

Senate Calendar

THURSDAY, APRIL 13, 2023

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ACTION CALENDAR

NEW BUSINESS

Second Reading

Favorable

H. 35.

An act relating to the Victims Assistance Program.

Reported favorably by Senator Norris for the Committee on Judiciary.

(Committee vote: 5-0-0)

Favorable with Recommendation of Amendment

S. 39.

An act relating to compensation and benefits for members of the Vermont General Assembly.

Reported favorably with recommendation of amendment by Senator White for the Committee on Government Operations.

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Compensation for Legislative Professional Development * * *

Sec. 1. 2 V.S.A. § 23 is amended to read:

§ 23. STANDING COMMITTEES; AUTHORITY TO MEET; OUT-OF-STATE BUSINESS

* * *

(b) For attending to official duties out of the State, or for participating in professional development activities in or out of the State that are directly related to the member's service in the General Assembly, a member shall be entitled to the same per diem compensation as provided for attendance at sessions of the General Assembly. Reimbursement of necessary and actual expenses for official duties out of the State shall be made from the legislative appropriation to any member of the General Assembly or its staff, and reimbursement of necessary and actual expenses for participation in professional development activities shall be made from the legislative appropriation to members of the General Assembly. Such reimbursement and per diem compensation shall be in lieu of any other expenses payable by the

State to that person during the period ~~he or she~~ the person is out of the State ~~or participating in professional development activities~~ and shall be contingent upon:

(1) prior approval of the out-of-state duties ~~or professional development activities~~ by the Speaker of the House in the case of a House member or employee or by the President Pro Tempore of the Senate in the case of a Senator or Senate employee; and

(2) certification of the expense voucher to the Commissioner of Finance and Management by either the Speaker of the House or President Pro Tempore of the Senate in the appropriate case or designee.

* * *

* * * Health Benefits * * *

Sec. 2. 3 V.S.A. § 631 is amended to read:

§ 631. GROUP INSURANCE FOR STATE EMPLOYEES; SALARY DEDUCTIONS FOR INSURANCE, SAVINGS PLANS, AND CREDIT UNIONS

(a)(1) The Secretary of Administration may contract on behalf of the State with any insurance company or nonprofit association doing business in this State to secure the benefits of franchise or group insurance. Beginning on July 1, 1978, the terms of coverage under the policy shall be determined under section 904 of this title, but it may include:

* * *

(2)(A)(i) As used in this section, the term “employees” includes any class or classes of elected or appointed officials, State’s Attorneys, sheriffs, employees of State’s Attorneys’ offices whose compensation is administered through the State of Vermont payroll system, except contractual and temporary employees, and deputy sheriffs paid by the State of Vermont pursuant to 24 V.S.A. § 290(b). The term “employees” ~~shall~~ does not include ~~members of the General Assembly as such,~~ any person rendering service on a retainer or fee basis, members of boards or commissions, or persons ~~other than employees of the Vermont Historical Society, the Vermont Film Corporation, the Vermont State Employees’ Credit Union, Vermont State Employees’ Association, and the Vermont Council on the Arts,~~ whose compensation for service is not paid from the State Treasury, or any elected or appointed official ~~unless the~~ except as specifically provided pursuant to this subdivision (a)(2)(A)(i). The term “employees” includes employees of the Vermont Historical Society, the Vermont State Employees’ Credit Union, the Vermont State Employees’ Association, the Vermont Council on the Arts, and any elected or appointed

official who is actively engaged in and devoting substantially full-time to the conduct of the business of ~~his or her~~ the official's public office. The term "employees" also includes members of the General Assembly as set forth in subdivision (iv) of this subdivision (a)(2)(A).

* * *

(iv) For purposes of group hospital-surgical-medical expense insurance, any employee assistance program offered to State employees, and any flexible spending account program offered to State employees for health care or dependent care expenses, or both, the term "employees" includes members of the General Assembly.

(B)(i) The premiums for extending insurance coverage to employees shall be paid in full by the Vermont Historical Society, ~~the Vermont Film Corporation,~~ the Vermont State Employees' Association, the Vermont State Employees' Credit Union, the Vermont Council on the Arts, or their respective retirees. Nothing herein creates a legal obligation on the part of the State of Vermont to pay any portion of the premiums required to extend insurance coverage to this group of employees.

(ii) Members of the General Assembly shall be required to pay the same portion of the premium for group hospital-surgical-medical expense insurance as is required of employees of the Executive Branch.

* * *

* * * Compensation and Expenses * * *

Sec. 3. 32 V.S.A. § 1050 is added to read:

§ 1050. COMPENSATION FOR MEMBERS OF THE GENERAL ASSEMBLY; LEGISLATIVE INTENT

It is the intent of the General Assembly that its members should receive compensation that is consistent with the amount of the average wage earned in this State.

Sec. 4. 32 V.S.A. § 1051 is amended to read:

§ 1051. SPEAKER OF THE HOUSE AND PRESIDENT PRO TEMPORE OF THE SENATE; COMPENSATION AND EXPENSE REIMBURSEMENT

(a) The Speaker of the House and the President Pro Tempore of the Senate shall be entitled to receive annual compensation of ~~\$10,080.00 for the 2005~~ \$20,716.00 for the first year of the 2025 Biennial Session and thereafter, to be paid in biweekly payments, ~~provided that, beginning on January 1, 2007, the~~

~~annual compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, except that, beginning on July 1, 2021. Beginning on January 1, 2026~~ and annually thereafter on January 1, the annual compensation shall be adjusted consistent with the compensation increases provided to other constitutional officers. In addition to the annual compensation, the Speaker and President Pro Tempore shall be entitled to receive:

(1) ~~\$652.00 a week for the 2005~~ \$1,340.00 a week for the first year of the 2025 Biennial Session and thereafter, to be paid in biweekly payments during the regular and adjourned sessions of the General Assembly, provided that, beginning on January 1, 2007, ~~the weekly compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, except that, beginning on July 1, 2021~~ 2026 and annually thereafter on January 1, the weekly compensation shall be adjusted consistent with the compensation increases provided to other constitutional officers;

* * *

(3) an allowance for or reimbursement of expenses for mileage; meals; and lodging expenses; and child, dependent, and elder care as provided to members of the General Assembly under subsection 1052(b) of this title during the biennial, adjourned, and special sessions of the General Assembly and in addition such other actual and necessary expenses incurred while engaged in duties imposed by law.

Sec. 5. 32 V.S.A. § 1052 is amended to read:

§ 1052. MEMBERS OF THE GENERAL ASSEMBLY; COMPENSATION
AND EXPENSE REIMBURSEMENT

(a) Compensation.

(1) Session compensation. Each member of the General Assembly, other than the Speaker of the House and the President Pro Tempore of the Senate, is entitled to a weekly salary of ~~\$589.00 for the 2005~~ \$1,210.00 for the first year of the 2025 Biennial Session and thereafter, provided that, beginning on January 1, 2007, ~~the weekly compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, except that, beginning on July 1, 2021~~ 2026 and annually thereafter on January 1, the weekly compensation shall be adjusted consistent with the compensation increases provided to other constitutional officers. The salary of members shall be paid in biweekly installments.

(2) Special session compensation. During a special session, a member is entitled to an amount equal to one-fifth of the annually adjusted weekly compensation set forth in subdivision (1) of this subsection, rounded up to the nearest dollar, for each day of a special session ~~on which the House of which he or she is a~~ that the House in which the member serves shall sit.

(3) Adjournment compensation.

(A) During adjournment of the General Assembly, a member is entitled to an amount equal to one-fifth of the annually adjusted weekly compensation set forth in subdivision (1) of this subsection (a), rounded up to the nearest dollar, for each week of the adjournment of the General Assembly.

(B) During adjournment of the General Assembly, a member who is serving on a special committee or joint committee shall, in addition to the weekly adjournment compensation set forth in subdivision (A) of this subdivision (3) and the per diem compensation set forth in 2 V.S.A. § 23, be entitled to compensation for time spent preparing for meetings of the special or joint committee at an hourly rate equal to 2.5 percent of the annually adjusted weekly compensation set forth in subdivision (1) of this subsection (a).

(b) Expenses. During any session of the General Assembly, each member is entitled to receive an allowance for or reimbursement of expenses as follows: set forth in this subsection.

(1) Mileage reimbursement. ~~Reimbursement~~ Each member shall receive reimbursement in an amount equal to the actual mileage traveled for each day of session in which the member travels between Montpelier and the member's home or from Montpelier or from the member's home to another site on officially sanctioned legislative business. Reimbursement of actual mileage traveled under this subdivision shall be at the rate per mile determined by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session.

(2) Meals and lodging allowance. ~~Each member shall receive either a meals allowance or reimbursement of actual meals expenses. Each member shall inform the Office of Legislative Operations of the member's choice of a meals allowance or meals expense reimbursement annually prior to the convening of each regular and adjourned session, and the member's choice shall remain in effect through the remainder of that session unless the member notifies the Office, in writing, that the member needs to change that choice due to a change in circumstances or for another compelling reason.~~

(A) Meals allowance. ~~A~~ A member who elects to receive a meals allowance in shall receive an amount equal to the daily amount for meals and

~~lodging~~ determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session; for each day the House in which the member serves shall sit.

(B) Meals reimbursement. A member who elects to receive reimbursement of expenses shall receive reimbursement equal to the actual amounts expended by the member for meals for each day that the House in which the member serves shall sit, as well as meals for the night preceding the first legislative day of each week during the legislative session. The amount of the daily reimbursement available pursuant to this subdivision shall not exceed the daily amount for meals determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session. The member shall provide meal receipts or otherwise substantiate the amounts expended to the Office of Legislative Operations in the form and manner prescribed by the Director of Legislative Operations.

(3) Lodging. Each member shall receive either a lodging allowance or reimbursement of actual lodging expenses. Each member shall inform the Office of Legislative Operations of the member's choice of a lodging allowance or lodging expense reimbursement annually prior to the convening of each regular and adjourned session, and the member's choice shall remain in effect through the remainder of that session unless the member notifies the Office, in writing, that the member needs to change that choice due to a change in circumstances or for another compelling reason.

(A) Lodging allowance. A member who elects to receive a lodging allowance shall receive an amount equal to the daily amount for lodging determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session for each day the House in which the member serves shall sit.

(B) Lodging reimbursement. A member who elects to receive reimbursement of expenses shall receive reimbursement equal to the actual amounts expended by the member for lodging for each day that the House in which the member serves shall sit, as well as lodging for the night preceding the first legislative day of each week during the legislative session. The amount of the daily reimbursement available pursuant to this subdivision shall not exceed the daily amount for lodging determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session. The member shall provide lodging receipts or otherwise substantiate the amounts expended to the Office of Legislative Operations in the form and manner prescribed by the Director of Legislative Operations.

(4) Child, dependent, and elder care reimbursement.

(A) Each member whose federal taxable household income is at or below \$75,000.00 shall be eligible to receive reimbursement of up to \$1,600.00 of the actual amounts expended by the member in each year of the biennial session for child care, dependent care, or elder care services in this State, or a combination, that is necessary to facilitate the member's service in the General Assembly.

(B) Expenses shall not be reimbursed under this subdivision (4) to the extent they are being reimbursed or subsidized by another source or if reimbursement or subsidies are reasonably available from another source.

(C) Each Legislative Branch employee whose federal taxable household income is at or below \$75,000.00 shall also be eligible for reimbursement of up to \$1,600.00 for actual amounts expended by the employee annually for child care, dependent care, or elder care expenses pursuant to this subdivision (4).

(D) As used in this subdivision (4):

(i) "Child care" and "dependent care" mean care provided to an individual who would be a qualifying individual for purposes of the federal child and dependent care tax credit.

(ii) "Elder care" means care provided to an adult 65 years of age or older in the home or in an adult day program.

(5) Parking. A member who attests that the member's physical limitations make it difficult or impractical for the member to walk from the member's lodging to the State House may receive reimbursement for actual costs incurred for overnight parking for the night preceding each day that the House in which the member serves shall sit.

(6) Absences. If a member is absent for reasons other than sickness or legislative business for one or more entire days while the house in which the member sits is in session, the member shall notify the Office of Legislative Operations of that absence, and ~~expenses received shall not include the amount that the legislator specifies was not incurred~~ the member shall not be reimbursed for mileage, meals, or lodging expenses incurred during the period of that absence.

(c) ~~For attending a meeting of the Joint Fiscal Committee when a member is not receiving compensation as a member of the General Assembly, a member of the Joint Fiscal Committee shall be entitled to the same per diem compensation and reimbursement for necessary expenses as provided members of the General Assembly for attendance at sessions of the General Assembly.~~

[Repealed.] Members-elect; stipend. Each member-elect of the General Assembly who is not an incumbent shall receive a stipend in an amount equal to one-fifth of the annually adjusted weekly compensation set forth in subdivision (a)(1) of this section, rounded up to the nearest dollar, for each day of attendance at an orientation program for new legislators organized by the General Assembly and its staff.

(d) Death of a member. If a member of the General Assembly dies while the General Assembly is in session, the estate of the deceased member shall be entitled to receive compensation for the entire pay period in which the death occurred.

* * * Legislative Leave from Employment * * *

Sec. 6. 21 V.S.A. § 496 is amended to read:

§ 496. LEGISLATIVE LEAVE

(a) Any person who, in order to serve as a member of the General Assembly, must leave a ~~full-time~~ position in the employ of any employer, shall be entitled to a temporary or partial leave of absence for the purpose of allowing such employee to perform any official duty in connection with ~~his or her~~ the person's elected office.

(b) An employee who intends to seek election to the General Assembly and to invoke, if elected, ~~his or her~~ the right to a leave of absence pursuant to subsection (a) of this section, shall notify ~~his or her~~ the employee's employer of those intentions in writing within ~~10~~ 14 days after ~~filing the primary election nominating petition required by 17 V.S.A. § 2353 or of taking any other action required by 17 V.S.A. chapter 49, to place his or her name on a primary or general election ballot being elected.~~ An employee who fails to give notice to ~~his or her~~ the employee's employer as required by this section shall be deemed to have waived ~~his or her~~ the right to a leave of absence under subsection (a) of this section.

* * *

* * * Legislative Service Working Group * * *

Sec. 7. LEGISLATIVE SERVICE WORKING GROUP

(a) Creation. There is created the Legislative Service Working Group to consider issues related to serving as a member of the Vermont General Assembly.

(b) Membership. The Working Group shall be composed of the following members:

(1) three current members of the House of Representatives, not all from the same political party, who shall be appointed by the Speaker of the House; and

(2) three current members of the Senate, not all from the same political party, who shall be appointed by the Committee on Committees.

(c) Powers and duties. The Working Group shall consider and make recommendations on issues involving legislative compensation and benefits, staffing, administrative support, and the length of the legislative session, including:

(1) the current compensation and benefits offered to members of the General Assembly, including:

(A) whether current salaries and benefits are sufficient and, if not, how they should be increased;

(B) the impact of current salaries and benefits on recruiting and retaining members from diverse backgrounds and life experiences;

(C) whether members should be offered additional benefits, including reimbursement of child, dependent, and elder care expenses up to the amount of the federal maximum annual household contribution limit for a dependent care flexible spending account;

(D) whether members should have the option to receive a prorated salary throughout the calendar year instead of receiving their full salary amount during the months that the General Assembly is in session;

(E) whether supplemental compensation should be provided to members who hold leadership positions in addition to the Speaker of the House and Senate President Pro Tempore, including caucus leaders and committee chairs; and

(F) how the salaries, benefits, and compensation structure in the Vermont General Assembly compare to those of other state legislatures;

(2) whether changes to staffing are necessary, such as increasing the number of legislative staff in existing staff offices, expanding the types of legislative staff services available to members, adding caucus staff, and adding personal staff or providing members with an allowance to hire their own personal staff;

(3) how to increase the administrative support available to members to increase their effectiveness and ability to respond efficiently to the needs of their constituents; and

(4) whether changes should be made to the length or structure of the legislative session.

(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Office of Legislative Operations, the Office of Legislative Counsel, the Office of Human Resources, and the Joint Fiscal Office.

(e) Report. On or before January 15, 2024, the Working Group shall report its findings and recommendations, including any recommendations for legislative action, to the Speaker of the House, the Senate President Pro Tempore, and the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations. Drafts of the Working Group's report shall be confidential unless publicly released.

(f) Meetings.

(1) The Office of Legislative Operations shall call the first meeting of the Working Group to occur on or before July 1, 2023.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership of the Working Group shall constitute a quorum.

(4) The Working Group shall cease to exist on January 15, 2024.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, a legislative member of the Working Group shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight meetings. These payments shall be made from monies appropriated to the General Assembly.

* * * Appropriation * * *

Sec. 8. APPROPRIATION

The sum of \$875,000.00 is appropriated from the General Fund to the Legislature in fiscal year 2024 for the new and expanded benefits for legislators set forth in Secs. 2 (health benefits), 4 (expenses for Speaker and President Pro Tempore), and 5 (legislator expenses) of this act.

* * * Effective Dates * * *

Sec. 9. EFFECTIVE DATES

(a) Secs. 6 (legislative leave from employment) and 7 (Legislative Service Working Group) and this section shall take effect on passage.

(b) Sec. 8 (appropriation) shall take effect on July 1, 2023.

(c) Secs. 2 (health benefits), 4(a)(3) (expenses for Speaker and President Pro Tempore), and 5(b)-(d) (legislator expenses) shall take effect on January 1, 2024.

(d) Sec. 1 (compensation for legislative professional development) shall take effect on July 1, 2024.

(e) The remaining sections shall take effect on January 1, 2025.

(Committee vote: 6-0-0)

Reported favorably with recommendation of amendment by Senator Baruth for the Committee on Appropriations.

The Committee recommends that the bill be amended as recommended by the Committee on Government Operations with the following amendment thereto:

By striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Health Benefits * * *

Sec. 1. 3 V.S.A. § 631 is amended to read:

§ 631. GROUP INSURANCE FOR STATE EMPLOYEES; SALARY DEDUCTIONS FOR INSURANCE, SAVINGS PLANS, AND CREDIT UNIONS

(a)(1) The Secretary of Administration may contract on behalf of the State with any insurance company or nonprofit association doing business in this State to secure the benefits of franchise or group insurance. Beginning on July 1, 1978, the terms of coverage under the policy shall be determined under section 904 of this title, but it may include:

* * *

(2)(A)(i) As used in this section, the term “employees” includes any class or classes of elected or appointed officials, State’s Attorneys, sheriffs, employees of State’s Attorneys’ offices whose compensation is administered through the State of Vermont payroll system, except contractual and temporary employees, and deputy sheriffs paid by the State of Vermont pursuant to 24 V.S.A. § 290(b). The term “employees” ~~shall~~ does not include ~~members of the General Assembly as such,~~ any person rendering service on a retainer or fee basis, members of boards or commissions, or persons ~~other than employees of the Vermont Historical Society, the Vermont Film Corporation, the Vermont State Employees’ Credit Union, Vermont State Employees’ Association, and~~

the Vermont Council on the Arts, whose compensation for service is not paid from the State Treasury, or any elected or appointed official unless the except as specifically provided pursuant to this subdivision (a)(2)(A)(i). The term “employees” includes employees of the Vermont Historical Society, the Vermont State Employees’ Credit Union, the Vermont State Employees’ Association, the Vermont Council on the Arts, and any elected or appointed official who is actively engaged in and devoting substantially full-time to the conduct of the business of his or her the official’s public office. The term “employees” also includes members of the General Assembly as set forth in subdivision (iv) of this subdivision (a)(2)(A).

* * *

(iv) For purposes of group hospital-surgical-medical expense insurance, any employee assistance program offered to State employees, and any flexible spending account program offered to State employees for health care or dependent care expenses, or both, the term “employees” includes members of the General Assembly.

(B)(i) The premiums for extending insurance coverage to employees shall be paid in full by the Vermont Historical Society, ~~the Vermont Film Corporation,~~ the Vermont State Employees’ Association, the Vermont State Employees’ Credit Union, the Vermont Council on the Arts, or their respective retirees. Nothing herein creates a legal obligation on the part of the State of Vermont to pay any portion of the premiums required to extend insurance coverage to this group of employees.

(ii) Members of the General Assembly shall be required to pay the same portion of the premium for group hospital-surgical-medical expense insurance as is required of employees of the Executive Branch.

* * *

* * * Compensation and Expenses * * *

Sec. 2. LEGISLATOR COMPENSATION FOR 2025–2026 BIENNIAL SESSION

(a) Notwithstanding any provision of 32 V.S.A. § 1052 to the contrary, members of the General Assembly other than the Speaker of the House and President Pro Tempore of the Senate are entitled to the following weekly salary amounts during the 2025–2026 Biennial Session:

(1) for 2025, a weekly salary of \$1,000.00 plus an adjustment consistent with the compensation increase provided to other constitutional officers for fiscal year 2025; and

(2) for 2026, a weekly salary of \$1,100.00 plus an adjustment consistent with the compensation increases provided to other constitutional officers for fiscal years 2025 and 2026.

(b) Notwithstanding any provision of 32 V.S.A. § 1051 to the contrary, the Speaker of the House and President Pro Tempore of the Senate are entitled to the following weekly salary amounts during the 2025–2026 Biennial Session:

(1) for 2025, a weekly salary of \$1,230.00 plus an adjustment consistent with the compensation increase provided to other constitutional officers for fiscal year 2025; and

(2) for 2026, a weekly salary of \$1,530.00 plus an adjustment consistent with the compensation increases provided to other constitutional officers for fiscal years 2025 and 2026.

(c) Notwithstanding any provision of 32 V.S.A. § 1051 to the contrary, the Speaker of the House and President Pro Tempore of the Senate are entitled to annual compensation for the 2025–2026 Biennial Session as follows:

(1) for 2025, an annual salary of \$19,000.00 plus an adjustment consistent with the compensation increase provided to other constitutional officers for fiscal year 2025; and

(2) for 2026, an annual salary of \$23,500.00 plus an adjustment consistent with the compensation increases provided to other constitutional officers for fiscal years 2025 and 2026.

(d) The weekly salary amounts set forth in subsections (a) and (b) of this section shall apply in all circumstances during the 2025–2026 Biennial Session in which legislator compensation is determined pursuant to 32 V.S.A. § 1051 or 1052, including per diem compensation under 2 V.S.A. § 23, special session compensation, and adjournment compensation.

Sec. 3. 32 V.S.A. § 1051 is amended to read:

§ 1051. SPEAKER OF THE HOUSE AND PRESIDENT PRO TEMPORE
OF THE SENATE; COMPENSATION AND EXPENSE
REIMBURSEMENT

(a) The Speaker of the House and the President Pro Tempore of the Senate shall be entitled to receive annual compensation of \$10,080.00 for the 2005 \$28,300.00 for the first year of the 2027 Biennial Session and thereafter, to be paid in biweekly payments, provided that, beginning on January 1, 2007, the annual compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, except that, beginning on July 1, 2021, plus an

adjustment consistent with the compensation increases provided to other constitutional officers for fiscal years 2025–2027. Beginning on January 1, 2028 and annually thereafter on January 1, the annual compensation shall be adjusted consistent with the compensation increases provided to other constitutional officers. The salary of the Speaker and President Pro Tempore shall be paid in biweekly installments.

(b) In addition to the annual compensation set forth in subsection (a) of this section, the Speaker and President Pro Tempore shall be entitled to receive:

(1) \$652.00 a week for the 2005 \$1,830.00 a week for the first year of the 2027 Biennial Session, plus an adjustment consistent with the compensation increases provided to other constitutional officers for fiscal years 2025–2027 and thereafter, to be paid in biweekly payments during the regular and adjourned sessions of the General Assembly, provided that, beginning on January 1, 2007, the weekly compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, except that, beginning on July 1, 2021. Beginning on January 1, 2028 and annually thereafter on January 1, the weekly compensation shall be adjusted consistent with the compensation increases provided to other constitutional officers;

* * *

(3) an allowance for or reimbursement of expenses for mileage, meals, and lodging expenses as provided to members of the General Assembly under subsection 1052(b) of this title during the biennial, adjourned, and special sessions of the General Assembly and in addition such other actual and necessary expenses incurred while engaged in duties imposed by law.

Sec. 4. 32 V.S.A. § 1052 is amended to read:

§ 1052. MEMBERS OF THE GENERAL ASSEMBLY; COMPENSATION
AND EXPENSE REIMBURSEMENT

(a) Compensation.

(1) Session compensation. Each member of the General Assembly, other than the Speaker of the House and the President Pro Tempore of the Senate, is entitled to a weekly salary of ~~\$589.00 for the 2005~~ \$1,210.00 for the first year of the 2027 Biennial Session, plus an adjustment consistent with the compensation increases provided to other constitutional officers for fiscal years 2025–2027 and thereafter, provided that, beginning on January 1, 2007, the weekly compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, except that, beginning on July 1, 2021.

Beginning on January 1, 2028 and annually thereafter on January 1, the weekly compensation shall be adjusted consistent with the compensation increases provided to other constitutional officers. The salary of members shall be paid in biweekly installments.

(2) Special session compensation. During a special session, a member is entitled to an amount equal to one-fifth of the annually adjusted weekly compensation set forth in subdivision (1) of this subsection, rounded up to the nearest dollar, for each day of a special session ~~on which the House of which he or she is a~~ that the House in which the member serves shall sit.

(3) Adjournment compensation. During adjournment of the General Assembly, a member is entitled to an amount equal to one-fifth of the annually adjusted weekly compensation set forth in subdivision (1) of this subsection (a), rounded up to the nearest dollar, for each week of the adjournment of the General Assembly.

(b) Expenses. During any session of the General Assembly, each member is entitled to receive an allowance for or reimbursement of expenses as follows: set forth in this subsection.

(1) Mileage reimbursement. ~~Reimbursement~~ Each member shall receive reimbursement in an amount equal to the actual mileage traveled for each day of session in which the member travels between Montpelier and the member's home or from Montpelier or from the member's home to another site on officially sanctioned legislative business. Reimbursement of actual mileage traveled under this subdivision shall be at the rate per mile determined by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session.

(2) Meals and lodging allowance. ~~Each member shall receive either a meals allowance or reimbursement of actual meals expenses.~~ Each member shall inform the Office of Legislative Operations of the member's choice of a meals allowance or meals expense reimbursement annually prior to the convening of each regular and adjourned session, and the member's choice shall remain in effect through the remainder of that session unless the member notifies the Office, in writing, that the member needs to change that choice due to a change in circumstances or for another compelling reason.

(A) Meals allowance. ~~A~~ A member who elects to receive a meals allowance ~~in~~ shall receive an amount equal to the daily amount for meals ~~and lodging~~ determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session; for each day the House in which the member serves shall sit.

(B) Meals reimbursement. A member who elects to receive reimbursement of expenses shall receive reimbursement equal to the actual amounts expended by the member for meals for each day that the House in which the member serves shall sit, as well as meals for the night preceding the first legislative day of each week during the legislative session. The amount of the daily reimbursement available pursuant to this subdivision shall not exceed the daily amount for meals determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session. The member shall provide meal receipts or otherwise substantiate the amounts expended to the Office of Legislative Operations in the form and manner prescribed by the Director of Legislative Operations.

(3) Lodging. Each member shall receive either a lodging allowance or reimbursement of actual lodging expenses. Each member shall inform the Office of Legislative Operations of the member's choice of a lodging allowance or lodging expense reimbursement annually prior to the convening of each regular and adjourned session, and the member's choice shall remain in effect through the remainder of that session unless the member notifies the Office, in writing, that the member needs to change that choice due to a change in circumstances or for another compelling reason.

(A) Lodging allowance. A member who elects to receive a lodging allowance shall receive an amount equal to the daily amount for lodging determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session for each day the House in which the member serves shall sit.

(B) Lodging reimbursement. A member who elects to receive reimbursement of expenses shall receive reimbursement equal to the actual amounts expended by the member for lodging for each day that the House in which the member serves shall sit, as well as lodging for the night preceding the first legislative day of each week during the legislative session. The amount of the daily reimbursement available pursuant to this subdivision shall not exceed the daily amount for lodging determined for Montpelier, Vermont, by the federal Office of Government-wide Policy and published in the Federal Register for the year of the session. The member shall provide lodging receipts or otherwise substantiate the amounts expended to the Office of Legislative Operations in the form and manner prescribed by the Director of Legislative Operations.

(4) Absences. If a member is absent for reasons other than sickness or legislative business for one or more entire days while the house in which the member sits is in session, the member shall notify the Office of Legislative Operations of that absence, and ~~expenses received shall not include the amount~~

~~that the legislator specifies was not incurred~~ the member shall not be reimbursed for mileage, meals, or lodging expenses incurred during the period of that absence.

~~(c) For attending a meeting of the Joint Fiscal Committee when a member is not receiving compensation as a member of the General Assembly, a member of the Joint Fiscal Committee shall be entitled to the same per diem compensation and reimbursement for necessary expenses as provided members of the General Assembly for attendance at sessions of the General Assembly. [Repealed.]~~ Members-elect; stipend. Each member-elect of the General Assembly who is not an incumbent shall receive a stipend in an amount equal to one-fifth of the annually adjusted weekly compensation set forth in subdivision (a)(1) of this section, rounded up to the nearest dollar, for each day of attendance at an orientation program for new legislators organized by the General Assembly and its staff.

~~(d) Death of a member.~~ If a member of the General Assembly dies while the General Assembly is in session, the estate of the deceased member shall be entitled to receive compensation for the entire pay period in which the death occurred.

* * * Legislative Leave from Employment * * *

Sec. 5. 21 V.S.A. § 496 is amended to read:

§ 496. LEGISLATIVE LEAVE

(a) Any person who, in order to serve as a member of the General Assembly, must leave a ~~full-time~~ position in the employ of any employer, shall be entitled to a temporary or partial leave of absence for the purpose of allowing such employee to perform any official duty in connection with ~~his or her~~ the person's elected office.

(b) An employee who intends to seek election to the General Assembly and to invoke, if elected, ~~his or her~~ the right to a leave of absence pursuant to subsection (a) of this section, shall notify ~~his or her~~ the employee's employer of those intentions in writing within ~~10~~ 14 days after ~~filing the primary election nominating petition required by 17 V.S.A. § 2353 or of taking any other action required by 17 V.S.A. chapter 49, to place his or her name on a primary or general election ballot~~ being elected. An employee who fails to give notice to ~~his or her~~ the employee's employer as required by this section shall be deemed to have waived ~~his or her~~ the right to a leave of absence under subsection (a) of this section.

* * *

* * * Legislative Service Working Group * * *

Sec. 6. LEGISLATIVE SERVICE WORKING GROUP

(a) Creation. There is created the Legislative Service Working Group to consider issues related to serving as a member of the Vermont General Assembly.

(b) Membership. The Working Group shall be composed of the following members:

(1) three current members of the House of Representatives, not all from the same political party, who shall be appointed by the Speaker of the House; and

(2) three current members of the Senate, not all from the same political party, who shall be appointed by the Committee on Committees.

(c) Powers and duties. The Working Group shall consider and make recommendations on issues involving legislative compensation and benefits, staffing, administrative support, and the length of the legislative session, including:

(1) the current compensation and benefits offered to members of the General Assembly, including:

(A) whether current salaries and benefits, including those added or increased by this act, are sufficient and, if not, how they should be increased;

(B) the impact of current salaries and benefits, including those added or increased by this act, on recruiting and retaining members from diverse backgrounds and life experiences;

(C) whether members should be offered additional benefits, including reimbursement of child, dependent, and elder care expenses;

(D) whether members should have the option to receive a prorated salary throughout the calendar year instead of receiving their full salary amount during the months that the General Assembly is in session;

(E) whether supplemental compensation should be provided to members who hold leadership positions in addition to the Speaker of the House and Senate President Pro Tempore, including caucus leaders and committee chairs; and

(F) how the salaries, benefits, and compensation structure in the Vermont General Assembly compare to those of other state legislatures;

(2) whether changes to staffing are necessary, such as increasing the number of legislative staff in existing staff offices, expanding the types of legislative staff services available to members, adding caucus staff, and adding personal staff or providing members with an allowance to hire their own personal staff;

(3) how to increase the administrative support available to members to increase their effectiveness and ability to respond efficiently to the needs of their constituents; and

(4) whether changes should be made to the length or structure of the legislative session.

(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Office of Legislative Operations, the Office of Legislative Counsel, the Office of Human Resources, and the Joint Fiscal Office.

(e) Report. On or before January 15, 2024, the Working Group shall report its findings and recommendations, including any recommendations for legislative action, to the Speaker of the House, the Senate President Pro Tempore, and the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations. Drafts of the Working Group's report shall be confidential unless publicly released.

(f) Meetings.

(1) The Office of Legislative Operations shall call the first meeting of the Working Group to occur on or before July 1, 2023.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership of the Working Group shall constitute a quorum.

(4) The Working Group shall cease to exist on January 15, 2024.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, a legislative member of the Working Group shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight meetings. These payments shall be made from monies appropriated to the General Assembly.

* * * Appropriation * * *

Sec. 7. APPROPRIATION

The sum of \$853,000.00 is appropriated from the General Fund to the

Legislature in fiscal year 2024 for the new and expanded benefits for legislators set forth in Sec. 1 (health benefits) of this act.

* * * Effective Dates * * *

Sec. 8. EFFECTIVE DATES

(a) Secs. 5 (legislative leave from employment) and 6 (Legislative Service Working Group) and this section shall take effect on passage.

(b) Sec. 7 (appropriation) shall take effect on July 1, 2023.

(c) Secs. 1 (health benefits), 3(b)(3) (expenses for Speaker and President Pro Tempore), and 4(b)–(d) (legislator expenses) shall take effect on January 1, 2024.

(d) Sec. 2 (legislator compensation for 2025–2026 Biennial Session) shall take effect on July 1, 2024.

(e) The remaining sections shall take effect on January 1, 2025.

(Committee vote: 7-0-0)

Favorable with Proposal of Amendment

H. 41.

An act relating to referral of domestic and sexual violence cases to community justice centers.

Reported favorably with recommendation of proposal of amendment by Senator Sears for the Committee on Judiciary.

The Committee recommends that the Senate propose to the House to amend the bill as follows:

First: In Sec. 3, 24 V.S.A. §§ 1968 and 1969, in section 1968, in subdivision (c)(4), after the word “volunteers” by inserting the words and relevant law enforcement and prosecutors

Second: By striking out Sec. 4, report; Community Justice Unit of the Office of the Attorney General, in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. REPORT; COMMUNITY JUSTICE UNIT OF THE OFFICE OF
THE ATTORNEY GENERAL

(a) On or before December 1, 2025, the Community Justice Unit, in collaboration with the Vermont Network, and the participating community justice centers shall submit an interim report to the House and Senate Committees on Judiciary regarding the establishment of memorandums of

understanding pursuant to 24 V.S.A. § 1968, the status of implementation of programming, referral sources, available data on effectiveness, and the available resources and capacity for such programming.

(b) On or before July 1, 2028, the Community Justice Unit, in collaboration with the Vermont Network, and the participating community justice centers shall submit a final report to the House and Senate Committees on Judiciary regarding the establishment of memorandums of understanding pursuant to 24 V.S.A. § 1968, the status of implementation of programming, referral sources, available data on effectiveness, and the available resources and capacity for such programming.

(Committee vote: 5-0-0)

(For House amendments, see House Journal for February 24, 2023, page 289.)

H. 53.

An act relating to driver's license suspensions.

Reported favorably with recommendation of proposal of amendment by Senator Vyhovsky for the Committee on Judiciary.

The Committee recommends that the Senate propose to the House to amend the bill by striking out Sec. 2, effective date, in its entirety and inserting in lieu thereof the following:

Sec. 2. IMPLEMENTATION

The Commissioner of Motor Vehicles shall not suspend any driver's licenses or privileges to operate that are not already suspended as of the effective date of this act solely for the nonpayment of a civil penalty for a traffic violation committed prior to the effective date of this act.

Sec. 3. EFFECTIVE DATE

This act shall take effect 30 calendar days after passage.

(Committee vote: 5-0-0)

(For House amendments, see House Journal for March 1, 2023, page 377.)

Reported favorably by Senator Chittenden for the Committee on Finance.

The Committee recommends that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Judiciary.

(Committee vote: 6-0-1)

NOTICE CALENDAR

Second Reading

Favorable

H. 178.

An act relating to commissioning Department of Corrections personnel as notaries public.

Reported favorably by Senator Watson for the Committee on Government Operations.

(Committee vote: 6-0-0)

(No House amendments.)

Favorable with Proposal of Amendment

H. 127.

An act relating to sports wagering.

Reported favorably with recommendation of proposal of amendment by Senator Clarkson for the Committee on Economic Development, Housing and General Affairs.

The Committee recommends that the Senate propose to the House to amend the bill as follows:

First: In Sec. 1, 31 V.S.A. chapter 25 (sports wagering), in section 1302 (Department of Liquor and Lottery; authority and duties), in subdivision (c)(5), by striking out the last sentence.

Second: In Sec. 1, 31 V.S.A. chapter 25 (sports wagering), in section 1302 (Department of Liquor and Lottery; authority and duties), in subsection (g), by striking out subdivisions (1) through (3) in their entireties and inserting in lieu thereof new subdivisions (1) and (2) to read as follows:

(1) a provision that prohibits the use of sports wagering advertisements, logos, trademarks, or brands on products that are sold in Vermont and intended primarily for persons under 21 years of age; and

(2) an advertising plan, which shall include strategies to limit unwanted advertising and advertising aimed at persons under 21 years of age.

Third: In Sec. 1, 31 V.S.A. chapter 25 (sports wagering), in section 1320 (sports wagering operators; competitive bidding process), in subsection (c), by striking out subdivisions (2) through (6) in their entireties and inserting in lieu thereof new subdivisions (2) through (6) to read as follows:

- (2) For two operators, \$412,500.00 per operator.
- (3) For three operators, \$366,666.00 per operator.
- (4) For four operators, \$343,750.00 per operator.
- (5) For five operators, \$330,000.00 per operator.
- (6) For six operators, \$320,833.00 per operator.

Fourth: In Sec. 1, 31 V.S.A. chapter 25 (sports wagering), in section 1341a (Problem Gambling Program), in subsection (a), by striking out subdivisions (2) through (5) in their entireties and inserting in lieu thereof new subdivisions (2) and (3) to read as follows:

(2) promote public awareness of and provide education concerning gambling addiction using online capabilities and other best practices; and

(3) promote public awareness of assistance programs for gambling addiction using online capabilities and other best practices.

Fifth: In Sec. 2a, appropriations, by adding a subsection (c) to read as follows:

(c) In each fiscal year after fiscal year 2025, a sum equal to five percent of the annual sports wagering revenue received by the Department of Liquor and Lottery shall be appropriated from the Sports Wagering Fund to the Department of Mental Health for purposes of the Problem Gambling Program.

(Committee vote: 4-1-0)

(For House amendments, see House Journal for March 23, 2023, page 684.)

CONCURRENT RESOLUTIONS FOR NOTICE

Concurrent Resolutions For Notice Under Joint Rule 16

The following joint concurrent resolutions have been introduced for approval by the Senate and House. They will be adopted by the Senate unless a Senator requests floor consideration before the end of the session of the next legislative day. Requests for floor consideration should be communicated to the Secretary's Office.

H.C.R. 87 - 91 (For text of Resolutions, see Addendum to House Calendar for April 13, 2023)

CONFIRMATIONS

The following appointments will be considered by the Senate, as a group, under suspension of the Rules, as moved by the President *pro tempore*, for confirmation together and without debate, by consent thereby given by the

Senate. However, upon request of any senator, any appointment may be singled out and acted upon separately by the Senate, with consideration given to the report of the Committee to which the appointment was referred, and with full debate; and further, all appointments for the positions of Secretaries of Agencies, Commissioners of Departments, Judges, Magistrates, and members of the Public Utility Commission shall be fully and separately acted upon.

Kristin L. Clouser of Jericho – Secretary, Agency of Administration – By Senator Hardy for the Committee on Government Operations (4/6/23)

John Arrison of Ascutney – Member, Connecticut River Valley Flood Control Commission – By Senator White for the Committee on Natural Resources and Energy (4/11/23)

Harold Howrigan of Sheldon – Member, Current Use Advisory Board – By Senator White for the Committee on Natural Resources and Energy (4/11/23)

Steve Larrabee of West Danville – Member, Natural Resources Board – By Senator McCormack for the Committee on Natural Resources and Energy (4/11/23)

Julie Wolcott of Enosburg – Alternate, Natural Resources Board – By Senator McCormack for the Committee on Natural Resources and Energy (4/11/23)

Walter Hastings of South Royalton – Member, Current Use Advisory Board – By Senator McCormack for the Committee on Natural Resources and Energy (4/11/23)

JFO NOTICE

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

JFO #3146: \$737,685.00 to the Vermont Department of Corrections from the U.S. Department of Justice. This grant was awarded to Vermont State Colleges who will sub-grant to the VT Department of Corrections. This grant includes two (2) limited-service positions, Post-Secondary Program Coordinators, to engage Vermont's correctional facility staff in post-secondary educational opportunities and improved employment opportunities, both within and without the Department and State government. Positions are fully funded through 8/31/2025 with a potential one-year extension.

[Received April 3, 2023]

JFO #3145: \$250,000.00 to the Vermont Agency of Human Services Department of Mental Health from the National Association of State Mental

Health Program Directors. Funds will support direct services to be provided to the public through the Crisis Assistance Helping Out on the Street (CAHOOTS) program. The VT Department of Health will collaborate with the City of Burlington, Burlington Police Department and local area health providers to support this pilot. The goal is to establish a trauma-informed approach that will only utilize system components that are necessary for individual situations.

[Received April 3, 2023]

JFO #3144: \$173,973.00 to the Vermont Attorney General's Office from the Vermont Network Against Domestic and Sexual Violence. The Firearm Technical Assistant Project serves to improve Vermont's statewide responses to the intersection of firearms and domestic violence. The Attorney General's office will lead the management team and provide project oversight including communication with the project partners: Vermont Network, Defender General's Office, Vermont State Police, Vermont Judiciary, Disability Rights Vermont, AALV-VT and the Abenaki Nation.

[Received April 3, 2023]

JFO #3143: \$514,694.00 to the Agency of Human Services, Department of Vermont Health Access from the DHHS/ONC via Passthrough from the Association of State and Territorial Health Officials. Funds will be used to support Vermont's participation in the COVID-19 Immunization Data Exchange, Advancement and Sharing learning community with the aim of advancing immunization information and health information exchange sharing.

[Received March 23, 2023]

JFO #3142: \$15,000.00 to Agency of Natural Resources, Department of Environmental Conservation from the Maine Geological Society. Funds will be used to identify contradictions in mapped geological formations across state lines in New England.

[Received March 23, 2023]

JFO #3141: Donation of Alexander Twilight portrait, commissioned from artist Katie Runde to the Vermont State Curator's Office from the Friends of the Vermont State House. The donation is valued at \$32,923.27. Twilight was the first person of African descent to be elected to a state legislature and served one term in Vermont. The portrait is currently displayed in the main lobby of the Vermont State House.

[Received March 23, 2023]

JFO #3140: \$241,208.00 to Building and General Services, Vermont State Curator's Office from the Institute of Museum and Library Services. The FY2020 Save America's Treasures grant will restore and conserve Sculpture on the Highway, an outdoor collection of sixteen monumental marble and concrete sculptures created at two international sculpture symposia held in Vermont during the summers of 1968 and 1971.

[Received March 23, 2023]

JFO #3139: \$644,469.00 to the Vermont Judiciary, Court Administrator's Office from the U.S. Department of Justice. The grant will support the VT Judiciary Commission on Mental Health, established in July 2022. The Commission is focused on addressing the needs of court-involved individuals with behavioral health issues. Funds will help develop training activities and materials for VT Judiciary staff.

[Received March 22, 2023]