

House Calendar

Thursday, April 3, 2025

86th DAY OF THE BIENNIAL SESSION

House Convenes at 1:00 P.M.

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ORDERS OF THE DAY

ACTION CALENDAR

Favorable with Amendment

S. 9

An act relating to after-hours access to orders against sexual assault

Rep. Oliver of Sheldon, for the Committee on Judiciary, recommends that the House propose to the Senate that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 12 V.S.A. § 5134 is amended to read:

§ 5134. EMERGENCY RELIEF

(a) In accordance with the Vermont Rules of Civil Procedure, a person other than a family or household member as defined in 15 V.S.A. § 1101(2) may file a complaint for a temporary order against stalking or sexual assault. ~~Such complaint~~ Stalking complaints shall be filed during regular court hours. The plaintiff shall submit an affidavit in support of the order. The court may issue a temporary order under this chapter ex parte, without notice to the defendant, upon motion and findings by the court that the defendant has stalked or sexually assaulted the plaintiff. The court may order the defendant to stay away from the plaintiff or the plaintiff's children, or both, and may make any other such order it deems necessary to protect the plaintiff or the plaintiff's children, or both.

* * *

Sec. 2. 12 V.S.A. § 5135(b) is amended to read:

(b) A defendant who attends a hearing held under section 5133 or 5134 of this title at which a temporary or final order under this chapter is issued and who receives notice from the court on the record that the order has been issued shall be deemed to have been served. A defendant notified by the court on the record shall be required to adhere immediately to the provisions of the order. ~~However, even when the court has previously notified the defendant of the order, the court shall transmit the order for additional service by a law enforcement agency. The clerk shall mail a copy of the order to the defendant at the defendant's last known address.~~

Sec. 3. 12 V.S.A. § 5136(b) is amended to read:

(b)(1) The Court Administrator is authorized to contract with public or private agencies to assist plaintiffs to seek relief and to gain access to Superior

Court. Law enforcement agencies shall assist in carrying out the intent of this section.

(2) The Court Administrator shall establish procedures to ensure access to orders against sexual assault after regular court hours or on weekends and holidays in accordance with subdivisions (A)–(D) of this subdivision.

(A) The court shall designate an authorized person to receive requests for ex parte emergency relief orders against sexual assault submitted after regular court hours pursuant to section 5134 of this title, including requests made by reliable electronic means according to the procedures in this subdivision (2).

(B) If a secure setting is not available for processing an ex parte emergency relief order against sexual assault submitted after regular court hours, or if the authorized person determines that electronic submission is appropriate under the circumstances, the authorized person shall inform the applicant that a complaint and affidavit may be submitted electronically.

(C) The affidavit shall be sworn to or affirmed by administration of the oath over the telephone to the applicant by the authorized person and shall conclude with the following statement: “I declare under the penalty of perjury pursuant to the laws of the State of Vermont that the foregoing is true and accurate. I understand that making false statements is a crime subject to a term of imprisonment or a fine, or both, as provided by 13 V.S.A. § 2904.” The authorized person shall note on the affidavit the date and time that the oath was administered.

(D) The authorized person shall communicate the contents of the complaint and affidavit to a judicial officer telephonically or by reliable electronic means. The judicial officer shall decide whether to grant or deny the complaint and issue the order solely on the basis of the contents of the affidavit or affidavits provided. The judicial officer shall communicate the decision to the authorized person, who shall communicate it to the applicant. If the order is issued, it shall be delivered to the appropriate law enforcement agency for service and to the holding station.

Sec. 4. EFFECTIVE DATE

This act shall take effect on September 1, 2025.

(Committee vote: 9-0-2)

CONSENT CALENDAR FOR NOTICE

Concurrent Resolutions for Adoption Under Joint Rules 16a - 16d

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration in that member's chamber prior to adjournment of the next legislative day. Requests for floor consideration in either chamber should be communicated to the Senate Secretary's Office or the House Clerk's Office, as applicable. For text of resolutions, see Addendum to House Calendar and Senate Calendar.

H.C.R. 70

House concurrent resolution designating April 10, 2025 as Alzheimer's Awareness Day at the State House

H.C.R. 71

House concurrent resolution celebrating the 40th anniversary of the first class at Landmark College and extending best wishes for continued academic success

H.C.R. 72

House concurrent resolution commemorating May 9, 2025 as the 250th anniversary of Ethan Allen's arrival in Castleton in association with the War for Independence

H.C.R. 73

House concurrent resolution designating April 10, 2025 as Museums and Libraries Day at the State House

H.C.R. 74

House concurrent resolution congratulating the 2025 Boys & Girls Clubs of Vermont Youth of the Year honorees

H.C.R. 75

House concurrent resolution congratulating the 2025 Essex High School Hornets girls' gymnastics team on winning a second consecutive State championship

H.C.R. 76

House concurrent resolution honoring Robin Lunge for her dedicated public service in Vermont State government

H.C.R. 77

House concurrent resolution recognizing April 2025 as Fair Housing Month in Vermont

H.C.R. 78

House concurrent resolution in memory of former Representative and Secretary of Administration Kathleen C. Hoyt of Norwich

H.C.R. 79

House concurrent resolution celebrating the 30th anniversary of the Vermont Arts Exchange and its collaborative artistic endeavors

H.C.R. 80

House concurrent resolution honoring the Italian artist Michelangelo Pistoletto for his extraordinary creativity, collaborative artistic leadership, and nomination for the 2025 Nobel Peace Prize

S.C.R. 4

Senate concurrent resolution recognizing the success of the American System of Conservation Funding and commemorating the 75th anniversary of the enactment of federal sport fish restoration legislation

For Informational Purposes

H.C.R. REQUEST DEADLINE

All requests for a 2025 House Concurrent Resolution should be submitted to Michael Chernick in the Office of Legislative Counsel by noon on **Friday, April 25, 2025**.

CROSSOVER DATES

The Joint Rules Committee established the following crossover dates:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 14, 2025**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by **Friday, March 14, 2025**.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means

must be reported out by the last of those committees on or before **Friday, March 21, 2025**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill, and the Fee/Revenue bills).

HOUSE CONCURRENT RESOLUTION (H.C.R.) PROCESS

Joint Rules 16a–16d provide the procedure for the General Assembly to adopt concurrent resolutions pursuant to the Consent Calendar. Here are the steps for Representatives to introduce an H.C.R. and to have it ceremonially read during a House session:

1. Meet with Legislative Counselor Michael Chernick regarding your H.C.R. draft request. Come prepared with an idea and any relevant supporting documents.
2. Have a date in mind if you want a ceremonial reading. You should meet with Counselor Chernick at least two weeks prior to the week you want your ceremonial reading to happen.
3. Counselor Chernick will draft your H.C.R., and Resolutions Editor and Coordinator Jill Pralle will edit it. Upon completion of this process, a paper or electronic copy will be released to you. If a paper copy is released to you, a sponsor signout sheet will also be included.
4. Please submit the sponsor list to Counselor Chernick by paper *or* electronically, but not both.
5. The final list of sponsors needs to be submitted to Counselor Chernick not later than 12:00 noon the Thursday of the week prior to the H.C.R.’s appearance on the Consent Calendar.
6. The Office of Legislative Counsel will then send your H.C.R. to the House Clerk’s Office for incorporation into the Consent Calendar and House Calendar Addendum for the following week.
7. The week that your H.C.R. is on the Consent Calendar, any presentation copies that you requested will be mailed or available for pickup on Friday, after the House and Senate adjourn, which is when your H.C.R. is adopted pursuant to Joint Rules.
8. Your H.C.R. can be ceremonially read during a House session once it is adopted. If you would like to schedule a ceremonial reading, contact

Second Assistant Clerk Courtney Reckord to confirm your requested ceremonial reading date.

JOINT FISCAL COMMITTEE NOTICES

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3246: 125+ acre land donation valued at \$184,830.00 from Pieter Van Schaik of Cavendish, VT to the Agency of Natural Resources, Department of Forests, Parks and Recreation. The acreage will become part of the Lord State Forest. *[Received March 24, 2025]*

JFO #3244: \$2,335,401.00 to the Agency of Human Services, Department of Health from the Substance Abuse and Mental Health Services Administration. Funds support continued crisis counseling assistance and training in response to the July 2024 flood event. *[Received February 7, 2025]*

JFO #3245: \$250,000.00 to the Agency of Human Services, Department of Health from the National Association of State Mental Health Program Directors. Funds used to provide trainings for crisis staff and to make improvements to the State's crisis system dispatch platform. *[Received February 7, 2025]*