

Journal of the House

Tuesday, June 20, 2023

VETO SESSION

At ten o'clock in the forenoon, the Speaker called the House to order.

Devotional Exercises

A moment of silence was held in lieu of a devotional.

Pledge of Allegiance

The Speaker led the House in the Pledge of Allegiance.

Green Mountain Care Board Nominating Committee Appointment

Pursuant to 18 V.S.A. § 9390, the Speaker appointed the following member to the Green Mountain Care Board Nominating Committee:

Rep. Black of Essex

Working Group on Policies Pertaining to Individuals with Intellectual Disabilities Who Are Criminal-Justice Involved Appointments

Pursuant to 2023, Act 27, the Speaker appointed the following members to the Working Group on Policies Pertaining to Individuals with Intellectual Disabilities Who Are Criminal-Justice Involved:

Rep. Garofano of Essex

Rep. Chapin of East Montpelier

Rules Suspended, Immediate Consideration; Governor's Veto Overridden

H. 217

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to child care, early education, workers' compensation, and unemployment insurance

Appearing on the Calendar for Notice, was taken up for immediate consideration.

Pursuant to Chapter II, Section 11 of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the affirmative. Yeas, 116. Nays, 31.

Those who voted in the affirmative are:

Andrews of Westford	Durfee of Shaftsbury	Morrissey of Bennington
Anthony of Barre City	Elder of Starksboro	Mrowicki of Putney *
Arrison of Weathersfield	Emmons of Springfield	Mulvaney-Stanak of
Arsenault of Williston	Farlice-Rubio of Barnet	Burlington
Austin of Colchester	Galfetti of Barre Town *	Nicoll of Ludlow
Bartholomew of Hartland	Garofano of Essex	Notte of Rutland City
Bartley of Fairfax	Goldman of Rockingham	Noyes of Wolcott
Berbeco of Winooski	Graning of Jericho	Nugent of South Burlington
Birong of Vergennes	Gregoire of Fairfield	O'Brien of Tunbridge
Black of Essex	Headrick of Burlington	Ode of Burlington
Bluemle of Burlington	Holcombe of Norwich	Pajala of Londonderry
Bongartz of Manchester	Hooper of Randolph	Patt of Worcester
Bos-Lun of Westminster	Hooper of Burlington	Pearl of Danville
Boyden of Cambridge	Houghton of Essex Junction	Pouech of Hinesburg
Brady of Williston	Howard of Rutland City	Priestley of Bradford
Brown of Richmond	Hyman of South Burlington	Rachelson of Burlington
Brownell of Pownal	James of Manchester	Rice of Dorset
Brumsted of Shelburne	Jerome of Brandon	Roberts of Halifax
Burke of Brattleboro	Kornheiser of Brattleboro	Sammis of Castleton
Burrows of West Windsor	Krasnow of South	Satcowitz of Randolph
Buss of Woodstock	Burlington	Scheu of Middlebury
Campbell of St. Johnsbury	Krowinski of Burlington	Sheldon of Middlebury
Carpenter of Hyde Park	LaBounty of Lyndon	Sims of Craftsbury
Carroll of Bennington	Lalley of Shelburne	Small of Winooski
Casey of Montpelier	LaLonde of South	Squirrell of Underhill
Chase of Chester	Burlington	Stebbins of Burlington
Chase of Colchester	LaMont of Morristown	Stevens of Waterbury
Chesnut-Tangerman of	Lanpher of Vergennes	Stone of Burlington
Middletown Springs	Leavitt of Grand Isle	Surprenant of Barnard
Christie of Hartford	Lipsky of Stowe	Taylor of Colchester
Cina of Burlington	Logan of Burlington	Templeman of Brownington
Coffey of Guilford	Long of Newfane	Toleno of Brattleboro
Cole of Hartford	Marcotte of Coventry	Torre of Moretown
Conlon of Cornwall	Masland of Thetford	Troiano of Stannard
Corcoran of Bennington	McCann of Montpelier	Waters Evans of Charlotte
Cordes of Lincoln	McCarthy of St. Albans City	White of Bethel
Demrow of Corinth	McFaun of Barre Town *	Whitman of Bennington
Dodge of Essex	McGill of Bridport	Williams of Barre City
Dolan of Essex Junction	Mihaly of Calais	Wood of Waterbury *
Dolan of Waitsfield	Minier of South Burlington	
	Morris of Springfield	

Those who voted in the negative are:

Beck of St. Johnsbury	Graham of Williamstown	Parsons of Newbury
Branagan of Georgia	Hango of Berkshire *	Peterson of Clarendon
Brennan of Colchester	Harrison of Chittenden *	Shaw of Pittsford
Burditt of West Rutland	Higley of Lowell	Sibilia of Dover
Canfield of Fair Haven	Labor of Morgan	Smith of Derby
Clifford of Rutland City	Laroche of Franklin *	Taylor of Milton
Demar of Enosburgh	Maguire of Rutland City	Toof of St. Albans Town *
Dickinson of St. Albans Town	Mattos of Milton	Walker of Swanton
Donahue of Northfield *	McCoy of Poultney *	Williams of Granby
Goslant of Northfield	Morgan of Milton *	Wilson of Lyndon
	Page of Newport City	

Those members absent with leave of the House and not voting are:

Andriano of Orwell	Chapin of East Montpelier	Oliver of Sheldon
--------------------	---------------------------	-------------------

Rep. Donahue of Northfield explained her vote as follows:

“Madam Speaker:

This critical issue could have been addressed in a fiscally responsible manner by taking reasonable steps forward rather than biting off a massive chunk all at one time. There was a rational path for significant progress without a new payroll tax. I cannot support this veto override.”

Rep. Galfetti of Barre Town explained her vote as follows:

“Madam Speaker:

I rise in support of H.217 with a heavy heart. But with the composition of the Legislature of this State, we have no choice but to support this option that was given us. Alternative bills were never taken off the wall for us to consider and now we have levied a needless regressive payroll tax as we were given no other options.”

Rep. Hango of Berkshire explained her vote as follows:

“Madam Speaker:

I voted no with regret today to uphold the Governor’s veto of this important legislation. I am disappointed that there was no due consideration for the Governor’s proposal to alleviate this crisis affecting our work force and our families without raising new payroll taxes on every working Vermonter and their employers.”

Rep. Harrison of Chittenden explained his vote as follows:

“Madam Speaker:

While I support increased funding for childcare, H.217 goes too far. This bill gives new meaning to tax and spend.”

Rep. Laroche of Franklin explained his vote as follows:

“Madam Speaker:

I voted yes before as I support childcare. But this bill is too expensive and imposes an onerous tax. I doubt that money will solve the problem if the labor force is lacking. So, I am a No.”

Rep. McCoy of Poultney explained her vote as follows:

“Madam Speaker:

A payroll tax for childcare is a regressive tax. The notion that low-income families, who qualify for subsidized childcare, will now be paying a payroll tax, is untenable for me. I vote to support the Governor’s veto.”

Rep. McFaun of Barre Town explained his vote as follows:

“Madam Speaker:

I voted yes on H.217 because I ran on the notion that this childcare industry needed to be stabilized and be more affordable. Affordable childcare is positively an effective economic development tool as well. Even though I don’t agree with the payroll tax as a funding mechanism, it is the only option before me; therefore, I vote yes for families in need of childcare.”

Rep. Morgan of Milton explained his vote as follows:

“Madam Speaker:

This is a difficult vote for me as I’ve always supported childcare bills in the past. However, this legislation creates a tax that is regressive in nature as it is paid by all working Vermonters, rich or poor. The Governor had given us a path that would have brought us into the top spot in the nation for childcare without raising taxes. Therefore, I vote no.”

Rep. Mrowicki of Putney explained his vote as follows:

“Madam Speaker:

If there were ever a cause worthy of investing State dollars, it is our children, families, and staff – mostly women – who provide early care and education. And by investment, I mean long term, not onetime. Our children deserve no less.”

Rep. Toof of St. Albans Town explained his vote as follows:

“Madam Speaker:

Although I support making important investments in childcare, I cannot support adding more burdens on working Vermonters. This vote isn’t about childcare, it is about creating a new payroll tax. I vote no.”

Rep. Wood of Waterbury explained her vote as follows:

“Madam Speaker:

This is transformational change for Vermont; a family with \$50,000 in income will pay \$55 per year, but their benefit will be in excess of \$22,000. A good bargain under any measurement. Workers benefit, families benefit, all Vermonters benefit.”

**Rules Suspended, Immediate Consideration;
Governor's Veto Overridden**

H. 305

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

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

Appearing on the Calendar for Notice, was taken up for immediate consideration.

Pursuant to Chapter II, Section 11 of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor’s refusal to approve the bill?, was decided in the affirmative. Yeas, 109. Nays, 38.

Those who voted in the affirmative are:

Andrews of Westford *	Dolan of Essex Junction	Mulvaney-Stanak of Burlington
Anthony of Barre City	Dolan of Waitsfield	Nicoll of Ludlow
Arrison of Weathersfield	Durfee of Shaftsbury	Notte of Rutland City
Arsenault of Williston	Elder of Starksboro	Noyes of Wolcott
Austin of Colchester	Emmons of Springfield	Nugent of South Burlington
Bartholomew of Hartland	Farlice-Rubio of Barnet	O'Brien of Tunbridge
Berbeco of Winooski	Garofano of Essex	Ode of Burlington
Birong of Vergennes	Goldman of Rockingham	Pajala of Londonderry
Black of Essex	Graning of Jericho	Patt of Worcester
Bluemle of Burlington	Headrick of Burlington	Pearl of Danville
Bongartz of Manchester	Holcombe of Norwich	Pouech of Hinesburg
Bos-Lun of Westminster	Hooper of Randolph	Priestley of Bradford
Boyden of Cambridge	Houghton of Essex Junction	Rachelson of Burlington
Brady of Williston	Howard of Rutland City	

Brennan of Colchester	Hyman of South Burlington	Rice of Dorset
Brown of Richmond	James of Manchester	Roberts of Halifax
Brownell of Pownal	Jerome of Brandon	Satcowitz of Randolph
Brumsted of Shelburne	Kornheiser of Brattleboro	Scheu of Middlebury
Burke of Brattleboro	Krasnow of South Burlington	Sheldon of Middlebury
Burrows of West Windsor	Krowinski of Burlington	Sibilia of Dover
Buss of Woodstock	LaBounty of Lyndon	Sims of Craftsbury
Campbell of St. Johnsbury	Lalley of Shelburne	Small of Winooski
Carpenter of Hyde Park	LaLonde of South Burlington	Squirrell of Underhill
Carroll of Bennington	LaMont of Morristown	Stebbins of Burlington
Casey of Montpelier	Lanpher of Vergennes	Stevens of Waterbury
Chase of Chester	Leavitt of Grand Isle	Stone of Burlington
Chase of Colchester	Long of Burlington	Surprenant of Barnard
Chesnut-Tangerman of Middletown Springs	Long of Newfane	Taylor of Colchester
Christie of Hartford	Masland of Thetford	Templeman of Brownington
Cina of Burlington	McCann of Montpelier	Toleno of Brattleboro
Coffey of Guilford	McCarthy of St. Albans City*	Torre of Moretown
Cole of Hartford	McGill of Bridport	Troiano of Stannard
Conlon of Cornwall	Mihaly of Calais	Waters Evans of Charlotte
Corcoran of Bennington	Minier of South Burlington	White of Bethel
Cordes of Lincoln	Morris of Springfield	Whitman of Bennington
Demrow of Corinth *	Mrowicki of Putney	Williams of Barre City
Dodge of Essex		Wood of Waterbury

Those who voted in the negative are:

Bartley of Fairfax	Gregoire of Fairfield	Morgan of Milton
Beck of St. Johnsbury	Hango of Berkshire	Morrissey of Bennington
Branagan of Georgia	Harrison of Chittenden	Page of Newport City
Burditt of West Rutland	Higley of Lowell	Parsons of Newbury
Canfield of Fair Haven	Hooper of Burlington	Peterson of Clarendon
Clifford of Rutland City	Labor of Morgan	Sammis of Castleton
Demar of Enosburgh	Laroche of Franklin	Shaw of Pittsford
Dickinson of St. Albans Town	Lipsky of Stowe	Smith of Derby
Donahue of Northfield	Maguire of Rutland City	Taylor of Milton
Galfetti of Barre Town *	Marcotte of Coventry	Toof of St. Albans Town
Goslant of Northfield	Mattos of Milton	Walker of Swanton
Graham of Williamstown	McCoy of Poultney *	Williams of Granby
	McFaun of Barre Town	Wilson of Lyndon

Those members absent with leave of the House and not voting are:

Andriano of Orwell Chapin of East Montpelier Oliver of Sheldon

Rep. Andrews of Westford explained her vote as follows:

“Madam Speaker:

Today I voted yes on H.305 in support of our colleagues that work in the Office of Professional Regulation every day ensuring our business

professionals across many sectors of the economy are serving their customers, partners, and patients with professionalism. When we choose to not adequately fund functions of government, there are ripples of effect. The most obvious is that we need to take money from the General Fund that is intended for other purposes. We can pretend that not addressing fees keeps costs lower, but when we abdicate responsibility for keeping fees aligned with costs, we are inappropriately asking all Vermonters to bear the cost.”

Rep. Demrow of Corinth explained his vote as follows:

“Madam Speaker:

State government is not immune to the inflationary pressure we all face. We as a state, rely on professional boards to uphold professional licensing, and ethics standards. I voted yes because adequately funding professional boards protects all Vermonters.”

Rep. Galfetti of Barre Town explained her vote as follows:

“Madam Speaker:

With the passage of H.305 we have started a dangerous slide in the standard of dental care especially for low-income Vermonters, by allowing hygienists to put a band-aid on tooth decay that has not been evaluated by a licensed dentist. As a result, we will put people’s dental health at risk.”

Rep. McCarthy of St. Albans City explained his vote as follows:

“Madam Speaker:

This bill makes important updates to Office of Professional Regulation policies, notable is expanding the scope of practice for dental hygienists to save the teeth of many Vermonters. The increases in fees for licenses are in line with inflation and will make OPR more sustainable and self-sufficient. I vote yes.”

Rep. McCoy of Poultney explained her vote as follows:

“Madam Speaker:

A seven million dollar hit to businesses and employees for their professional licensure, especially during these uncertain economic times, is something I cannot support. I vote to support the Governor’s veto.”

Rules Suspended, Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the following bills were ordered messaged to the Senate forthwith:

H. 217

House bill, entitled

An act relating to child care, early education, workers' compensation, and unemployment insurance

H. 305

House bill, entitled

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

Message from the Senate No. 65

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 28. Joint resolution relating to compensation of Members of the General Assembly during the remainder of the 2023 Biennial Session.

In the adoption of which the concurrence of the House is requested.

Recess

At eleven o'clock and twenty-two minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At one o'clock and thirty-five minutes in the afternoon, the Speaker called the House to order.

Rules Suspended, Immediate Consideration; Governor's Veto Overridden**H. 494**

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to making appropriations for the support of government

Appearing on the Calendar for Notice, was taken up for immediate consideration.

Pursuant to Chapter II, Section 11 of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the affirmative. Yeas, 105. Nays, 42.

Those who voted in the affirmative are:

Andrews of Westford	Dolan of Essex Junction	Mrowicki of Putney
Anthony of Barre City	Dolan of Waitsfield	Nicoll of Ludlow
Arrison of Weathersfield	Durfee of Shaftsbury	Notte of Rutland City
Arsenault of Williston	Elder of Starksboro	Noyes of Wolcott
Austin of Colchester	Emmons of Springfield	Nugent of South Burlington
Bartholomew of Hartland	Farlice-Rubio of Barnet	O'Brien of Tunbridge
Berbeco of Winooski	Garofano of Essex	Ode of Burlington
Birong of Vergennes	Goldman of Rockingham	Pajala of Londonderry
Black of Essex	Graning of Jericho	Patt of Worcester
Bluemle of Burlington	Holcombe of Norwich	Pearl of Danville
Bongartz of Manchester	Hooper of Randolph	Pouech of Hinesburg
Bos-Lun of Westminster *	Hooper of Burlington	Priestley of Bradford
Boyden of Cambridge	Houghton of Essex Junction*	Rachelson of Burlington
Brady of Williston *	Howard of Rutland City	Rice of Dorset
Brown of Richmond	Hyman of South Burlington	Roberts of Halifax
Brownell of Pownal	James of Manchester	Satcowitz of Randolph
Brumsted of Shelburne	Jerome of Brandon	Scheu of Middlebury *
Burke of Brattleboro	Kornheiser of Brattleboro *	Sheldon of Middlebury
Burrows of West Windsor	Krasnow of South	Sibilia of Dover
Buss of Woodstock	Burlington	Sims of Craftsbury
Campbell of St. Johnsbury	Krowinski of Burlington	Squirrell of Underhill
Carpenter of Hyde Park	LaBounty of Lyndon	Stebbins of Burlington
Carroll of Bennington	Lalley of Shelburne	Stevens of Waterbury
Casey of Montpelier	LaLonde of South	Stone of Burlington
Chase of Chester	Burlington	Surprenant of Barnard
Chase of Colchester	LaMont of Morristown	Taylor of Colchester
Chesnut-Tangerman of	Lanpher of Vergennes	Templeman of Brownington
Middletown Springs	Leavitt of Grand Isle	Toleno of Brattleboro
Christie of Hartford	Lipsky of Stowe	Torre of Moretown
Coffey of Guilford	Long of Newfane *	Troiano of Stannard
Cole of Hartford	Masland of Thetford	Waters Evans of Charlotte
Conlon of Cornwall	McCann of Montpelier	White of Bethel
Corcoran of Bennington	McCarthy of St. Albans City	Whitman of Bennington
Cordes of Lincoln	McGill of Bridport	Williams of Barre City
Demrow of Corinth	Mihaly of Calais	Wood of Waterbury
Dodge of Essex	Minier of South Burlington	
	Morris of Springfield	

Those who voted in the negative are:

Bartley of Fairfax	Gregoire of Fairfield	Mulvaney-Stanak of
Beck of St. Johnsbury	Hango of Berkshire *	Burlington
Branagan of Georgia	Harrison of Chittenden	Page of Newport City
Brennan of Colchester	Headrick of Burlington	Parsons of Newbury
Burditt of West Rutland	Higley of Lowell	Peterson of Clarendon
Canfield of Fair Haven	Labor of Morgan	Sammis of Castleton
Cina of Burlington	Laroche of Franklin	Shaw of Pittsford
Clifford of Rutland City	Logan of Burlington *	Small of Winooski
Demar of Enosburgh	Maguire of Rutland City	Smith of Derby

Dickinson of St. Albans Town	Marcotte of Coventry Mattos of Milton	Taylor of Milton Toof of St. Albans Town *
Donahue of Northfield	McCoy of Poultney *	Walker of Swanton
Galfetti of Barre Town *	McFaun of Barre Town	Williams of Granby
Goslant of Northfield	Morgan of Milton	Wilson of Lyndon
Graham of Williamstown	Morrissey of Bennington	

Those members absent with leave of the House and not voting are:

Andriano of Orwell Chapin of East Montpelier Oliver of Sheldon

Rep. Bos-Lun of Westminster explained her vote as follows:

“Madam Speaker:

I supported the veto override because the budget desperately needed programs for Vermonters. Today I expect we will support another bill which will provide appropriate and compassionate plans for a just transition out of the motels/hotels to other housing options that were not available when we voted on the budget in May. To support the budget override, I needed better plans to support those still living in hotels and motels. I am thankful this is coming today.”

Rep. Brady of Williston explained her vote as follows:

“Madam Speaker:

I voted yes on this budget because it contains so many important investments. Most of us only closely know our little corner of the budget and my corner is education. I am especially proud that we are creating some modest teacher workforce incentives as the workforce challenges in our schools are increasingly dire and we will need sustained attention to this work. I am incredibly optimistic about the school construction and transformation work that will begin in earnest with the passage of this budget. But I am profoundly disappointed that despite the hard work of our House conferees, we will continue to use precious public education dollars on an expensive first in the nation PCB testing program that is already creating disruption and stress in schools across the State at a time when we should be doing everything in our power to increase learning and support schools, not disrupt them. Using taxpayer dollars intended to fulfill our obligation to educate all students to test and remediate in private schools is especially irresponsible.”

Rep. Galfetti of Barre Town explained her vote as follows:

“Madam Speaker:

This budget is fiscally irresponsible and sets Vermont on a track to financial ruin. By spending the surpluses we had on ongoing programs we will leave federal match money on the table for needed infrastructure and development

projects and Vermonters will lose. Vermonters will be forced to pay up at a time they can little afford to carry this expanded spending model.”

Rep. Hango of Berkshire explained her vote as follows:

“Madam Speaker:

Once again, the hundreds of millions of dollars in this budget neglects to honor those worthy individuals who gave their lives in military service by not exempting military pensions and survivors benefits from taxation, a mere \$3.5 million.”

Rep. Houghton of Essex Junction explained her vote as follows:

“Madam Speaker:

I vote yes for the largest investment in years for our health care providers. Our investment of over \$99 million will directly and positively impact our primary care providers, our emergency medical personnel who are always available when we call 911, our dentists, our home health and adult day providers who help Vermonters heal and live in their homes, and many others. These providers take care of Vermonters every day. It’s past time we take care of them.”

Rep. Kornheiser of Brattleboro explained her vote as follows:

“Madam Speaker:

In times of growing uncertainty and economic disparity, it’s our job to ensure equity and stability, now and for our future. It’s our job to fund infrastructure and services that support all Vermont families, businesses, and communities. Good governance means investing now, so Vermonters can make it work. Good tax governance requires regularly and predictably adjusting fees to track with inflation, developing a progressive, equitable tax system, and ensuring we have a solid mix of revenue sources so as times change funds can supplement each other. This budget is good governance.”

Rep. Logan of Burlington explained her vote as follows:

“Madam Speaker:

Given that we have not addressed the missing component in this budget, which has resulted in several hundred Vermonters – with over one hundred of those being medically vulnerable – being forced into unsheltered homelessness by the State of Vermont. I have chosen to vote no on this budget once again.”

Rep. Long of Newfane explained her vote as follows:

“Madam Speaker:

I voted yes to support this budget as an essential and strategic investment in our key priorities: childcare, housing, workforce development, health care, climate action, and so much more. This budget meets the immediate challenges and needs facing Vermonters, and it supports our long-term priorities. This is a responsible, balanced budget that addresses the needs we’ve heard from Vermonters across the State, invests in transformational change, and moves us all forward.”

Rep. McCoy of Poultney explained her vote as follows:

“Madam Speaker:

We must take a broader look at our financial picture. We passed many bills this year requiring funding that simply were not funded in this budget due to lack of money. Given the economic forecast, I am gravely concerned for our State. I vote to sustain the Governor’s veto.”

Rep. Scheu of Middlebury explained her vote as follows:

“Madam Speaker:

I voted yes to support the FY24 State budget for many reasons. We are making investments in people and services that have been woefully underfunded for years, resulting in Vermonters not getting the help they need, agencies that can’t do the work they are required to do, and businesses and organizations not getting the workforce they need. This budget is fiscally responsible as we use one-time money for one-time investments, we are meeting our pension, transportation, and clean water obligations, and we are making essential investments in housing, workforce, economic development, human services, and the environment. The cost of not passing this budget would do much greater harm than good. I am proud of the good work we have accomplished.”

Rep. Toof of St. Albans Town explained his vote as follows:

“Madam Speaker:

A 13% increase in base funding and over \$500 million in new taxes, \$30 million in new property taxes, a 20% increase in DMV fees, numerous OPR fees, all while giving ourselves a 50% increase in pay. For those reasons I must vote no. Vermonters just cannot afford this.”

**Senate Proposal of Amendment Concurred in
With a Further Amendment Thereto**

H. 171

The Senate proposed to the House to amend House bill, entitled
An act relating to adult protective services

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

First: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in subdivision (1)(A), by inserting the word or before the word “recklessly” and by striking out “, or negligently”

Second: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in subdivision (21)(A), by inserting the word or before “reckless” and by striking out “, or negligent”

Third: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, by striking out subdivision (9) in its entirety and by inserting a new subdivision (9) to read as follows:

~~(9) “Caregiver” means a person, agency, facility, or other organization with responsibility for providing subsistence or medical or other care to an adult who is an elder or has a disability, who has assumed the responsibility voluntarily, by contract, or by an order of the court; or a person providing care, including medical care, custodial care, personal care, mental health services, rehabilitative services, or any other kind of care provided that is required because of another’s age or disability;~~

(A) a worker or employee in a facility or program that provides care to an adult who is an elder or has a disability and who has assumed the responsibility voluntarily, by contract, or by an order of the court; or

(B) a person with a designated responsibility for providing care to a person that is required because of the person’s age or disability.

Fourth: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in subdivision (34)(B), by inserting before the semicolon the phrase or is determined to be clinically eligible to receive Long-Term Medicaid waiver services

Fifth: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in subdivision (34)(C), by inserting or before “infirmities of aging” and by striking out “; or is determined to be clinically eligible to receive Long-Term Medicaid waiver services”

Sixth: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6911, in subsection (a), in subdivision (1), in first sentence, after “protections,” by inserting the following phrase except those provided by the Health Insurance Portability and Accountability Act of 1996, its corresponding regulations, and 18 V.S.A. § 1881,

Pending the question, Shall the House concur in the Senate proposal of amendment?, **Reps. Wood of Waterbury, Lanpher of Vergennes, and Kornheiser of Brattleboro** moved to concur in the Senate proposal of amendment with a further amendment thereto as follows:

By striking out Sec. 5, effective date, in its entirety and inserting in lieu thereof the following:

Sec. 5. EMERGENCY HOUSING TRANSITION; LEGISLATIVE INTENT;
PURPOSE

(a) Vermont’s pandemic-era General Assistance Emergency Housing Program is ending on June 30, 2023, and approximately 1,200 households are transitioning out of the Program.

(b) It is the intent of the General Assembly:

(1) that vulnerable Vermonters should continue to be housed while sufficient time is allocated for developing alternative housing placements, including emergency housing beds, and furthering community collaboration;

(2) to establish legislative oversight for the transition efforts;

(3) that the exits from hotel and motel accommodations occur through an intentional transition process that provides dignity, oversight, collaborative efforts, and coordinated service delivery;

(4) that all households find or are offered alternative housing options;
and

(5) that the Agency of Human Services negotiate rate reductions with the participating hotels and motels, with a goal of achieving rates that are at least 50 percent lower than those in effect in June 2023.

(c) The purposes of Secs. 5–10 of this act are:

(1) to direct the Joint Fiscal Committee to monitor the efforts of the Agency of Human Services in assisting households with transitioning out of the pandemic-era General Assistance Emergency Housing Program and into post-pandemic housing; and

(2) to allow the Agency financial flexibility and resources, if needed, to provide transition and supportive services for the vulnerable Vermonters

described in 2022 Acts and Resolves No. 185, Sec. B.1100(a)(33)(A), which was added by 2023 Acts and Resolves No. 3, Sec. 45.

Sec. 6. EMERGENCY HOUSING TRANSITION; AGENCY OF HUMAN SERVICES; JOINT FISCAL COMMITTEE OVERSIGHT; REPORTS

(a) Not later than April 1, 2024, the Agency of Human Services, directly or through its community partners, shall assist in finding or offer to each household housed as of June 30, 2023 in a hotel or motel through the pandemic-era General Assistance Emergency Housing Program an alternative housing placement, unless a household secures its own housing placement. Except as provided in subdivision (2) of this subsection, the Agency shall continue to provide temporary hotel or motel housing to a household that was housed in a hotel or motel through the pandemic-era General Assistance Emergency Housing Program as of June 30, 2023 until such time as the Agency offers the household an alternative housing placement or the household secures its own housing placement, but in no event later than April 1, 2024.

(1) Beginning on July 1, 2023, in order to maintain eligibility for temporary, continued hotel or motel housing while awaiting a housing placement, households housed in a hotel or motel through this act shall:

(A) participate in the coordinated entry and case management processes, including cooperating with the Agency and services providers on screening and care planning for transitioning out of the pandemic-era General Assistance Emergency Housing Program and engaging in monthly eligibility reassessments;

(B) engage in their own search for alternative housing options and notify their case manager, reentry team, or Agency staff if they are successful in securing a housing placement; and

(C) contribute 30 percent of their gross household income toward the cost of their hotel or motel housing.

(2) Between July 1, 2023 and April 1, 2024, the Agency of Human Services shall no longer be required to pay for a household's hotel or motel housing if any one or more of the following occurs:

(A) the household is offered an alternative housing placement but does not accept the offer within 48 hours;

(B) the household secures its own housing placement;

(C) the household fails to comply with one or more of the responsibilities set forth in subdivision (1) of this subsection (a); or

(D) the household is asked to leave the hotel or motel housing due to misconduct.

(3) As used in this act, “alternative housing placements” may include shelter beds and pods; placements with family or friends; permanent housing solutions, including tiny homes, manufactured homes, and apartments; residential treatment beds for physical health, long-term care, substance use, or mental health; nursing homes beds; and recovery homes.

(4) The temporary, continued hotel or motel housing benefit offered pursuant to this subsection (a) while awaiting a housing placement shall not be considered an entitlement, is not available to new applicants, and is limited to households in the pandemic-era General Assistance Emergency Housing Program as of June 30, 2023.

(b) On or before the last day of each month from July 2023 through March 2024, the Agency of Human Services, or other relevant agency or department, shall report to the House Committee on Human Services, the Senate Committee on Health and Welfare, and the Joint Fiscal Committee on its progress in assisting households housed in hotels and motels with transitioning from the pandemic-era General Assistance Emergency Housing Program to alternative housing placements and on the creation of new, alternative housing solutions. Each update shall include:

(1) the number of households remaining in hotels and motels that have not yet been transitioned to an alternative housing placement by household size, by eligibility category, and by each Agency of Human Services district;

(2) the number of actual alternative housing placements made during the previous reporting period compared with the targeted number of placements for that period;

(3) of the households successfully transitioned to an alternative housing placement during the previous month, the number of households whose screening indicated a potential need for services from each department within the Agency;

(4) the number of beds available for emergency housing in each Agency of Human Services district in the State, with separate reporting on the number of beds available in nursing homes and residential care homes for individuals whose screening indicates they could meet the clinical criteria for those settings and the number of emergency beds available for individuals whose screening indicates they do not meet the clinical criteria, including low-barrier

shelters, beds for youth, and beds for individuals who have experienced domestic violence;

(5) of the households that were housed in a hotel or motel for four months or longer and transitioned out during the previous month, the number that have had all or a portion of their security deposits returned to them since leaving the hotel or motel or are awaiting the return of these funds;

(6) of the households that were housed in a hotel or motel for less than four months and transitioned out during the previous month, the amount of security deposit funds refunded to the State by the hotels and motels during that month;

(7) the number of households that have been successfully transitioned to an alternative housing placement since the previous report, the types of housing settings in which they have been placed, and the supportive services they are receiving in conjunction with their housing;

(8) the outlook for transitioning additional households to alternative housing placements in the coming months, including an estimate of the number of households likely to be placed per month;

(9) a projected timeline for transitioning the remaining households to alternative housing placements;

(10) the average negotiated rate for rooms that the Agency paid to the hotels and motels providing the temporary, continued hotel or motel housing during the previous month;

(11) the status of responding to and implementing the letters of interest from community partners and municipalities for housing and supportive services;

(12) the status of contracts for housing and supportive services resulting from the Agency's requests for proposals (RFPs), including the Agency's May 24, 2023 RFP for emergency shelter staffing and services;

(13) the status of grants awarded through the Housing Opportunity Program and how those grants relate to the Agency's efforts to assist households with transitioning out of the pandemic-era General Assistance Emergency Housing Program;

(14) once the Adverse Weather Conditions Policy takes effect again in the fall of 2023, how the Agency plans to distinguish the households that become eligible for the General Assistance Emergency Housing Program under that Policy from the households that the Agency is assisting with transitioning out of the pandemic-era General Assistance Emergency Housing Program;

(15) the total amount of funds expended to date on housing placements and supportive services for households transitioning out of the pandemic-era General Assistance Emergency Housing Program; and

(16) beginning with the September 2023 reporting period, any State rules and local regulations and ordinances that are impeding the timely development of safe, decent, affordable housing in Vermont communities in order to:

(A) identify areas in which flexibility or discretion are available; and

(B) advise whether the temporary suspension of relevant State rules and local regulations and ordinances, or the adoption or amendment of State rules, would facilitate faster and less costly revitalization of existing housing and construction of new housing units.

(c) On or before the last day of each month from July 2023 through March 2024, the Vermont Housing and Conservation Board shall report to the House Committees on Human Services and on General and Housing; the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs; and the Joint Fiscal Committee on:

(1) the status of the Board's initiatives to make additional housing units available and how those initiatives support the Agency of Human Services' efforts to assist households with transitioning out of the pandemic-era General Assistance Emergency Housing Program; and

(2) the status of the Board's efforts to expand emergency shelter capacity, including the number of new beds available since the previous report, the number of additional beds planned, and when the additional planned beds are likely to become available.

(d) The Agency may hire temporary employees or contract with community-based organizations, or both, as needed to support the Agency in assisting households housed in hotels and motels with transitioning from the pandemic-era General Assistance Emergency Housing Program to alternative housing placements; to support the creation of new, alternative housing solutions; and to collect and report on the information required by subsection (b) of this section.

(e) On April 1, 2024, the Agency shall report to the House Committees on Appropriations, on Human Services, and on Housing and General Affairs; the Senate Committees on Appropriations, on Health and Welfare, and on Economic Development, Housing and General Affairs; and the Joint Fiscal Committee the number households, if any, that were not successfully transitioned out of the pandemic-era General Assistance Emergency Housing

Program into alternative housing placements and the reason why each such household was not successfully placed.

Sec. 7. CASH FUND FOR CAPITAL AND ESSENTIAL INVESTMENTS;
APPROPRIATION

(a) In fiscal year 2024, the balance of the Other Infrastructure, Essential Investments, and Reserves subaccount in the Cash Fund for Capital and Essential Investments established pursuant to 32 V.S.A. § 1001b, after all other transactions authorized from that subaccount by the fiscal year 2024 budget act have been satisfied, is appropriated to the Agency of Human Services to be used as needed to implement Secs. 5–10 of this act.

(b) The Commissioner of Finance and Management shall report to the Joint Fiscal Committee at the Committee's July meeting the amount of the balance that was made available to the Agency of Human Services pursuant to subsection (a) of this section.

(c) The Agency of Human Services shall report on the amount of unobligated funds remaining, if any, from the appropriation in subsection (a) of this section as part of the Agency's fiscal year 2024 budget adjustment presentation.

Sec. 8. EMERGENCY HOUSING TRANSITION; FUNDING; FISCAL
YEAR 2024 BUDGET ADJUSTMENT

(a) The Agency of Human Services shall hold in reserve as much funding as possible from the Agency's fiscal year 2023 closeout process as carryforward for potential investment in assisting households with transitioning out of the pandemic-era General Assistance Emergency Housing Program. The reserved funds shall not be used unless the amounts appropriated pursuant to Sec. 7 of this act are not sufficient to fully implement the phase-out of the pandemic-era General Assistance Emergency Housing Program as set forth in this act.

(b) The Agency of Administration is authorized to use available resources as necessary to assist in the implementation of the phase-out of the pandemic-era General Assistance Emergency Housing Program as set forth in Secs. 5–10 of this act.

(c) The Agency of Human Services shall include relevant language and amounts in its fiscal year 2024 budget adjustment recommendations, if needed, to complete the process of phasing out the pandemic-era General Assistance Emergency Housing Program.

Sec. 9. AFFORDABLE HOUSING DEVELOPMENT; FISCAL YEAR 2024
FUNDING

(a) Of the \$40,000,000.00 appropriated to the Vermont Housing and Conservation Board (VHCB) in the fiscal year 2024 budget act to provide support and enhance capacity for the production and preservation of affordable mixed-income rental housing and homeownership units:

(1) \$10,000,000.00 shall be used to provide support and enhance the capacity, availability, and utilization of manufactured homes in cooperatively owned, nonprofit, and privately owned manufactured home parks with vacant and available lots. VHCB shall consult with the Department of Housing and Community Development to ensure that new investments prioritize individuals and families exiting from hotels and motels in accordance with this act.

(2) VHCB shall grant \$4,000,000.00 to the Vermont State Housing Authority for the Manufactured Home Improvement and Repair Program to prevent vulnerable mobile home park residents from becoming homeless.

(3) Notwithstanding 32 V.S.A. § 5(b), VHCB shall grant \$5,000,000.00 to the Department of Housing and Community Development to support the Vermont Housing Improvement Program.

(b) For fiscal year 2024, the VHCB shall increase its “Homeless Unit” set aside for housing projects seeking VHCB funding from 15 percent to 30 percent, with priority given to households exiting hotels and motels in accordance with this act.

Sec. 10. 2023 Acts and Resolves No. 47, Sec. 47 is amended to read:

Sec. 47. EFFECTIVE DATES

This act shall take effect on July 1, 2023, except that:

(1) Sees. Sec. 1 (24 V.S.A. § 4414) and 2 (24 V.S.A. § 4412) shall take effect on December 1, 2024, except for subdivision (1)(D) of Sec. 2, which shall take effect on July 1, 2023.

* * *

Sec. 11. EFFECTIVE DATES

(a) Secs. 1–4 shall take effect on July 1, 2023.

(b) The remaining sections shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to adult protective services and emergency housing transition”

Which was agreed to.

Rules Suspended, Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the following bills were ordered messaged to the Senate forthwith:

H. 494

House bill, entitled

An act relating to making appropriations for the support of government

H. 171

House bill, entitled

An act relating to adult protective services

Orders of the Day Interrupted; Joint Resolution Adopted**J.R.H. 6**

On motion of **Rep. McCoy of Poutney**, the rules were suspended to interrupt the Orders of the Day to take up joint House resolution, entitled

Joint resolution authorizing limited remote joint committee voting through the first Friday of the 2024 Adjourned Session

Offered by: Representatives Long of Newfane, McCoy of Poultney, and Mulvaney-Stanak of Burlington

Resolved by the Senate and House of Representatives:

That through Friday, January 5, 2024, each member of a joint committee is authorized to vote remotely in that committee:

(1) if the member has tested positive for COVID-19 and is within a required period of isolation as provided by Vermont Department of Health guidelines; and

(2) for not more than three days, for any other reason, *and be it further*

Resolved: Such a member shall notify the committee chair or co-chairs, as applicable, and the committee clerk that the member is exercising this remote voting authority, and shall count toward a committee quorum, *and be it further*

Resolved: The committee clerk shall record any vote cast by the member as a remote vote, and shall track the number of days the member exercises the member's non-COVID-19 remote voting authority.

Which was read and adopted on the part of the House.

**Orders of the Day Interrupted;
Joint Resolution Adopted in Concurrence**

J.R.S. 28

On motion of **Rep. McCoy of Poutney**, the rules were suspended to interrupt the Orders of the Day to take up joint Senate resolution, entitled

Joint resolution relating to compensation of Members of the General Assembly during the remainder of the 2023 Biennial Session.

By Senate Baruth,

Whereas, in order that the 2023 Biennial Session of the General Assembly may achieve an orderly adjournment, provide reasonable compensation to Members of the General Assembly for their services, and to preserve the funds of the State, *now therefore be it*

Resolved by the Senate and House of Representatives:

That notwithstanding the provisions of 32 V.S.A. §§ 1051(a)(1) and 1052(a)(1) providing for a weekly rate of compensation, commencing June 20, 2023, Members of the General Assembly shall be entitled to compensation for services equal to a daily rate of one-fourth of the annually adjusted weekly compensation set forth in sections 1051(a)(1) and 1052(a)(1) and reimbursement for expenses at the daily rate established in sections 1051(a)(3) and 1052(b) of Title 32 for each day on which their respective houses shall sit and the member attends for the remainder of the 2023 Biennial Session, except that no member shall receive compensation for more than four days in any week.

Which was read and adopted in concurrence.

Rules Suspended, Resolutions Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the following resolutions were ordered messaged to the Senate forthwith:

J.R.H. 6

Joint House resolution, entitled

Joint resolution authorizing limited remote joint committee voting through the first Friday of the 2024 Adjourned Session

J.R.S. 28

Joint Senate resolution, entitled

Joint resolution relating to compensation of Members of the General Assembly during the remainder of the 2023 Biennial Session

**Rules Suspended, Immediate Consideration;
Governor's Veto Overridden**

H. 386

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

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

Appearing on the Calendar for Notice, was taken up for immediate consideration.

Pursuant to Chapter II, Section 11 of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the affirmative. Yeas, 110. Nays, 37.

Those who voted in the affirmative are:

Andrews of Westford	Dolan of Essex Junction	Mulvaney-Stanak of Burlington
Anthony of Barre City	Dolan of Waitsfield	Nicoll of Ludlow
Arrison of Weathersfield	Durfee of Shaftsbury	Notte of Rutland City
Arsenault of Williston	Elder of Starksboro	Noyes of Wolcott
Austin of Colchester	Emmons of Springfield	Nugent of South Burlington
Bartholomew of Hartland	Farlice-Rubio of Barnet	O'Brien of Tunbridge
Beck of St. Johnsbury	Garofano of Essex	Ode of Burlington
Berbeco of Winooski	Goldman of Rockingham	Pajala of Londonderry
Birong of Vergennes	Graning of Jericho	Patt of Worcester
Black of Essex	Headrick of Burlington	Pearl of Danville
Bluemle of Burlington	Holcombe of Norwich	Pouech of Hinesburg
Bongartz of Manchester	Hooper of Randolph	Priestley of Bradford
Bos-Lun of Westminster	Hooper of Burlington	Rachelson of Burlington
Boyden of Cambridge	Houghton of Essex Junction	Rice of Dorset
Brady of Williston	Howard of Rutland City	Roberts of Halifax
Brown of Richmond	Hyman of South Burlington	Satcowitz of Randolph
Brownell of Pownal	James of Manchester	Scheu of Middlebury
Brumsted of Shelburne	Jerome of Brandon	Sheldon of Middlebury
Burke of Brattleboro	Kornheiser of Brattleboro *	Sibilia of Dover
Burrows of West Windsor	Krasnow of South Burlington	Sims of Craftsbury
Buss of Woodstock	Krowinski of Burlington	Small of Winooski
Campbell of St. Johnsbury	LaBounty of Lyndon	Squirrell of Underhill
Carpenter of Hyde Park	Lalley of Shelburne	Stebbins of Burlington
Carroll of Bennington	LaLonde of South Burlington	Stevens of Waterbury
Casey of Montpelier	LaMont of Morristown	Stone of Burlington
Chase of Chester	Lanpher of Vergennes	Surprenant of Barnard
Chase of Colchester	Leavitt of Grand Isle	Taylor of Colchester
Chesnut-Tangerman of Middletown Springs	Logan of Burlington	Templeman of Brownington
Christie of Hartford		Toleno of Brattleboro

Cina of Burlington	Long of Newfane	Torre of Moretown
Coffey of Guilford	Masland of Thetford	Troiano of Stannard
Cole of Hartford	McCann of Montpelier	Waters Evans of Charlotte
Conlon of Cornwall	McCarthy of St. Albans City	White of Bethel
Corcoran of Bennington	McGill of Bridport	Whitman of Bennington
Cordes of Lincoln	Mihaly of Calais	Williams of Barre City
Demrow of Corinth	Minier of South Burlington	Wood of Waterbury
Dodge of Essex	Morris of Springfield	
	Mrowicki of Putney	

Those who voted in the negative are:

Bartley of Fairfax	Gregoire of Fairfield	Morrissey of Bennington
Branagan of Georgia	Hango of Berkshire	Page of Newport City
Brennan of Colchester	Harrison of Chittenden	Parsons of Newbury
Burditt of West Rutland	Higley of Lowell	Peterson of Clarendon
Canfield of Fair Haven	Labor of Morgan	Sammis of Castleton
Clifford of Rutland City	Laroche of Franklin	Shaw of Pittsford
Demar of Enosburgh	Lipsky of Stowe	Smith of Derby
Dickinson of St. Albans Town	Maguire of Rutland City	Taylor of Milton
Donahue of Northfield	Marcotte of Coventry	Toof of St. Albans Town
Galfetti of Barre Town	Mattos of Milton	Walker of Swanton
Goslant of Northfield	McCoy of Poultney *	Williams of Granby
Graham of Williamstown	McFaun of Barre Town	Wilson of Lyndon
	Morgan of Milton	

Those members absent with leave of the House and not voting are:

Andriano of Orwell	Chapin of East Montpelier	Oliver of Sheldon
--------------------	---------------------------	-------------------

Rep. Kornheiser of Brattleboro explained her vote as follows:

“Madam Speaker:

Brattleboro residents approved Article 2 on March 5 of 2019 in a 908-408 vote. I vote yes to stand behind the will of Brattleboro voters, and on behalf of young people who deserve an opportunity to engage deeply in the democratic process as they come of age.”

Rep. McCoy of Poultney explained her vote as follows:

“Madam Speaker:

Reducing the age to vote to 16, in light of the fact that this body raised the age to 21 for a person to be charged as a juvenile, flies in the face of all logic. If the brain is not fully developed to understand and make the correct decisions relative to a crime, then the brain is not fully developed at 16 to be allowed to vote on decisions affecting their community. I vote to support the Governor’s veto.”

**Rules Suspended, Immediate Consideration;
Governor's Veto Overridden**

H. 509

On motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington

Appearing on the Calendar for Notice, was taken up for immediate consideration.

Pursuant to Chapter II, Section 11, of the Vermont Constitution, the Clerk proceeded to call the roll and the question, Shall the bill pass, notwithstanding the Governor's refusal to approve the bill?, was decided in the affirmative. Yeas, 111. Nays, 36.

Those who voted in the affirmative are:

Andrews of Westford	Dolan of Essex Junction	Mrowicki of Putney
Anthony of Barre City	Dolan of Waitsfield	Mulvaney-Stanak of Burlington
Arrison of Weathersfield	Durfee of Shaftsbury	Nicoll of Ludlow
Arsenault of Williston	Elder of Starksboro	Notte of Rutland City
Austin of Colchester	Emmons of Springfield	Noyes of Wolcott
Bartholomew of Hartland	Farlice-Rubio of Barnet	Nugent of South Burlington
Beck of St. Johnsbury	Garofano of Essex	O'Brien of Tunbridge
Berbeco of Winooski	Goldman of Rockingham	Ode of Burlington
Birong of Vergennes	Graning of Jericho	Pajala of Londonderry
Black of Essex	Headrick of Burlington	Patt of Worcester
Bluemle of Burlington	Holcombe of Norwich	Pearl of Danville
Bongartz of Manchester	Hooper of Randolph	Pouech of Hinesburg
Bos-Lun of Westminster	Hooper of Burlington	Priestley of Bradford
Boyden of Cambridge	Houghton of Essex Junction	Rachelson of Burlington
Brady of Williston	Howard of Rutland City	Rice of Dorset
Brown of Richmond	Hyman of South Burlington	Roberts of Halifax
Brownell of Pownal	James of Manchester	Satcowitz of Randolph
Brumsted of Shelburne	Jerome of Brandon	Scheu of Middlebury
Burke of Brattleboro	Kornheiser of Brattleboro	Sheldon of Middlebury
Burrows of West Windsor	Krasnow of South Burlington	Sibilia of Dover
Buss of Woodstock	Krowinski of Burlington	Sims of Craftsbury
Campbell of St. Johnsbury	LaBounty of Lyndon	Small of Winooski
Carpenter of Hyde Park	Lalley of Shelburne	Squirrell of Underhill
Carroll of Bennington	LaLonde of South Burlington	Stebbins of Burlington
Casey of Montpelier	LaMont of Morristown	Stevens of Waterbury
Chase of Chester	Lanpher of Vergennes	Stone of Burlington
Chase of Colchester	Leavitt of Grand Isle	Surprenant of Barnard
Chesnut-Tangerman of Middletown Springs	Lipsky of Stowe	Taylor of Colchester
Christie of Hartford		Templeman of Brownington

Cina of Burlington	Logan of Burlington	Toleno of Brattleboro
Coffey of Guilford	Long of Newfane	Torre of Moretown
Cole of Hartford	Masland of Thetford	Troiano of Stannard
Conlon of Cornwall	McCann of Montpelier	Waters Evans of Charlotte
Corcoran of Bennington	McCarthy of St. Albans City	White of Bethel
Cordes of Lincoln	McGill of Bridport	Whitman of Bennington
Demrow of Corinth	Mihaly of Calais	Williams of Barre City
Dodge of Essex	Minier of South Burlington	Wood of Waterbury
	Morris of Springfield	

Those who voted in the negative are:

Bartley of Fairfax	Gregoire of Fairfield	Page of Newport City
Branagan of Georgia	Hango of Berkshire	Parsons of Newbury
Brennan of Colchester	Harrison of Chittenden	Peterson of Clarendon
Burditt of West Rutland	Higley of Lowell	Sammis of Castleton
Canfield of Fair Haven	Labor of Morgan	Shaw of Pittsford
Clifford of Rutland City	Laroche of Franklin	Smith of Derby
Demar of Enosburgh	Maguire of Rutland City	Taylor of Milton
Dickinson of St. Albans Town	Marcotte of Coventry	Toof of St. Albans Town
Donahue of Northfield	Mattos of Milton	Walker of Swanton
Galfetti of Barre Town	McCoy of Poultney	Williams of Granby
Goslant of Northfield	McFaun of Barre Town	Wilson of Lyndon
Graham of Williamstown	Morgan of Milton	
	Morrissey of Bennington	

Those members absent with leave of the House and not voting are:

Andriano of Orwell	Chapin of East Montpelier	Oliver of Sheldon
--------------------	---------------------------	-------------------

Rules Suspended, Bills Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the following bills were ordered messaged to the Senate forthwith.

H. 386

House bill, entitled

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

H. 509

House bill, entitled

An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington

**Rules Suspended, Immediate Consideration; Senate Proposal of
Amendment Concurred in; Bill Ordered Delivered to Governor Forthwith
H. 158**

Appearing on the Notice Calendar, on motion of **Rep. McCoy of Poultney**, the rules were suspended and House bill, entitled

An act relating to the beverage container redemption system

Was taken up for immediate consideration.

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

First: In Sec. 1, 10 V.S.A. chapter 53, in section 1523, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b)(1) A retailer, with the prior approval of the Secretary, may refuse to redeem beverage containers if a redemption center or centers are established that serve the public need stewardship plan that meets the requirements of section 1532 of this title has been implemented by the producer responsibility organization in the State and the retailer's building is less than 5,000 square feet.

(2) A manufacturer or distributor that sells directly to a consumer from a retail location may refuse to redeem beverage containers if the retail location where the manufacturer or distributor sells beverage containers is less than 5,000 square feet.

Second: In Sec. 1, 10 V.S.A. chapter 53, in section 1532, by inserting a subsection (d) to read as follows:

(d) Revision of stewardship goals. If the producer responsibility organization fails to meet the beverage container redemption rate in section 1534 of this title for vinous beverage containers or for all other beverage containers, the Secretary may require the producer responsibility organization to implement activities to enhance the rate of redemption, including additional public education and outreach, additional redemption sites, or additional redemption opportunities.

Third: In Sec. 1, 10 V.S.A. chapter 53, in section 1534, by striking out subsections (b) and (c) in their entireties and inserting in lieu thereof a new subsection (b) to read as follows:

(b)(1) Beginning on July 1, 2025 and annually thereafter, the Secretary of Natural Resources shall submit to the Senate Committees on Natural Resources and Energy and on Finance and the House Committees on Environment and Energy and on Ways and Means a written report containing

the current beverage container redemption rate in the State for the following three categories of beverage containers:

- (A) liquor bottles;
- (B) vinous beverage containers; and
- (C) all other beverage containers.

(2) Each annual report submitted under subdivision (1) of this subsection shall include a recommendation of whether the beverage container deposit for any of the three beverage categories should be increased to improve redemption of that category of beverage container.

Fourth: By striking out Sec. 7, systems analysis of beverage container system, in its entirety and inserting in lieu thereof a new Sec. 7 to read as follows:

Sec. 7. SYSTEMS ANALYSIS OF BEVERAGE CONTAINER SYSTEM

(a) The Agency of Natural Resources shall contract with an independent third-party consultant to conduct a systems analysis of the efficacy and cost of Vermont's beverage container redemption system. The analysis shall estimate:

(1) the total system costs and savings associated with the implementation of the expanded beverage container redemption system under 10 V.S.A. chapter 53, including climate impacts;

(2) the cost to consumers of complying with an expanded beverage container redemption system, including transportation costs, compliance costs, carbon impact, and externalities, such as lost time;

(3) the impacts of an expanded beverage container redemption system on the recycling system, including how much additional beverage container material will be collected by the expansion of the beverage container redemption system; the cost to solid waste entities of an expanded beverage container redemption system, including lost revenues from the sale of recyclable materials; the operational savings, if any, on material recovery facilities; the loss to material recovery facilities from the removal of material collected under the beverage container redemption system material from the recycling system; and an estimate of the impacts on tipping fees or solid waste fees at each material recovery facility or solid waste transfer station;

(4) the costs of operating a redemption center and other alternate points of redemption under a stewardship plan and a recommendation on whether the handling fee for redeemed containers should be altered or replaced with an alternative means of compensating points of redemption;

(5) the impact on overall recycling in the State and the redemption rates of beverage containers under 10 V.S.A. chapter 53 if the producer responsibility organization (PRO) implementing the stewardship plan under that chapter were authorized to retain 100 percent, 50 percent, or none of the abandoned beverage container deposits, including:

(A) the estimated number of beverage container redemption sites in the State under the PRO's stewardship plan under each option for the PRO's retention of the abandoned beverage container deposits; and

(B) the geographic distribution of beverage container redemption sites across the State under the PRO's stewardship plan under each option for the PRO's retention of the abandoned beverage container deposits; and

(6) the impact on the Clean Water Fund and State implementation of the State's water quality programs and regulatory requirements if the abandoned beverage container deposits were not deposited into the Clean Water Fund under 10 V.S.A. § 1388.

(b) On or before January 15, 2025, the Agency of Natural Resources shall submit to the House Committee on Environment and Energy and the Senate Committee on Natural Resources and Energy a written report containing the results of the systems analysis required under subsection (a) of this section.

Fifth: By adding a Sec. 7a to read as follows:

Sec. 7a. ANR REPORT ON STATUS REPORT OF RECYCLING SYSTEM

On or before January 15, 2026, the Secretary of Natural Resources shall submit to the Senate Committees on Natural Resources and Energy and on Finance and the House Committees on Environment and Energy and on Ways and Means a report on the status of the State's recycling system prior to the expansion of the beverage container redemption system required under this act. The report shall include:

(1) a summary of the operation of the Agency of Natural Resources' approved stewardship plan since March 1, 2025 by the producer responsibility organization registered with the Agency;

(2) identification of the points of redemption under the existing stewardship plan, including:

(A) an assessment of whether the existing points of redemption allow for convenient and reasonable access of all Vermonters to redemption opportunities;

(B) an assessment of whether the existing points of redemption are suitable for redemption by all Vermonters under the planned expansion of the beverage container system; and

(C) any recommendations to improve the convenience of redemption prior to the expansion of the beverage container redemption system; and

(3) a summary of the infrastructure in the State, other than points of redemption, available for the management and processing of beverage containers and an assessment of whether additional infrastructure is needed prior to the expansion of the beverage container redemption system.

Which proposal of amendment was considered and concurred in.

On motion of **Rep. McCoy of Poultney**, the bill was ordered delivered to the Governor forthwith, pursuant to Joint Rule 15.

Message from the Senate No. 66

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolutions of the following titles:

J.R.S. 29. Joint resolution relating to adjournment of the 2023 Biennial Session of the General Assembly.

J.R.S. 30. Joint resolution relating to compensation of House Managers of Articles of Impeachment.

In the adoption of which the concurrence of the House is requested.

Recess

At four o'clock in the afternoon, the Speaker declared a recess until the fall of the gavel.

At four o'clock and fifty minutes in the afternoon, the Speaker called the House to order.

Joint Resolution Adopted in Concurrence

J.R.S. 29

By Senator Baruth,

J.R.S. 29. Joint resolution relating to adjournment of the 2023 Biennial Session of the General Assembly.

Resolved by the Senate and House of Representatives:

That the President of the Senate and the Speaker of the House of Representatives adjourn their respective Houses on June 20, 2023, June 21, 2023, or June 22, 2023 until, in the case of the Senate, the President Pro Tempore of the Senate calls the Senate to Order and until, in the case of the House of Representatives, the Speaker of the House of Representatives calls the House of Representatives to order; so that the two Houses may consider only the following orders of business:

1. Adjournment to a day certain; or,

2. Matters relating to impeachment proceedings of Franklin County State's Attorney John Lavoie or Franklin County Sheriff John Grismore, or both;

And, and if not so called then to reconvene on the third day of January 2024, at ten o'clock in the forenoon; *and be it further*

Resolved: As required by Section 6 of Chapter II of the Vermont Constitution, the Senate grants consent to the House of Representatives to be in Session or adjournment during the time that the Senate is in Session, and the House grants consent to the Senate to be in Session or adjournment during the time that the House is in Session.

Was taken up, read, and adopted in concurrence.

Joint Resolution Adopted in Concurrence**J.R.S. 30**

By Senator Baruth,

J.R.S. 30. Joint resolution relating to compensation of House Managers of Articles of Impeachment.

Whereas, H.R. 11 established a Special Committee on Impeachment Inquiry, granting the Special Committee investigatory powers to establish whether sufficient grounds exist for the House of Representatives to exercise its constitutional power to impeach Franklin County State's Attorney John Lavoie or Franklin County Sheriff John Grismore, or both, and

Whereas, as of this date, the Special Committee on Impeachment Inquiry has not yet concluded its investigation, and

Whereas, pursuant to J.R.S. 28, Members of the General Assembly are authorized to receive compensation and expenses during times in which their House is in session for the remainder of the 2023 Biennial Session, and

Whereas, should the House of Representatives impeach either, or both, individual(s) aforementioned, House managers would then be appointed by the Speaker of the House to prepare, present, and prosecute the article(s) of Impeachment to the Vermont Senate, *now be it*

Resolved by the Senate and House of Representatives:

That the managers on the part of the House of Representatives appointed by the Speaker of the House shall, while House of Representatives is in adjournment, act on behalf of the House of Representatives and the people of the State of Vermont to do all things necessary to prepare, present, and to prosecute any resolution(s) and article(s) of impeachment adopted by the House of Representatives to the Senate, relating to John Lavoie, Franklin County State's Attorney, or John Grismore, Franklin County Sheriff, or both. The managers on the part of the House of Representatives may utilize the services and assistance of the Vermont State Police and the Legislative Counsel for the purposes of preparing, presenting and prosecuting the impeachment resolution, *and be it further*

Resolved: That the House managers appointed by the Speaker be entitled to compensation for services at a daily rate of one-fourth of the annually adjusted weekly compensation set forth in 32 V.S.A. § 1052(a)(1) and reimbursement for expenses at the daily rate established in 32 V.S.A. § 1052(b), except that no manager shall receive compensation for more than four days in any week for any date in which the managers shall be preparing, presenting, and prosecuting the impeachment(s) when the House of Representatives is not seated in session.

Was taken up, read, and adopted in concurrence.

Rules Suspended, Resolutions Messaged to Senate Forthwith

On motion of **Rep. McCoy of Poultney**, the rules were suspended and the following resolutions were ordered messaged to the Senate forthwith:

J.R.S. 29

Joint Senate resolution, entitled

Joint resolution relating to adjournment of the 2023 Biennial Session of the General Assembly

J.R.S. 30

Joint Senate resolution, entitled

Joint resolution relating to compensation of House Managers of Articles of Impeachment

Senate Notified of Completion of House Business

Rep. McCoy of Poultney moved that the House direct the Clerk to inform the Senate that the House has completed the business of the first half of the Biennial Session and is ready to adjourn pursuant to the provisions of J.R.S. 29, which was agreed to.

Remarks Journalized

On motion of **Rep. McGill of Bridport**, the following remarks by **Rep. Christie of Hartford** were ordered printed in the Journal:

“Madam Speaker:

As we support the commemorating of the 158th anniversary of Juneteenth and recognizing our State’s and Nation’s continuing struggle for racial equality it is with mixed emotions, celebration, and sadness. One can not ignore where we are as a Country and State today where some of our neighbors can no longer tolerate what they are watching on the news. Sadly, the reasons vary from support for Racial Justice to support for White Supremacy. Seeing the division of thought and understanding of Systemic Racism and its effect on us all, positively and or negatively.

So, let’s look back, there's more than one Independence Day in the U.S. On June 19, 1865, General Gordon Granger rode into Galveston, Texas, and announced enslaved people were now free. Since then, June 19 has been celebrated as Juneteenth across the nation. Here's what you should know about the historic event and celebration.

The June 19 announcement came more than two and a half years after Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863. So technically, from the Union's perspective, the 250,000 enslaved people in Texas were already free—but none of them were aware of it, and no one was in a rush to inform them.

Most freed people weren't terribly interested in staying with the people who had enslaved them, even if pay was involved. In fact, some were leaving before Granger had finished making the announcement. What followed became known as "the scatter," when droves of former enslaved people left the state to find family members or more welcoming accommodations in northern regions.

There is so much more and as we study accurate history it is easy to understand the mixed emotion this Juneteenth June 19th, 2023 some 158 years later. So, as we celebrate on the one hand let us remember.

Systemic Racism exists and as we see, now is the time to reaffirm our commitment to the mitigation of Systemic Racism in Vermont.

I know how difficult it is to understand how Black and Brown Vermonters are feeling at this moment.

So, I ask you to reflect as you and I come back to the floor of ‘The People’s House.’

When was the last time you were told ‘to go back to the Jungle?’

That was what my daughter was told in a school here in Vermont, not that long ago and even this moment.

We still have a lot of work to do, and we need to work together.

Let us start **now** by committing to join together with your fellow Black and Brown Vermonters to mitigate Systemic Racism in Vermont.

In the words of Dr Martin Luther King, ‘We shall overcome, We shall overcome, We shall overcome some day, deep in my heart I do believe We shall overcome some day.’

Be well and stay safe!

Thank you!

Coach”

Message from the Senate No. 67

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has considered House proposals of amendment to Senate bills of the following titles:

S. 80. An act relating to miscellaneous environmental conservation subjects.

S. 103. An act relating to amending the prohibitions against discrimination.

And has concurred therein.

The Senate has considered House proposal of amendment to Senate proposal of amendment to House bill of the following title:

H. 171. An act relating to adult protective services.

And has concurred therein.

The Senate has considered joint resolution originating in the House of the following title:

J.R.H. 6. Joint resolution authorizing limited remote joint committee voting through the first Friday of the 2024 Adjourned Session.

And has adopted the same in concurrence.

The Senate has on its part considered the Governor's vetoes of House bills of the following titles:

H. 217. An act relating to child care, early education, workers' compensation, and unemployment insurance.

H. 305. An act relating to professions and occupations regulated by the Office of Professional Regulation.

H. 386. An act relating to approval of amendments to the charter of the Town of Brattleboro.

H. 494. An act relating to making appropriations for the support of government.

H. 509. An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington.

And has passed the same, the refusal of the Governor to approve notwithstanding.

Message from the Senate No. 68

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that the Senate has on its part completed the business of the session and is ready to adjourn pursuant to the provisions of J.R.S. 29.

Adjournment

At five o'clock and thirteen minutes, on motion of **Rep. Long of Newfane**, the House adjourned pursuant to the provisions of J.R.S. 29.

MEMBERS APPOINTED AFTER ADJOURNMENT

Building Energy Code Study Committee Appointment

Pursuant to 2023, Act No. 47 (S.100), Sec. 23, the Speaker appointed the following member to the Building Energy Code Study Committee:

Rep. Campbell of St. Johnsbury

Renewable Energy Standard Working Group Appointments

Pursuant to 2023, Act No. 33 (S.112), Sec. 10a, the Speaker appointed the following members to the Renewable Energy Standard Working Group:

Rep. Sheldon of Middlebury

Rep. Sibia of Dover

Aquatic Nuisance Control Study Committee Appointment

Pursuant to 2023, Act No. 57 (H.31), Sec. 1, the Speaker appointed the following member to the Aquatic Nuisance Control Study Committee:

Rep. Sheldon of Middlebury

Coordinated Justice Reform Advisory Council Appointment

Pursuant to 28 V.S.A. § 126, which was added by 2023, Act No. 40 (S.14), Sec. 2, the Speaker appointed the following member to the Coordinated Justice Reform Advisory Council:

Rep. Squirrell of Underhill

School Construction Aid Task Force Appointments

Pursuant to 2023, Act No. 78 (H.494), Sec. E.131.1, the Speaker appointed the following members to the School Construction Aid Task Force:

Rep. Conlon of Cornwall

Rep. Taylor of Milton

Rural Recovery Coordination Council Appointment

Pursuant to 2023, Act No. 47 (S.100), Sec. 24, the Speaker appointed the following member to the Rural Recovery Coordination Council:

Rep. Jerome of Brandon

Adult Education and Literacy HSCP Student Access Study Committee Appointment

Pursuant to 2023, Act No. 78 (H.494), Sec. E.504, the Speaker appointed the following member to the Adult Education and Literacy HSCP Student Access Study Committee:

Rep. Stone of Burlington

Summer Government Accountability Committee Appointments

Pursuant to 2023, Act No. 53 (H.125), Sec. 2a, the Speaker appointed the following members to the Summer Government Accountability Committee:

Rep. Brumsted of Shelburne
Rep. Kornheiser of Brattleboro
Rep. Leavitt of Grand Isle
Rep. Walker of Swanton

Mobile Home Task Force Appointment

Pursuant to 2023, Act No. 47 (S.100), Sec. 32, the Speaker appointed the following member to the Mobile Home Task Force:

Rep. Taylor of Colchester

Basic Needs Budget Technical Advisory Committee Appointments

Pursuant to 2023, Act No. 54 (H.157), Sec. 1, the Speaker appointed the following members to the Basic Needs Budget Technical Advisory Committee:

Rep. Burrows of West Windsor
Rep. Bartley of Fairfax

FINAL MESSAGES AND COMMUNICATIONS**Message from the Senate No. 69**

A message was received from the Senate by Ms. Kucserik, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Governor has informed the Senate that on the 28th day of June, he approved and signed bills originating in the Senate of the following titles:

S. 80. An act relating to miscellaneous environmental conservation subjects.

S. 103. An act relating to amending the prohibitions against discrimination.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 29th day of June 2023, he signed a bill, originating in the House of the following title:

H. 171 An act relating to adult protective services and emergency housing transition

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 29th day of June 2023, he returned without signature and *vetoed* a bill originating in the House of Representatives of the following title:

H. 158 An act relating to the beverage container redemption system

Governor's Veto Letter

“June 29, 2023

The Honorable BetsyAnn Wrask
Clerk of the Vermont House of Representatives
State House
Montpelier, VT 05633

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning H.158, *An act relating to the beverage container redemption system*, without my signature with my objections stated below.

I'm a long-time advocate of recycling and support a strong system to help Vermonters do so. But as I've consistently said, I believe expanding the labor intensive 1970s-era bottle deposit system would move us backwards, and we should instead focus on investing in and improving zero-sort (or blue bin) recycling.

I'm concerned this bill will result in higher costs for Vermonters due to deposit fees added to a wide range of beverage products; increased handling fees will be passed onto consumers to fund the redemption system; and increased recycling costs for towns, businesses and residents as high-value cans and bottles are removed.

It simply makes no sense to toss aside the progress we've made since the mandatory Universal Recycling Law of 2012, to expand a separate system that diverts the most valuable recyclables away from the blue bin system.

Finally, I'm concerned that even with the bill's efforts to modernize the redemption system, redemption centers are likely to continue to struggle to find the space needed for more storage and the workforce needed to handle and sort the higher volume.

In light of these objections, I'm returning this legislation without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,

Philip B. Scott
Governor
PBS/kp"