the Senate No. 3

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has considered a bill originating in the House of the following title:

**H. 157.** An act relating to registration of construction contractors.

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

## Message from the Senate No. 4

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bill of the following title:

**S. 172.** An act relating to authorizing alternative procedures for 2022 annual municipal meetings in response to COVID-19.

In the passage of which the concurrence of the House is requested.

## Resignation Letters Read

Resignation letters from Reps. Savage of Swanton and Redmond of Essex were read. For the text of those letters, see House Journal of January 4, 2022.

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**Memorial Service**

The Speaker placed before the House the following names of members of past sessions of the Vermont General Assembly who had passed away recently:

|                                      |   |
|--------------------------------------|---|
| John Zampieri of Ryegate             | Member of the House,<br>1965-1985 Sessions            |
| Debbie Evans of Essex                | Member of the House<br>2005-2016 Sessions             |
| Leo O'Brien, Jr. of South Burlington | Member of the House,<br>1963-1968 Sessions            |
| Jim Fitzgerald of St. Albans City    | Member of the House,<br>1969-1972; 2007-2008 Sessions |
| Charles "Chub" Franzoni of Rutland   | Member of the House,<br>1989-1990 Sessions            |

Thereupon, the members of the House held a moment of silence in memory of the deceased members.

**Rules Suspended; House Bills Introduced**

Pending first reading of the bills, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bills were read the first time by number and referred to committee as follows:

**H. 455**

By Reps. Killacky of South Burlington, Campbell of St. Johnsbury, Howard of Rutland City, Ode of Burlington, and Troiano of Stannard,

House bill, entitled

An act relating to the sales and use tax exemption for charges for admission by or to certain nonprofit organizations

Was read the first time and referred to the Committee on Ways and Means.

**H. 456**

By Reps. Fagan of Rutland City and James of Manchester,

House bill, entitled

An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges

Was read the first time and referred to the Committee on Education.

**H. 457**

By Reps. Patt of Worcester, Fagan of Rutland City, and Masland of Thetford,

House bill, entitled

An act relating to the status of Holocaust education in public schools

Was read the first time and referred to the Committee on Education.

**H. 458**

By Reps. Strong of Albany, Higley of Lowell, and LaClair of Barre Town,

House bill, entitled

An act relating to informed consent for the administration of immunizations

Was read the first time and referred to the Committee on Judiciary.

**H. 459**

By Rep. Patt of Worcester,

House bill, entitled

An act relating to prorated Tier III renewable energy credits

Was read the first time and referred to the Committee on Energy and Technology.

**H. 460**

By Rep. Rogers of Waterville,

House bill, entitled

An act relating to cemetery fencing

Was read the first time and referred to the Committee on Government Operations.

**H. 461**

By Rep. Ancel of Calais,

House bill, entitled

An act relating to excluding the income of asylum seekers and refugees from household income

Was read the first time and referred to the Committee on Ways and Means.

**H. 462**

By Rep. Pugh of South Burlington,

House bill, entitled

An act relating to miscellaneous Department of Health programs

Was read the first time and referred to the Committee on Human Services.

**H. 463**

By Reps. Burrows of West Windsor and Killacky of South Burlington,

House bill, entitled

An act relating to the Working Group to Address the Presence of Toxigenic Mold in Buildings

Was read the first time and referred to the Committee on Human Services.

**H. 464**

By Rep. Pugh of South Burlington,

House bill, entitled

An act relating to the medical review process in the Reach Up program and Postsecondary Education Program eligibility

Was read the first time and referred to the Committee on Human Services.

**H. 465**

By Reps. Gannon of Wilmington and LaClair of Barre Town,

House bill, entitled

An act relating to boards and commissions

Was read the first time and referred to the Committee on Government Operations.

**H. 466**

By Reps. Dolan of Waitsfield and Sheldon of Middlebury,

House bill, entitled

An act relating to surface water withdrawals and interbasin transfers

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 467**

By Reps. Sabilia of Dover, Patt of Worcester, Rogers of Waterville, and Sims of Craftsbury,

House bill, entitled

An act relating to extending the baseload renewable power portfolio requirement

Was read the first time and referred to the Committee on Energy and Technology.

**H. 468**

By Reps. James of Manchester and Kimbell of Woodstock,  
House bill, entitled

An act relating to establishing a remote learning pilot program for CTE students

Was read the first time and referred to the Committee on Education.

**H. 469**

By Rep. White of Bethel,  
House bill, entitled

An act relating to creditable service for temporary State employment

Was read the first time and referred to the Committee on Government Operations.

**H. 470**

By Reps. Dolan of Essex and Colburn of Burlington,  
House bill, entitled

An act relating to referral of domestic violence, sexual violence, and stalking cases to community justice centers

Was read the first time and referred to the Committee on Judiciary.

**H. 471**

By Rep. Burke of Brattleboro,  
House bill, entitled

An act relating to entering a vehicle without legal authority or consent

Was read the first time and referred to the Committee on Judiciary.

**H. 472**

By Rep. Fagan of Rutland City,  
House bill, entitled

An act relating to establishing the Vermont Nursing Scholarship Program

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Was read the first time and referred to the Committee on Health Care.

**H. 473**

By Reps. Grad of Moretown and LaLonde of South Burlington,  
House bill, entitled

An act relating to defense of others and justifiable homicide

Was read the first time and referred to the Committee on Judiciary.

**H. 474**

By Rep. Ancel of Calais,  
House bill, entitled

An act relating to exempting common law ways of necessity from the  
Marketable Record Title Act

Was read the first time and referred to the Committee on Judiciary.

**H. 475**

By Reps. Grad of Moretown, LaLonde of South Burlington, and Notte of  
Rutland City,

House bill, entitled

An act relating to the classification system for criminal offenses

Was read the first time and referred to the Committee on Judiciary.

**H. 476**

By Reps. Walz of Barre City and Anthony of Barre City,  
House bill, entitled

An act relating to State-paid sheriff's deputies

Was read the first time and referred to the Committee on Government  
Operations.

**H. 477**

By Reps. Grad of Moretown and Stevens of Waterbury,  
House bill, entitled

An act relating to leave for crime victims

Was read the first time and referred to the Committee on General, Housing,  
and Military Affairs.

**H. 478**

By Rep. Colburn of Burlington,

House bill, entitled

An act relating to reinstatement of an operator's license after a lifetime suspension or revocation

Was read the first time and referred to the Committee on Judiciary.

**H. 479**

By Rep. Rachelson of Burlington,

House bill, entitled

An act relating to portable benefits for intermediary workers

Was read the first time and referred to the Committee on General, Housing, and Military Affairs.

**H. 480**

By Reps. Dolan of Waitsfield, Anthony of Barre City, Bos-Lun of Westminster, Brady of Williston, Burrows of West Windsor, Coffey of Guilford, Dolan of Essex, Durfee of Shaftsbury, Goldman of Rockingham, Houghton of Essex, Masland of Thetford, Mrowicki of Putney, Ode of Burlington, Sims of Craftsbury, Stebbins of Burlington, Till of Jericho, White of Hartford, Wood of Waterbury, and Yantachka of Charlotte,

House bill, entitled

An act relating to adopting COVID-19 test to stay guidance for child care facilities

Was read the first time and referred to the Committee on Human Services.

**H. 481**

By Reps. Rachelson of Burlington and Pugh of South Burlington,

House bill, entitled

An act relating to prohibiting mobile billboards

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 482**

By Rep. Marcotte of Coventry,

House bill, entitled

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An act relating to the Petroleum Cleanup Fund

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 483**

By Reps. Kimbell of Woodstock, James of Manchester, Dickinson of St. Albans Town, and Toof of St. Albans Town,

House bill, entitled

An act relating to potential new models of funding and governance structures to improve the quality, duration, and access to career technical education in Vermont

Was read the first time and referred to the Committee on Education.

**H. 484**

By Reps. Donahue of Northfield and Elder of Starksboro,

House bill, entitled

An act relating to regulating health care expense-sharing arrangements

Was read the first time and referred to the Committee on Health Care.

**H. 485**

By Reps. Houghton of Essex and Black of Essex,

House bill, entitled

An act relating to extending Medicaid postpartum benefits

Was read the first time and referred to the Committee on Health Care.

**H. 486**

By Rep. Nicoll of Ludlow,

House bill, entitled

An act relating to health insurance coverage for newborns

Was read the first time and referred to the Committee on Health Care.

**H. 487**

By Rep. McFaun of Barre Town,

House bill, entitled

An act relating to a secure facility for justice-involved youth



Was read the first time and referred to the Committee on Corrections and Institutions.

**H. 488**

By Rep. Taylor of Colchester,  
House bill, entitled

An act relating to the authority of the Commissioner of Corrections to collect supervisory fees

Was read the first time and referred to the Committee on Corrections and Institutions.

**H. 489**

By Reps. Lippert of Hinesburg and Donahue of Northfield,  
House bill, entitled

An act relating to miscellaneous provisions affecting health insurance regulation

Was read the first time and referred to the Committee on Health Care.

**H. 490**

By Rep. Sullivan of Dorset,  
House bill, entitled

An act relating to elections and holding elected office

Was read the first time and referred to the Committee on Government Operations.

**H. 491**

By Reps. Houghton of Essex and Dolan of Essex,  
House bill, entitled

An act relating to the creation of the City of Essex Junction and the adoption of the City charter

Was read the first time and referred to the Committee on Government Operations.

**H. 492**

By Reps. Sheldon of Middlebury and Bongartz of Manchester,  
House bill, entitled

An act relating to the structure of the Natural Resources Board

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Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 493**

By Rep. Shaw of Pittsford,

House bill, entitled

An act relating to withdrawal from a unified union or union school district and to electoral functions of a union school district where a member district is also a union school district

Was read the first time and referred to the Committee on Education.

**H. 494**

By Rep. LaClair of Barre Town,

House bill, entitled

An act relating to workforce development

Was read the first time and referred to the Committee on Government Operations.

**H. 495**

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to prohibiting the sale of mercury-containing lamps

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 496**

By Rep. Harrison of Chittenden,

House bill, entitled

An act relating to establishing an extended producer responsibility program for out-of-service solar panels

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 497**

By Reps. Donahue of Northfield, Hango of Berkshire, Higley of Lowell, Martel of Waterford, and Rosenquist of Georgia,

House bill, entitled

An act relating to protecting health care providers' rights of conscience  
Was read the first time and referred to the Committee on Health Care.

**H. 498**

By Rep. Houghton of Essex,  
House bill, entitled

An act relating to the Green Mountain Care Board's duties and  
reappointment processes

Was read the first time and referred to the Committee on Health Care.

**H. 499**

By Rep. LaClair of Barre Town,  
House bill, entitled

An act relating to the use of sluice boxes for recreational mineral  
prospecting

Was read the first time and referred to the Committee on Natural Resources,  
Fish, and Wildlife.

**H. 500**

By Rep. Sheldon of Middlebury,  
House bill, entitled

An act relating to prohibiting the sale of mercury lamps in the State

Was read the first time and referred to the Committee on Natural Resources,  
Fish, and Wildlife.

**H. 501**

By Rep. McCullough of Williston,  
House bill, entitled

An act relating to physical contaminant standards for residual waste,  
digestate, and soil amendments

Was read the first time and referred to the Committee on Natural Resources,  
Fish, and Wildlife.

**H. 502**

By Rep. Noyes of Wolcott,  
House bill, entitled

An act relating to the cannabis wholesale gross receipts tax

Was read the first time and referred to the Committee on Ways and Means.

**H. 503**

By Reps. Briglin of Thetford and Masland of Thetford,

House bill, entitled

An act relating to regulating the use of wake boats on State waters

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 504**

By Rep. Shaw of Pittsford,

House bill, entitled

An act relating to the reorganization, enhancement, and enforcement of animal welfare requirements in the State

Was read the first time and referred to the Committee on Agriculture and Forestry.

**H. 505**

By Reps. Grad of Moretown, LaLonde of South Burlington, and Notte of Rutland City,

House bill, entitled

An act relating to reclassification of penalties for unlawfully possessing, dispensing, and selling a regulated drug

Was read the first time and referred to the Committee on Judiciary.

**H. 506**

By Reps. Townsend of South Burlington and Yacovone of Morristown,

House bill, entitled

An act relating to preserving the rights of a parent with a disability

Was read the first time and referred to the Committee on Judiciary.

**H. 507**

By Rep. Masland of Thetford,

House bill, entitled

An act relating to certain civil process fees of sheriffs' departments

Was read the first time and referred to the Committee on Ways and Means.

**H. 508**

By Reps. Anthony of Barre City and Walz of Barre City,

House bill, entitled

An act relating to refunding property tax overpayments by the City of Barre

Was read the first time and referred to the Committee on Ways and Means.

**H. 509**

By Rep. Sheldon of Middlebury,

House bill, entitled

An act relating to Act 250 jurisdiction in one-acre towns

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 510**

By Reps. Ancel of Calais, Beck of St. Johnsbury, Kornheiser of Brattleboro, Ode of Burlington, Pugh of South Burlington, and Webb of Shelburne,

House bill, entitled

An act relating to creating a Vermont child tax credit

Was read the first time and referred to the Committee on Ways and Means.

**H. 511**

By Reps. Bongartz of Manchester, James of Manchester, Birong of Vergennes, Black of Essex, Bluemle of Burlington, Coffey of Guilford, Dolan of Essex, Durfee of Shaftsbury, Houghton of Essex, Kimbell of Woodstock, McCullough of Williston, Nicoll of Ludlow, Nigro of Bennington, Scheu of Middlebury, Sabilia of Dover, Sims of Craftsbury, Vyhovsky of Essex, Whitman of Bennington, Wood of Waterbury, Yacovone of Morristown, and Yantachka of Charlotte,

House bill, entitled

An act relating to promoting housing in Vermont's centers

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 512**

By Reps. Kimbell of Woodstock and Marcotte of Coventry,

House bill, entitled

An act relating to modernizing land records and notarial acts law

Was read the first time and referred to the Committee on Government Operations.

**H. 513**

By Rep. Grad of Moretown,

House bill, entitled

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

Was read the first time and referred to the Committee on Judiciary.

**H. 514**

By Reps. Beck of St. Johnsbury and Ancel of Calais,

House bill, entitled

An act relating to creating a uniform local share of sales and use tax revenue

Was read the first time and referred to the Committee on Ways and Means.

**H. 515**

By Reps. Marcotte of Coventry and Kimbell of Woodstock,

House bill, entitled

An act relating to banking, insurance, and securities

Was read the first time and referred to the Committee on Commerce and Economic Development.

**H. 516**

By Rep. Yacovone of Morristown,

House bill, entitled

An act relating to increasing asset limits for Medicaid for the Aged, Blind, and Disabled

Was read the first time and referred to the Committee on Human Services.

**H. 517**

By Rep. Fagan of Rutland City,

House bill, entitled

An act relating to the Vermont National Guard Tuition Benefit Program

Was read the first time and referred to the Committee on General, Housing, and Military Affairs.

**H. 518**

By Rep. Sibilias of Dover,

House bill, entitled

An act relating to the creation of the Municipal Fuel Switching Grant Program

Was read the first time and referred to the Committee on Energy and Technology.

**H. 519**

By Rep. Rachelson of Burlington,

House bill, entitled

An act relating to indemnification of employee legal expenses

Was read the first time and referred to the Committee on General, Housing, and Military Affairs.

**H. 520**

By Reps. Masland of Thetford and Sims of Craftsbury,

House bill, entitled

An act relating to creating the Office of Native American Affairs

Was read the first time and referred to the Committee on General, Housing, and Military Affairs.

**H. 521**

By Rep. Stevens of Waterbury,

House bill, entitled

An act relating to the Vermont basic needs budget

Was read the first time and referred to the Committee on General, Housing, and Military Affairs.

**H. 522**

By Rep. McCoy of Poultney,

House bill, entitled

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An act relating to automobile insurance and aftermarket parts

Was read the first time and referred to the Committee on Commerce and Economic Development.

**H. 523**

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to reducing hydrofluorocarbon emissions

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 524**

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to preventing sprawl through municipal zoning

Was read the first time and referred to the Committee on Natural Resources, Fish, and Wildlife.

**H. 525**

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to roadside memorials

Was read the first time and referred to the Committee on Transportation.

**H. 526**

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to adding electric vehicle supply equipment to Vermont's energy efficiency standards for appliances and equipment

Was read the first time and referred to the Committee on Energy and Technology.

**H. 527**

By Rep. Canfield of Fair Haven,

House bill, entitled

An act relating to tax relief for Vermonters



Was read the first time and referred to the Committee on Ways and Means.

**H. 528**

By Reps. Peterson of Clarendon, Achey of Middletown Springs, Donahue of Northfield, Gregoire of Fairfield, Harrison of Chittenden, Helm of Fair Haven, Lefebvre of Orange, Leffler of Enosburgh, Martel of Waterford, Morgan, L. of Milton, Morgan, M. of Milton, Page of Newport City, Parsons of Newbury, Rosenquist of Georgia, Smith of Derby, and Strong of Albany,

House bill, entitled

An act relating to tax benefits for home study programs

Was read the first time and referred to the Committee on Ways and Means.

**H. 529**

By Rep. Till of Jericho,

House bill, entitled

An act relating to situational surveillance at birth

Was read the first time and referred to the Committee on Human Services.

**Senate Bill Referred**

**S. 172**

Senate bill, entitled

An act relating to authorizing alternative procedures for 2022 annual municipal meetings in response to COVID-19

Was read the first time and referred to the Committee on Government Operations.

**Joint Resolution Adopted in Concurrence**

**J.R.S. 32**

By Senator Kitchel,

**J.R.S. 32.** Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

***Resolved by the Senate and House of Representatives:***

That the two Houses meet in Joint Assembly on Tuesday, January 18, 2022, at one o'clock in the afternoon to receive the budget message of the Governor, *and be it further*

**Resolved:** That the Joint Assembly shall be concurrently conducted electronically, such that members of the Joint Assembly may participate as permitted by their respective chambers.

Was taken up, read, and adopted in concurrence.

**Joint Resolution Adopted in Concurrence**

**J.R.S. 33**

By Senator Balint,

**J.R.S. 33.** Joint resolution relating to Town Meeting adjournment.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, February 25, 2022, or Saturday, February 26, 2022, it be to meet again no later than Tuesday, March 8, 2022.

Was taken up, read, and adopted in concurrence.

**Joint Resolution Adopted in Concurrence**

**J.R.S. 34**

By Senator Balint,

**J.R.S. 34.** Joint resolution relating to weekend adjournment.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, January 7, 2022, it be to meet again no later than Tuesday, January 11, 2022.

Was taken up, read, and adopted in concurrence.

**Recess**

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

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

**Rules Suspended; Second Reading; Proposal of Amendment Offered;  
Third Reading Ordered; Rules Suspended; Third Reading; Bill Passed in  
Concurrence; Rules Suspended; Bill Messaged to Senate Forthwith and  
Delivered to the Governor Forthwith**

**S. 172**

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

An act relating to authorizing alternative procedures for 2022 annual municipal meetings in response to COVID-19

Pending appearance on the Calendar for Notice, was taken up for immediate consideration and the bill was read for the second time.

**Rep. Anthony of Barre City**, for the Committee on Government Operations, to which had been referred the Senate bill, reported in favor of its passage in concurrence.

**Rep. Toof of St. Albans Town** moved that the House propose to the Senate that the bill be amended immediately following Sec. 2 (annual municipal meetings in 2022; alternative procedures) by inserting a new Sec. 3 and Sec. 4 to read as follows:

Sec. 3. 17 V.S.A. § 2680 is amended to read:

§ 2680. AUSTRALIAN BALLOT SYSTEM; GENERAL

\* \* \*

(g) Early and absentee voting. At the time the Australian ballots are available, which shall be not less than 20 days before the election, early and absentee voting shall be permitted in accordance with chapter 51, subchapter 6 of this title.

(1) ~~The legislative body of a~~ A town, city, or village ~~may vote to~~ shall mail a ballot to all active registered voters in the town, city, or village.

(2) A school board ~~may~~ shall, after receiving the approval of the legislative body of each member town in the district, ~~vote to~~ mail its annual meeting ballot to all active registered voters in the district. In such case, the town clerk and election officials in the member towns shall be responsible for the mailing of the ballots but all costs associated with the mailing of ballots shall be borne by the school district.

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**Sec. 4. APPROPRIATION**

The sum of \$1,000,000.00 is appropriated from the General Fund to the Secretary of State in fiscal year 2023 for purpose of supporting municipalities that mail ballots to all active registered voters pursuant to 17 V.S.A. § 2680(g).

and by renumbering the remaining section to be numerically correct.

Which was disagreed to. Thereupon, third reading was ordered.

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.

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

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

**H. 406**

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

An act relating to promoting racial and social equity in economic opportunity and cultural empowerment

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

**Adjournment**

At eleven o'clock and ten minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, January 11, 2022, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 34.

**Message from the Senate No. 5**

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bill of the following title:

**S. 222.** An act relating to authorizing temporary Open Meeting Law

procedures in response to COVID-19.

In the passage of which the concurrence of the House is requested.