Journal of the House

Tuesday, April 12, 2022

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

Devotional Exercises

Devotional exercises were conducted by Julia Wayne of Charlotte, Katie Trautz of Montpelier, and Jeff Fellinger of Craftsbury.

Pledge of Allegiance

Page Taylor Morrison of Barre led the House in the Pledge of Allegiance.

Message from the Senate No. 47

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 House proposals of amendment to Senate bill of the following title:

S. 183. An act relating to midpoint probation review.

And has concurred therein.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

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.

Message from the Senate No. 48

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 bills originating in the House of the following titles:

**H. 461.** An act relating to excluding the income of asylum seekers and refugees from household income.

**H. 629.** An act relating to access to adoption records.

**H. 708.** An act relating to the approval of an amendment to the charter of the City of Burlington.

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

The Senate has on its part adopted joint resolution of the following title:

**J.R.S. 50.** Joint resolution relating to weekend adjournment.

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

Third Readings; Bills Passed in Concurrence With Proposal of Amendment

**S. 72**

Senate bill, entitled

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

Was taken up, read the third time, and passed in concurrence with proposal of amendment.

**S. 265**

Senate bill, entitled

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

Was taken up and read the third time.

Pending the question, Shall the bill pass in concurrence with proposal of amendment?, **Rep. LaClair of Barre Town** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk
proceeded to call the roll and the question, Shall the bill pass in concurrence with proposal of amendment?, was decided in the affirmative. Yeas, 89. Nays, 32.

Those who voted in the affirmative are:

Ancel of Calais          Durfee of Shaftsbury          Partridge of Windham
Anthony of Barre City    Elder of Starksboro          Patt of Worcester
Arrison of Weathersfield Feltus of Lyndon                Pearl of Danville
Austin of Colchester     Gannon of Wilmington          Pugh of South Burlington
Bartholomew of Hartland  Garofano of Essex              Rachelson of Burlington *
Black of Essex           Goldman of Rockingham          Rogers of Waterville
Bluemle of Burlington    Grad of Moretown               Satcowitz of Randolph
Bock of Chester          Hooper of Montpelier            Scheu of Middlebury
Bongartz of Manchester   Houghton of Essex              Sheldon of Middlebury
Bos-Lun of Westminster   Jessup of Middlesex            Sibilia of Dover
Brady of Williston       Killacky of South Burlington Sims of Craftsbury
Briglin of Thetford      Kornheiser of Brattleboro Small of Winooski
Brown of Richmond        LaLonde of South              Squirrel of Underhill
Brownell of Pownal       Burlington                    Stebbins of Burlington
Brumsted of Shelburne    Lanpher of Vergennes          Stevens of Waterbury
Burditt of West Rutland  Leffler of Enosburgh          Sullivan of Dorset
Burke of Brattleboro     Lippert of Hinesburg          Surprenant of Barnard
Burrows of West Windsor  Long of Newfane                Taylor of Colchester
Campbell of St. Johnsbury Masland of Thetford            Till of Jericho
Chase of Colchester      McCarthy of St. Albans City Townsend of South
Christie of Hartford     McCormack of Burlington         Burlington
Coffey of Guilford       McCullough of Williston         Troiano of Stannard
Colburn of Burlington    Morris of Springfield          Vyhovsky of Essex
Colston of Winooski      Mrowicki of Putney              Walz of Barre City
Conlon of Cornwall       Murphy of Fairfax               Webb of Shelburne
Copeland Hanzas of       Norris of Shoreham             White of Hartford
Bradford                 Notte of Rutland City          Whitman of Bennington
Corcoran of Bennington   Noyes of Wolcott                Wood of Waterbury
Cordes of Lincoln        O'Brien of Tunbridge             Yacovone of Morristown
Dolan of Essex           Ode of Burlington              Yantachka of Charlotte
Dolan of Waitsfield      Pajala of Londonderry

Those who voted in the negative are:

Achey of Middletown      Harrison of Chittenden          Norris of Sheldon
Springs                   Helm of Fair Haven            Parsons of Newbury
Beck of St. Johnsbury     Higley of Lowell              Peterson of Clarendon
Canfield of Fair Haven    LaClair of Barre Town          Rosenquist of Georgia
Cupoli of Rutland City   Lefebvre of Orange            Scheuermann of Stowe
Donahue of Northfield     Mattos of Milton             Shaw of Pittsford
Fagan of Rutland City    McCoy of Poultney               Smith of Derby
Goslant of Northfield     McFaun of Barre Town           Strong of Albany
Graham of Williamstown   Morgan, L. of Milton            Toof of St. Albans Town
Gregoire of Fairfield     Morgan, M. of Milton          Walker of Swanton *
Hango of Berkshire        Morrissey of Bennington        Williams of Granby
Those members absent with leave of the House and not voting are:

Birong of Vergennes  
Brennan of Colchester  
Cina of Burlington  
Dickinson of St. Albans Town  
Donnally of Hyde Park  
Emmons of Hyde Park  
Hooper of Randolph  
Hooper of Burlington  
Howard of Rutland City  
James of Manchester  
Jerome of Brandon  
Kascenska of Burke  
Kimbell of Woodstock  
Kitzmiller of Montpelier  
Labor of Morgan  
Laroche of Franklin  
Lefebvre of Newark  
Marcotte of Coventry  
Martel of Waterford  
Mulvaney-Stanak of Burlington  
Nicoll of Ludlow  
Page of Newport City  
Palasik of Milton  
Smith of New Haven  
Terenzini of Rutland Town  
Toleno of Brattleboro  
White of Bethel  

**Rep. McCoy of Poultney** explained her vote as follows:

“Madam Speaker:

A carve out to somehow hold ourselves above an existing law that already protects everyone, is something I cannot support.”

**Rep. Rachelson of Burlington** explained her vote as follows:

“Madam Speaker:

Threats against State employees, elected officials, election workers, and others have increased in Vermont. These threats go against Vermont values and result in keeping people from serving or working, or drive people to stop serving or working. We've sadly already seen that happen right here in our Chamber.

I voted yes to strongly send a message that this behavior is not okay and will not be tolerated.”

**Rep. Walker of Swanton** explained his vote as follows:

“Madam Speaker:

I believe in and support the good intentions of this bill but I cannot vote to make myself more equal - even if just a little more equal - than my neighbors.”

**Second Reading; Bill Amended; Third Reading Ordered**

**H. 741**

**Rep. McCarthy of St. Albans City**, for the Committee on Government Operations, to which had been referred House bill, entitled

An act relating to approval of amendments to the charter of the City of St. Albans
Reported in favor of its passage when amended as follows:

In Sec. 3, effective date, immediately following the words “shall take effect on” by striking out “July 1, 2022” and inserting in lieu thereof the words “on passage” before the period.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, report of the Committee on Government Operations agreed to, and third reading ordered.

**Second Reading; Proposal of Amendment Agreed to; Third Reading Ordered**

**S. 171**

Rep. Gannon of Wilmington, for the Committee on Government Operations, to which had been referred Senate bill, entitled

An act relating to adoption of a State code of ethics

Reported in favor of its passage in concurrence with proposal of amendment as follows:

First: In Sec. 1, 3 V.S.A. chapter 31, subchapter 1, by striking out section 1205 in its entirety and inserting in lieu thereof a new section 1205 to read as follows:

§ 1205. MANDATORY CODE OF ETHICS EDUCATION AND TRAINING

Within the first 120 days of public service, a public servant shall engage in State Code of Ethics training, which may be in person or online. Completion of State Code of Ethics training shall be documented by the department where the public servant is employed. A public servant shall participate in continuing State Code of Ethics education, which may be in person or online, at least once every three years thereafter. Approved continuing State Code of Ethics education providers are the State Ethics Commission, the Department of Human Resources – Center for Achievement in Public Service (CAPS), the Vermont House of Representatives Ethics Panel for the House of Representatives, the Vermont Senate Ethics Panel for the Senate, the Vermont Supreme Court and the Court Administrator’s Office for the Vermont Judiciary, and any education providers approved by the State Ethics Commission. Copies of State Code of Ethics training materials by ethics education providers shall be provided to the State Ethics Commission in advance of the training. On request, the State Ethics Commission may collaborate with or assist State Code of Ethics education providers.
Second: By adding a new section to be Sec. 2a to read as follows:

Sec. 2a. 3 V.S.A. § 1226 is amended to read:

§ 1226. COMMISSION REPORTS

Annually, on or before January 15, the Commission shall report to the General Assembly regarding the following issues:

(1) Complaints. The number and a summary of the complaints made to it, separating the complaints by topic, and the disposition of those complaints, including any prosecution, enforcement action, or dismissal. This summary of complaints shall not include any personal identifying information.

(2) Guidance and training.

   (A) Guidance. The number of requests for and a summary of the guidance the Executive Director provided, separating the guidance by topic. This summary of guidance shall not include any personal identifying information.

   (B) Training. An estimate of the number of Code of Ethics trainings conducted by each branch of government, a summary of the training activities undertaken by the Ethics Commission, and a summary of any recommendations the Commission or the Executive Director made to any branch of State government regarding additional training or more in-depth training for particular provisions of the Code of Ethics.

(3) Recommendations. Any recommendations for legislative action to address State governmental ethics or provisions of campaign finance law.

Third: In Sec. 1, 3 V.S.A. chapter 31, subchapter 1, in section 1203g, in subsection (a), by striking out subdivision (7) in its entirety and inserting in lieu thereof a new subdivision (7) to read as follows:

   (7) Admission fees and tickets. A public servant may accept free attendance to a widely attended charitable, cultural, political, or civic event at which a public servant participates in the public servant’s official capacity, provided such tickets or admission is provided by the primary sponsoring entity. Free attendance may include all or part of the cost of admission; transportation to and from the event; and food, refreshments, entertainment, and instructional materials provided to all event attendees.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Government Operations agreed to, and third reading ordered.
Adjournment

At ten o'clock and fifty-two minutes in the forenoon, on motion of Rep. McCoy of Poultney, the House adjourned until tomorrow at three o'clock in the afternoon.