

1 H.742

2 Senators White, Bray, Clarkson, Collamore, and Pollina move that the
3 Senate propose to the House that the bill be amended by adding Secs. 1-9 and
4 their accompanying reader assistance headings as follows:

5 * * * Elections * * *

6 Sec. 1. LEGISLATIVE INTENT; PROTECTION OF CITIZENS AND OF
7 ELECTIONS

8 It is the intent of the General Assembly that, if the coronavirus disease 2019
9 (COVID-19) pandemic continues its expected spread in the State of Vermont,
10 the citizens of Vermont should be able to protect their health, safety, and
11 welfare while also continuing to exercise their right to participate in elections
12 in order to maintain our democratic institutions. Accordingly, this act sets
13 forth temporary elections provisions in response to COVID-19.

14 Sec. 2. ELECTIONS IN THE YEAR 2020; SUSPENSION OF PRIMARY
15 PETITION, STATEMENT OF NOMINATION, AND LOCAL
16 ELECTION VOTER SIGNATURE REQUIREMENTS

17 (a) Notwithstanding 17 V.S.A. § 2354, 2355, 2402(b), 2681(b), or any
18 other provision of law to the contrary, a person shall not be required to collect
19 voter signatures in order to have the person’s name placed on any ballot in the
20 year 2020, including on any local election ballot. Accordingly, a person shall
21 not be required to file a primary petition as a major party candidate for the

1 primary, a statement of nomination as an independent candidate for the general
2 election, or a petition as a candidate for a local election, as those contain the
3 voter signatures.

4 (b) In the year 2020:

5 (1) Notwithstanding the start date for filing primary petitions for major
6 party candidates set forth in 17 V.S.A. § 2356(a), consent of candidate forms
7 for those candidates shall be filed not earlier than the second Thursday after the
8 first Monday in May.

9 (2) Notwithstanding the start date for filing statements of nomination for
10 independent candidates for President or Vice President of the United States set
11 forth in 17 V.S.A. § 2402(d)(1)(A), consent of candidate forms for those
12 candidates shall be filed not earlier than Saturday, July 18, 2020.

13 (3) Notwithstanding the start date for filing statements of nomination for
14 any other independent candidates except for justice of the peace set forth in
15 17 V.S.A. § 2402(d)(1)(C), consent of candidate forms for those candidates
16 shall be filed not earlier than Thursday, July 23, 2020.

17 (c) All other requirements relating to nominations and candidate
18 qualifications shall continue to apply.

1 Sec. 3. ELECTIONS IN THE YEAR 2020; SECRETARY OF STATE;
2 GOVERNOR; TEMPORARY ELECTIONS PROCEDURES

3 (a) In the year 2020, the Secretary of State is authorized, in consultation
4 and agreement with the Governor, to order or permit, as applicable, appropriate
5 elections procedures for the purpose of protecting the health, safety, and
6 welfare of voters, elections workers, and candidates in carrying out elections,
7 including:

8 (1) requiring mail balloting by requiring town clerks to send ballots by
9 mail to all registered voters;

10 (2) creating early or mail ballot collection stations;

11 (3) permitting municipal clerks to process and begin counting ballots in
12 a 30-day window preceding the day of an election;

13 (4) permitting drive-up, car window collection of ballots by election
14 officials;

15 (5) extending the time for municipal clerks to process and count ballots;
16 and

17 (6) extending voting hours on the day of an election.

18 (b) For any temporary elections procedure the Secretary of State orders or
19 permits under this section, the Secretary shall adopt any necessary
20 corresponding procedures that ensure the public can monitor polling places and
21 the counting of votes.

1 with electronic access to meetings in lieu of a designated physical location.

2 Accordingly, this act sets forth temporary Open Meeting Law procedures in
3 response to COVID-19.

4 Sec. 6. OPEN MEETING LAW; TEMPORARY SUSPENSION OF
5 DESIGNATED PHYSICAL MEETING LOCATION
6 REQUIREMENTS

7 (a) Notwithstanding 1 V.S.A. § 312(a), during a declared state of
8 emergency under 20 V.S.A. chapter 1 due to COVID-19:

9 (1) a quorum or more of the members of a public body may attend a
10 regular, special, or emergency meeting by electronic or other means without
11 being physically present at a designated meeting location;

12 (2) the public body shall not be required to designate a physical meeting
13 location where the public may attend; and

14 (3) the members and staff of the public body shall not be required to be
15 physically present at a designated meeting location.

16 (b) When the public body meets electronically under subsection (a) of this
17 section, the public body shall use technology that permits the attendance of the
18 public through electronic or other means. The public body shall allow the
19 public to access the meeting by telephone whenever feasible. The public body
20 shall post information on how the public may access meetings electronically
21 and shall include this information in the published agenda for each meeting.

1 Unless unusual circumstances make it impossible for them to do so, the
2 legislative body of each municipality and each school board shall record its
3 meetings held pursuant to this section.

4 (c) In the event of a staffing shortage during a declared state of emergency
5 under 20 V.S.A. chapter 1 due to COVID-19, a public body may extend the
6 time limit for the posting of minutes prescribed in 1 V.S.A. § 312(b)(2) to not
7 more than 10 days from the date of the meeting.

8 Sec. 7. DEPARTMENT OF FISH AND WILDLIFE; FISH AND WILDLIFE
9 BOARD; MEETING REQUIREMENTS IN THE YEAR 2020

10 In the year 2020, the Department of Fish and Wildlife and the Fish and
11 Wildlife Board shall not be required to hold the number of regional meetings
12 as required by 10 V.S.A. §§ 4081(f) (deer) and 4082(b) and (c) (migratory bird
13 and moose), but shall be required to hold not less than five meetings by
14 electronic means to ensure adequate public involvement.

15 * * * Deadlines for Municipal Corporations and

16 Other Political Subdivisions * * *

17 Sec. 8. EXTENSION OF DEADLINES APPLICABLE TO MUNICIPAL
18 CORPORATIONS AND REGIONAL PLANNING COMMISSIONS;
19 CONTINUED VALIDITY OF LICENSES AND PLANS

20 (a) During a declared state of emergency under 20 V.S.A. chapter 1 due to
21 COVID-19, the Governor may authorize State agencies to extend any deadline

1 applicable to municipal corporations or regional planning commissions. A
2 deadline established by statute shall not be extended to more than 90 days after
3 the date that the declared state of emergency ends. Any expiring license,
4 permit, program, or plan issued to a municipal corporation or regional planning
5 commission that is due to a State agency for renewal or review shall remain
6 valid for 90 days after the date that the declared state of emergency ends.

7 (b) During a declared state of emergency under 20 V.S.A. chapter 1 due to
8 COVID-19, a municipal corporation shall be permitted to extend any deadline
9 applicable to municipal corporations, provided that the deadline does not relate
10 to a State license, permit, program, or plan subject to subsection (a) of this
11 section. A municipal corporation may extend or waive deadlines applicable to
12 licenses, permits, programs, or plans issued by a municipal corporation. Any
13 expiring license, permit, program, or plan issued by a municipal corporation
14 that is due to the municipal corporation for renewal or review shall remain
15 valid for 90 days after the date that the declared state of emergency ends.

16 Sec. 9. TEMPORARY MORATORIUM ON DISCONNECTIONS FROM
17 PUBLIC DRINKING WATER AND WASTEWATER SYSTEMS

18 (a) Notwithstanding 24 V.S.A. chapter 129, a municipality shall be
19 prohibited from disconnecting a person from water or sewer services during a
20 declared state of emergency under 20 V.S.A. chapter 1 due to COVID-19.

1 (b) Notwithstanding any provision of law to the contrary, a person who is
2 permitted as a public water system pursuant to 10 V.S.A. chapter 56 and who
3 provides another person water as a part of the operation of that public water
4 system shall be prohibited from disconnecting any person from the public
5 water system during a declared state of emergency under 20 V.S.A. chapter 1
6 due to COVID-19.

7 (c) Notwithstanding any provision of law to the contrary, a company
8 engaged in the collecting, sale, and distribution of water for domestic,
9 industrial, business, or fire protection purposes that is regulated by the Public
10 Utility Commission under 30 V.S.A. § 203(3) shall be prohibited from
11 disconnecting any person from services during a declared state of emergency
12 under 20 V.S.A. chapter 1 due to COVID-19.

13 (d) A violation of subsection (a) or (b) of this section may be enforced by
14 the Agency of Natural Resources pursuant to 10 V.S.A. chapter 201. A
15 violation of subsection (c) of this section may be enforced by the Public Utility
16 Commission under 30 V.S.A. § 30.
17 and by renumbering sections as necessary to be numerically correct.