

# Journal of the House

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Friday, March 15, 2024

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

## Devotional Exercises

Devotional exercises were conducted by Rep. Kate Nugent of South Burlington.

## Committee Bill Introduced; Referred to Committee on Ways and Means

**H. 871**

By the Committee on Education,

House bill, entitled

An act relating to the development of an updated State aid to school construction program

Was read the first time and, pursuant to House Rule 35(a), affecting the revenue of the State, was referred to the Committee on Ways and Means.

## Committee Bill Introduced

**H. 872**

By the Committee on Government Operations and Military Affairs,

House bill, entitled

An act relating to miscellaneous updates to the powers of the Vermont Criminal Justice Council and the duties of law enforcement officers

Was read the first time, and pursuant to House Rule 48, placed on the Notice Calendar.

## Committee Bill Introduced; Referred to Committee on Ways and Means

**H. 873**

By the Committee on Education,

House bill, entitled

An act relating to financing the testing for and remediation of the presence of polychlorinated biphenyls (PCBs) in schools

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Was read the first time and, pursuant to House Rule 35(a), affecting the revenue of the State, was referred to the Committee on Ways and Means.

### **Senate Bills Referred**

Senate bills of the following titles were severally taken up, read the first time, and referred to committee as follows:

#### **S. 109**

Senate bill, entitled

An act relating to Medicaid coverage for doula services

To the Committee on Health Care.

#### **S. 191**

Senate bill, entitled

An act relating to New American educational grant opportunities

To the Committee on Education.

### **Bills Referred to Committee on Ways and Means**

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

#### **H. 687**

House bill, entitled

An act relating to community resilience and biodiversity protection through land use

#### **H. 769**

House bill, entitled

An act relating to establishing a baby bond trust program

#### **H. 829**

House bill, entitled

An act relating to creating permanent upstream eviction protections and enhancing housing stability

**Bills Referred to Committee on Appropriations**

House bills of the following titles, appearing on the Notice Calendar, carrying appropriations, under House Rule 35(a), were referred to the Committee on Appropriations:

**H. 657**

House bill, entitled

An act relating to the modernization of Vermont's communications taxes and fees

**H. 702**

House bill, entitled

An act relating to legislative operations and government accountability

**Joint Resolution Referred to Committee****J.R.S. 41**

By Senators Cummings, Perchlik, and Watson,

**J.R.S. 41.** Joint resolution requesting that the U.S. Postal Service reestablish, as rapidly as possible, a full-service U.S. Post Office in downtown Montpelier.

*Whereas*, as the Vermont State capital, the seat of Washington County, and an important commercial hub in central Vermont, the City of Montpelier's daily U.S. Mail service is extremely important, and

*Whereas*, the municipality of Montpelier has hosted a U.S. Post Office since 1798, and the historic State Street location dates from 1891, and

*Whereas*, on July 10 and 11, 2023, Montpelier experienced a devastating flood, and one of the most unfortunate consequences was the immediate closure of the U.S. Post Office, leaving the municipality bereft of this essential public service, and

*Whereas*, initial plans for a limited U.S. postal facility proved unworkable, and eventually, trucks, primarily offering a pickup point for postal box renters, were stationed in a parking lot on River Street, a site far from downtown Montpelier that is not easily accessible to public transit customers or pedestrians, and

*Whereas*, because these trucks had neither heat nor electricity, this temporary, and wholly inadequate, arrangement ended on Friday, November 17, 2023, and

*Whereas*, on Monday, January 8, 2024, a rally was conducted in front of the shuttered Montpelier U.S. Post Office that featured remarks from U.S. Senator Peter Welch, U.S. Representative Becca Balint, and a senior member of U.S. Senator Bernie Sanders's staff, each of whom implored U.S. Postmaster General Louis DeJoy to remediate, immediately, this untenable situation, and

*Whereas*, the lack of a full-service U.S. Post Office in downtown Montpelier is extremely inconvenient for the citizens, businesses, and governmental offices located in the State's capital city, *now therefore be it*

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

That the General Assembly requests that the U.S. Postal Service reestablish, as rapidly as possible, a full-service U.S. Post Office in downtown Montpelier, *and be it further*

***Resolved:*** That the Secretary of State be directed to send a copy of this resolution to President Joseph R. Biden, U.S. Postmaster General Louis DeJoy, and the members of the Vermont Congressional Delegation.

Was read by title, treated as a bill, and referred to the Committee on Government Operations and Military Affairs pursuant to House Rule 52.

**Ceremonial Reading**

**H.C.R. 167**

House concurrent resolution commemorating the centennial of U.S. Navy Torpedoman 2nd Class Henry Breault's becoming the first submariner to receive the Medal of Honor

Offered by: Representatives Morgan of Milton, Bartley of Fairfax, Beck of St. Johnsbury, Birong of Vergennes, Boyden of Cambridge, Branagan of Georgia, Brennan of Colchester, Burditt of West Rutland, Canfield of Fair Haven, Clifford of Rutland City, Demar of Enosburgh, Donahue of Northfield, Galfetti of Barre Town, Graham of Williamstown, Gregoire of Fairfield, Hango of Berkshire, Higley of Lowell, Hooper of Burlington, Labor of Morgan, Laroche of Franklin, Leavitt of Grand Isle, Maguire of Rutland City, Mattos of Milton, McCarthy of St. Albans City, McCoy of Poultney, McFaun of Barre Town, Morrissey of Bennington, Mrowicki of Putney, Nugent of South Burlington, Oliver of Sheldon, Page of Newport City, Parsons of Newbury, Peterson of Clarendon, Sammis of Castleton, Shaw of Pittsford, Sibilgia of Dover, Smith of Derby, Taylor of Milton, Toof of St. Albans Town, and Walker of Swanton

Whereas, the Medal of Honor is the U.S. military's highest recognition and is awarded for acts of extraordinary valor while serving our nation, and

Whereas, Henry Breault had a long naval career, first, as a member of the Royal Navy Canadian Volunteer Reserve during World War I, and, subsequently, from 1920–1941, as a submariner in the U.S. Navy who enlisted in Grand Isle and is designated in U.S. Naval records as a Vermonter, and

Whereas, on October 28, 1923, Henry Breault was stationed on the USS O-5, which, while in transit through the Panama Canal, collided with the steamship Abangarez, a commercial vessel, causing the nearly immediate sinking of the submarine, and

Whereas, nearly all the personnel on board the submarine, including Henry Breault, were able to escape, but Breault, on the verge of jumping overboard to safety himself, returned to the torpedo room to rescue a trapped fellow submarine mate, closing the torpedo hatch after him, and

Whereas, 31 hours later, a salvage party was able to rescue both men, and Henry Breault's selfless bravery resulted in President Calvin Coolidge's awarding him the Medal of Honor on March 8, 1924, making him the first submariner—and, to this day, the only enlisted submariner—so recognized, and

Whereas, naval historian Ryan Walker has since written a book entitled, *The Silent Service's First Hero: The First Submariner to Receive the Medal of Honor*, and Henry Breault's story was also the subject of an exhibit at the Submarine Force Library and Museum in Groton, Connecticut, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly commemorates the centennial of U.S. Navy Torpedoman 2nd Class Henry Breault's becoming the first submariner to receive the Medal of Honor, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Submarine Force Library and Museum and to Ryan Walker.

Having been adopted in concurrence on Friday, March 1, 2024 in accord with Joint Rule 16b, was read.

**Third Reading; Bills Passed**

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

**H. 856**

House bill, entitled

An act relating to medical leave for a serious injury

**H. 870**

House bill, entitled

An act relating to professions and occupations regulated by the Office of Professional Regulation

**Action on Bills Postponed****H. 279**

House bill, entitled

An act relating to the Uniform Trust Decanting Act

Was taken up and, pending second reading of the bill, on motion of **Rep. LaLonde of South Burlington**, action on the bill was postponed until March 19, 2024.

**H. 350**

House bill, entitled

An act relating to the Uniform Directed Trust Act

Was taken up and, pending second reading of the bill, on motion of **Rep. LaLonde of South Burlington**, action on the bill was postponed until March 19, 2024.

**H. 664**

House bill, entitled

An act relating to designating a State Mushroom

Was taken up and, pending second reading of the bill, on motion of **Rep. Durfee of Shaftsbury**, action on the bill was postponed until March 19, 2024.

**Amendment Offered and Withdrawn; Third Reading; Bill Passed in Concurrence with Proposal of Amendment****S. 18**

Senate bill, entitled

An act relating to banning flavored tobacco products and e-liquids

Was taken up and, pending third reading of the bill, **Rep. Graning of Jericho**, moved to amend the House proposal of amendment by striking out Sec. 5, 16 V.S.A. § 140, in its entirety and inserting in lieu thereof a new Sec. 5 to read as follows:

Sec. 5. 16 V.S.A. § 140 is amended to read:

§ 140. ~~TOBACCO USE OF TOBACCO PRODUCTS, TOBACCO~~  
SUBSTITUTES, AND E-LIQUIDS PROHIBITED ON PUBLIC  
SCHOOL GROUNDS

No person shall be permitted to use tobacco products ~~or~~, tobacco substitutes, or e-liquids, as those terms are defined in 7 V.S.A. § 1001, on ~~public school~~ the grounds of a public school or an approved independent school that is eligible to receive public tuition, or at public school sponsored functions any function sponsored by such school. ~~Public school boards may adopt policies that include confiscation and appropriate referrals to law enforcement authorities.~~

Thereupon, **Rep. Graning of Jericho** asked and was granted leave of the House to withdraw her amendment.

Thereafter, the bill was read the third time and passed in concurrence with proposal of amendment.

**Message from the Senate No. 31**

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 passed Senate bill of the following title:

**S. 189.** An act relating to mental health response service guidelines and social service provider safety.

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. 518.** An act relating to the approval of amendments to the charter of the Town of Essex.

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 Senate concurrent resolution of the following title:

**S.C.R. 11.** Senate concurrent resolution congratulating Bag Balm on the company's 125th anniversary.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

**H.C.R. 171.** House concurrent resolution congratulating the 2023 Green Mountain Council Class of Eagle Scouts.

**H.C.R. 172.** House concurrent resolution congratulating Goodridge Lumber Inc. of Albany on its 50th anniversary.

**H.C.R. 173.** House concurrent resolution in memory of former Castleton State College Dean of Education Honoree Fleming.

**H.C.R. 174.** House concurrent resolution congratulating the 2023 Spirit of the ADA Award winners.

**H.C.R. 175.** House concurrent resolution in memory of jazz aficionado Reuben Jackson.

**H.C.R. 176.** House concurrent resolution congratulating Kristi Lefebvre Huizenga of Colchester on her 2024 induction into the Vermont Sports Hall of Fame.

**H.C.R. 177.** House concurrent resolution recognizing March as Colorectal Cancer Awareness Month in Vermont.

**H.C.R. 178.** House concurrent resolution congratulating Lena Delores Baker on her 100th birthday.

**H.C.R. 179.** House concurrent resolution congratulating the Vermont place winners at the 2023 National Senior Games and designating March 21, 2024 as Vermont Senior Games Day at the State House.

**H.C.R. 180.** House concurrent resolution recognizing July 2024 as Park and Recreation Month in Vermont and designating July 19, 2024 as Vermont Park and Recreation Professionals Day in Vermont.

### **Adjournment**

At ten o'clock and twenty-eight minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, March 19, 2024, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 48.

### **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. 171**

House concurrent resolution congratulating the 2023 Green Mountain Council Class of Eagle Scouts

**H.C.R. 172**

House concurrent resolution congratulating Goodridge Lumber Inc. of Albany on its 50th anniversary

**H.C.R. 173**

House concurrent resolution in memory of former Castleton State College Dean of Education Honoree Fleming

**H.C.R. 174**

House concurrent resolution congratulating the 2023 Spirit of the ADA Award winners

**H.C.R. 175**

House concurrent resolution in memory of jazz aficionado Reuben Jackson

**H.C.R. 176**

House concurrent resolution congratulating Kristi Lefebvre Huizenga of Colchester on her 2024 induction into the Vermont Sports Hall of Fame

**H.C.R. 177**

House concurrent resolution recognizing March as Colorectal Cancer Awareness Month in Vermont

**H.C.R. 178**

House concurrent resolution congratulating Lena Delores Baker on her 100th birthday

**H.C.R. 179**

House concurrent resolution congratulating the Vermont place winners at the 2023 National Senior Games and designating March 21, 2024 as Vermont Senior Games Day at the State House

**H.C.R. 180**

House concurrent resolution recognizing July 2024 as Park and Recreation Month in Vermont and designating July 19, 2024 as Vermont Park and Recreation Professionals Day in Vermont

**S.C.R. 11**

Senate concurrent resolution congratulating Bag Balm on the company's 125th anniversary

[The full text of the concurrent resolutions appeared in the House and Senate Calendar Addendums on the preceding legislative day and will appear in the Public Acts and Resolves of the 2024 Adjourned Session.]