

Week 13 - April 10, 2020

# THE VERMONT STATEHOUSE INSIDER

Weekly politics & analysis  
of the issues in Montpelier



## FULLY REMOTE



Senate Session - Friday, April 10, 2020

60 watching now • Started streaming 40 minutes ago

0 0 SHARE SAVE ...

*The Vermont Senate on Friday morning during the first ever remote floor session.*

## A NOTE FROM THE LEONINE TEAM

Please visit [our website](#) for our in-depth reporting on COVID-19-related government activity throughout the United States. This report is courtesy of our 50-state legislative regulatory, tracking and reporting service [Leonine FOCUS](#). This report is updated constantly and includes information on executive orders, legislation, regulation, tax deadlines and more from across the country.

---

## WEEK 13

On Friday, the Vermont Senate held a historic floor session. For the first time in Vermont history a legislative body gavelled into session, reported and discussed legislation and voted without the lawmakers being physically present. This new, remote legislative process was authorized by the Senate in a semi-normal floor session on Wednesday, when 16 Senators (the minimum needed for a quorum) convened in Montpelier to approve a Senate resolution allowing remote floor voting. The Senate had previously authorized remote voting by its committees so now the Senate can conduct business in full without going to Montpelier.

This dramatic procedural change is of course in response to the ongoing COVID-19 crisis that has gripped Vermont, the nation and the entire world. In the fourth week since the legislature literally closed its doors in the middle of the 2020 legislative session, the Senate continues to focus on legislation that directly relates to responding to the current emergency situation. The House also passed a resolution a few weeks ago allowing remote voting by its committees, as well as a resolution that allows them to vote remotely as a body if and when that resolution is eventually ratified by three-quarters of the members. The logistics are significantly more challenging for the House, which has five times more members than the Senate. The extreme procedural changes and ongoing evolution of the “new normal” in the Vermont legislature will continue for many weeks and probably months.

In the floor session Friday the Senate passed a number of COVID-19 response bills. Highlights of those bills can be found later in this newsletter.

In his Friday press briefing, Governor Phil Scott announced an [extension of the current Stay Home, Stay Safe](#) Order until May 15. The extension is not surprising

given Vermont has not yet reached the “peak” of COVID-19 cases. This is expected to happen in late April or early May. In addition to extending the stay home requirement, the order allows lodging establishments to start booking reservations again for stays occurring after June 15. It also extends vehicle inspection deadlines by 60 days, requires the state to provide quarantine housing to certain COVID-19 responders, clarifies that financial, legal and professional services can operate to assist Vermonters in obtaining state and federal financial support and clarifies civil protections for COVID-19 healthcare workers and facilities.

Because COVID-19 has turned the state budget process on its head and regardless of when the peak occurs, the Vermont legislature will undoubtedly be in session in some form long after the normal May-June adjournment timeframe. In normal years the legislature would have already passed a budget adjustment package for the current fiscal year and be well on the way to finalizing the budget for the next fiscal year. As it stands now, the legislature will likely have to pass a budget adjustment bill in late-April or May and maybe even June just to address the changes to the current fiscal year revenues. The legislature will also have to meet in late-July and August and maybe beyond to pass an FY2021 budget.

The uncertainty in the budget and legislative timeline is due to three main factors:

The first is of course the virus and the shutdown of much of daily life that is necessary to slow its spread. There has been and will continue to be a huge drop in state revenues as a result, and it will be unclear when things will start to pick up so long as it is unclear when the virus will subside.

The second is uncertainty around federal stimulus, how much the state will receive, how it can be used and when it will arrive. The most recent federal stimulus bill – the CARES Act – is going to bring \$1.25 billion into the state on or around April 24. That’s a huge infusion of cash for a state with a total combined annual budget of more than \$6 billion. However, current rules limit the spending of the federal money to COVID-19 related programs or activities and prohibit its use to fill revenue losses and budget gaps. Vermont, along with many other states, is currently petitioning Congress to relax this restriction, which would significantly help with the current budget crisis. The state was also granted a federal disaster

declaration. This will make the state eligible for federal disaster funds which in turn could help alleviate budget pressures.

The third is the uncertainty around state income and property tax revenues as a result of state and federal income tax deadlines being pushed back to July 15. The state will not know until after that date how much income tax revenue it has. As a result a lot of work will be needed to put a budget together after July 15. Other revenues that are tracked monthly, such as the gas tax, will also continue to fluctuate and the state will need to be prepared to respond accordingly.

All said, there will be a significant need for the legislature to continue to work in some form throughout the year. The legislature's Joint Fiscal Office has produced a fantastic summary of the current budget scenario which can be found [here](#).

On Wednesday, the impact of COVID-19 touched the statehouse family in a very personal way as news quickly traveled that former state Representative Bernie Juskiewicz had died that afternoon from the illness. Juskiewicz was elected to the House in 2013 and served on the House Education Committee before joining the House Appropriations Committee. He served there until retiring from the legislature in 2018. He was a friend to many in Vermont and news of his passing was met with much sadness across the state.

Cleary, it will be a long, uncertain road to get through this emergency and the recovery and then to adapt to whatever normal life will look like when all is said and done. The good news is all the work and sacrifice Vermonters are undertaking seems to be having a positive impact, as the public health outlook is showing signs of improving.

---

## SENATE FLOOR ACTION

On Friday morning, the Senate, in its first remote series of roll calls, voted 30-0 to pass the following four bills and send them to the House:

- H.741 proposes to allow the Department of Buildings and General Services (BGS) to conduct criminal records checks on private contractor employees who, under contract with BGS, are performing services or functions on state-owned or state-leased facilities.

- S.333 places a moratorium on evictions for the duration of the COVID-19 state of emergency. It also restricts foreclosure evictions during the emergency. The bill does not relieve tenants of the obligation to pay their rent.
- S.182 creates more flexibility for emergency service providers by eliminating the credentialing requirement, extending the license terms for ambulances from one to three years and requiring the Department of Financial Regulation (DFR) to enforce the provisions in existing law that require insurance companies to reimburse service providers instead of patients. This bill also extends licenses for plumbers and electricians originally set to expire between March 30, 2020 and September 30, 2020, to September 30, 2020.
- S.114, among other things, provides that powers of attorney may be remotely witnessed and notarized and that deeds or other instruments that are remotely executed and notarized may be recorded in the land records during the period in which emergency rules promulgated by the Secretary of State allowing remote notarization are in effect.