

BetsyAnn Wrask, Clerk of the House, Clerk of the Joint Rules Committee
 Joint Rules Committee meeting on 10/10/22

Recommendations of the Legislative Advisory Committee on the State House (LACoSH): Potential Jurisdictions and Record of Actions

See [LACoSH Report \(Aug. 18, 2021\)](#)

Rec. #	<u>LACoSH Recommended Decision Point</u>	<u>Potential Entity of Jurisdiction*</u>	<u>Notes</u> (incl. any applicable chamber or joint chamber authority)	<u>Record of Actions</u>
1	<p>Resuming legislative work in the State House. The decision to resume legislative work in the State House should be evaluated by JLMC, the Rules Committees, and legislative leadership later in the year because the pandemic situation is fluid.</p>	<p>a. House Rules Committee for House chamber, committees, and staff.</p> <p>b. Senate Rules Committee for Senate chamber, committees, and staff.</p> <p>c. Joint Rules Committee for joint committees.</p> <p>d. JLMC for Leg. staff, except chamber staff.</p>	<p>a. 2022, H.R.20 returned the House and House committees to in-person legislating, except that it allows a House member to participate remotely in House sessions and committees if the member notifies the Speaker that the member meets one of five COVID-related conditions. 2022, H.R.22 allows a House member with a disability to participate remotely in House sessions and committees if the member requests that accommodation under the ADA and it is approved by Speaker, in consultation with Leg. Counsel and Leg. HR.</p> <ul style="list-style-type: none"> This H.R.20 and 22 remote authority is in effect through Dec. 31, 2022. H.R. 20, last Resolved Cl., also allows House Rules Committee to adopt alternative procedures for convening and organizing 2023-24 biennium, including remote convening and organizing, if necessary due to COVID. <p>b. 2022, S.R.23 allowed Senate Rules Committee to authorize Senators to participate remotely in Senate sessions and committees, through July 1, 2022. See also Senate Rules 9A and 32A (providing this Senate Rules Committee authority during any Governor emergency declaration).</p> <p>c. 2022, J.R.H.17 returned joint committees to in-person legislating, except that it allows a joint committee member to participate remotely in committee meetings if the member notifies the chair or a co-chair that the member meets one of five COVID-related conditions. This remote authority is in effect through Dec. 31, 2022.</p> <p>d. Chamber staff support each chamber’s operations and are separately regulated by their chamber. Otherwise, 2 V.S.A. § 41(a) provides that JLMC “shall provide general oversight and management across the offices of the General Assembly” and 2 V.S.A. § 42(a) provides that JLMC shall “approve and adopt policies that apply across the Legislative Branch” and “attend to other relevant management and oversight matters.”</p>	<p>d. JLMC mtg. on 12/22/21: JLMC adopted the Remote Work Policy for legislative staff, effective through Dec. 31, 2022.</p>

* *Note* that legislative decisions may be made in a variety of ways, including by vote of a chamber, by joint resolution, by chamber leadership, by agreement between the chambers’ leadership, or by vote of a committee of jurisdiction. This document lists potential entities of jurisdiction to review these LACoSH recommendations, but does not necessarily provide the final entity that may act on those recommendations.

<p>2</p>	<p>Encouraging vaccination for entry into State House. Persons entering the State House, including legislators, staff, advocates, media, and the public, should be strongly encouraged to be vaccinated for the COVID-19 virus but should not be required to be vaccinated to physically access the Vermont State House during the 2022 legislative session. However, this vote was taken on June 29, 2021 and was based on the best information available at the time.</p>	<p>a. House Rules Committee for House members and House staff.</p> <p>b. Senate Rules Committee for Senators and Senate staff.</p> <p>c. JLMC for Leg. staff, except chamber staff.</p> <p>d. Joint Rules Committee for public or State House generally.</p>	<p>d. <u>J.R.S.24</u>, 2nd Resolved Cl., allows the Joint Rules Committee to order the Sergeant at Arms to impose conditions on the public entering the State House or other legislative meeting spaces due to air quality or construction, the inability to comply with CDC guidelines, or other similar reasons.</p> <ul style="list-style-type: none"> If the Joint Rules Committee issued such an order for the State House generally and that order was adopted for the chambers and staff, discipline for refusal to do so by legislators or staff would be by the applicable entity of jurisdiction. 	<p>a. House Rules Committee mtg. on 12/20/21: Committee approved <u>JRC's recommended Legislative Vaccination and Test Policy</u> for House members and staff. This policy requires either proof of full vaccination or weekly PCR testing, and is in effect until otherwise provided.</p> <p>b. 2022, S.R.14, adopted 1/4/22: Added temporary Senate Rule 10B, which requires Senators entering the Senate chamber or committee rooms to provide proof of full vaccination or weekly PCR testing. This temporary rule expires on the convening of the 2023 Biennial Session.</p> <p>c. JLMC mtg. on 12/22/21: JLMC approved the Leg. Staff <u>COVID-19 Vaccination and Testing Policy</u>, which requires either proof of full vaccination or weekly PCR testing. Policy in effect until otherwise provided.</p> <p>d. Joint Rules Committee mtg. on 12/15/21: Committee approved a <u>Legislative Vaccination and Test Policy for members of the public</u>. The policy strongly recommends the public to either provide proof of full vaccination or perform a rapid test as a condition of entry to Leg. spaces, and is in effect until otherwise provided.</p> <ul style="list-style-type: none"> The policy also recommends that the chambers and JLMC implement for legislators and staff: <ol style="list-style-type: none"> 1) required compliance with the Face Mask Policy; 2) strongly recommended weekly rapid testing; and 3) required proof of full vaccination or weekly PCR testing.
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<p>3</p>	<p>Requiring masks for entry into State House. The JLMC and the relevant Rules committees should assess whether masks or other personal health measures should be required for the 2022 legislative session based on State health orders and Centers for Disease Control and Prevention guidance issued between submission of this report and the convening of the 2022 legislative session.</p>	<p>a. House Rules Committee for House members and House staff.</p> <p>b. Senate Rules Committee for Senators and Senate staff.</p> <p>c. JLMC for Leg. staff, except chamber staff.</p> <p>d. Joint Rules Committee for public or State House generally.</p>	<p>[same as above in #2]</p>	<p>a. House Rules Committee mtg. on 12/20/21: The House’s Vaccination and Test Policy, described above in #2(a), includes the requirement to comply with the Legislative Face Mask Policy.</p> <p>b. 2022, S.R.22, adopted 3/30/22: Amended temporary Senate Rule 10A (superseding 2022, S.R.13) to strongly recommend Senators to wear a mask in the Senate chamber and committee rooms, and requires Senators to wear a mask in committee rooms when CDC rates Washington County to be at a high COVID-19 community level (consistent with the 3/29/22 JRC policy). This temporary rule expires on the convening of the 2023 Biennial Session.</p> <p>c. JLMC mtg. on 12/22/21: JLMC’s COVID-19 Vaccination and Testing Policy, described above in #2(c), includes the requirement to comply with the Legislative Face Mask Policy.</p> <p>d. Joint Rules Committee mtg. on 3/29/22: Committee approved the Legislative Face Mask Policy (rev. 3/29/22) for legislative meeting spaces. This policy:</p> <ul style="list-style-type: none"> • requires masks in Leg. staff office spaces unless otherwise agreed to by staff, and in Leg. committee rooms when CDC rates Washington County to be at a high COVID-19 community level; • superseded a 1/12/22 face mask policy requiring masks in all Leg. spaces; and • is in effect until otherwise provided.
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<p>4</p>	<p>Standing committees meeting in the State House. The standing committees of the Vermont General Assembly should meet physically within the State House during the 2022 legislative session.</p>	<p>a. House Rules Committee for House committees. b. Senate Rules Committee for Senate committees.</p>		
<p>5</p>	<p>Imposing room capacity limits. Capacity within each room should be limited to the number of seats available in the room. Capacity limits should be enforced by committee leadership within each committee. Committee staff should not be required to enforce capacity limits.</p>	<p>a. House Rules Committee for House committees; b. Senate Rules Committee for Senate committees; or c. Joint Rules Committee for all.</p>	<p>a-c. Joint Rule 26(d) confirms that committee chairs have general supervision over their committee rooms and in the case of a disturbance or disorderly conduct, they may order the Sergeant at Arms to restore order or clear the area. c. J.R.S.24, 2nd Resolved Cl., allows the Joint Rules Committee to order the Sergeant at Arms to impose limits on access to legislative meeting spaces due to air quality or construction, the inability to comply with CDC guidelines, or other similar reasons.</p>	<p>c. Joint Rules Committee mtg. on 11/5/21: Committee voted to order the Sergeant at Arms to impose capacity limits on legislative meeting spaces based on air quality and meeting space square footage and access.</p>
<p>6</p>	<p>Place of holding party caucuses. Regularly scheduled caucuses of the political parties should meet within the State House. Subject to approval by the relevant Rules committees, regularly scheduled caucuses of the political parties should use the House Chamber, the Senate Chamber, or an appropriately sized committee room. Unscheduled or occasional caucuses of the political parties should use the House Chamber, the Senate chamber, the cafeteria, Room 11, or Room 24 (Legislative Lounge) when available.</p>	<p>a. House Rules Committee or Speaker for House chamber. b. Senate Rules Committee for Senate chamber. c. Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>a. House Rule 87 provides: “Use of the Hall of Representatives for other than statutory purposes may be authorized by the Committee on Rules, if the request for such use is made while the General Assembly is in session. If the request is made while the General Assembly is in adjournment for more than seven days, the Sergeant at Arms may authorize such use, with the permission of the Speaker.” c. Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p>	<p>c. Joint Rules Committee mtg. on 10/8/21: Although a formal vote was not taken, there was general Committee agreement in favor of this recommendation.</p>

<p>7</p>	<p><i>Use of chambers for legislative meetings.</i> Subject to approval of the relevant Rule committees, the House Chamber or the Senate Chamber should be used as a potential meeting space for joint standing committee meetings and certain non-standing committee meetings.</p>	<p>a. House Rules Committee or Speaker for House chamber.</p> <p>b. Senate Rules Committee for Senate chamber.</p>	<p>a. House Rule 87 provides: “Use of the Hall of Representatives for other than statutory purposes may be authorized by the Committee on Rules, if the request for such use is made while the General Assembly is in session. If the request is made while the General Assembly is in adjournment for more than seven days, the Sergeant at Arms may authorize such use, with the permission of the Speaker.”</p>	
<p>8</p>	<p><i>Priority space scheduling for legislative meetings.</i> Standing Committees, joint committee meetings, and public hearings should have priority use of legislative spaces through standard scheduling processes administered by the Sergeant at Arms’ office. Specialty and issue caucuses should meet in 109 or 133 State Street when appropriate space in the State House is not available. The Sergeant at Arms’ office should coordinate a unified scheduling process for spaces.</p>	<p>Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p>	<p>Joint Rules Committee mtg. on 10/8/21: Committee voted in favor of this recommendation.</p>
<p>9</p>	<p><i>Pausing use of Card Room by advocates and special interests.</i> Use of the Card Room for presentations by advocates or special interests should be paused for the 2022 legislative session to prevent congestion and allow for greater air flow in the hallways of the third floor of the State House.</p>	<p>Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p>	<p>Joint Rules Committee mtg. on 10/8/21: Committee voted in favor of this recommendation.</p>

10	<p>Limiting use of cafeteria for “side bars” and receptions. “Side bars” and receptions during the 2022 legislative session should be held in the cafeteria with a limit of one in the morning and one in the afternoon.</p>	<p>Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p>	<p>Joint Rules Committee mtg. on 10/8/21: Committee voted in favor of this recommendation.</p>
11	<p>Pausing use of Cedar Creek Room for presentations, large press conferences, and receptions. The Cedar Creek Room should not be used for presentations, large press conferences, or receptions during the 2022 legislative session because of issues with congestion and air flow in that room.</p>	<p>Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p>	<p>Joint Rules Committee mtg. on 10/8/21: Committee voted in favor of this recommendation. - Committee also discussed that Sergeant at Arms would use discretion to determine what constitutes a “large” press conference, but that Committee could continue to discuss that issue.</p>
12	<p>Scheduling press conferences. Those press conferences scheduled through the Sergeant at Arms’ office should be based on space available within the Capitol Complex.</p>	<p>Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p>	
13	<p>Large press conferences at 109 State St. Large press conferences should be held primarily in 109 State Street. The Committee was split on the use of the Cedar Creek Room for small press conferences.</p>	<p>Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p>	

<p>14</p>	<p>Limiting school and group tours. During the 2022 legislative session, school tours or group tours, including sports teams subject to a congratulatory resolution, should be limited to no more than two tours a day and no more than 25 participants per tour group. Schools and legislators should be informed prior to the 2022 legislative session that group tours should only be allowed with the prior authorization of the Sergeant at Arms.</p>	<p>Joint Rules Committee for any orders to Sergeant at Arms re: space scheduling.</p>	<p>Via J.R.S.24, 2nd Resolved Cl. authority to issue orders to Sergeant at Arms to impose limits on access to legislative meeting spaces.</p> <p>Note also that House Clerk’s Office and Office of Sergeant at Arms should coordinate on the requested reading of H.C.R.s in House chamber for such groups.</p>	
<p>15</p>	<p>State House expenditure. The Sergeant at Arms should be authorized to spend up to \$750,000 from the \$2,500,000 appropriated to the General Assembly in Act 74 of 2021 to retrofit or fit up the State House to meet the public health and space needs of the General Assembly during the 2022 legislative session.</p>	<p>JLMC.</p>		<p>JLMC mtg. on 8/5/21: JLMC approved this expenditure. See Sergeant at Arms memo and JLMC livestream recording.</p>
<p>16</p>	<p>Videoconferencing, livestreaming, and session and committee meeting recordings. Videoconferencing and livestreaming tools used by standing committees during the 2021 legislative session should continue to be available for use by standing committees. However, the Committee recommends that JLMC or the House and Senate Rules Committees develop protocols or rules for the appropriate use of the tools, including protocols . . . [cont. on next pg.]</p>	<p>a. House Rules Committee for House sessions and committees.</p> <p>b. Senate Rules Committee for Senate sessions and committees.</p> <p>c. Joint Rules Committee for joint committees.</p>		<p>a. House Rules Committee mtg. on 3/30/22: Committee approved revised chamber and committee livestreaming policies (revised from the Committee’s prior Dec. 2021 policies).</p> <p>b. Senate Rules Committee mtg. [date unknown]: Committee approved similar policies for Senate sessions and committees.</p> <p>c. Joint Rules Committee mtg. on 11/30/21: Committee reviewed and approved for recommendation to each chamber a committee policy and a chamber policy.</p>

	<p>on when to use the tools, when to allow persons to participate through video conferencing, and how to police inappropriate use of the tools. Key questions that JLMC or the Rules committees should address are whether and how floor proceedings in the House and Senate should be livestreamed or recorded; whether YouTube is the best tool for use of livestreaming or recording; and how long recordings of floor proceedings and committee hearings should be retained on the Internet or alternatively, in the Vermont State Archives and Records Administration's records center.</p>	<p>d. JLMC could then institute any related staff requirements as necessary.</p>		
<p>17</p>	<p>Leg. IT expenditure. Approve the request of the Office of Legislative Information Technology to expend funds to prepare or retrofit the House and Senate chamber, committee rooms, and other legislative spaces for livestreaming, videoconferencing, and improved audio systems. The total funds proposed for expenditure are \$900,000 of federal Coronavirus Relief Funds. Of those funds, \$400,000 would be used to fit up committee rooms with A/V technology to enable video conference and livestreaming in all committee rooms. The remaining \$500,000 would be used to fit up the House and Senate Chambers with A/V technology, enabling videoconference and . . . [cont. on next pg.]</p>	<p>JLMC.</p>		<p>JLMC mtg. on 8/5/21: JLMC approved this expenditure. See Director of IT memo and JLMC livestream recording.</p>

	<p>livestreaming as determined by standards established by the relevant Rules committee. These funds will come out of the \$2,500,000 appropriated to the legislature in Act 74 of 2021.</p>			
18	<p>Switching Senate rooms. Room 26 (Senate Committee on Agriculture) should not be used for a legislative standing committee, and the Senate Committee on Agriculture should meet in Room 13 (Office of Senate <i>President Pro Tempore</i>). The Senate <i>Pro Tem</i> would use Room 26 as an office. The rooms should be used as recommended during the 2022 legislative session and until determined otherwise by the Senate Committee on Rules.</p>	<p>Senate Leadership or Senate Rules Committee.</p>		<p>Senate Leadership on 11/16/21: Senate Leadership agreed that Senate Committee on Agriculture (A.M. committee) will meet in Room 28, which is also the meeting room of Senate Committee on Education (P.M. committee), and that the office of the Senate President <i>Pro Tempore</i> will remain in Room 13.</p>
19	<p>Converting specified House committee rooms to all-legislator use. The following five existing rooms used by legislative standing committees should not be used during the 2022 legislative session for committee meetings: Room 32 (House Committee on Agriculture and Forestry), Room 33 (House Committee on Corrections and Institutions), Room 41 (House Committee on Energy and Technology), Room 42 (House Committee on General, Housing, and Military Affairs), and Room 47 (House Committee on Natural Resources, Fish, and Wildlife). These rooms should be reserved for use by the legislators.</p>	<p>a. Speaker or House Rules Committee re: converting those House committee rooms to all-legislator use.</p> <p>b. Joint Rules Committee re: assigning use of those converted rooms to all legislators.</p>		<p>b. Joint Rules Committee mtg. on 10/8/21: Committee took testimony from Sergeant at Arms on this recommendation.</p>

<p>20</p>	<p>Converting specified all-legislator use rooms to House committee rooms. To allow all House of Representatives standing committees to meet within the State House during the 2022 legislative session, the following rooms should be converted from their traditional legislative use for use by those House of Representatives standing committees moved out of their traditional rooms: Room 9 (the Coat Room), Room 10, Room 11, Room 24 (the Legislative Lounge), and the Ethan Allen Room. The Advisory Committee recommends that these rooms return to their traditional use after the 2022 legislative session as soon as public health risks allow.</p>	<p>Chambers’ Leadership or Joint Rules Committee.</p>		<p>Chambers’ Leadership on 11/16/21: The Speaker and President <i>Pro Tempore</i> agreed that in light of the Senate decision re: switching Senate rooms in #18, above, these specified all-legislator use rooms can be converted into House committee rooms. See also the related Speaker announcement re: House committee room assignments in #21, below.</p>
<p>21</p>	<p>Assignment of House committees to the newly converted House committee rooms. The House Rules Committee should assign standing committees to the State House rooms converted into legislative committee rooms based on the perceived need of legislative standing committees for physical space during the 2022 legislative session.</p>	<p>Speaker or House Rules Committee.</p>		<p>Speaker at House Rules Committee mtg on 11/18/21: The Speaker announced the following House committee room assignments:</p> <ul style="list-style-type: none"> • Appropriations, Room 24 (former Leg. Lounge) • Energy and Technology, Room 10 • Government Operations, Room 11 • General, Housing, and Military Affairs, Room 42 (former Appropriations) • Agriculture and Forestry, Room 49 (former Government Operations) • Education, Room 9 • Institutions and Corrections, Room 31 (former Education) • Natural Resources, Fish, and Wildlife remains in Ethan Allen

22	<p>Moving two Leg. Ops. staff to 2 Aiken. Two Legislative Operations staff, the Operations Coordinator and the Administrative Assistant, who are currently located on the first floor of the State House Annex should be moved temporarily to 2 Governor Aiken Avenue for the 2022 legislative session.</p>	<p>a. Joint Rules Committee re: use of that space at 2 Aiken.</p> <p>b. JLMC re: moving those employees to that space.</p>		<p>a. Joint Rules Committee mtg. on 10/8/21: Committee voted in favor of this recommendation.</p>
23	<p>Moving two Leg. Ops. staff to different State House location. The Director of Legislative Operations and the Supervisor of Committee Services should remain in the State House but should be moved to a different location. There are two options to relocate these employees. The preferred space is in a new temporary space constructed in the Card Room with temporary walls. An alternative is in the open space of the second floor of the Mezzanine in the State House Annex.</p>	<p>a. Joint Rules Committee re: choosing which new space.</p> <p>b. JLMC re: moving those employees to that space.</p>		<p>a. Joint Rules Committee mtg. on 10/8/21: Committee took testimony from Sergeant at Arms on this recommendation.</p>
24	<p>Converting Leg. Ops. space into a coat room. The space vacated by the Legislative Operations staff should be converted into a coat room for legislators and the public.</p>	<p>Joint Rules Committee.</p>		<p>Joint Rules Committee mtg. on 10/8/21: Committee took testimony from Sergeant at Arms on this recommendation.</p>
25	<p>Moving HR staff to 2 Aiken. Human Resources staff should be moved to the office space previously used by the State Curator on the first floor of 2 Governor Aiken Avenue.</p>	<p>a. Joint Rules Committee re: use of that space at 2 Aiken.</p> <p>b. JLMC re: moving those employees to that space.</p>		<p>a. Joint Rules Committee mtg. on 10/8/21: Committee voted in favor of this recommendation.</p>

<p>26</p>	<p>New HVAC system. Legislative leadership and BGS should initiate planning, construction, and installation of a new heating ventilation and air conditioning (HVAC) system for the State House as soon as practicable. The Committee reviewed application of air standards to the current State House heating and cooling system. Most specifically, the Committee reviewed whether and how the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 62.1 for Ventilation of Acceptable Air Quality could be required for the current heating and cooling system or could be used as a standard for air quality or air flow in the State House. The Advisory Committee determined that ASHRAE 62.1 was not feasible for implementation under the current State House system. However, updating the HVAC system as soon as practicable so that the State House can meet ASHRAE standards will improve air flow and help improve the overall public health environment within the building.</p>	<p>Joint Rules Committee re: moving forward in this manner.</p>		
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<p>27</p>	<p><i>Air purifiers.</i> JLMC or the Sergeant at Arms should review use of portable air purifier units in legislative committee rooms and other spaces used by legislators and staff. Review should include evaluation of the efficacy of portable air purifier units, the noise generated by such units, and an overall determination of the benefits and detriments of the units.</p>	<p>Joint Rules Committee or JLMC or both could direct Sergeant at Arms to do so.</p>		
<p>28</p>	<p><i>State House expansion.</i> Future expansion of the State House is needed to meet the needs of the General Assembly.</p>	<p>Joint Rules Committee.</p>		