

Journal of the House

Friday, January 9, 2026

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

Devotional Exercises

A moment of silence was observed in lieu of a devotional.

Memorial Service

House members rose as the Speaker placed before the House the following names of members of past sessions of the Vermont General Assembly who had passed away recently:

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| Rep. Avis Gervais of Enosburgh | Member of the House, Sessions 1997-2008 |
| Rep. Ernest W. "Ernie" Shand, Jr. of Weathersfield | Member of the House, Sessions 2003-2012 |
| Rep. Ernest "Stub" Earle of Eden | Member of the House, Sessions 1973-1982 |
| Rep. Malcolm F. Severance of Colchester | Member of the House, Sessions 1999 - 2006 |

Thereupon, the members of the House held a moment of silence in memory of the deceased members.

House Bills Introduced

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

H. 626

By Reps. Arsenault of Williston, Malay of Pittsford, Austin of Colchester, Graning of Jericho, Harple of Glover, Krasnow of South Burlington, and Stone of Burlington,

House bill, entitled

An act relating to voyeurism and disclosure of sexually explicit images without consent

To the Committee on Judiciary.

H. 627

By Reps. Rachelson of Burlington and Arsenault of Williston,
House bill, entitled
An act relating to crime victims' rights in forensic cases
To the Committee on Judiciary.

H. 628

By Rep. Arsenault of Williston,
House bill, entitled
An act relating to domestic abuse orders of protection
To the Committee on Judiciary.

H. 629

By Rep. LaLonde of South Burlington,
House bill, entitled
An act relating to judgments issued by the Family Division of the Superior Court
To the Committee on Judiciary.

H. 630

By Rep. Rachelson of Burlington,
House bill, entitled
An act relating to adopting minimum security standards for connected devices
To the Committee on Commerce and Economic Development.

H. 631

By Reps. Campbell of St. Johnsbury and James of Manchester,
House bill, entitled
An act relating to establishing energy storage goals
To the Committee on Energy and Digital Infrastructure.

H. 632

By Rep. Sheldon of Middlebury,

House bill, entitled

An act relating to miscellaneous environmental amendments

To the Committee on Environment.

H. 633

By Rep. Waszazak of Barre City,

House bill, entitled

An act relating to requiring municipalities to hold a vote concerning the operation of cannabis retail establishments

To the Committee on Government Operations and Military Affairs.

H. 634

By Rep. Waszazak of Barre City,

House bill, entitled

An act relating to consumption of cannabis in a prohibited place

To the Committee on Government Operations and Military Affairs.

H. 635

By Rep. Headrick of Burlington,

House bill, entitled

An act relating to eliminating Department of Corrections supervisory fees

To the Committee on Corrections and Institutions.

H. 636

By Rep. Rachelson of Burlington,

House bill, entitled

An act relating to an independent monitoring board for body-worn camera footage

To the Committee on Government Operations and Military Affairs.

H. 637

By Reps. Goodnow of Brattleboro and LaLonde of South Burlington,
House bill, entitled

An act relating to operating a vehicle under the influence of alcohol or other substances

To the Committee on Judiciary.

Second Reading; Bill Amended; Third Reading Ordered**H. 28**

Rep. Burditt of West Rutland, for the Committee on Judiciary, to which had been referred House bill, entitled

An act relating to including an affirmation option in oath requirements in Titles 1–10 of the Vermont Statutes Annotated

Reported in favor of its passage when amended as follows:

First: By striking out Sec. 69, 8 V.S.A. § 4588, in its entirety and inserting in lieu thereof a new Sec. 69 to read as follows:

Sec. 69. 8 V.S.A. § 4588 is amended to read:

§ 4588. ANNUAL REPORT TO COMMISSIONER

Annually, on or before March 1, a medical service corporation shall file with the Commissioner of Financial Regulation a statement sworn to or affirmed by the president and treasurer of the corporation showing its condition on December 31, which shall be in such form and contain such matters as the Commissioner shall prescribe. To qualify for the tax exemption set forth in section 4590 of this title, the statement shall include a certification that the medical service corporation operates on a nonprofit basis for the purpose of providing an adequate medical service plan to individuals of the State, both groups and nongroups, without discrimination based on age, gender, geographic area, industry, and medical history, except as allowed by 33 V.S.A. § 1811(f)(2)(B).

Second: By striking out Sec. 71, 8 V.S.A. § 6004(d), in its entirety and inserting in lieu thereof a new Sec. 71 to read as follows:

Sec. 71. 8 V.S.A. § 6004(d) is amended to read:

(d) Within 30 days after commencing business, each captive insurance company shall file with the Commissioner a statement under oath or affirmation of its president and secretary or, in the case of a captive insurance company formed as a limited liability company or as a reciprocal insurer, of

two individuals authorized by the governing board certifying that the captive insurance company possessed the requisite unimpaired, paid-in capital and surplus prior to commencing business.

Third: By striking out Sec. 72, 8 V.S.A. § 6007(b), in its entirety and inserting in lieu thereof a new Sec. 72 to read as follows:

Sec. 72. 8 V.S.A. § 6007(b) is amended to read:

(b) Prior to March 1 of each year, and prior to March 15 of each year in the case of pure captive insurance companies, association captive insurance companies, sponsored captive insurance companies, industrial insured captive insurance companies, or agency captive insurance companies, each captive insurance company shall submit to the Commissioner a report of its financial condition, verified by oath or affirmation of two of its executive officers or, in the case of a captive insurance company formed as a limited liability company or as a reciprocal insurer, of two individuals authorized by the governing board. Each captive insurance company shall report using generally accepted accounting principles, statutory accounting principles, or international financial reporting standards unless the Commissioner requires, approves, or accepts the use of any other comprehensive basis of accounting, in each case with any appropriate or necessary modifications or adaptations thereof required or approved or accepted by the Commissioner for the type of insurance and kinds of insurers to be reported upon, and as supplemented by additional information required by the Commissioner. As used in this section, statutory accounting principles shall mean the accounting principles codified in the NAIC Accounting Practices and Procedures Manual. Upon application for admission, a captive insurance company shall select, with explanation, an accounting method for reporting. Any change in a captive insurance company's accounting method shall require prior approval. Except as otherwise provided, each risk retention group shall file its report in the form required by subsection 3561(a) of this title, and each risk retention group shall comply with the requirements set forth in section 3569 of this title. The Commissioner shall by rule propose the forms in which pure captive insurance companies, association captive insurance companies, sponsored captive insurance companies, and industrial insured captive insurance companies shall report. Subdivision 6002(c)(3) of this title shall apply to each report filed pursuant to this section, except that such subdivision shall not apply to reports filed by risk retention groups.

Fourth: By striking out Sec. 73, 8 V.S.A. § 6024(c), in its entirety and inserting in lieu thereof a new Sec. 73 to read as follows:

Sec. 73. 8 V.S.A. § 6024(c) is amended to read:

(c) A dormant captive insurance company that has been issued a certificate of dormancy shall:

* * *

(2) prior to March 15 of each year, submit to the Commissioner a report of its financial condition, verified by oath or affirmation of two of its executive officers or, in the case of a captive insurance company formed as a limited liability company or as a reciprocal insurer, of two individuals authorized by its governing board, in a form as may be prescribed by the Commissioner; and

* * *

Fifth: By striking out Sec. 105, effective date, in its entirety and inserting in lieu thereof a new Sec. 105 to read as follows:

Sec. 105. EFFECTIVE DATE

This act shall take effect on January 1, 2027.

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

Second Reading; Bill Amended; Third Reading Ordered

H. 409

Rep. Goodnow of Brattleboro, for the Committee on Judiciary, to which had been referred House bill, entitled

An act relating to the procedures for bail revocation

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 7551 is amended to read:

§ 7551. IMPOSITION OF BAIL, SECURED APPEARANCE BONDS, AND
APPEARANCE BONDS

* * *

(b) Limitation on imposition of bail, secured appearance bonds, and appearance bonds.

(1) Except as provided in subdivision (2) of this subsection, no bail, secured appearance bond, or appearance bond may be imposed:

(A) at the initial appearance of a person charged with a misdemeanor if the person was cited for the offense in accordance with Rule 3 of the Vermont Rules of Criminal Procedure; or

(B) at the initial appearance or upon the temporary release pursuant to Rule 5(b) of the Vermont Rules of Criminal Procedure of a person charged with a violation of a misdemeanor offense that is eligible for ~~expungement~~ sealing pursuant to subdivision 7601(4)(A) of this title.

(2) In the event the court finds that imposing bail is necessary to mitigate the risk of flight from prosecution for a person charged with a violation of a misdemeanor offense that is eligible for ~~expungement~~ sealing pursuant to subdivision 7601(4)(A) of this title, the court may impose bail in a maximum amount of \$200.00. The \$200.00 limit shall not apply to an offense allegedly committed by a defendant who has been released on personal recognizance or conditions of release pending trial for another offense.

* * *

Sec. 2. 13 V.S.A. § 7556 is amended to read:

§ 7556. APPEAL FROM CONDITIONS OF RELEASE OR BAIL

REVOCATION DENIAL

(a) A person who is detained, or whose release on a condition requiring ~~him or her~~ the person to return to custody after specified hours is continued, after review of ~~his or her~~ the person's application pursuant to subsection 7554(d) or (e) of this title by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which ~~he or she~~ the person is charged or a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which ~~he or she~~ the person is charged to amend the order. The motion shall be determined promptly.

(b) When a person is detained after a court denies a motion under subsection (a) of this section or when conditions of release have been imposed or amended by the judge of the court having original jurisdiction over the offense charged, an appeal may be taken to a single Justice of the Supreme Court who may hear the matter or at ~~his or her~~ the Justice's discretion refer it to the entire Supreme Court for hearing. No further appeal may lie from the ruling of a single Justice in matters to which this subsection applies. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not supported, the Supreme Court or single Justice hearing the matter may remand the case for a further hearing or may, with or without

additional evidence, order the person released. The appeal shall be determined forthwith.

(c)(1) When a person is released, with or without bail or other conditions of release, an appeal may be taken by the State to a single Justice of the Supreme Court who may hear the matter or at ~~his or her~~ the Justice's discretion refer it to the entire Supreme Court for hearing. No further appeal may lie from the ruling of a single Justice in matters to which this subsection applies. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not supported, the Supreme Court or single Justice hearing the matter may remand the case for a further hearing or may, with or without additional evidence, modify or vacate the order. The appeal shall be determined ~~forthwith~~ promptly.

(2) When a request to revoke bail pursuant to section 7575 of this title is denied, the State may appeal the court's order in accordance with the procedure outlined in subdivision (1) of this subsection.

(d) A person held without bail under section 7553a of this title prior to trial shall be entitled to an independent, second evidentiary hearing on the merits of the denial of bail, which shall be a hearing de novo by a single Justice of the Supreme Court forthwith. Pursuant to 4 V.S.A. § 22 the Chief Justice may appoint and assign a retired justice or judge with ~~his or her~~ the retired justice's or judge's consent or a Superior judge or District judge to a special assignment on the Supreme Court to conduct that de novo hearing. Such hearing de novo shall be an entirely new evidentiary hearing without regard to the record compiled before the trial court; except, the parties may stipulate to the admission of portions of the trial court record.

(e) A person held without bail prior to trial shall be entitled to review of that determination by a panel of three Supreme Court Justices within seven business days after bail is denied.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

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

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 concurrent resolutions originating in the House of the following titles:

H.C.R. 155. House concurrent resolution honoring Melvin and Susan Coburn for their nearly half-century of superb proprietorship of Coburns' General Store in South Strafford and congratulating the Strafford Community Trust on a successful fundraising campaign to preserve this historic mercantile establishment.

H.C.R. 156. House concurrent resolution honoring Timothy McNamara for his outstanding public service in environmental and municipal law enforcement.

H.C.R. 157. House concurrent resolution congratulating the Thetford Academy Panthers on winning a sixth consecutive Division III boys' track and field championship and for their victories and record-setting performances at the 2025 New England Interscholastic Outdoor Track and Field championship.

H.C.R. 158. House concurrent resolution congratulating the 2025 Thetford Academy Panthers' Division III championship baseball team.

H.C.R. 159. House concurrent resolution congratulating the 2025 Milton High School Yellowjackets Division II championship boys' soccer team.

H.C.R. 160. House concurrent resolution congratulating Shirley Young Cooper on her centennial birthday.

H.C.R. 161. House concurrent resolution congratulating the 2025 Montpelier High School Solons Division III championship field hockey team.

H.C.R. 162. House concurrent resolution congratulating the 2025 Colchester High School Lakers Division II championship football team.

Adjournment

At nine o'clock and fifty-six minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, January 13, 2026, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 29.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Rule 16b of the Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House:

H.C.R. 155

House concurrent resolution honoring Melvin and Susan Coburn for their nearly half-century of superb proprietorship of Coburns' General Store in South Strafford and congratulating the Strafford Community Trust on a successful fundraising campaign to preserve this historic mercantile establishment

H.C.R. 156

House concurrent resolution honoring Timothy McNamara for his outstanding public service in environmental and municipal law enforcement

H.C.R. 157

House concurrent resolution congratulating the Thetford Academy Panthers on winning a sixth consecutive Division III boys' track and field championship and for their victories and record-setting performances at the 2025 New England Interscholastic Outdoor Track and Field championship

H.C.R. 158

House concurrent resolution congratulating the 2025 Thetford Academy Panthers' Division III championship baseball team

H.C.R. 159

House concurrent resolution congratulating the 2025 Milton High School Yellowjackets Division II championship boys' soccer team

H.C.R. 160

House concurrent resolution congratulating Shirley Young Cooper on her centennial birthday

H.C.R. 161

House concurrent resolution congratulating the 2025 Montpelier High School Solons Division III championship field hockey team

H.C.R. 162

House concurrent resolution congratulating the 2025 Colchester High School Lakers Division II championship football team

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2026 Adjourned Session.]