

# House Calendar

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Tuesday, February 18, 2020

43rd DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 A.M.

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**ACTION CALENDAR**

**Third Reading**

**H. 922**

An act relating to miscellaneous amendments to the Vermont State Employees' Retirement System

**Favorable with Amendment**

**H. 674**

An act relating to clarifying the definition of development used for use value appraisals

**Rep. Bartholomew of Hartland**, for the Committee on Agriculture and Forestry, recommends the bill be amended as follows:

bill be amended as follows:

First: In Sec. 1 (definition of development), by striking out the section in its entirety and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. 32 V.S.A. § 3752(8) is amended to read:

(8) "Housesite" means the two acres of land surrounding ~~any house, mobile home, or a~~ dwelling. More than one dwelling may share the same housesite, provided the dwellings are contained within a two-acre area.

Second: That after passage the title of the bill be amended to read: "An act relating to the definition of housesite for use value appraisals"

**( Committee Vote: 8-0-0)**

**NOTICE CALENDAR**

**Senate Proposal of Amendment**

**H. 83**

An act relating to female genital cutting

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

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

Sec. 1. 13 V.S.A. chapter 70 is added to read:

CHAPTER 70. FEMALE GENITAL MUTILATION OR CUTTING

§ 3151. FEMALE GENITAL MUTILATION OR CUTTING PROHIBITED

(a) Definitions. As used in this section:

(1) “Health care professional” means an individual, partnership, corporation, facility, or institution licensed or certified or authorized by law to provide professional health care services.

(2) “Midwife” means a midwife licensed pursuant to 26 V.S.A. chapter 85.

(b) Female genital mutilation or cutting prohibited. Except as provided in subsection (c) of this section, no person shall:

(1) Knowingly circumcise, excise, or infibulate the whole or any part of the labia majora or labia minora or clitoris of another person who has not attained 18 years of age.

(2) Knowingly incise, prick, scrape, or cauterize any part of the labia majora or labia minora or clitoris of another person who has not attained 18 years of age.

(c) Exceptions. A medical procedure is not a violation of this section if it is:

(1) necessary to the health of the person on whom it is performed and is performed by a health care professional; or

(2) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a health care professional, midwife, or person in training to become a health care professional or midwife.

(d) Defense. It is not a defense to a charge under this section that the person on whom the procedure is performed, or any other person, believes that the procedure is required as a matter of custom or ritual or that the person on whom the procedure is performed, or that person’s parent or guardian, consented to the procedure.

(e) Transportation prohibited. A person shall not knowingly transport a person into or out of this State for the purpose of conduct that would be a violation of this section.

(f) Penalty. A person who violates subdivision (b)(2) of this section shall be imprisoned not more than two years or fined not more than \$500.00, or both. A person who violates subdivision (b)(1) or subsection (e) of this section shall be imprisoned not more than 10 years or fined not more than \$20,000.00, or both.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read:

An act relating to prohibiting female genital mutilation or cutting.

(For text see House Journal March 20, 2019, page 556 )

**Governor's Veto**

**S. 23**

An act relating to increasing the minimum wage.

**Text of Communication from Governor**

The text of the communication to the Senate from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. 23** to the Senate is as follows:

“February 10, 2020

The Honorable John Bloomer, Jr.  
Secretary of the Senate  
115 State House  
Montpelier, VT 05633-5401  
Dear Mr. Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I am returning S.23, *An act relating to increasing the minimum wage*, without my signature because of my objections described herein:

It’s critical to recognize that we share the goal of Vermonters making more money. I also believe Vermonters should keep more of what they earn, which is why I can’t support policies that increase the costs of living.

My objection to a mandated increase to the minimum wage is based on three primary concerns:

1. Fiscal analysis projects job losses, decreases to employee hours, and increased costs of goods and services, which will offset the intended positive benefits for workers;
2. These harmful impacts will be felt more significantly in rural parts of the state, worsening economic inequity between counties; and
3. There will be an overall negative impact on economic growth.

These concerns are reinforced by data and analysis from regions where mandated increases have taken effect, and – importantly – by the Vermont

Legislature's Joint Fiscal Office, which predicted, if implemented, this bill could cause job losses, reduced hours, and higher prices.

Based on our own experience with mandated minimum wage increases in recent years, Vermont data shows that increases to hourly rates do not guarantee an increase to weekly or annual earnings for Vermont workers.

The Legislature's economist, Tom Kavet, also reported a mandated increase would have a more harmful economic impact in our more rural regions.

From workforce declines to overall economic recovery – or lack thereof – most of the state has simply not kept pace with Northwestern Vermont, particularly Chittenden County. A statewide mandated wage increase would exacerbate this regional economic inequity.

For example, a local mom and pop store in Monkton, Albany or Richford, already struggling to stay open, is far less able to absorb an increase than a retailer with a higher volume of sales in the Burlington area. That means workers in these areas are more likely to be impacted by the predicted job losses or reduced hours, and small, locally owned businesses will feel an even greater burden. We must ask ourselves what our struggling communities might look like with more empty storefronts.

Even New York recognized its own regional inequity when raising the minimum wage, carving out four discrete regions, which account for the different economic circumstances in different parts of the state. We must recognize we have two Vermonts with distinct economies.

Finally, I'm concerned with the overall economic impact to the state. The Legislature's JFO predicts a negative economic impact, specifically through a slight reduction in Vermont's Gross Domestic Product.

Vermont has one of the highest minimum wage rates in the country – which already increases annually – and yet employers across the state struggle to fill positions. If the minimum wage was directly correlated to economic prosperity and workforce growth, Vermont would have a stronger economy and a larger workforce than New Hampshire.

Despite S.23's good intentions, the reality is there are too many unintended consequences and we cannot grow the economy or make Vermont more affordable by arbitrarily forcing wage increases. I believe this legislation would end up hurting the very people it aims to help.

Based on the outstanding objections outlined above, I cannot support this legislation and must return it without my signature pursuant to Chapter II, Section 11 of the Vermont Constitution.

Sincerely,  
/s/Philip B. Scott  
Governor

PBS/kp”

### **For Informational Purposes**

#### **CROSSOVER DATES**

The Joint Rules Committee established the following Crossover deadlines:

(1) All Senate/House bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before Friday, March 13, 2020, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by Friday March 13, 2020.

(2) All Senate/House bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before Friday, March 20, 2020, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Note: The Senate will not act on bills that do not meet these crossover deadlines, without the consent of the Senate Rules Committee.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill and the Fee/Revenue bills.

#### **Public Hearings**

##### **PUBLIC HEARING**

Held by the House Committee on Judiciary for **H. 610, An act relating to firearms and domestic violence; Tuesday, February 18, 2020, 5-7 P.M.** in the **House Chamber** Rep. Nader Hashim, Clerk of the Committee; Mike Bailey, Committee Assistant

##### **PUBLIC HEARING**

Held by the Senate Education Committee on the subject of a **Pupil Weighting Study, Wednesday, March 11, 2020, 4-6 P.M. in Room 11.** Clerk of the Committee: Senator Debbie Ingram; Committee Assistant: Jeannie Lowell.

#### **Advocates Hearings**

**Governor’s FY 2021 Recommended State Budget  
House Committee on Appropriations**

**Wednesday, February 19, 2020 at 9:30 a.m. – 11:00 a.m. in room 11 of the**

State House for all proposed Human Services sections of the budget, and Thursday, February 20, 2020, 1:00 p.m. – 2:00 p.m. in room 11 for all other sections of the proposed budget. The House Committee on Appropriations will receive testimony on the Governor’s recommended FY 2021 State budget during these Advocate hearings. Please sign up in advance, with Theresa Utton-Jerman through [tutton@leg.state.vt.us](mailto:tutton@leg.state.vt.us) or in room 40 of the State House.

The Governor’s budget proposal can be viewed at the Department of Finance & Management’s website or [click here](#).

### **Joint Assembly**

February 20, 2020 - 10:30 a.m. A.M. – Election of two (2) trustees for the Vermont State Colleges Corporation.

Candidates for the positions of trustee must notify the Secretary of State **in writing** not later than February 13, 2020 , by 5:00 P.M. pursuant to the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions. Do not use pink mail to deliver notification to the Secretary of State. Hand delivery is the best method to insure notification has been received.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.