

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 Fellingner 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.

H.C.R. 138. House concurrent resolution congratulating the Champlain Valley Union High School RoboHawks on winning the 2022 Vermont State FIRST Tech Challenge Robotics Championships.

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	Squirrell 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 Town	Kimbell of Woodstock	Page of Newport City
Donnally of Hyde Park	Kitzmiller of Montpelier	Palasik of Milton
Emmons of Springfield	Labor of Morgan	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.