

House Calendar

Tuesday, April 5, 2022

92nd DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 AM

TABLE OF CONTENTS

Page No.

ACTION CALENDAR

Favorable

S. 184 An act relating to defense of others and justifiable homicide.....2133
Rep. Grad for Judiciary

J.R.S. 43 Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the land co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere..... 2133
Rep. Labor for Corrections and Institutions

NOTICE CALENDAR

Favorable

S. 72 An act relating to the Interstate Compact on the Placement of Children2133
Rep. Gregoire for Human Services

Senate Proposal of Amendment

H. 447 Approval of amendments to the charter of the Town of Springfield
Senate Proposal of Amendment 2133

Action Postponed Until April 6, 2022

Senate Proposal of Amendment

H. 444 Approval of amendments to the charter of the City of Barre
Senate Proposal of Amendment 2134
Rep. Anthony et al. Amendment 2136
Rep. Anthony et al. Substitute Amendment 2139

Action Postponed Until April 20, 2022

Governor's Veto

H. 157 Registration of construction contractors..... [2143](#)

Action Postponed Until May 17, 2022

Governor's Veto

S. 30 An act relating to prohibiting possession of firearms within hospital buildings..... [2143](#)

ORDERS OF THE DAY

ACTION CALENDAR

Favorable

S. 184

An act relating to defense of others and justifiable homicide

Rep. Grad of Moretown, for the Committee on Judiciary, recommends that the bill ought to pass in concurrence.

(Committee Vote:11-0-0)

(For text see Senate Journal February 3, 2022)

J.R.S. 43

Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the land co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere

Rep. Labor of Morgan, for the Committee on Corrections and Institutions, recommends that the resolution ought to be adopted in concurrence.

(Committee Vote:10-0-1)

(For text see Senate Journal February 25, 2022)

NOTICE CALENDAR

Favorable

S. 72

An act relating to the Interstate Compact on the Placement of Children

Rep. Gregoire of Fairfield, for the Committee on Human Services, recommends that the bill ought to pass in concurrence.

(Committee Vote:11-0-0)

(For text see Senate Journal March 10, 2022)

Senate Proposal of Amendment

H. 447

An act relating to approval of amendments to the charter of the Town of Springfield

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

First: In Sec. 2, 24 App. V.S.A. chapter 149, section 3, subdivision (b)(1), by striking out subdivision (B) in its entirety and inserting in lieu thereof a new subdivision (B) to read as follows:

(B) is injurious to other property in the vicinity; or

Second: In Sec. 2, 24 App. V.S.A. chapter 149, section 3, subsection (b), by striking out subdivision (3) in its entirety and inserting in lieu thereof a new subdivision (3) to read as follows:

(3) Not less than 30 days before any action taken under this subsection, the Town shall provide to the property owner and any recorded lienholders a notice of the Town's intent to issue civil penalties; clean or repair the premises; or remove rubbish, waste, or objectionable material. The Town shall provide to the property owner and any recorded lienholders reasonable opportunity and information to appeal the proposed action or to clean or repair the premises before the Town takes any final action.

Third: In Sec. 2, 24 App. V.S.A. chapter 149, in section 11, in subsection (c), in the last sentence, immediately following the words "may not be petitioned again for a period of", by striking out the words "one year" and inserting in lieu thereof the words three years

Action Postponed Until April 6, 2022

Senate Proposal of Amendment

H. 444

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

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

By striking out Sec. 2, 24 App. V.S.A. chapter 1, in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. 24 App. V.S.A. chapter 1 is amended to read:

CHAPTER 1. CITY OF BARRE

* * *

§ 104. GENERAL CORPORATE POWERS

* * *

(d) The City of Barre shall fly only the City, State, United States, and POW/MIA flags.

§ 105. ORDINANCES - SUBJECT MATTER

(a) The general grant of ordinance promulgating authority in section 104 shall include the authority:

* * *

~~(7) To adopt and enforce ordinances relating to the mediation of landlord tenant issues by the Housing Board of Review~~ Notwithstanding any contrary provision of 23 V.S.A. § 1007, to adopt and enforce ordinances establishing a speed limit of less than 25 miles per hour on specified City streets, or sections thereof, within City boundaries as may be required for the safety and general welfare of the City.

* * *

§ 111. BONDING OF CITY OFFICIALS

The Mayor, councilors, members of the Police Department, City Manager, ~~First Constable~~ Finance Director, Superintendent of Public Works, Tax Collector, and Clerk and Treasurer shall annually be bonded by the City for the faithful discharge of their respective duties, as provided by State statute, and the expense of said bonds to be paid by the City.

* * *

§ 205. OFFICERS ELECTED

(a)(1) The legal voters shall elect biennially a Mayor, ~~a First Constable,~~ and one person to serve as Clerk and Treasurer.

* * *

Subchapter 4. City Officials

* * *

ARTICLE 8. ~~CONSTABLE~~ [Repealed.]

* * *

§ 418. ~~DUTIES~~

~~The City Constable shall have the same powers and be under the same duties and liabilities as are prescribed by State statutes for constables of towns.~~ [Repealed.]

* * *

(For text see House Journal May 18, 2021)

Amendment to be offered by Reps. Anthony of Barre City, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Higley of Lowell, Hooper of Burlington, LaClair of Barre Town, Lefebvre of Orange, McCarthy of St. Albans City, Mrowicki of Putney and Vyhovsky of Essex to H. 444

Move to concur in the Senate Proposal of Amendment with further amendment thereto by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendments to the charter of the City of Barre as set forth in this act. The voters approved the proposals of amendment on March 2, 2021 and March 1, 2022.

Sec. 2. 24 App. V.S.A. chapter 1 is amended to read:

CHAPTER 1. CITY OF BARRE

* * *

§ 104. GENERAL CORPORATE POWERS

* * *

(b) The City may purchase real property, or interest in real property, within or without its corporate limits, for the public benefit. The City may acquire real property by gift, devise, lease, easement, or condemnation and may sell, lease, mortgage, hold, convey by easement, manage and control such property as its interest may require. Any acquisition or conveyance of property through the means listed in this section shall require approval of the council and shall also be subject to notice as required by 24 V.S.A. § 1061 or any successor provision.

* * *

(d) The City of Barre shall fly only the City, State, United States, and POW/MIA flags.

§ 105. ORDINANCES - SUBJECT MATTER

The general grant of ordinance promulgating authority in section 104 of this charter shall include the authority:

* * *

(g) To adopt and enforce ordinances relating to the mediation of landlord tenant issues by the Housing Board of Review Notwithstanding any contrary provision of general law, to adopt and enforce ordinances establishing a speed

limit of less than 25 miles per hour on specified City streets, or sections thereof, within City boundaries as may be required for the safety and general welfare of the City.

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§ 111. BONDING OF CITY OFFICIALS

The Mayor, councilors, members of the Police Department, City Manager, ~~First Constable~~ Finance Director, Superintendent of Public Works, Tax Collector, and Clerk and Treasurer shall annually be bonded by the City for the faithful discharge of their respective duties, as provided by State statute, and the expense of said bonds to be paid by the City.

* * *

§ 205. OFFICERS ELECTED

(a)(1) The legal voters shall elect biennially a Mayor, ~~a First Constable~~, and one person to serve as Clerk and Treasurer.

* * *

§ 307. POWERS OF CITY; POLICY MATTERS; APPOINTMENT OF CERTAIN OFFICERS

All powers of the City and the determination of all matters of policy shall be vested in the City Council except as otherwise provided by this charter or by general law. The City Council shall annually appoint a City Attorney, a ~~City Grand Juror~~, a Library Liaison, and may provide for any Planning Board, Zoning Board of Adjustment, Recreation Board, or Personnel Board, and may create commissions or other bodies with advisory powers and may appoint personnel to serve on said boards or commissions.

* * *

Subchapter 4. City Officials

* * *

§ 407. APPOINTMENTS

* * *

(b) There shall be appointed by the City Manager after the annual City election in the manner as hereinafter provided a Superintendent of Streets, a Superintendent of Waterworks, a Recreation Director, a City Engineer, a Building Inspector, an Inspector of Electric Wiring, ~~an Inspector of Plumbing~~, a Tree Warden, and three members of the Board of Health (see section 512 of this charter, Board of Health). All officers shall hold their offices respectively

for one year or until their successors shall be appointed and qualified. The City Manager may also appoint such other subordinate officers as may be elected or appointed in towns. Members of the various boards shall be appointed in the same manner, who shall hold office as otherwise herein provided or until their successor shall be appointed and qualified.

* * *

§ 409. CAPITAL IMPROVEMENT PLAN

(a) Preparation and submission. The Manager, after consultation with department heads, shall submit a proposed five-year capital improvement plan to the council at least three months prior to the annual meeting.

(b) Contents. The capital expenditure plan shall include:

(1) a clear narrative summary of needs;

(2) a list of all capital expenditures to be proposed for the next five years with appropriate supporting data;

(3) actual cost estimates, proposed methods of financing, and necessary time schedules for each improvement; and

(4) estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

(c) Revision and update. The capital expenditure plan shall be revised and extended each year to reflect progress or projects still pending.

* * *

ARTICLE 8. CONSTABLE [Repealed.]

* * *

§ 418. DUTIES

~~The City Constable shall have the same powers and be under the same duties and liabilities as are prescribed by State statutes for constables of towns. [Repealed.]~~

* * *

§ 501. CREATION AND ORGANIZATION

For the purpose of coordinating and integrating the inspection services and allied services of the City, and to provide proper and effective administration of building, electrical, ~~plumbing~~, fire prevention, housing, and zoning laws of the City and State within the City, the City Council shall, by ordinance, create

a department to be designated the Department of Buildings and Housing, and prescribe its powers, duties, and functions. Within the Department shall be:

* * *

(2) the Inspector of Electrical Wiring; and

(3) ~~the Plumbing Inspector; [Repealed.]~~

* * *

§ 605. LOCAL SALES, ROOMS, MEALS, AND ALCOHOLIC
BEVERAGES OPTION TAXES

Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:

(1) The City Council may assess sales, rooms, meals, and alcohol taxes of one percent.

* * *

(3) Revenues received through a tax imposed under this section shall be designated solely for street and sidewalk reconstruction, capital equipment, and capital improvement needs under section 406a of this charter.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Amendment to be offered by Reps. Anthony of Barre City, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Hooper of Burlington, McCarthy of St. Albans City and Mrowicki of Putney to H. 444

Representatives Anthony of Barre City, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Hooper of Burlington, McCarthy of St. Albans City, and Mrowicki of Putney move to substitute a proposal of amendment for the proposal of amendment offered by Representatives Anthony of Barre City, Colston of Winooski, Copeland Hanzas of Bradford, Gannon of Wilmington, Higley of Lowell, Hooper of Burlington, Lefebvre of Orange, McCarthy of St. Albans City, Mrowicki of Putney, and Vyhovsky of Essex and that the House concur in the Senate Proposal of Amendment with further proposal of amendment thereto by striking out all after the enacting clause and inserting in lieu thereof the following:

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Action Postponed Until April 20, 2022

Governor's Veto

H. 157

An act relating to registration of construction contractors.

For text of Veto Message please see House Journal of February 10, 2022

Action Postponed Until May 17, 2022

Governor's Veto

S. 30

An act relating to prohibiting possession of firearms within hospital buildings.

For text of Veto Message, please see Senate Journal of March 11, 2022

For Informational Purposes

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3092 - \$420,000 to the VT Agency of Natural Resources, Dept of Environmental Conservation from the Environmental Protection Agency. The grant is for improved drinking water in underserved areas and will support construction of replacement drinking water infrastructure for the town of Milton's Mobile Home Cooperative.

[Received March 23, 2022]

JFO #3093 - \$1,000,000.00 to the VT Agency of Commerce and Community Development from the U.S. Economic Development Administration. Funds for the use of Statewide Economic Recovery Planning.

[Received March 23, 2022]

JFO #3094 – 11 (eleven) limited-service positions to the VT Agency of Human Services, Dept for Children and Families, to administer and support emergency and transitional housing programs. Positions funded through previously approved grant [#3034](#) (U.S. Emergency Assistance Rental Program) and funded through 9/30/2025.

[Received 3/23/2022, expedited review approved on 3/29/2022]

JFO #3095 - \$1,859,890 to the VT Department of Public Safety from the Federal Emergency Management Agency. Funding for flooding that occurred in Bennington and Windham counties between 7/29/21 and 7/30/21.

[Received March 23, 2022]