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