

# Journal of the House

Tuesday, April 29, 2025

At ten o'clock in the forenoon, the Speaker called the House to order.

## Devotional Exercises

Devotional exercises were conducted by Rev. Joe Welker, East Craftsbury Presbyterian Church.

## Pledge of Allegiance

Page Alex Young-Springer of Burlington led the House in the Pledge of Allegiance.

## House Bills Introduced

House bills of the following titles were severally introduced, read the first time, and referred to committee as follows:

### H. 512

By Reps. Harrison of Chittenden, Bosch of Clarendon, Canfield of Fair Haven, Howard of Rutland City, Howland of Rutland Town, Keyser of Rutland City, Maguire of Rutland City, Malay of Pittsford, McCoy of Poultney, Pinsonault of Dorset, Pritchard of Pawlet, and Winter of Ludlow,

House bill, entitled

An act relating to the regulation of the event ticketing market

To the Committee on Commerce and Economic Development.

### H. 513

By Reps. Bartholomew of Hartland and Burrows of West Windsor,

House bill, entitled

An act relating to the Southeast State Correctional Facility natural areas

To the Committee on Corrections and Institutions.

## Bill Referred to Committee on Appropriations

### H. 86

House bill, entitled

An act relating to establishing the Chloride Contamination Reduction Program at the Agency of Natural Resources

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

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

**H. 504**

House bill, entitled

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

Appearing on the Notice Calendar, and pursuant to House Rule 35(a), materially affecting the revenue of one or more municipalities, was referred to the Committee on Ways and Means.

**Ceremonial Readings**

**H.C.R. 86**

Offered by Representatives McCann of Montpelier, Casey of Montpelier, Brady of Williston, Brown of Richmond, Conlon of Cornwall, Dobrovich of Williamstown, Harple of Glover, Hooper of Randolph, Hunter of Manchester, Long of Newfane, Quimby of Lyndon, Satcowitz of Randolph, Taylor of Milton, and Toof of St. Albans Town

Offered by Senators Cummings, Perchlik, and Watson

House concurrent resolution congratulating the 2025 Montpelier High School Solons Division II girls' Nordic championship ski team

*Whereas*, the winter of 2025 proved propitious for the Solons girls' Nordic skiers as they dashed and glided their way to glory, and

*Whereas*, this confident and skilled contingent of snowy trail enthusiasts was exceptionally well prepared, having earned second place in each of the prior two years, and

*Whereas*, the two-day skiing competition consisted of the first day's freestyle runs held in Craftsbury and the concluding day's classical racing at Prospect Mountain, at which Montpelier emerged as the day's winner, and

*Whereas*, when all the scores were tallied, the Solons had clinched the 2025 Nordic skiing title, and the delighted Montpelier skiers were Phoebe Bakeman, Sara Saligman McGill, Anna Newara, Adele Pritchard, Clare Pritchard, Miriam Serota-Winston, Marie Voisin, and Anna Wetherell, and

*Whereas*, Head Coach Brian Carlson and assistant coaches Jason Serota-Winston and Hugh Pritchard were proud of the team, *now therefore be it*

***Resolved by the Senate and House of Representatives:***

That the General Assembly congratulates the 2025 Montpelier High School Solons Division II girls' Nordic championship ski team, *and be it further*

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

Having been adopted in concurrence on Friday, April 11, 2025 in accord with Joint Rule 16b, was read.

**H.C.R. 87**

Offered by Representatives McCann of Montpelier, Casey of Montpelier, Brady of Williston, Brown of Richmond, Conlon of Cornwall, Dobrovich of Williamstown, Harple of Glover, Hooper of Randolph, Hunter of Manchester, Long of Newfane, Quimby of Lyndon, Satcowitz of Randolph, Taylor of Milton, and Toof of St. Albans Town

Offered by Senators Cummings, Perchlik, and Watson

House concurrent resolution congratulating the Montpelier High School Solons boys' basketball program on winning a fifth consecutive Division II championship

*Whereas*, during the 2024–2025 regular season, the first-seeded Solons and the third-seeded Harwood Highlanders had two encounters in which Montpelier strongly outscored Harwood, and the highly experienced Solons team was determined to repeat those earlier on-court performances at the Division II championship contest played at the Barre Auditorium, and

*Whereas*, the game proved to be a spirited hoop encounter, as at halftime the 40–30 Montpelier lead was not insurmountable, and

*Whereas*, recognizing the Highlanders' perseverance, the Solons accelerated their fourth-quarter drive, outscoring Harwood 19–10, ensuring a final 68–57 victory, and achieving a consecutive-year boys' basketball championship record not seen in Vermont high school competition in over three decades, and

*Whereas*, the victorious Solons were Kayden Anderson-Hall, Kleo Bridge, Carter Bruzzese, Carson Cody, Clayton Foster, Cayden Haley, Winter Holloway, Weston Jones, Atif Milak, Orion Nuss, Joseph Nyiringabo, Stone Poor, Colby Sterling-Proulx, Eliades Toman-Greenberg, and Alex Weinstein, and

*Whereas*, Head Coach Nick Foster and assistant coaches Bill Bruzzese, Ryan Booth, and Anthony Roberts inspired the team throughout the 2024–2025 basketball season, *now therefore be it*

***Resolved by the Senate and House of Representatives:***

That the General Assembly congratulates the Montpelier High School Solons boys' basketball program on winning a fifth consecutive Division II championship, *and be it further*

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

Having been adopted in concurrence on Friday, April 11, 2025 in accord with Joint Rule 16b, was read.

**H.C.R. 109**

Offered by Representatives Burkhardt of South Burlington, Krasnow of South Burlington, LaLonde of South Burlington, Minier of South Burlington, and Nugent of South Burlington

House concurrent resolution congratulating the South Burlington Chapter of Rotary International on 40 years of exemplary community service and professional camaraderie

*Whereas*, on February 23, 1905, Chicago attorney Paul Harris established the world's first Rotary Club, consisting of members from different professional and business backgrounds who gathered to "exchange ideas and form meaningful, lifelong friendships," and

*Whereas*, the organization quickly expanded around the globe, and within 16 years, there were Rotary Clubs on six continents, and

*Whereas*, a fundamental goal of all Rotary Clubs is to promote the Five Avenues of Service: Club Service, Vocational Service, Community Service, International Service, and New Generation Service (empowering youth), and

*Whereas*, Rotary International's strong Vermont connection dates from 1923, and the South Burlington Rotary Club, for which Rotary International issued a charter on October 28, 1985, has been a stellar organizational contributor, and

*Whereas*, over the past four decades, the South Burlington Rotary Club has not only exemplified the highest ideals of Rotary International, making significant financial donations to laudable local initiatives, but, equally, has contributed to hands-on "people power" to support the success of community service projects that have improved life in South Burlington, and

*Whereas*, among the community achievements in which the South Burlington Rotary Club has participated are the completion of improvements to the bandshell at Veteran's Memorial Park, the acquisition of an all-electric delivery and pickup van for the South Burlington Food Shelf, and the

installation of benches along recreation paths, and they assist with school literacy projects, support Scouting programs, host and send students who are studying on international and academic exchanges, and much more, and

*Whereas*, the South Burlington Rotary Club is proudly commemorating 40 years of selfless good deeds and looks forward to active Rotary service for many years into the future, *now therefore be it*

***Resolved by the Senate and House of Representatives:***

That the General Assembly congratulates the South Burlington Chapter of Rotary International on 40 years of exemplary community service and professional camaraderie, *and be it further*

***Resolved:*** That the Secretary of State be directed to send a copy of this resolution to the South Burlington Rotary Club.

Having been adopted in concurrence on Friday, April 25, 2025 in accord with Joint Rule 16b, was read.

**Third Reading; Bill Passed**

**H. 364**

House bill, entitled

An act relating to approval of the annexation of property by the Village of Swanton

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

**Third Reading;**

**Bill Passed in Concurrence with Proposal of Amendment**

**S. 36**

Senate bill, entitled

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

Was taken up, read the third time, and passed in concurrence with proposal of amendment.

**Second Reading; Amendment Offered; Point of Order; Proposal of Amendment Agreed to; Third Reading Ordered**

**S. 50**

**Rep. James of Manchester**, for the Committee on Energy and Digital Infrastructure, to which had been referred Senate bill, entitled

An act relating to increasing the size of solar net metering projects that qualify for expedited registration

Reported in favor of its passage in concurrence with proposal of amendment by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 30 V.S.A. § 8010 is amended to read:

§ 8010. SELF-GENERATION AND NET METERING

\* \* \*

(c) In accordance with this section, the Commission shall adopt and implement rules that govern the installation and operation of net metering systems.

(1) The rules shall establish and maintain a net metering program that:

\* \* \*

(G) accounts for changes over time in the cost of technology; ~~and~~

(H) allows a customer to retain ownership of the environmental attributes of energy generated by the customer's net metering system and of any associated tradeable renewable energy credits or to transfer those attributes and credits to the interconnecting retail provider, and:

(i) if the customer retains the attributes, reduces the value of the credit provided under this section for electricity generated by the customer's net metering system by an appropriate amount; and

(ii) if the customer transfers the attributes to the interconnecting provider, requires the provider to retain them for application toward compliance with sections 8004 and 8005 of this title; and

(I) allows a customer to change the customer's decision to retain or transfer the attributes once in the 120-day period after the net metering system is commissioned.

\* \* \*

(3) The rules shall establish standards and procedures governing application for and issuance or revocation of a certificate of public good for net metering systems under the provisions of section 248 of this title. In establishing these standards and procedures:

\* \* \*

(F) This subdivision (F) applies to an application for a net metering system with a capacity that is greater than ~~15~~ 25 kilowatts, unless the system is

located on a new or existing structure the primary purpose of which is not the generation of electricity. With respect to such a system, the rules shall not waive or include provisions that are less stringent than each of the following:

(i) the requirement of subdivision 248(a)(4)(C) of this title to provide a copy of the application to the Agencies of Agriculture, Food and Markets and of Natural Resources; the Department of Public Service; the Division for Historic Preservation; the municipal legislative body; and the municipal and regional planning commissions; and

(ii) the requirements of subsection 248(f) (preapplication submittal) of this title.

(G) The rules shall establish an expedited registration procedure for net metering systems of 25 kilowatts and less in size.

\* \* \*

## Sec. 2. RULEMAKING

The Public Utility Commission shall update its Rule 5.100 to allow ground mounted photovoltaic net metering systems of 25 kilowatts and less to qualify for expedited registration. It is the intent of the General Assembly that the Commission shall allow systems of 25 kilowatts and less to use the expedited registration before the rules are updated.

## Sec. 3. 30 V.S.A. § 248(s) is amended to read:

(s) This subsection sets minimum setback requirements that shall apply to in-state ground-mounted solar electric generation facilities approved under this section, unless the facility is installed on a canopy constructed on an area primarily used for parking vehicles that is in existence or permitted on the date the application for the facility is filed.

(1) The minimum setbacks shall be:

(A) From a State or municipal highway, measured from the edge of the traveled way:

(i) 100 feet for a facility with a plant capacity exceeding 150 kW;  
and

(ii) 40 feet for a facility with a plant capacity less than or equal to 150 kW but greater than ~~15~~ 25 kW; and

(iii) 10 feet for a facility with a plant capacity less than or equal to 25 kW.

(B) From each property boundary that is not a State or municipal highway:

and (i) 50 feet for a facility with a plant capacity exceeding 150 kW;

(ii) 25 feet for a facility with a plant capacity less than or equal to 150 kW but greater than ~~15~~ 25 kW; and

(iii) 10 feet for a facility with a plant capacity less than or equal to 25 kW.

~~(2) This subsection does not require a setback for a facility with a plant capacity equal to or less than 15 kW. [Repealed.]~~

(3) On review of an application, the Commission may:

(A) require a larger setback than this subsection requires;

(B) approve an agreement to a smaller setback among the applicant, the municipal legislative body, and each owner of property adjoining the smaller setback; or

(C) require a setback for a facility constructed on an area primarily used for parking vehicles, if the application concerns such a facility.

(4) In this subsection:

(A) “kW” and “plant capacity” shall have the same meaning as in section 8002 of this title.

(B) “Setback” means the shortest distance between the nearest portion of a solar panel or support structure for a solar panel, at its point of attachment to the ground, and a property boundary or the edge of a highway’s traveled way.

Sec. 4. 30 V.S.A. § 248(a)(7) is amended to read:

(7) When a certificate of public good under this section or amendment to such a certificate is issued for an in-state electric generation or energy storage facility with a capacity that is greater than ~~15~~ 25 kilowatts, the certificate holder within 45 days shall record a notice of the certificate or amended certificate, on a form prescribed by the Commission, in the land records of each municipality in which a facility subject to the certificate is located ~~and shall submit proof of this recording to the Commission.~~ The recording under this subsection shall be indexed as though the certificate holder were the grantor of a deed. The prescribed form shall not exceed one page and shall require identification of the land on which the facility is to be located by reference to the conveyance to the current landowner, the number of the certificate, and the name of each person to which the certificate was issued and shall include information on how to contact the Commission to view the certificate and supporting documents.



## Sec. 5. PUBLIC UTILITY COMMISSION RECOMMENDATION;

## DEFINITION OF SINGLE PLANT

On or before November 1, 2025, and with input from stakeholders, the Public Utility Commission shall submit a recommended amended definition of “plant” in 30 V.S.A. § 8002(18) and an overview of their process and explanation of the recommendation to the House Committee on Energy and Digital Infrastructure and the Senate Committee on Natural Resources and Energy. In making its recommendation, the Commission shall consider:

- (1) the land use benefits of collocation of energy generation facilities;
  - (2) the ability to ensure comprehensive review of collocated facilities;
- and
- (3) the potential impacts to ratepayers associated with collocated facilities.

## Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the Committee on Energy and Digital Infrastructure?, **Rep. North of Ferrisburgh** moved to amend the report of the Committee on Energy and Digital Infrastructure by adding a new section to be Sec. 5a to read as follows:

## Sec. 5a. REPEALS; CLEAN HEAT STANDARD

30 V.S.A. chapter 94 (Clean Heat Standard) and 32 V.S.A. § 3102(e)(23) (confidentiality of tax records) are repealed.

**Rep. Bartholomew of Hartland** raised a Point of Order that the amendment was not germane to the bill, which the Chair ruled well-taken because the underlying bill pertains to expedited registration for certain net-metering systems, whereas the amendment would repeal the Clean Heat Standard, and therefore the amendment deals with a different topic and would change the purpose of the bill. Therefore, the Chair ruled that the amendment was not germane, and therefore could not be considered.

Thereupon, the report of the Committee on Energy and Digital Infrastructure was agreed to, and third reading ordered.

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**Senate Proposal of Amendment Concurred in****H. 13**

The Senate proposed to the House to amend House bill, entitled

An act relating to Medicaid payment rates for home- and community-based service providers

The Senate proposed to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. § 900 is amended to read:

§ 900. DEFINITIONS

~~Unless otherwise required by the context, the words and phrases in this chapter shall be defined as follows~~ As used in this chapter:

\* \* \*

(7) “Community-based services” means the following services provided pursuant to Vermont’s Global Commitment to Health Section 1115 Medicaid demonstration or a successor program:

(A) long-term services and supports provided to older adults and adults with disabilities in a home or community setting other than a nursing home, including enhanced residential care services;

(B) home health and hospice services, adult day rehabilitation services, and assistive community care services; and

(C) short- and long-term services and supports provided to individuals with mental conditions, individuals with substance use disorders, individuals with developmental or intellectual disabilities, and individuals with a brain injury, in a home or community setting that is not a clinical residential setting or a private nonmedical residential setting.

Sec. 2. 33 V.S.A. § 911 is added to read:

§ 911. PAYMENT RATES FOR PROVIDERS OF COMMUNITY-BASED SERVICES

(a) The Secretary of Human Services shall calculate payment rates for providers of community-based services that are reasonable and adequate to achieve the required outcomes for the populations they serve. When calculating these payment rates, the Secretary:

(1) for informational purposes, shall ensure that the calculations take into account factors that include:

(A) the reasonable cost of any governmental mandate that has been enacted, adopted, or imposed by any State or federal authority; and

(B) a cost adjustment factor to reflect changes in reasonable costs of goods to and services of providers of community-based services, including those attributed to inflation and labor market dynamics; and

(2) may consider geographic differences in wages, benefits, housing, and real estate costs in each region of the State.

(b) The Secretary shall establish a methodology for calculating payment rates for providers of community-based services in accordance with this section. The methodology shall:

(1) provide a schedule for conducting studies of the Medicaid reimbursement rates paid to the providers of community-based services, including the rates' adequacy and their underlying methodologies, that includes studying the rates paid to providers for each type of service at least once every five years;

(2) set forth a predictable timeline for redetermination of base rates;

(3) include a process for calculating an annual inflationary rate adjustment;

(4) to the extent permitted by the Centers for Medicare and Medicaid Services, take into account the financial needs of providers whose reimbursements may be negatively affected by client absences; and

(5) use Vermont labor market rates and Vermont costs of operation.

(c) The Secretary shall establish a process by which a provider of community-based services whose financial condition places it at imminent risk of closure may request provider stabilization from the Agency.

(d) The Secretary shall recalculate the payment rates for providers of community-based services in accordance with this section at least annually and shall report those rates, and the amounts necessary to fund them, to the House Committees on Appropriations, on Human Services, and on Health Care and the Senate Committees on Appropriations and on Health and Welfare annually as part of the Agency's budget presentation.

Sec. 3. 18 V.S.A. § 8914 is amended to read:

§ 8914. RATES OF PAYMENTS TO DESIGNATED AND SPECIALIZED SERVICE AGENCIES

(a) The Secretary of Human Services shall ~~have sole responsibility for establishing~~ calculate the Departments of Health's, of Mental Health's, and of

~~Disabilities, Aging, and Independent Living's rates of payments for designated and specialized service agencies that are reasonable and adequate to achieve the required outcomes for designated populations in accordance with 33 V.S.A. § 911. When establishing rates of payment for designated and specialized service agencies, the Secretary shall adjust rates to take into account factors that include:~~

~~(1) the reasonable cost of any governmental mandate that has been enacted, adopted, or imposed by any State or federal authority; and~~

~~(2) a cost adjustment factor to reflect changes in reasonable costs of goods and services of designated and specialized service agencies, including those attributed to inflation and labor market dynamics.~~

~~(b) When establishing rates of payment for designated and specialized service agencies, the Secretary may consider geographic differences in wages, benefits, housing, and real estate costs in each region of the State.~~

#### Sec. 4. PAYMENT RATES FOR PROVIDERS OF COMMUNITY-BASED SERVICES; UPDATE ON IMPLEMENTATION; REPORT

On or before January 15, 2026, the Agency of Human Services shall report to the House Committees on Human Services and on Health Care and the Senate Committee on Health and Welfare with an update on the Agency's implementation of 33 V.S.A. § 911, as added by Sec. 2 of this act, including the Agency's proposed schedule for Medicaid rate studies and the methodology the Agency developed for calculating payment rates for providers of community-based services.

#### Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: "An act relating to Medicaid payment rates for community-based service providers"

Which proposal of amendment was considered and concurred in.

### **Senate Proposal of Amendment Concurred in**

#### **H. 206**

The Senate proposed to the House to amend House bill, entitled  
An act relating to the Uniform Commercial Code

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

First: In Sec. 11, transitional provisions for articles 9 and 12 of the Uniform Commercial Code amendments, in subdivision (b)(1)(A), following "transaction validly entered into", by inserting "before"

Second: In Sec. 11, transitional provisions for articles 9 and 12 of the Uniform Commercial Code amendments, in subdivision (d)(2), following “as amended by this act, on”, by striking out “July 1, 2025”

Which proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment Concurred in with Further Proposal of Amendment Thereto**

**H. 398**

The Senate proposed to the House to amend House bill, entitled

An act relating to the Vermont Economic Development Authority

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

First: In Sec. 1, 10 V.S.A. chapter 12, in section 254, in the section heading, by striking out the word “STATE” and inserting in lieu thereof “STATE AUTHORITY”

Second: In Sec. 1, 10 V.S.A. chapter 12, in section 280gg, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a)(1) There is established within the Authority the Vermont Disaster Recovery Loan Fund, referred to in this subchapter as “the Fund,” the purpose of which is to enable the Authority to provide loans and other forms of financial assistance to businesses, including agricultural and forest product enterprises, after disasters.

(2) The Authority shall consult with the Secretary of Commerce and Community Development; the Secretary of Agriculture, Food and Markets; and the Commissioner of Forests, Parks and Recreation in determining whether funds shall be made available following a nondeclared disaster event impacting areas of the State. A consultation shall not be required in the event of a disaster declaration declared by the Governor or the President of the United States.

Pending the question, Shall the House concur in the Senate proposal of amendment thereto?, **Reps. Marcotte of Coventry and Graning of Jericho** moved to concur in the Senate proposal of amendment with further proposal of amendment thereto in Sec. 1, 10 V.S.A. chapter 12, in section 280gg, by adding a new subsection to be subsection (e) to read as follows:

(e) A business shall not be eligible for financial assistance from the Vermont Disaster Recovery Loan Fund established by this subchapter 15 if the business has received disaster recovery financial assistance from the State for the same disaster event.

Which was agreed to.

**Action on Bill Postponed**

**H. 463**

House bill, entitled

An act relating to technical corrections for the 2025 legislative session

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment?, on motion of **Rep. Hooper of Burlington**, action on the bill was postponed until April 30, 2025.

**Message from the Senate No. 48**

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 considered House proposal of amendment to Senate bill of the following title:

**S. 28.** An act relating to access to certain legally protected health care services.

And has concurred therein.

The Senate has on its part passed Senate bill of the following title:

**S. 131.** An act relating to approval of an amendment to the charter of the City of Burlington relating to the possession of firearms.

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

The Senate has considered a bill originating in the House of the following title:

**H. 218.** An act relating to fiscal year 2026 appropriations from the Opioid Abatement Special Fund.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the House is requested.

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

**J.R.S. 24.** Joint resolution relating to weekend adjournment on May 2, 2025.

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

**Message from the Governor**

A message was received from His Excellency, the Governor, by Ms. Jaye Pershing Johnson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 29th day of April, 2025, he signed bills originating in the House of the following titles:

**H.118 An act relating to expanding the scope of hate-motivated crimes**

**H.259 An act relating to preventing workplace violence in hospitals**

**Adjournment**

At ten o'clock and forty-eight minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at one o'clock in the afternoon.