

# Journal of the House

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Thursday, March 16, 2023

At one o'clock in the afternoon, the Speaker called the House to order.

## Devotional Exercises

Devotional exercises were conducted by Rep. Josie Leavitt of Grand Isle.

## Committee Bill Introduced

### H. 471

By the Committee on Ways and Means,  
House bill, entitled

An act relating to technical and administrative changes to Vermont's tax laws

Was read the first time and pursuant to House Rule 48, placed on the Notice Calendar.

## Committee Bill Introduced; Referred to Committee on Ways and Means

### H. 472

By the Committee on Agriculture, Food Resiliency, and Forestry,  
House bill, entitled

An act relating to miscellaneous agricultural subjects

Was read the first time and pursuant to House Rule 35(a), affecting the revenue of the State, was referred to the Committee on Ways and Means.

## Bill Referred to Committee on Appropriations

### H. 127

House bill, entitled

An act relating to sports wagering

Appearing on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

**Bills Referred to Committee on Ways and Means**

House bills of the following titles, appearing on the Notice Calendar, affecting the revenue of the State, under House Rule 35(a), were referred to the Committee on Ways and Means:

**H. 178**

House bill, entitled

An act relating to commissioning Department of Corrections personnel as notaries public

**H. 270**

House bill, entitled

An act relating to miscellaneous amendments to the adult-use and medical cannabis programs

**Bills Referred Pending Entry on the Notice Calendar****H. 10**

House bill, entitled

An act relating to amending the Vermont Employment Growth Incentive Program

Pending entry on the Notice Calendar, and pursuant to House Rule 35(a), affecting the revenue of the State, was referred to the Committee on Ways and Means.

**H. 165**

House bill, entitled

An act relating to school food programs and universal school meals

Pending entry on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

**Ceremonial Reading****H.C.R. 38**

House concurrent resolution congratulating the 2023 Hartford High School Hurricanes Division II championship boys' indoor track team

Offered by: Representatives Cole of Hartford and Christie of Hartford

Offered by: Senator White

Whereas, despite its numerous athletic achievements in various sports, prior to 2023, the Hartford High School Hurricanes had never earned a boys' indoor track title, and

Whereas, the 2023 indoor track championship, held at the University of Vermont, marked an historic occasion for the Hurricanes as the team's first place victories in the 300-meter run and the long jump, combined with second place finishes in the 4x400 and 4x800 relays, culminated in a 101-82.5 Division II victory over second place Fair Haven Union High School, and

Whereas, the elated Hurricanes were Sawyer Albrecht, AJ Aldrich, John Cassell, Rocco Clough, Gavin Farnsworth, Nolan McMahon, Gavin Provost, Everett Winslow, Payton Bessette, Jordan Davis, Jack Fournier-Stephens, Gabe Guillette, Joey Knapp, Maxwell Portnoy, Alex Smith, Conner Beland, Brandon Driver, Ayodele Lowe, Bennett Moreno, Nolan Pichtel, Hugh Wendling, Ermek Baker-Nifka, and Jason Kelly, and Head Coach Mike Perry and Assistant Coach Fatimah Shabazz were proud of the team, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly congratulates the 2023 Hartford High School Hurricanes Division II championship boys' indoor track team, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to Hartford High School.

Having been adopted in concurrence on Friday, February 24, 2023 in accord with Joint Rule 16b, was read.

### **Third Reading; Bill Passed**

#### **H. 175**

House bill, entitled

An act relating to modernizing the Children and Family Council for Prevention Programs

Was taken up, read the third time, and passed.

### **Committee Bill; Second Reading; Third Reading Ordered**

#### **H. 465**

**Rep. Morgan of Milton** spoke for the Committee on Government Operations and Military Affairs.

House bill, entitled

An act relating to regional emergency management committees' meeting quorum requirement

Having appeared on the Notice Calendar and appearing on the Action Calendar, was taken up, read the second time, and third reading ordered.

**Committee Bill; Second Reading; Third Reading Ordered**

**H. 466**

**Rep. Higley of Lowell** spoke for the Committee on Government Operations and Military Affairs.

House bill, entitled

An act relating to technical corrections for the 2023 legislative session

Having appeared on the Notice Calendar and appearing on the Action Calendar, was taken up, read the second time, and third reading ordered.

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

**H. 62**

**Rep. Berbeco of Winooski**, for the Committee on Health Care, to which had been referred House bill, entitled

An act relating to the interstate Counseling Compact

Reported in favor of its passage when amended as follows:

First: By inserting after Sec. 1, 26 V.S.A. chapter 65, a new Sec. 2 to read as follows:

Sec. 2. 3 V.S.A. § 123(j)(1) is amended to read:

(j)(1) The Office may inquire into the criminal background histories of applicants for initial licensure and for license renewal of any Office-issued credential, including a license, certification, registration, or specialty designation for the following professions:

(A) licensed nursing assistants, licensed practical nurses, registered nurses, and advanced practice registered nurses licensed under 26 V.S.A. chapter 28;

(B) private investigators, security guards, and other persons licensed under 26 V.S.A. chapter 59;

(C) real estate appraisers and other persons or business entities licensed under 26 V.S.A. chapter 69; and

(D) osteopathic physicians licensed under 26 V.S.A. chapter 33;

(E) licensed clinical mental health counselors licensed under 26 V.S.A. chapter 65;

(F) licensed marriage and family therapists licensed under 26 V.S.A. chapter 76; and

(G) individuals registered on the roster of psychotherapists who are nonlicensed and noncertified.

and by renumbering the remaining section to be numerically correct.

Second: By striking out the newly renumbered Sec. 3, effective date, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. EFFECTIVE DATES

This section and Sec. 2 (3 V.S.A. § 123(j)(1)) shall take effect on July 1, 2023. Sec. 1 (clinical mental health counselors) shall take effect on July 1, 2024.

**Rep. Andrews of Westford**, for the Committee on Ways and Means, recommended that the bill ought to pass when amended as recommended by the Committee on Health Care and when further amended as follows:

First: By inserting a new Sec. 3 after Sec. 2, 3 V.S.A. § 123(j)(1), to read as follows:

Sec. 3. 26 V.S.A. § 3270a is amended to read:

§ 3270a. FEES

(a) Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application for licensure \$150.00

(2) Biennial renewal \$200.00

(b) A licensee of a remote state under the Counseling Compact established in subchapter 2 of this chapter shall pay a biennial \$50.00 privilege to practice fee.

and by renumbering the remaining section to be numerically correct.

Second: By deleting the newly renumbered Sec. 4, effective dates, and inserting a new Sec. 4 to read as follows:

**Sec. 4. EFFECTIVE DATES**

This section and Sec. 2 (3 V.S.A. § 123(j)(1)) shall take effect on July 1, 2023. Sec. 1 (clinical mental health counselors) and Sec. 3 (fees) shall take effect on July 1, 2024.

**Rep. Toleno of Brattleboro**, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Health Care, and when further amended as recommended by the Committee on Ways and Means.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Health Care was agreed to. Thereafter, the report of the Committee on Ways and Means was agreed to and third reading ordered.

**Second Reading; Bill Amended; Third Reading Ordered****H. 77**

**Rep. Peterson of Clarendon**, for the Committee on Health Care, to which had been referred House bill, entitled

An act relating to Vermont's adoption of the Physical Therapy Licensure Compact

Reported in favor of its passage when amended as follows:

First: In Sec. 1, 26 V.S.A. chapter 38, subchapter 5, in section 2133, in subdivision (1), following "10 U.S.C.", by striking out "§" and inserting in lieu thereof "chapters".

Second: In Sec. 1, 26 V.S.A. chapter 38, subchapter 5, following section 2143 (construction and severability), by adding a new section 2144 to read as follows:

**§ 2144. STATE ADMINISTRATION OF THE COMPACT**

(a) The Office of Professional Regulation shall have the power to oversee the administration and enforcement of the Compact within the State of Vermont subject to the provisions and rules of the Compact.

(b) The Director of the Office of Professional Regulation shall designate the one delegate of the Compact for the State of Vermont pursuant to subsection 2138(b) of this subchapter.

Third: After Sec. 1, 26 V.S.A. chapter 38, subchapter 5, by adding a new Sec. 2 to read as follows:

Sec. 2. 3 V.S.A. § 123(j)(1) is amended to read:

(j)(1) The Office may inquire into the criminal background histories of applicants for initial licensure and for license renewal of any Office-issued credential, including a license, certification, registration, or specialty designation for the following professions:

(A) licensed nursing assistants, licensed practical nurses, registered nurses, and advanced practice registered nurses licensed under 26 V.S.A. chapter 28;

(B) private investigators, security guards, and other persons licensed under 26 V.S.A. chapter 59;

(C) real estate appraisers and other persons or business entities licensed under 26 V.S.A. chapter 69; ~~and~~

(D) osteopathic physicians licensed under 26 V.S.A. chapter 33; and

(E) physical therapists licensed under 26 V.S.A. chapter 38.

and by renumbering the remaining section to be numerically correct.

Fourth: By striking out the newly renumbered Sec. 3, effective date, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. EFFECTIVE DATES

This section and Sec. 2 (3 V.S.A. § 123(j)(1)) shall take effect on July 1, 2023. Sec. 1 (physical therapists) shall take effect on July 1, 2024.

**Rep. Andrews of Westford**, for the Committee on Ways and Means, recommended that the bill ought to pass when amended as recommended by the Committee on Health Care and when further amended as follows:

By striking out Sec. 3, effective dates, its entirety and inserting in lieu thereof new a Sec. 3 and Sec. 4 to read as follows:

Sec. 3. 3 V.S.A. § 125 is amended to read:

§ 125. FEES

\* \* \*

(b) Unless otherwise provided by law, the following fees shall apply to all professions regulated by the Director in consultation with advisor appointees under Title 26:

\* \* \*

(4) Biennial renewal, \$240.00, except biennial renewal for:

\* \* \*

(C) Physical therapists and assistants, \$150.00, except that a licensee of a remote state under the Physical Therapy Licensure Compact established in 26 V.S.A. chapter 38, subchapter 5 shall pay a biennial \$50.00 privilege to practice fee.

\* \* \*

#### Sec. 4. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that Sec. 1 (physical therapist licensure compact) and Sec. 3 (fees) shall take effect on July 1, 2024.

**Rep. Toleno of Brattleboro**, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Health Care, and when further amended as recommended by the Committee on Ways and Means.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Health Care was agreed to. Thereafter, the report of the Committee on Ways and Means was agreed to and third reading ordered.

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

#### **H. 86**

**Rep. Farlice-Rubio of Barnet**, for the Committee on Health Care, to which had been referred House bill, entitled

An act relating to Vermont's adoption of the Audiology and Speech-Language Pathology Interstate Compact

Reported in favor of its passage when amended as follows:

First: After Sec. 3, 26 V.S.A. chapter 67, subchapter 5, by adding a new Sec. 4 to read as follows:

Sec. 4. 3 V.S.A. § 123(j)(1) is amended to read:

(j)(1) The Office may inquire into the criminal background histories of applicants for initial licensure and for license renewal of any Office-issued credential, including a license, certification, registration, or specialty designation for the following professions:

(A) licensed nursing assistants, licensed practical nurses, registered nurses, and advanced practice registered nurses licensed under 26 V.S.A. chapter 28;

(B) private investigators, security guards, and other persons licensed under 26 V.S.A. chapter 59;



(C) real estate appraisers and other persons or business entities licensed under 26 V.S.A. chapter 69; and

(D) osteopathic physicians licensed under 26 V.S.A. chapter 33;

(E) audiologists licensed under 26 V.S.A. chapter 67; and

(F) speech-language pathologists licensed under 26 V.S.A. chapter 87.

and by renumbering the remaining section to be numerically correct.

Second: After Sec. 4, 3 V.S.A. § 123(j)(1), by adding a new Sec. 5 to read as follows:

Sec. 5. 26 V.S.A. § 3290 is amended as follows:

§ 3290. ELIGIBILITY FOR AUDIOLOGIST LICENSE

To be eligible for licensure as an audiologist, an applicant shall have:

(1) Either:

(A) A a master's degree or equivalent in audiology or speech-language pathology from an educational institution approved by the Director, with course work completed in areas specified by rule; or

(B) a doctoral degree in audiology, or an equivalent doctoral degree regardless of name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization.

\* \* \*

and by renumbering the remaining section to be numerically correct.

Third: By striking out the newly renumbered Sec. 6, effective date, in its entirety and inserting in lieu thereof a new Sec. 6 to read as follows:

Sec. 6. EFFECTIVE DATES

This section, Sec. 4 (3 V.S.A. § 123(j)(1)), and Sec. 5 (26 V.S.A. § 3290) shall take effect on July 1, 2023. Secs. 1–3 (audiologists and speech-language pathologists compact) shall take effect on July 1, 2024.

**Rep. Andrews of Westford**, for the Committee on Ways and Means, recommended that the bill ought to pass when amended as recommended by the Committee on Health Care and when further amended as follows:

By striking out Sec. 6, effective dates, in its entirety and inserting in lieu thereof a new Sec. 6 and a Sec. 7 to read as follows:

Sec. 6. 3 V.S.A. § 125 is amended to read:

§ 125. FEES

\* \* \*

(b) Unless otherwise provided by law, the following fees shall apply to all professions regulated by the Director in consultation with advisor appointees under Title 26:

\* \* \*

(4) Biennial renewal, \$240.00, except biennial renewal for:

\* \* \*

(T) A licensee of a remote state under the Audiology and Speech-Language Pathology Interstate Compact established in 26 V.S.A. chapter 87, subchapter 2 shall pay a biennial \$50.00 privilege to practice fee.

Sec. 7. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that Secs. 1–3 (audiologists and speech-language pathologists interstate compact) and Sec. 6 (fees) shall take effect on July 1, 2024.

**Rep. Toleno of Brattleboro**, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Health Care, and when further amended as recommended by the Committee on Ways and Means.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Health Care was agreed to. Thereafter, the report of the Committee on Ways and Means was agreed to and third reading ordered.

### **Message from the Senate No. 27**

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

**S. 14.** An act relating to a report on criminal justice-related investments and trends.

**S. 95.** An act relating to banking and insurance.

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

**Adjournment**

At two o'clock and twenty-eight minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.