

House Calendar

Wednesday, April 23, 2025

106th DAY OF THE BIENNIAL SESSION

House Convenes at 1:00 P.M.

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ACTION CALENDAR

Action Postponed Until April 23, 2025

Senate Proposal of Amendment

H. 10

An act relating to approval of amendments to the charter of the City of Barre

The Senate proposes to the House to amend the bill in Sec. 2, 24 App. V.S.A. chapter 1, in section 110 (fiscal year), following the words “shall begin on the first day of July”, by striking out the words “and end on the last day of June” and inserting in lieu thereof “~~and end on the last day of June~~”

H. 243

An act relating to the regulation of business organizations

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 4, 11 V.S.A. chapter 15, in section 1656, by striking out the section heading in its entirety and inserting in lieu thereof a new section heading to read as follows:

§ 1656. SERVICE OF PROCESS; SECRETARY OF STATE AS AGENT

Second: By adding a new section to be Sec. 4a to read as follows:

Sec. 4a. 11 V.S.A. chapter 15, subchapter 2 is amended to read:

Subchapter 2. Administrative Authority

* * *

§ 1657. CERTIFICATE OF GOOD STANDING

Upon request of any person and payment of the applicable fee, the Secretary of State shall issue a certificate of good standing for a business organization that is authorized to do business in this State, and that is currently active and in good standing as of the date the certificate is issued, as reflected in the records of the Secretary.

Third: By adding a new section to be Sec. 7a to read as follows:

Sec. 7a. 11 V.S.A. § 4028 is amended to read:

§ 4028. CERTIFICATE OF EXISTENCE OR AUTHORIZATION
CERTIFICATE OF GOOD STANDING

~~(a) A person may request the Secretary of State to furnish a certificate of existence for a limited liability company or a certificate of authorization for a foreign limited liability company.~~

~~(b) A certificate of existence for a limited liability company shall set forth:~~

~~(1) the company's name;~~

~~(2) that it is duly organized under the laws of this State and the date of organization; and~~

~~(3) that articles of termination have not been filed.~~

~~(c) A certificate of authorization for a foreign limited liability company shall set forth:~~

~~(1) the company's name used in this State;~~

~~(2) that it is authorized to transact business in this State; and~~

~~(3) that a certificate of cancellation has not been filed.~~

~~(d) Subject to any qualification stated in the certificate, a certificate of existence or authorization issued by the Secretary of State may be relied upon as conclusive evidence that the domestic or foreign limited liability company is in existence or is authorized to transact business in this State. A person may request the Secretary of State to issue a certificate of good standing for a domestic or foreign limited liability company pursuant to section 1657 of this title.~~

Fourth: By adding a new section to be Sec. 8a to read as follows:

Sec. 8a. 11A V.S.A. § 1.28 is amended to read:

§ 1.28. CERTIFICATE OF GOOD STANDING

~~(a) Anyone may apply to the Secretary of State to furnish a certificate of good standing for a domestic corporation or a certificate of authorization for a foreign corporation.~~

~~(b) A certificate of good standing or authorization sets forth:~~

~~(1) the domestic corporation's corporate name or the foreign corporation's corporate name used in this State;~~

~~(2) that:~~

~~(A) the domestic corporation is duly incorporated under the law of this state, the date of its incorporation, and the period of its duration if less than perpetual; or~~

~~(B) the foreign corporation is authorized to transact business in this State;~~

~~(3) that all fees and penalties owed to this state under section 1.22 of this title have been paid if:~~

~~(A) payment is reflected in the records of the Secretary of State; and~~

~~(B) nonpayment affects the existence or authorization of the domestic or foreign corporations;~~

~~(4) that its most recent annual report required by section 16.22 of this title has been delivered to the Secretary of State;~~

~~(5) that articles of dissolution have not been filed; and~~

~~(6) other facts of records in the office of the Secretary of State that may be requested by the applicant.~~

~~(e) Subject to any qualification stated in the certificate, a certificate of good standing or authorization issued by the Secretary of State may be relied upon as conclusive evidence that the domestic or foreign corporation is in existence or is authorized to transact business in this State. A person may request the Secretary of State to issue a certificate of good standing for a domestic or foreign corporation pursuant to 11 V.S.A. § 1657.~~

Fifth: By adding a new section to be Sec. 15a to read as follows:

Sec. 15a. 11B V.S.A. § 1.28 is amended to read:

§ 1.28. CERTIFICATE OF GOOD STANDING

~~(a) Any person may apply to the Secretary of State to furnish a certificate of good standing for a domestic or foreign corporation.~~

~~(b) The certificate of good standing sets forth:~~

~~(1) the domestic corporation's corporate name or the foreign corporation's corporate name used in this State;~~

~~(2) that:~~

~~(A) the domestic corporation is duly incorporated under the law of this State, the date of its incorporation, and the period of its duration if less than perpetual; or~~

~~(B) the foreign corporation is authorized to transact business in this State;~~

~~(3) that all fees and penalties owed to this State under section 1.22 of this title have been paid if:~~

~~(A) payment is reflected in the records of the Secretary of State; and~~

~~(B) nonpayment affects the good standing of the domestic or foreign corporation;~~

~~(4) that its most recent biennial report required by section 16.22 of this title has been delivered to the Secretary of State; and~~

~~(5) that articles of dissolution have not been filed.~~

~~(e) Subject to any qualification stated in the certificate, a certificate of good standing issued by the Secretary of State may be relied upon as conclusive evidence that the domestic or foreign corporation is in existence or is authorized to transact business in this State.~~

~~(d) Subject to any qualification stated in the certificate, a certificate of good standing issued by the Secretary of State may be taken as prima facie evidence of the facts stated therein A person may request the Secretary of State to issue a certificate of good standing for a domestic or foreign corporation pursuant to 11 V.S.A. § 1657.~~

Sixth: In Sec. 23, 11C V.S.A. chapter 2, by striking out section 206 in its entirety and inserting in lieu thereof a new section 206 to read as follows:

§ 206. CERTIFICATE OF GOOD STANDING OR AUTHORIZATION

~~(a) The Secretary of State, upon request and payment of the required fee, shall furnish any person that requests it a certificate of good standing for a mutual benefit enterprise if the records filed in the Office of the Secretary of State show that the Secretary of State has filed the enterprise's articles of organization, that the enterprise is in good standing, and that the Secretary of State has not filed a statement of termination.~~

~~(b) The Secretary of State, upon request and payment of the required fee, shall furnish to any person that requests it a certificate of authority for a foreign enterprise if the records filed in the Office of the Secretary of State show that the Secretary of State has filed the foreign enterprise's certificate of authority, has not revoked nor has reason to revoke the certificate of authority, and has not filed a notice of cancellation.~~

~~(c) Subject to any exceptions stated in the certificate, a certificate of good standing or authority issued by the Secretary of State establishes conclusively that the mutual benefit enterprise or foreign enterprise is in good standing or is authorized to transact business in this State A person may request the Secretary of State to issue a certificate of good standing for a domestic or foreign enterprise pursuant to 11 V.S.A. § 1657.~~

Seventh: In Sec. 27, business services and business organizations; study, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) Reporting. The Secretary of State shall, based on the task set forth in subsection (a) of this section, submit to the House Committee on Commerce and Economic Development, the House Committee on Ways and Means, the Senate Committee on Economic Development, Housing and General Affairs, and the Senate Committee on Finance an interim report on or before November 15, 2025 and a final report on or before December 1, 2026 including its findings and any proposed legislation for the General Assembly's consideration. The interim report shall provide the General Assembly with any recommended actions to pursue in the 2026 legislative session.

NOTICE CALENDAR

Favorable with Amendment

S. 36

An act relating to the Medicaid payment model for residential substance use disorder treatment services

Rep. Bishop of Colchester, for the Committee on Human Services, recommends that the House propose to the Senate that the bill be amended by inserting a new Sec. 6 and a new section to be Sec. 7 to read as follows:

Sec. 6. REPORTS; PUBLIC INEBRIATE SERVICES AND PROGRAMMING

(a)(1) The Departments of Health and of Mental Health's existing plan to expand public inebriate services and programming shall prioritize Chittenden County.

(2) On or before February 15, 2026, the Departments of Health and of Mental Health shall jointly provide a presentation to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare describing efforts to expand public inebriate services and programming pursuant to subdivision (1) of this subsection.

(b) On or before February 15, 2026, the Department of Corrections shall provide a presentation to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare describing efforts to reinstate the practice of connecting individuals receiving public inebriate

services in a correctional facility with appropriate community-based substance use recovery providers.

Sec. 7. REPORTS; HUMAN SERVICES BOARD PROCEEDINGS

(a) On or before December 15, 2025, the Agency of Human Services, in consultation with the Human Services Board, Office of the Attorney General, each of the Agency's departments with cases before the Human Services Board, community partners, and individuals with lived experience as appellants before the Board, shall submit a written report to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare providing the following information and recommendations regarding proceedings before the Board:

(1) a proposal that attorneys representing the Agency or departments participate in training that balances the attorney's ethical obligation to zealously represent the attorney's client with the respectful, trauma-informed treatment of appellants;

(2) an analysis of varying appeals processes specific to the Agency and each department with cases before the Board, including proposals and any legislative action necessary to improve consistency;

(3) a proposal to identify and collect currently unavailable data in a manner that ensures uniform data collection across the Agency and departments with cases before the Board, including data regarding cases resolved prior to reaching the stage of hearing officer or full Board involvement;

(4) recommendations for resolving potential appeals prior to reaching the Board; and

(5) any other recommendation requiring legislative action.

(b) On or before December 15, 2025, the Human Services Board, in collaboration with the Agency of Human Services, each of the Agency's departments with cases before the Board, the Office of the Attorney General, community partners, and individuals with lived experience as appellants before the Board, shall submit a written report to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare providing the following information and recommendations regarding proceedings before the Board:

(1) a proposal to improve understanding of Board processes and accessibility to appellants, including the use of media and graphics to explain what the Board is and how it operates;

(2) a proposal for the exchange of periodic feedback as part of a continual quality improvement process between the Board, Agency, departments appearing before the Board, Office of the Attorney General, Vermont Legal Aid, and other relevant stakeholders;

(3) an analysis of how to enable an appellant to present a personal narrative without jeopardizing the appellant's case or disrupting the legal obligations of the Board and the attorneys representing the Agency or departments appearing before the Board; and

(4) recommendations to improve the reporting and analysis of data to the General Assembly, including information related to appeal requests resolved prior to reaching the stage of hearing officer or full Board involvement.

and by renumbering the remaining section to be numerically correct

and that after passage the title of the bill be amended to read: "An act relating to the delivery and payment of certain services provided through the Agency of Human Services, Public Inebriate Services, and Human Services Board proceedings"

(Committee vote: 11-0-0)

Rep. Bluemle of Burlington, for the Committee on Appropriations, recommends that the House propose to the Senate that the bill be amended as recommended by the Committee on Human Services.

(Committee Vote: 11-0-0)

Amendment to be offered by Reps. Bishop of Colchester, Cole of Hartford, Donahue of Northfield, Eastes of Guilford, Garofano of Essex, Maguire of Rutland City, McGill of Bridport, Nielsen of Brandon, Noyes of Wolcott, Steady of Milton, and Wood of Waterbury to the report of the Committee on Human Services on S. 36

That the report of the Committee on Human Services be amended as follows:

First: By striking out Sec. 6, reports; public inebriate services and programming, in its entirety and inserting in lieu thereof a new Sec. 6 to read as follows:

Sec. 6. REPORTS; SERVICES AND PROGRAMMING FOR PERSONS

WHO ARE INCAPACITATED

(a)(1) The Departments of Health and of Mental Health’s existing plan to expand services and programming for persons who are incapacitated pursuant to 18 V.S.A. § 4810 shall prioritize Chittenden County.

(2) On or before February 15, 2026, the Departments of Health and of Mental Health shall jointly provide a presentation to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare describing efforts to expand services and programming for persons who are incapacitated pursuant to subdivision (1) of this subsection.

(b) On or before February 15, 2026, the Department of Corrections shall provide a presentation to the House Committees on Corrections and Institutions, on Health Care, and on Human Services and to the Senate Committees on Institutions and on Health and Welfare describing efforts to reinstate the practice of connecting persons who are in a correctional facility due to incapacitation pursuant to 18 V.S.A. § 4810 with appropriate community-based substance use recovery providers.

Second: By proposing to the Senate to amend the bill in Sec. 4, repeal, by striking out “public inebriates” and inserting in lieu thereof “persons who are incapacitated”

and that after passage the title of the bill be amended to read: “An act relating to the delivery and payment of certain services provided through the Agency of Human Services, services for persons who are incapacitated, and Human Services Board proceedings”

Amendment to be offered by Rep. Rachelson of Burlington to S. 36

That the House proposal of amendment be amended as follows:

First: By proposing to the Senate to amend the bill by striking out Sec. 4, repeal, and Sec. 5, 2019 Acts and Resolves No. 6, Sec. 105, in their entireties and inserting in lieu thereof new Secs. 4 and 5 to read as follows:

Sec. 4. 2019 Acts and Resolves No. 6, Sec. 105 is amended to read:

Sec. 105. EFFECTIVE DATES

* * *

(c) Secs. 99 and 100 (amending 18 V.S.A. §§ 4910 and 4811) shall take effect on July 1, ~~2025~~ 2027.

* * *

Sec. 5. 18 V.S.A. § 4810 is amended to read:

§ 4810. TREATMENT AND SERVICES

* * *

(d) A person judged by a law enforcement officer to be incapacitated, ~~and who has not been charged with a crime, and who poses a risk to public safety~~ may be lodged in protective custody in a lockup or community correctional center for up to 24 hours or until judged by the person in charge of the facility to be no longer incapacitated, if and only if:

(1) the person refuses to be transported to an appropriate facility for treatment or, if once there, refuses treatment or leaves the facility before ~~he or she~~ the person is considered by the responsible staff of that facility to be no longer incapacitated; or

(2) ~~no~~ there is not an approved substance abuse treatment program with detoxification capabilities ~~and no~~, a staff physician, or other medical professional at ~~the nearest~~ a licensed general hospital can be found within a 60-mile radius of where the person was first encountered who will accept the person for treatment.

* * *

(h) If an incapacitated person in protective custody is lodged in a lockup or community correctional center,;

(1) ~~his or her~~ the person's family or next of kin shall be notified as promptly as possible. ~~If, unless~~ the person is an adult and requests that there be no notification, ~~his or her~~ in which case the person's request shall be respected;

(2) any personal belongings taken from the person shall be promptly returned to the person upon release; and

(3) the person shall be returned to the location the person was first encountered or other reasonable location upon release, if requested.

* * *

Second: In Sec. 6, reports; services and programming for persons who are incapacitated, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) The Departments of Health and of Mental Health's existing plan to expand services and programming for persons who are incapacitated pursuant to 18 V.S.A. § 4810 shall first prioritize the county with the highest current use of correctional facilities for this purpose and then any other underserved region of the State. As part of the Departments' fiscal year 2027 budget presentation, the Departments shall include a proposal for expanding community-based services for persons who are incapacitated to underserved regions of the State

using, in part, cost savings from diverting persons who are incapacitated from emergency departments and correctional facilities.

For Informational Purposes

NOTICE OF PUBLIC HEARING

The Vermont Senate Committee on Government Operations and the Vermont House Committee on Government Operations and Military Affairs will hold a public hearing on Veteran's Affairs on **Wednesday, April 30, 2025 from 4:00 P.M. to 5:30 P.M. in Room 11 at the State House.**

The hearing will be available to watch live on YouTube at the following link.

YouTube livestream:

<https://legislature.vermont.gov/committee/streaming/house-government-operations-and-military-affairs>

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 #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]*
- 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 #3247:** \$2,875,419.00 to the Agency of Human Services, Department for Children and Families to support families affected by the July 2024 flood event. The request includes three (3) limited-service positions. Two (2) Emergency Management Specialists to the AHS central office and one (1) Grants and Contract Manager to the Department of Children and Families Positions funded through June 30, 2027. *[Received 04/10/2025, expedited review requested 04/10/2025]*
- JFO #3248:** \$35,603.00 to the Vermont Department of Libraries from the Vermont Community Foundation and the dissolution of the VT Public Library Foundation. The grant will provide modest grants to VT libraries with a preference for smaller libraries and for programs and projects that support children and diversity. *[Received April 10, 2025]*
- JFO #3249:** \$22,117.00 to the Agency of Human Services, Department of Corrections to ensure compliance with the Prison Rape Elimination Act (PREA). *[Received April 10, 2025]*
- JFO #3250:** \$391,666.00 to the Vermont Agency of Natural Resources, Department of Forests, Parks and Recreation from the Northern Border Regional Commission. Funds will support the Vermont Outdoor Recreation Economic Collaboration (VOREC) Program Director as well as VOREC initiatives. *[Received April 11, 2025]*

JFO #3251: \$50,000.00 to the Agency of Human Services, Central Office from the National Governor's Association. The funds will support state-side improvements of service-to-career pathways, with a focus on emergency responders. *[Received April 11, 2025]*

JFO #3252: \$10,000,000.00 to the Vermont Department of Libraries from the U.S. Department of Housing and Urban Development. The Public Facilities Preservation Initiative grant will provide smaller grants to rural libraries for the completion of necessary capital improvement projects. *[Received April 11, 2025]*