

Journal of the House

Wednesday, March 9, 2022

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

Devotional Exercises

Devotional exercises were conducted by Rostyslav Yarovyk, student at Middlebury College, Middlebury, from Lviv, Ukraine.

Joint Resolution Adopted

J.R.H. 18

Joint resolution relating to the Russian invasion of Ukraine

Offered by: All Members of the House

Whereas, on Thursday, February 24, 2022, Russian President Vladimir Putin invaded the independent nation of Ukraine, which has a democratically elected government, stating that he wanted the de-Nazification of the country—despite Ukrainian President Volodymyr Zelenskyy himself being Jewish—triggering the largest military confrontation on the European continent since World War II, and

Whereas, President Putin has warned of dire historic consequences if any nation attempts to interfere in the Russian military operations in Ukraine, and he has placed the Russian nuclear arsenal on alert status, and

Whereas, deep national pride and a fierce anger at President Putin's vicious attack upon Ukraine's sovereignty has united Ukrainians, and many Ukrainian civilians have volunteered to defend their country, and

Whereas, under the inspiring leadership of President Zelenskyy, Ukrainians' astonishment at Russia's virulent invasion was shared by the rest of world; Russia's increasingly severe military tactics have sparked enormous international condemnation; and over two million Ukrainians have fled their homeland, and

Whereas, demonstrations in Russia against President Putin's attacks on Ukraine have resulted in the detention of thousands of antiwar protesters, and

Whereas, State Treasurer Beth Pearce and the Vermont Pension Investment Committee are liquidating State pension funds in Russian investments, and

Whereas, on March 3, 2022, Governor Philip B. Scott issued Executive Order No. 02-22, "Solidarity with the Ukrainian People," which expressed

strong dismay at the decision of President Putin to invade Ukraine, and directed that the State of Vermont limit business, investment, and contractual relationships associated with products either produced or sourced in Russia and terminated authorization for Vermont's sister-state relationship with the Russian Republic of Karelia, and

Whereas, the General Assembly adopted 1990 Acts and Resolves No. R-157, "Joint resolution relating to strengthening ties with the peoples of Karelia within the Soviet Union," and, while the peoples of the Republic of Karelia are not responsible for the Russian invasion of Ukraine, as a statement of the General Assembly's concern over maintaining an official relationship with a Russian republic, this joint resolution warrants repeal, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly condemns the Russian invasion of Ukraine and expresses strong support for Ukraine's fight for independence, the heroic leadership of Ukrainian President Volodymyr Zelenskyy, the resoluteness of the Ukrainian people, the courage of the Russian antiwar protesters, and the actions of Governor Philip B. Scott in response to Russian aggression, and be it further

Resolved: That the General Assembly expresses its strong support for the United States' continued backing of Ukraine's heroic quest to remain a free and independent nation, and be it further

Resolved: That the General Assembly repeals 1990 Acts and Resolves No. R-157, "Joint resolution relating to strengthening ties with the peoples of Karelia within the Soviet Union," and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the embassies of Russia and Ukraine in Washington, D.C., to Governor Philip B. Scott, and to the Vermont Congressional Delegation.

Was taken up and adopted on the part of the House.

Ceremonial Reading

H.C.R. 96

House concurrent resolution recognizing July 2022 as Park and Recreation Month in Vermont and designating July 15, 2022, as Vermont Park and Recreation Professionals Day in Vermont.

Offered by: Killacky of South Burlington, LaLonde of South Burlington, Pugh of South Burlington, and Townsend of South Burlington

Having been adopted in concurrence on Friday, February 4, 2022 in accord with Joint Rule 16b, was read.

Bill Referred to Committee on Ways and Means

H. 244

House bill, entitled

An act relating to authorizing the natural organic reduction of human remains

Appearing on the Notice Calendar, and pursuant to House Rule 35(a), affecting the revenue of the State or materially affecting the revenue of one or more municipalities, was referred to the Committee on Ways and Means.

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

H. 512

Rep. Marcotte of Coventry moved that the Committee on Commerce and Economic Development be relieved of House bill, entitled

An act relating to modernizing land records and notarial acts law

And that the bill be committed to the Committee on Government Operations, which was agreed to.

**Favorable Report; Second Reading; Amendment Offered and
Withdrawn; Third Reading Ordered**

H. 517

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

An act relating to the Vermont National Guard Tuition Benefit Program

Reported in favor of its passage. The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?, **Reps. Marcotte of Coventry, Dickinson of St. Albans Town, Jerome of Brandon, Kascenska of Burke, Kimbell of Woodstock, Kitzmiller of Montpelier, Laroche of Franklin, Mulvaney-Stanak of Burlington, Nicoll of Ludlow, Nigro of Bennington, and White of Bethel** moved that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 16 V.S.A. § 2857(c) is amended to read:

(c) Eligibility.

(1) To be eligible for the Program, an individual, whether a resident or nonresident, shall satisfy all of the following requirements:

~~(1)~~(A) be an active member of the Vermont National Guard;

~~(2)~~(B) have successfully completed basic training;

~~(3)~~(C) be enrolled at UVM, a Vermont State College, or any other college or university located in Vermont in a program that leads to an undergraduate certificate or degree or at an eligible training institution in a program that leads to a certificate or other credential recognized by VSAC;

~~(4)~~(D) have not previously earned an undergraduate bachelor's degree;

~~(5)~~(E) continually demonstrate satisfactory academic progress as determined by criteria established by the Vermont National Guard and VSAC, in consultation with the educational institution at which the individual is enrolled under the Program;

~~(6)~~(F) have used available post-September 11, 2001 tuition benefits and other federally funded military tuition assistance; provided, however, that this subdivision shall not apply to:

(A)(i) tuition benefits and other federally funded military tuition assistance for which the individual has not yet earned the full amount of the benefit or tuition;

(B)(ii) Montgomery GI Bill benefits;

~~(C)~~(iii) post-September 11, 2001 educational program housing allowances;

~~(D)~~(iv) federal educational entitlements;

~~(E)~~(v) National Guard scholarship grants;

~~(F)~~(vi) loans under section 2856 of this title; and

~~(G)~~(vii) other nontuition benefits; and

~~(7)~~(G) have submitted a statement of good standing to VSAC signed by the individual's commanding officer within 30 days prior to the beginning of each semester.

(2) An individual may receive more than one undergraduate certificate or other credential recognized by VSAC under the Program, provided that the cost of all certificates and credentials received by the

individual under the Program does not exceed the full-time in-state tuition rate charged by NVU for completion of an undergraduate baccalaureate degree.

Sec. 2. VERMONT NATIONAL GUARD TUITION BENEFIT

PROGRAM EXTENSION; MASTER'S DEGREE OR A SECOND
BACCALAUREATE DEGREE; PILOT

(a) The provisions of this section shall apply notwithstanding 16 V.S.A. § 2857.

(b) A National Guard member shall be eligible to pursue a second undergraduate baccalaureate degree under the Vermont National Guard Tuition Benefit Program, whether a resident or nonresident, if the individual received a first undergraduate baccalaureate degree that was not funded under the Program or any other State funding source designed exclusively for members of the Vermont National Guard.

(c)(1) A National Guard member shall be eligible to pursue a graduate degree under the Program, whether a resident or nonresident, if the individual agrees in the promissory note under 16 V.S.A. § 2857(b) to, upon receipt of the graduate degree and until the individual's service commitment under 16 V.S.A. § 2857(d) is satisfied, be employed full time in Vermont or, if unemployed, be actively seeking full-time employment in Vermont.

(2) An individual may pursue a graduate degree under the Program even if the individual has received an undergraduate baccalaureate degree under the Program.

(3) The Office of the Vermont Adjutant and Inspector General may terminate the tuition benefit provided to an individual who has earned a graduate degree under the Program for failure to satisfy the work requirement under subdivision (1) this subsection.

Sec. 3. REPEAL

Sec. 2 of this act is repealed on July 1, 2025.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

Thereupon, **Rep. Marcotte of Coventry** asked and was granted leave of the House to withdraw his amendment.

Thereafter, third reading was ordered.

Third Reading; Bill Passed**H. 680**

House bill, entitled

An act relating to obtaining a marriage license in any town in Vermont

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

Senate Proposal of Amendment Concurred in**H. 367**

The Senate proposed to the House to amend House bill, entitled

An act relating to the management of perpetual care funds by cemetery associations

The Senate proposed to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 5384 is amended to read:

§ 5384. PAYMENT TO TREASURER; RECORD; INVESTMENT

(a) Unless otherwise directed by the donor, all monies received by a town for cemetery purposes shall be paid to the town treasurer, who shall give a receipt therefor, which shall be recorded in the office of the town clerk in a book kept for that purpose. ~~In such~~ The book shall also ~~be stated~~ state the amount received from each donor, the time when, and the specific purpose ~~to~~ for which ~~the use thereof~~ it is appropriated.

(b)(1) All monies so received by the town may be invested and reinvested by the treasurer, with the approval of the selectboard, by deposit in:

(A) ~~banks chartered by the State~~ certificates of deposit and other evidences of deposit at Vermont, national, or federal chartered banks, and savings and loan associations that are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor;

(B) ~~national banks~~ obligations of the United States, its agencies, and instrumentalities, which have a liquid market with readily determinable market value;

(C) ~~bonds of the United States or of municipalities whose bonds are legal investment for banks chartered by the State~~ investment-grade obligations of state or local governments, instrumentalities, and public authorities; and

(D) ~~bonds or notes legally issued in anticipation of taxes by a town, village, or city in this State, or first mortgages on real estate in Vermont;~~

~~(E) the shares of an investment company or an investment trust, such as a mutual fund, closed-end fund, or unit investment trust, that is registered under the federal Investment Company Act of 1940, as amended, if such fund has been in operation for at least five years and has net assets of at least \$100,000,000.00; or~~

~~(F) shares of a savings and loan association of this State, or share accounts of a federal savings and loan association with its principal office in this State, when and to the extent to which the withdrawal or repurchase value of such shares or accounts are insured by the Federal Savings and Loan Insurance Corporation.~~

* * *

Sec. 2. 18 V.S.A. § 5437 is amended to read:

§ 5437. INVESTMENT

~~A cemetery association shall invest such trust funds and shall expend the income therefrom in accordance with the provisions of in the same manner as town cemeteries pursuant to section 5309 5384 of this title and may delegate the management and investment of cemetery association funds pursuant to subdivision (b)(3) of that section.~~

Proposal of amendment was considered and concurred in.

Action on Bill Postponed

H. 361

House bill, entitled

An act relating to approval of amendments to the charter of the Town of Brattleboro

Was taken up, and pending the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, on motion of **Rep. Copeland Hanzas of Bradford**, action on the bill was postponed until March 11, 2022.

Adjournment

At three o'clock and forty-nine minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at three o'clock in the afternoon.