

Journal of the House

Thursday, January 4, 2024

At nine o'clock and thirty minutes in the forenoon, the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Earl Kooperkamp, Church of the Good Shepherd, Barre.

Rules Suspended, House Bills Introduced

Pending first reading of House bills, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bills were read the first time by number and referred to committee as follows:

H. 626

By Reps. Waters Evans of Charlotte, Rice of Dorset, Sims of Craftsbury, Andrews of Westford, Anthony of Barre City, Bos-Lun of Westminster, Boyden of Cambridge, Buss of Woodstock, Casey of Montpelier, Clifford of Rutland City, Cole of Hartford, Gregoire of Fairfield, Hyman of South Burlington, Krasnow of South Burlington, LaBounty of Lyndon, O'Brien of Tunbridge, Priestley of Bradford, Rachelson of Burlington, Stone of Burlington, Surprenant of Barnard, Taylor of Milton, Torre of Moretown, White of Bethel, and Williams of Barre City,

House bill, entitled

An act relating to animal welfare

To the Committee on Agriculture, Food Resiliency, and Forestry.

H. 627

By Reps. Sims of Craftsbury, Andrews of Westford, Anthony of Barre City, Birong of Vergennes, Bluemle of Burlington, Boyden of Cambridge, Carpenter of Hyde Park, Cole of Hartford, Farlice-Rubio of Barnet, Garofano of Essex, Headrick of Burlington, Howard of Rutland City, LaBounty of Lyndon, Mrowicki of Putney, Mulvaney-Stanak of Burlington, Pajala of Londonderry, Priestley of Bradford, Sibia of Dover, Templeman of Brownington, and White of Bethel,

House bill, entitled

An act relating to emergency preparedness and hazard response

To the Committee on Government Operations and Military Affairs.

H. 628

By Reps. Sims of Craftsbury, Anthony of Barre City, Christie of Hartford, Cole of Hartford, Farlice-Rubio of Barnet, Garofano of Essex, Howard of Rutland City, Hyman of South Burlington, LaBounty of Lyndon, Masland of Thetford, Nugent of South Burlington, Ode of Burlington, Priestley of Bradford, Rice of Dorset, Satcowitz of Randolph, Stebbins of Burlington, and Templeman of Brownington,

House bill, entitled

An act relating to the collection and recycling of waste motor vehicle tires

To the Committee on Environment and Energy.

H. 629

By Reps. Kornheiser of Brattleboro and McCarthy of St. Albans City,

House bill, entitled

An act relating to changes to property tax abatement and tax sales

To the Committee on Ways and Means.

H. 630

By Reps. Holcombe of Norwich, Graning of Jericho, and Brady of Williston,

House bill, entitled

An act relating to boards of cooperative education services

To the Committee on Education.

H. 631

By Reps. Stebbins of Burlington, Campbell of St. Johnsbury, Patt of Worcester, and Torre of Moretown,

House bill, entitled

An act relating to access to utility energy consumption data and establishment of an energy storage program

To the Committee on Environment and Energy.

H. 632

By Rep. Sibilias of Dover,

House bill, entitled

An act relating to the Vermont Community Broadband Board and a transfer plan

To the Committee on Environment and Energy.

H. 633

By Rep. Sibilias of Dover,

House bill, entitled

An act relating to legislative approval of telephone property sales and leases

To the Committee on Environment and Energy.

H. 634

By Reps. Sibilias of Dover, Arsenault of Williston, Brady of Williston, Burrows of West Windsor, Gruning of Jericho, Holcombe of Norwich, and Stone of Burlington,

House bill, entitled

An act relating to school closures and the designation of a public school to serve as the public school of the district

To the Committee on Education.

H. 635

By Reps. Page of Newport City, Bartley of Fairfax, Buss of Woodstock, Christie of Hartford, Donahue of Northfield, Farlice-Rubio of Barnet, Hango of Berkshire, Harrison of Chittenden, Hooper of Burlington, Howard of Rutland City, Hyman of South Burlington, Krasnow of South Burlington, Labor of Morgan, LaBounty of Lyndon, Masland of Thetford, McGill of Bridport, Nugent of South Burlington, Parsons of Newbury, Peterson of Clarendon, Roberts of Halifax, Sammis of Castleton, Smith of Derby, Templeman of Brownington, Troiano of Stannard, and Wilson of Lyndon,

House bill, entitled

An act relating to employment protections for volunteer firefighters and emergency medical personnel and tax credits for employers

To the Committee on General and Housing.

H. 636

By Rep. Marcotte of Coventry,

House bill, entitled

An act relating to miscellaneous unemployment insurance amendments

To the Committee on Commerce and Economic Development.

H. 637

By Reps. Page of Newport City, Buss of Woodstock, Hango of Berkshire, Higley of Lowell, Howard of Rutland City, Labor of Morgan, Parsons of Newbury, Peterson of Clarendon, Roberts of Halifax, Smith of Derby, and Templeman of Brownington,

House bill, entitled

An act relating to repealing the Public Records Act exemption covering records relevant to litigation

To the Committee on Government Operations and Military Affairs.

H. 638

By Rep. Andriano of Orwell,

House bill, entitled

An act relating to the Working Group on Asynchronous Open Meetings

To the Committee on Government Operations and Military Affairs.

H. 639

By Reps. Stevens of Waterbury, Anthony of Barre City, Austin of Colchester, Berbeco of Winooski, Boyden of Cambridge, Brumsted of Shelburne, Campbell of St. Johnsbury, Carpenter of Hyde Park, Christie of Hartford, Cina of Burlington, Cole of Hartford, Dodge of Essex, Farlice-Rubio of Barnet, Harrison of Chittenden, Hooper of Burlington, Howard of Rutland City, Krasnow of South Burlington, Lalley of Shelburne, Logan of Burlington, Mulvaney-Stanak of Burlington, Ode of Burlington, Pajala of Londonderry, Patt of Worcester, Priestley of Bradford, Sibilias of Dover, Stebbins of Burlington, Templeman of Brownington, Troiano of Stannard, White of Bethel, and Williams of Barre City,

House bill, entitled

An act relating to disclosure of flood history of real property subject to sale

To the Committee on General and Housing.

H. 640

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to three-member boards and the Open Meeting Law

To the Committee on Government Operations and Military Affairs.

H. 641

By Reps. Anthony of Barre City and Williams of Barre City,

House bill, entitled

An act relating to authorizing boards of abatement to hear like cases as a class

To the Committee on Government Operations and Military Affairs.

H. 642

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to requirements for public access to electronic meetings under the Open Meeting Law

To the Committee on Government Operations and Military Affairs.

H. 643

By Rep. Boyden of Cambridge,

House bill, entitled

An act relating to the sale of closed containers of alcoholic beverages within a first- or third-class license serving area

To the Committee on Government Operations and Military Affairs.

H. 644

By Rep. Austin of Colchester,

House bill, entitled

An act relating to access to records by individuals who were in foster care

To the Committee on Government Operations and Military Affairs.

H. 645

By Reps. Dolan of Essex Junction, Arsenault of Williston, Chapin of East Montpelier, Christie of Hartford, LaLonde of South Burlington, and Rachelson of Burlington,

House bill, entitled

An act relating to the expansion of approaches to restorative justice

To the Committee on Judiciary.

H. 646

By Rep. Stevens of Waterbury,

House bill, entitled

An act relating to the transfer of property by Vermont's congregational churches

To the Committee on Judiciary.

H. 647

By Rep. Stevens of Waterbury,

House bill, entitled

An act relating to creation of the Housing Board of Appeals

To the Committee on General and Housing.

H. 648

By Rep. Mulvaney-Stanak of Burlington,

House bill, entitled

An act relating to contractor licensing

To the Committee on Government Operations and Military Affairs.

H. 649

By Rep. Burrows of West Windsor,

House bill, entitled

An act relating to the Vermont Truth and Reconciliation Commission

To the Committee on General and Housing.

H. 650

By Rep. Mulvaney-Stanak of Burlington,

House bill, entitled

An act relating to excluding income from damages related to employment-related lawsuits from income tax

To the Committee on Ways and Means.

House Resolution Placed on Calendar**H.R. 13**

House resolution, entitled

House resolution authorizing limited remote committee voting through the remainder of calendar year 2024

Offered by: Committee on Rules

Resolved by the House of Representatives:

That through the remainder of calendar year 2024, each member of a House committee is authorized to vote remotely in that committee:

- (1) if the member has tested positive for COVID-19 and is within a period of isolation as provided by Vermont Department of Health guidelines; and
- (2) for not more than three days, for any other reason, *and be it further*

Resolved: Such a member shall notify the committee chair and clerk that the member is exercising this remote voting authority, and shall count toward a committee quorum, *and be it further*

Resolved: The committee clerk shall record any vote cast by the member as a remote vote, and shall track the number of days the member exercises the member's non-COVID-19 remote voting authority.

Was read by title and placed on the Action Calendar on the next legislative day, pursuant to House Rule 52.

Joint House Resolution Placed on Calendar**J.R.H. 7**

Joint House resolution, entitled

Joint resolution authorizing limited remote joint committee voting through the remainder of calendar year 2024

Offered by: Committee on Rules

Resolved by the Senate and House of Representatives:

That through the remainder of calendar year 2024, each member of a joint committee is authorized to vote remotely in that committee:

(1) if the member has tested positive for COVID-19 and is within a period of isolation as provided by Vermont Department of Health guidelines; and

(2) for not more than three days, for any other reason, *and be it further*

Resolved: Such a member shall notify the committee chair or co-chairs, as applicable, and the committee clerk that the member is exercising this remote voting authority, and shall count toward a committee quorum, *and be it further*

Resolved: The committee clerk shall record any vote cast by the member as a remote vote, and shall track the number of days the member exercises the member's non-COVID-19 remote voting authority.

Was read by title and placed on the Action Calendar on the next legislative day, pursuant to House Rule 52.

Joint House Resolution Placed on Calendar

J.R.H. 8

Joint House resolution, entitled

Joint resolution providing for an election to fill a vacancy in the Office of Sergeant at Arms

Offered by: Representatives Long of Newfane, McCoy of Poultney, and Mulvaney-Stanak of Burlington

Whereas, Sergeant at Arms Janet Miller has announced her retirement and has provided a retirement date of Friday, March 1, 2024, which will cause a vacancy in the office on that date, *and*

Whereas, 2 V.S.A. § 11 provides that the General Assembly shall fill a vacancy in office existing or occurring while it is in session, where the incumbent is by law elected by the General Assembly, and such an officer so elected shall hold the respective office during the unexpired term, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Friday, March 1, 2024, at ten o'clock and thirty minutes in the forenoon, to elect a Sergeant at Arms for the remainder of the unexpired term. In case the election of Sergeant at Arms shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day,

Saturdays and Sundays excepted, and proceed in such election, until the officer is elected.

Was read by title and placed on the Action Calendar on the next legislative day, pursuant to House Rule 52.

Joint Resolution Adopted in Concurrence

J.R.S. 31

By Senator Baruth,

J.R.S. 31. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, January 5, 2024, it be to meet again no later than Tuesday, January 9, 2024.

Was taken up, read, and adopted in concurrence.

**Joint Resolution Adopted in Concurrence; Rules Suspended,
Messaged to the Senate Forthwith**

J.R.S. 32

By Senator Baruth,

J.R.S. 32. Joint resolution to provide for a Joint Assembly to receive the State-of-the-State message from the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 4, 2024, at two o'clock in the afternoon to receive the State-of-the-State message from the Governor.

Was taken up, read, and adopted in concurrence.

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the resolution was ordered messaged to the Senate forthwith.

Joint Resolution Adopted in Concurrence

J.R.S. 33

By Senator Baruth,

J.R.S. 33. Joint resolution relating to Town Meeting adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 1, 2024, or Saturday, March 2, 2024, it be to meet again no later than Tuesday, March 12, 2024.

Was taken up, read, and adopted in concurrence.

Governor's Veto Overridden

H. 158

House bill, entitled

An act relating to the beverage container redemption system

Appearing on the Calendar for Action, was taken up for immediate consideration.

Pursuant to Chapter II, Section 11 of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the affirmative.

Yeas, 112. Nays, 32.

Those who voted in the affirmative are:

Andrews of Westford	Dolan of Essex Junction	Morris of Springfield
Andriano of Orwell	Dolan of Waitsfield	Morrissey of Bennington
Anthony of Barre City	Donahue of Northfield	Mrowicki of Putney
Arrison of Weathersfield	Durfee of Shaftsbury	Mulvaney-Stanak of Burlington
Arsenault of Williston	Elder of Starksboro	Notte of Rutland City
Austin of Colchester	Emmons of Springfield	Noyes of Wolcott
Bartholomew of Hartland	Farlice-Rubio of Barnet	Nugent of South Burlington
Berbeco of Winooski	Garofano of Essex	O'Brien of Tunbridge
Birong of Vergennes	Goldman of Rockingham	Ode of Burlington
Black of Essex	Graning of Jericho	Page of Newport City
Bluemle of Burlington	Gregoire of Fairfield	Pajala of Londonderry
Bongartz of Manchester	Headrick of Burlington	Patt of Worcester
Bos-Lun of Westminster	Holcombe of Norwich	Pouech of Hinesburg
Boyd of Cambridge	Hooper of Randolph	Priestley of Bradford
Brady of Williston	Hooper of Burlington	Rachelson of Burlington
Branagan of Georgia	Houghton of Essex Junction	Rice of Dorset
Brown of Richmond	Howard of Rutland City	Roberts of Halifax
Brownell of Pownal	Hyman of South Burlington	Satcowitz of Randolph *
Brumsted of Shelburne	James of Manchester	Scheu of Middlebury
Burke of Brattleboro	Jerome of Brandon	Sheldon of Middlebury *
Burrows of West Windsor	Kornheiser of Brattleboro	Sims of Craftsbury
Buss of Woodstock	Krasnow of South Burlington	Small of Winooski
Campbell of St. Johnsbury	Krowinski of Burlington	Smith of Derby
Carroll of Bennington	LaBounty of Lyndon	Squirrell of Underhill
Casey of Montpelier	Lalley of Shelburne	Stebbins of Burlington *
Chapin of East Montpelier	LaLonde of South Burlington	Stevens of Waterbury
Chase of Chester	LaMont of Morristown	Stone of Burlington
Chase of Colchester	Lanpher of Vergennes	Surprenant of Barnard
Chesnut-Tangerman of Middletown Springs	Leavitt of Grand Isle	Taylor of Colchester
Christie of Hartford	Logan of Burlington	Templeman of Brownington
Cina of Burlington		Toleno of Brattleboro

Coffey of Guilford	Long of Newfane	Torre of Moretown *
Cole of Hartford	Masland of Thetford	Troiano of Stannard
Conlon of Cornwall	McCarthy of St. Albans	Waters Evans of Charlotte
Corcoran of Bennington	City	White of Bethel
Cordes of Lincoln	McGill of Bridport	Whitman of Bennington
Demrow of Corinth	Mihaly of Calais	Williams of Barre City
Dodge of Essex	Minier of South Burlington	Wood of Waterbury

Those who voted in the negative are:

Bartley of Fairfax	Hango of Berkshire	Morgan of Milton
Beck of St. Johnsbury	Higley of Lowell	Oliver of Sheldon
Brennan of Colchester	Labor of Morgan	Parsons of Newbury
Burditt of West Rutland	Laroche of Franklin	Peterson of Clarendon
Canfield of Fair Haven	Lipsky of Stowe	Sammis of Castleton
Clifford of Rutland City	Maguire of Rutland City	Shaw of Pittsford
Demar of Enosburgh	Marcotte of Coventry	Taylor of Milton
Dickinson of St. Albans	Mattos of Milton	Toof of St. Albans Town
Town	McCann of Montpelier	Walker of Swanton
Goslant of Northfield	McCoy of Poultney	Williams of Granby
Graham of Williamstown	McFaun of Barre Town	Wilson of Lyndon

Those members absent with leave of the House and not voting are:

Carpenter of Hyde Park	Harrison of Chittenden	Pearl of Danville
Galfetti of Barre Town	Nicoll of Ludlow	Sibilia of Dover

Rep. Satcowitz of Randolph explained his vote as follows:

“Madam Speaker:

This updated version of the bottle bill will more efficiently and expansively turn used bottles into new bottles, making our economy more circular and making better use of our finite, natural resources. It will hold producers responsible for the containers they send out into the world, and it will create incentives to keep more of these containers from littering our parks, roadsides, and waterways, fulfilling the original intent of the bottle law as written back in 1973.”

Rep. Sheldon of Middlebury explained her vote as follows:

“Madam Speaker:

The bottle bill addresses one piece of a larger solid waste challenge that our throwaway economy has created for us. It shifts the cost of product disposal from the taxpayer to the manufacturer who profits from their product. Changes to the bottle bill are overdue and strongly supported by the majority of Vermonters. Modernizing the bottle bill is the right thing to do.”

Rep. Stebbins of Burlington explained her vote as follow:

“Madam Speaker:

Two years ago we had a veto vote on the bottle bill. Stakeholders worked for many hours, addressing the concerns that were raised previously. It is high time to update this 50-year-old bill.”

Rep. Dara Torre of Moretown explained her vote as follows:

“Madam Speaker:

The bottle bill will allow our small communities to successfully recycle and I’m very excited about the producer responsibility organization and the ability to expand resources equitably and ensure the most recycling success.”

Message from the Senate No. 2

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

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 34. Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

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

Adjournment

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