

Journal of the Senate

WEDNESDAY, FEBRUARY 9, 2022

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Thomas Harty of Bethel.

Message from the House No. 15

A message was received from the House of Representatives by Ms. Alona Tate, its Second Assistant Clerk, as follows:

Madam President:

I am directed to inform the Senate that:

The House has concurred in the adoption of a proposed amendment to the Vermont Constitution entitled:

Prop 2. Declaration of rights; clarifying the prohibition on slavery and indentured servitude.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam President:

I am directed by the Governor to inform the Senate that on the eighth day of February, 2022 he approved and signed a bill originating in the Senate of the following title:

S. 78. An act relating to binding interest arbitration for employees of the Vermont Judiciary.

Rules Suspended; Bill Committed

Appearing on the Calendar for notice, on motion of Senator Sears the rules were suspended and Senate bill entitled:

S. 166. An act relating to utility construction worksites and consumer protection.

Was taken up for immediate consideration.

Thereupon, pending the reading of the report of the Committee on Judiciary, Senator Sears moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Finance with the report of the Committee on Judiciary *intact*,

Which was agreed to.

Bill Passed

S. 280.

Senate Committee bill of the following title was read the third time and passed:

An act relating to miscellaneous changes to laws related to vehicles.

Bill Amended; Third Reading Ordered

S. 210.

Senator Clarkson, for the Committee on Economic Development, Housing and General Affairs, to which was referred Senate bill entitled:

An act relating to rental housing health and safety and affordable housing.

Reported recommending that the bill be amended as follows:

First: In Sec. 1, 20 V.S.A. chapter 172, in subsection 2678(b), by inserting a new subdivision (7) to read:

(7) Units rented for fewer than 90 days. The registration and fee requirements imposed in subsection (a) of this section do not apply to a unit that is rented for fewer than 90 days per calendar year.

And by renumbering the remaining subdivision to be numerically correct

Second: In Sec. 3, repeal, by striking out “2678(b)(7)” and inserting in lieu thereof 2678(b)(8)

Third: By adding two new sections to be numbered Secs. 14a and 14b to read as follows:

Sec. 14a. VERMONT RENTAL HOUSING INVESTMENT PROGRAM;
FY 2022 APPROPRIATION

In fiscal year 2022, of the amounts available to the State from federal coronavirus relief funds, the amount of \$2,000,000.00 is appropriated to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in Sec. 9 of this act.

Sec. 14b. VERMONT RENTAL HOUSING INVESTMENT PROGRAM;
FY 2023 APPROPRIATION

In fiscal year 2023, of the amounts available to the State from federal coronavirus relief funds, the amount of \$10,000,000.00 is appropriated to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in Sec. 9 of this act.

Fourth: By striking out Sec. 15, effective dates, in its entirety and inserting in lieu thereof a new Sec. 15 to read as follows:

Sec. 15. EFFECTIVE DATES

(a) This section, Secs. 8–10 (Vermont Rental Housing Investment Program), and Sec. 14a (FY 2022 VRHIP appropriation) shall take effect on passage.

(b) The following sections shall take effect on July 1, 2022:

(1) Sec. 1 (DPS authority for rental housing health and safety; rental housing registration);

(2) Sec. 4 (DPS positions);

(3) Sec. 5 (DHCD positions);

(4) Sec. 6 (conforming changes to Department of Health statutes);

(5) Sec. 7 (DPS rulemaking authority and transition provisions);

(6) Secs. 11–14 (revolving loan program; reports); and

(7) Sec. 14b (FY 2023 VRHIP appropriation).

(c) Sec. 2 (administrative penalty for failure to register) shall take effect on July 1, 2023.

(d) Sec. 3 (repeal of registration exemption for housing provided as a benefit of farm employment) shall take effect on July 1, 2025.

And that when so amended the bill ought to pass.

Senator Sirotkin, for the Committee on Finance, to which the bill was referred, reported that the bill ought to pass.

Senator Kitchel, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill be amended as recommended by the Committee on Economic Development, Housing and General Affairs with the following amendments thereto:

First: By striking out Secs. 4 (DPS positions) and 5 (DHCD positions) in their entireties and inserting in lieu thereof new Secs. 4–5 to read as follows:

Sec. 4. DEPARTMENT OF PUBLIC SAFETY; POSITIONS

(a) The Department of Public Safety is authorized to create five full-time classified Inspector positions in order to conduct rental housing health and safety inspections and enforcement pursuant to 20 V.S.A. chapter 172.

(b) The Department may hire additional Inspectors authorized by this section to the extent funds become available from the Rental Housing Safety Special Fund created and maintained pursuant to 20 V.S.A. § 2678(d).

Sec. 5. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; POSITIONS

(a) The Department of Housing and Community Development is authorized to create one full-time classified position and one half-time classified position to design and implement the registry created in, and to administer and enforce the registry requirements of, 20 V.S.A. § 2678.

(b) The Department may hire additional staff authorized by this section to the extent funds become available from the Rental Housing Safety Special Fund created and maintained pursuant to 20 V.S.A. § 2678(d).

Second: By striking out Secs. 14a (FY 2022 appropriation; VRHIP); 14b (FY 2023 appropriation; VRHIP); and 15 (effective dates) in their entireties and inserting in lieu thereof two new sections to be Secs. 15–16 to read as follows:

Sec. 15. APPROPRIATIONS

(a) Purpose. The purpose of the appropriations in this section are:

(1) to respond to the far-reaching public health and negative economic impacts of the COVID-19 pandemic; and

(2) to ensure that Vermonters and Vermont communities have an adequate supply of safe, affordable housing.

(b) In fiscal year 2022, the amount of \$20,400,000.00 is appropriated from the America Rescue Plan Act (ARPA) – Coronavirus State Fiscal Recovery Funds as follows:

(1) \$100,000.00 to the Department of Public Safety as one-time startup funding to hire one or more Inspector positions authorized pursuant to Sec. 4 of this act.

(2) \$300,000.00 to the Department of Housing and Community Development as one-time startup funding to hire one or more of the positions authorized pursuant to Sec. 5 of this act.

(3) \$20,000,000.00 to the Department of Housing and Community Development to implement the Vermont Rental Housing Investment Program created in 10 V.S.A. § 699.

Sec. 16. EFFECTIVE DATES

(a) This section and the following sections shall take effect on passage:

(1) Sec. 1 (DPS authority for rental housing health and safety; rental housing registration).

(2) Sec. 4 (DPS positions).

(3) Sec. 5 (DHCD positions).

(4) Sec. 6 (conforming changes to Department of Health statutes).

(5) Sec. 7 (DPS rulemaking authority and transition provisions).

(6) Secs. 8–10 (Vermont Rental Housing Investment Program).

(7) Secs. 11–14 (Vermont Homeownership Revolving Loan Fund).

(8) Sec. 15 (FY 2022 ARPA appropriations).

(b) Sec. 2 (administrative penalty for failure to register rental housing) shall take effect on July 1, 2023.

(c) Sec. 3 (repeal of registration exemption for housing provided as a benefit of farm employment) shall take effect on July 1, 2025.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of amendment of the Committee on Economic Development, Housing and General Affairs was agreed to.

Thereupon, the question, Shall the bill be amended as recommended by the Committee on Appropriations?, was decided in the affirmative.

Thereupon, third reading of the bill was ordered on a roll call, Yeas 22, Nays 8.

Senator Brock having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Balint, Baruth, Bray, Campion, Chittenden, Clarkson, Cummings, Hardy, Hooker, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Pearson, Perchlik, Pollina, Ram Hinsdale, Sears, Sirotkin, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore, Ingalls, Parent, Starr, Terenzini, Westman.

Joint Resolution Adopted in Concurrence

J.R.H. 14.

Joint House resolution entitled:

Joint resolution authorizing the 2022 Green Mountain Girls State educational program to use the State House.

Having been placed on the Calendar for action, was taken up and adopted in concurrence.

Adjournment

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 10, 2022.