Journal of the House

Thursday, March 12, 2026

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

Devotional Exercises

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

Message from the Senate No. 25

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. 60. An act relating to establishing the Farm and Forestry Operations Security Special Fund to provide payments for farm and forestry opertaion losses due to weather conditions.

And has concurred therein.

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

H. 649. An act relating to captive insurance companies.

And has passed the same in concurrence.

The Senate has adopted a proposed amendment to the Vermont Constitution entitled:

Prop 4. Declaration of rights; government for the people; equality of rights.

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

House Bills Introduced

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

H. 927

By the Committee on Government Operations and Military Affairs,

House bill, entitled

An act relating to technical corrections for the 2026 legislative session

Pursuant to House Rule 48, placed on the Notice Calendar.

H. 928

House bill, entitled

An act relating to technical corrections to fish and wildlife statutes

Pursuant to House Rule 35(a), affecting the revenue of the State, to the Committee on Ways and Means.

H. 929

By Reps. Arsenault of Williston, Burkhardt of South Burlington, Graning of Jericho, and Krasnow of South Burlington,

House bill, entitled

An act relating to the form of school budgets

To the Committee on Education.

Senate Bill Referred

S. 243

Senate bill, entitled

An act relating to distributing funds to the Vermont Language Justice Project

Was read the first time and referred to the Committee on Human Services.

Pending Entry on the Notice Calendar
Bills Referred to the Committee on Ways and Means

Pending entry on the Notice Calendar, and pursuant to House Rule 35(a), affecting the revenue of the State, the following House bills were referred to the Committee on Ways and Means:

H. 294

House bill, entitled

An act relating to commissary and telecommunications prices in State correctional facilities and fair compensation for incarcerated labor

H. 657

House bill, entitled

An act relating to enabling unaccompanied homeless youth to obtain certain services without parental consent

Pending Entry on the Notice Calendar
Bills Referred to the Committee on Appropriations

Pending entry on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, the following House bills were referred to the Committee on Appropriations:

H. 718

House bill, entitled

An act relating to building energy efficiency

H. 775

House bill, entitled

An act relating to creating tools for housing production

Communication from Rep. McFaun of Barre Town

"March 11, 2026

Dear Speaker Krowinski,

It is with deep regret that I inform you that because of family responsibilities I feel it necessary for me to resign from my position as a Representative in the Vermont House.

My resignation is effective April 3, 2026.

It has been a great honor to serve my constituents and the people of Vermont for so many years. Being a Representative has been one of the most important and rewarding positions I have ever held. I will miss being here with all the friends I have made over the years working together to help make the lives of Vermonters better.

Sincerely,

Francis "Topper" McFaun"

Amendment Offered; Question Divided; Third Reading; Bill Passed

H. 512

House bill, entitled

An act relating to the regulation of the event ticketing market

Was taken up and, pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the bill as follows:

First: In Sec. 1, 9 V.S.A. chapter 63, subchapter 2B, in section 2479f, by striking out subdivision (a)(3) in its entirety and inserting in lieu thereof a new subdivision (3) to read as follows:

(3) "Reseller" means a person engaged in the resale of tickets, except that "reseller" does not include an individual reselling a ticket purchased for personal use for a single event.

Second: In Sec. 1, 9 V.S.A. chapter 63, subchapter 2B, in section 2479f, by striking out subdivision (c)(3) in its entirety and inserting in lieu thereof a new subdivision (3) to read as follows:

(3) This subsection shall not apply to the resale of a ticket under a written contract with the ticket issuer for the resale of tickets at a price greater than 110 percent of the price of the original ticket if the written contract is executed prior to July 1, 2026.

Thereupon, **Rep. Donahue of Northfield** asked that the question be divided by its two instances of amendment, and the Speaker ruled the question was divisible in that manner.

Thereafter, the question, Shall the bill be amended as offered by Rep. Donahue of Northfield in the first instance of amendment?, was disagreed to.

Thereupon, the question, Shall the bill be amended as offered by Rep. Donahue of Northfield in the second instance of amendment?, was disagreed to.

Thereafter, the bill was read the third time and passed.

Third Reading; Bills Passed

House bills of the following titles were severally taken up, read the third time, and passed:

H. 573

House bill, entitled

An act relating to the first certification of an emergency examination

H. 578

House bill, entitled

An act relating to penalties and procedures for animal cruelty offenses

H. 686

House bill, entitled

An act relating to expanding identification of certain lobbying advertisements

H. 744

House bill, entitled

An act relating to procedures for arrest without a warrant

Second Reading; Bill Amended; Third Reading Ordered

H. 753

Rep. Torre of Moretown, for the Committee on Energy and Digital Infrastructure, to which had been referred House bill, entitled

An act relating to utility service disconnections and ratepayer protections

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. SHORT TITLE

This act may be cited as the "Vermont Energy Equity Law."

Sec. 2. UTILITY DISCONNECTIONS; REPORT

For the purpose of providing policymakers with the data necessary for monitoring and responding to trends in the residential electric and gas sectors, particularly with respect to safeguarding the welfare of ratepayers, the Commissioner of Public Service shall conduct an annual assessment of involuntary residential service disconnections. The assessment shall take into consideration the monthly disconnection reports prepared by electric and gas utilities pursuant to Public Utility Commission, Disconnection of Residential Gas, Electric, and Water Service (CVR 30-000-3300), Rule 3.308(B); relevant consumer assistance records maintained by the Consumer Affairs and Public Information Division; and any other data deemed appropriate by the Commissioner. The Commissioner shall report findings and recommendations related to the assessment to the House Committee on Energy and Digital Infrastructure and the Senate Committee on Finance on or before January 15, 2027, and annually thereafter. The report required by this section may be included in the Department's Annual Energy Report to the General Assembly or may be submitted in a standalone report, in the Commissioner's discretion.

Sec. 3. UTILITY SERVICE DISCONNECTIONS; RULEMAKING

On or before January 1, 2028, or upon the initiation of any rulemaking pertaining to Public Utility Commission, Disconnection of Residential Gas, Electric, and Water Service (CVR 30-000-3300), Rule 3.300, whichever occurs first, the Public Utility Commission shall adopt rules that:

(1) curtail electric utility service disconnections during periods of extreme heat, as defined by the Commission, which may include a lower temperature threshold for households comprising persons who are 62 years of age or older;

(2) clarify that, in Rule 3.301(G), a licensed physician assistant or a nurse practitioner may issue a physician's certificate; and

(3) require due consideration of medical judgment regarding the duration of a health hazard indicated in a physician's certificate when establishing the disconnection protection period for a health hazard.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

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

Second Reading; Bill Amended; Third Reading Ordered

H. 849

Rep. LaLonde of South Burlington, for the Committee on Judiciary, to which had been referred House bill, entitled

An act relating to a civil action for damages for interference with State or federal constitutional rights by any government official

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. 12 V.S.A. chapter 205 is added to read:

CHAPTER 205. DEPRIVATION OF CONSTITUTIONAL RIGHTS

§ 5797. CIVIL ACTION

(a) Every person who, under color of any statute, ordinance, regulation, custom, or usage, subjects or causes to be subjected any citizen of the State of Vermont or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution of the United States shall be liable to the party injured in an action at law, suit in equity, or

other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in the officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable.

(b) For purposes of this section, "color of any statute, ordinance, regulation, custom, or usage" includes color of any statute, ordinance, regulation, custom, or usage of the United States and of any U.S. state or territory or the District of Columbia.

(c) Any defense available to a defendant under 42 U.S.C. § 1983 is likewise and to the same extent available to any defendant in an action brought under subsection (a) of this section. This subsection does not alter, amend, create, or support a qualified or absolute immunity defense in any other action or proceeding brought under any other provision of Vermont law.

(d) It is the intent of the General Assembly that, in construing this section, the courts of this State will be guided by the construction of 42 U.S.C. § 1983, as amended, as interpreted by the courts of the United States.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: "An act relating to a civil action for damages for deprivation of federal constitutional rights by any government official"

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

Pending the question, Shall the bill be amended as recommended by the Committee on Judiciary?, **Rep. Houghton of Essex Junction** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as recommended by the Committee on Judiciary?, was decided in the affirmative. Yeas, 97. Nays, 39.

Those who voted in the affirmative are:

Arsenault of Williston
Austin of Colchester
Bartholomew of Hartland
Bartley of Fairfax
Berbeco of Winooski
Birong of Vergennes
Bishop of Colchester
Black of Essex
Bluemle of Burlington
Eastes of Guilford
Emmons of Springfield
Feltus of Lyndon
Garofano of Essex
Goldman of Rockingham
Goodnow of Brattleboro
Graning of Jericho
Greer of Bennington
Harple of Glover
Micklus of Milton
Mihaly of Calais
Minier of South Burlington
Morgan, L. of Milton
Morgan, M. of Milton
Morris of Springfield
Morrow of Weston
Mrowicki of Putney
Nigro of Bennington

Boyden of Cambridge
Brady of Williston
Branagan of Georgia
Brown of Richmond
Burkhardt of South Burlington *
Burrows of West Windsor
Campbell of St. Johnsbury
Carris Duncan of Whitingham
Casey of Montpelier
Chapin of East Montpelier
Charlton of Chester
Cina of Burlington
Cole of Hartford
Conlon of Cornwall
Cooper of Pownal
Corcoran of Bennington
Critchlow of Colchester
Dodge of Essex *
Dolan of Essex Junction
Dolgin of St. Johnsbury
Donahue of Northfield
Duke of Burlington
Durfee of Shaftsbury
Headrick of Burlington
Holcombe of Norwich
Hooper of Randolph
Hooper of Burlington
Houghton of Essex Junction
Howard of Rutland City
Hoyt of Hartford
Hunter of Manchester
James of Manchester
Kascenska of Burke
Kimbell of Woodstock
Kornheiser of Brattleboro
Krasnow of South Burlington
Lalley of Shelburne
LaLonde of South Burlington
LaMont of Morristown
Logan of Burlington
Long of Newfane
Lueders of Lincoln
Luneau of St. Albans City
Masland of Thetford
McCann of Montpelier
McGill of Bridport
Noyes of Wolcott
Nugent of South Burlington
Ode of Burlington *
Olson of Starksboro
Pezzo of Colchester
Pouech of Hinesburg
Priestley of Bradford
Quimby of Lyndon
Rachelson of Burlington
Scheu of Middlebury
Sheldon of Middlebury
Sibilia of Dover
Squirrell of Underhill
Stevens of Waterbury
Sweeney of Shelburne
Taylor of Milton
Tomlinson of Winooski
Torre of Moretown
Waszazak of Barre City
Waters Evans of Charlotte
White of Waitsfield
White of Bethel
Wood of Waterbury
Yacovone of Morristown

Those who voted in the negative are:

Bailey of Hyde Park
Bosch of Clarendon *
Boutin of Barre City
Burditt of West Rutland
Canfield of Fair Haven
Casey of Hubbardton
Coffin of Cavendish
Demar of Enosburgh
Dickinson of St. Albans Town
Dobrovich of Williamstown*
Galfetti of Barre Town
Goslant of Northfield
Hango of Berkshire
Harvey of Castleton
Higley of Lowell
Howland of Rutland Town
Keyser of Rutland City
Labor of Morgan
Laroche of Franklin
Maguire of Rutland City
Malay of Pittsford
Marcotte of Coventry
McCoy of Poultney
McFaun of Barre Town
Morrissey of Bennington
Nelson of Derby
Nielsen of Brandon
North of Ferrisburgh
Oliver of Sheldon
Page of Newport City
Pinsonault of Dorset
Powers of Waterford
Pritchard of Pawlet
Southworth of Walden
Tagliavia of Corinth
Taylor of Mendon
Walker of Swanton
Wells of Brownington
Winter of Ludlow

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

Bos-Lun of Westminster
Brigham of St. Albans Town
Burke of Brattleboro
Burtt of Cabot
Christie of Hartford
Gregoire of Fairfield
Kleppner of Burlington
Lipsky of Stowe
O'Brien of Tunbridge
Parsons of Newbury
Satcowitz of Randolph
Steady of Milton
Stone of Burlington

Rep. Bosch of Clarendon provided the following vote explanation:

"Madam Speaker:

As a retired Federal employee of 39 plus years of service and an observer during that time of legal cases against Federal officials acting within their official scope of duty, I believe this bill to be clearly beyond our reach with regard to Federal officials."

Rep. Burkhardt of South Burlington provided the following vote explanation:

"Madam Speaker:

I vote yes today on behalf of my community members and members of surrounding communities who were terrorized by ICE yesterday. I vote yes on behalf of the hundreds of South Burlington school children who were placed in harm's way by the irresponsible actions of ICE yesterday. I vote yes for local law enforcement officials who were not consulted before yesterday's action but did their best to try to protect our community members as they exercised their Constitutional right to protest. Finally, I vote yes for the communities who face persecution by ICE every day."

Rep. Dobrovich of Williamstown provided the following vote explanation:

"Madam Speaker:

Regardless of your position on the reasons or ideology that prompted the creation of H.849, it reflects the principles articulated in Federalist Number 51, where James Madison explained that 'double Security' protects the rights of the people through checks in government. However, I do not feel enough testimony was taken to understand the impact the thousands of government employees that this will affect outside of those that this is intended to single out."

Rep. Dodge of Essex provided the following vote explanation:

"Madam Speaker:

I support this bill because it ensures that our Constitution remains a living document. As we witness a wave of abuses by armed federal agents, our job is to defend Vermonters' rights, and that includes their rights to seek remedy."

Rep. Ode of Burlington provided the following vote explanation:

"Madam Speaker:

I vote yes to protect and defend Vermonters' precious Constitutional rights."

Thereupon, third reading was ordered.

Joint Senate Resolution Adopted in Concurrence with Proposal of Amendment; Rules Suspended, Messaged to Senate Forthwith

J.R.S. 43

Joint Senate resolution, entitled

Joint resolution providing for a Joint Assembly to vote on the retention of six Superior Court Judges

Was taken up and pending the question, Shall the House adopt the resolution in concurrence?, **Rep. Arsenault of Williston** moved that the House propose to the Senate that the resolution be amended in its Resolved clause, following "That the two Houses meet in Joint Assembly on", by striking out "Thursday, March 19, 2026" and inserting in lieu thereof "Wednesday, March 25, 2026"

Which was agreed to, and the resolution was adopted in concurrence with proposal of amendment.

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

Adjournment

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