

# Journal of the House

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Wednesday, March 27, 2019

At one o'clock and fifty-eight minutes in the afternoon the Speaker called the House to order.

## Devotional Exercises

Devotional exercises were conducted by Pastor Rosaire Bisson, Christ Community Alliance Church, Barre, VT.

## House Bill Introduced

### H. 543

By the committee on Corrections and Institutions

House bill, entitled

An act relating to capital construction and State bonding

Pursuant to House rule 48, the bill was placed on the Calendar for notice. Pending appearance on the Calendar for notice, carrying an appropriation, under rule 35(a), was referred to the committee on Appropriations.

## Senate Bill Referred

### S. 53

Senate bill, entitled

An act relating to determining the proportion of health care spending allocated to primary care

Was read and referred to the committee on Health Care.

## Senate Bill Referred

### S. 55

Senate bill, entitled

An act relating to the regulation of toxic substances and hazardous materials

Was read and referred to the committee on Human Services.

## Senate Bill Referred

### S. 73

Senate bill, entitled

An act relating to licensure of ambulatory surgical centers

Was read and referred to the committee on Health Care.

**Senate Bill Referred**

**S. 112**

Senate bill, entitled

An act relating to earned good time

Was read and referred to the committee on Corrections and Institutions.

**Senate Bill Referred**

**S. 134**

Senate bill, entitled

An act relating to background investigations for State employees with access to federal tax information

Was read and referred to the committee on Government Operations.

**Senate Bill Referred**

**S. 141**

Senate bill, entitled

An act relating to nutritional requirements for children's meals

Was read and referred to the committee on Human Services.

**Senate Bill Referred**

**S. 169**

Senate bill, entitled

An act relating to firearms procedures

Was read and referred to the committee on Judiciary.

**Joint Resolution Adopted in Concurrence**

**J.R.S. 20**

By Senator Ashe,

**J.R.S. 20.** Joint resolution relating to weekend adjournment.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, March 29, 2019, it be to meet again no later than Tuesday, April 2, 2019.

Was taken up, read and adopted in concurrence.

**Third Reading; Bill Passed****H. 205**

House bill, entitled

An act relating to the regulation of neonicotinoid pesticides

Was taken up, read the third time and passed.

**Third Reading; Bill Passed****H. 342**

House bill, entitled

An act relating to qualification for a public defender

Was taken up, read the third time and passed.

**Bill Taken Up; Consideration Interrupted****H. 439**

House bill, entitled

An act relating to the Home Weatherization Assistance Program

Was taken up and pending third reading of the bill, **Reps. Chesnut-Tangerman of Middletown Springs and Yacovone of Morristown** moved to amend the bill as follows:

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

**Sec. 1. INCOME TAX RATES; APPROPRIATION**

(a) Notwithstanding any other provision of law, for taxable year 2019 and after, income tax rates under 32 V.S.A. § 5822(a)(1)–(5), after taking into consideration any inflation adjustments to taxable income as required by 32 V.S.A. § 5822(b)(2), shall be changed so that taxable income that was subject to a rate of 8.75 percent in taxable year 2018 shall be taxed at the rate of 9.15 percent instead, in order to fund weatherization program under chapter 25 of Title 33. When preparing the Vermont Statutes Annotated for publication, the Office of Legislative Council shall revise the tables in 32 V.S.A. § 5822(a)(1)–(5) to reflect the changes to the tax rates and tax brackets made in this section.

(b) For fiscal year 2020 and after, it is the intent of the General Assembly to allocate \$5 million in income tax revenue raised in this bill to the existing recipients of the Home Weatherization Assistance Program, and to allocate an additional \$5 million in income tax revenue to expanding the Home

Weatherization Assistance Program to benefit individuals with up to 120 percent of the area median income, or 120 percent of the State median income, whichever is higher, pursuant to 33 V.S.A. § 2502.

Sec. 2. 32 V.S.A. § 435 is amended to read:

§ 435. GENERAL FUND

(a) There is established the General Fund ~~which~~ that shall be the basic operating fund of the State. The General Fund shall be used to finance all expenditures for which no special revenues have otherwise been provided by law.

(b) The General Fund shall be composed of revenues from the following sources:

\* \* \*

(5) Individual 98.9 percent of the income taxes levied pursuant to chapter 151 of this title;

\* \* \*

Sec. 3. 33 V.S.A. § 2501 is amended to read:

§ 2501. HOME WEATHERIZATION ASSISTANCE FUND

\* \* \*

(b) The Fund shall be composed of the receipts from the gross receipts tax on retail sales of fuel imposed by section 2503 of this title, 1.1 percent of the income taxes levied pursuant to 32 V.S.A. chapter 151, such funds as may be allocated from the Oil Overcharge Fund, such funds as may be allocated from the federal Low Income Energy Assistance Program, and such other funds as may be appropriated by the General Assembly.

\* \* \*

Sec. 4. 33 V.S.A. § 2502(b)(3) is amended to read:

(3) The Director, in collaboration with the weatherization service providers and other stakeholders, shall develeop the State program so that it will include:

\* \* \*

(B) With regard to multi-family buildings, requiring either of the following requirements to be met:

(i) At least 25 percent or more of the tenants in the building are eligible for the Program.

(ii) At least 50 percent of the units are weatherization affordable, and at least one tenant of the building has applied for the Program and has been determined to be eligible. For purposes of this subdivision, “weatherization affordable” means a unit having a rent that is established at less than 30 percent of the income level established by computing ~~80~~ 120 percent of the area median income level or ~~80~~ 120 percent of the State median income level, whichever is higher, for the relevant household size. Relevant household size means the number of bedrooms in the unit, plus one.

(C) Establishing Program eligibility levels at ~~80~~ 120 percent of the area median income, or ~~80~~ 120 percent of the State median income, whichever is higher. Subject to the priority under section 2608 of this title given to participants in the Home Heating Fuel Assistance Program, the State program shall, when weighing factors to assign priority to buildings or units eligible for weatherization assistance, assign the greatest weight to those buildings and units that require the highest energy usage.

\* \* \*

#### Sec. 5. EFFECTIVE DATES

(a) This section shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214, Sec. 1 (income tax rates; appropriation) shall take effect retroactively on January 1, 2019 and the income tax rate change shall apply to taxable year 2019 and after.

(c) Secs. 2–3 (income tax allocation) and 4 (eligibility levels) shall take effect July 1, 2019 and apply to fiscal year 2020 and after.

#### Recess

At two o'clock and fourteen minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

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

#### **Consideration Resumed; Bill Amended; Third Reading; Bill Passed H. 439**

Consideration resumed on House bill, entitled

An act relating to the Home Weatherization Assistance Program

Thereupon, the amendment as offered by **Reps. Chestnut-Tangerman of Middletown Springs and Yacovone of Morristown** was disagreed to on a division of Yeas 15 , and Nays 110.

Pending the third reading of the bill, **Rep. Mattos of Milton** moved to amend the bill as follows:

First: In Sec. 1 (fuel tax), in the section heading, after the word “FUEL” but before the word “TAX” by inserting the word “CARBON”

Second: By inserting a Sec. 1a to read as follows:

Sec. 1a. CONFORMING REVISIONS

When preparing the Vermont Statutes Annotated for publication, the Office of Legislative Council shall make the following revisions throughout the statutes as needed for consistency with Sec. 1 of this act, as long as the revisions have no other effect on the meaning of the affected statutes:

(1) replace references to the “fuel tax” in 33 V.S.A. § 2503 with “fuel carbon tax” in Title 33; and

(2) make revisions that are substantially similar to those described in subdivision (1) of this subsection in other titles of the Vermont Statutes Annotated.

Pending the question, Shall the bill be amended as offered by Rep. Mattos of Milton? **Rep. McCoy of Poultney** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as offered by Rep. Mattos of Milton? was decided in the negative. Yeas, 38. Nays, 102.

Those who voted in the affirmative are:

Bancroft of Westford	Graham of Williamstown	Morrissey of Bennington
Batchelor of Derby	Gregoire of Fairfield	Page of Newport City
Beck of St. Johnsbury *	Hango of Berkshire	Palasik of Milton
Brennan of Colchester	Harrison of Chittenden	Quimby of Concord
Burditt of West Rutland	Helm of Fair Haven	Rosenquist of Georgia
Canfield of Fair Haven	Higley of Lowell	Scheuermann of Stowe
Cupoli of Rutland City	LaClair of Barre Town	Seymour of Sutton
Dickinson of St. Albans Town	Leffler of Enosburgh	Shaw of Pittsford
Donahue of Northfield	Martel of Waterford	Smith of Derby
Fagan of Rutland City	Mattos of Milton	Smith of New Haven
Gamache of Swanton	McCoy of Poultney	Strong of Albany
Goslant of Northfield	McFaun of Barre Town	Terenzini of Rutland Town
	Morgan of Milton	Toof of St. Albans Town

Those who voted in the negative are:

Ancel of Calais	Feltus of Lyndon	Notte of Rutland City
Anthony of Barre City	Forguites of Springfield	Noyes of Wolcott
Austin of Colchester	Gannon of Wilmington	Ode of Burlington
Bartholomew of Hartland	Gardner of Richmond	O'Sullivan of Burlington
Bates of Bennington	Giambatista of Essex	Pajala of Londonderry

Birong of Vergennes	Grad of Moretown	Partridge of Windham
Bock of Chester	Haas of Rochester	Patt of Worcester
Briglin of Thetford	Hashim of Dummerston	Potter of Clarendon
Brownell of Pownal	Hill of Wolcott	Pugh of South Burlington
Browning of Arlington	Hooper of Montpelier	Rachelson of Burlington
Brumsted of Shelburne	Hooper of Randolph	Ralph of Hartland
Burke of Brattleboro	Hooper of Burlington	Redmond of Essex
Campbell of St. Johnsbury	Houghton of Essex	Rogers of Waterville
Carroll of Bennington	James of Manchester	Scheu of Middlebury
Chase of Colchester	Jerome of Brandon	Sheldon of Middlebury
Chesnut-Tangerman of Middletown Springs	Jessup of Middlesex	Sibilia of Dover
Christensen of Weathersfield	Jickling of Randolph	Squirrell of Underhill
Christie of Hartford	Killacky of South Burlington	Stevens of Waterbury
Cina of Burlington	Kimbell of Woodstock	Sullivan of Dorset
Coffey of Guilford	Kitzmiller of Montpelier	Sullivan of Burlington
Colburn of Burlington	Kornheiser of Brattleboro	Szott of Barnard
Colston of Winooski	Krowinski of Burlington	Taylor of Colchester
Conlon of Cornwall	LaLonde of South Burlington	Till of Jericho *
Conquest of Newbury	Lanpher of Vergennes	Toleno of Brattleboro
Copeland-Hanzas of Bradford	Long of Newfane	Toll of Danville
Corcoran of Bennington	Macaig of Williston	Townsend of South Burlington
Cordes of Lincoln	Marcotte of Coventry	Trieber of Rockingham
Demrow of Corinth	Masland of Thetford	Troiano of Stannard
Dolan of Waitsfield	McCarthy of St. Albans City	Walz of Barre City
Durfee of Shaftsbury	McCormack of Burlington	Webb of Shelburne
Elder of Starksboro	McCullough of Williston	Wood of Waterbury
Emmons of Springfield	Mrowicki of Putney	Yacovone of Morristown
Fegard of Berkshire	Murphy of Fairfax	Yantachka of Charlotte
	Myers of Essex	Young of Greensboro *
	Nicoll of Ludlow	

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

Donovan of Burlington	Lefebvre of Newark	O'Brien of Tunbridge
Gonzalez of Winooski	Lippert of Hinesburg	Savage of Swanton
Howard of Rutland City	Norris of Shoreham	White of Hartford

**Rep. Beck of St. Johnsbury** explained his vote as follows:

“Madam Speaker:

Vermonters deserve transparency. The fuel tax is a tax on carbon heating fuels, with the revenue used to reduce carbon usage. It is a carbon tax whether it is convenient to say it or not.”

**Rep. Till of Jericho** explained his vote as follows:

“Madam Speaker:

I vote no. This is not a carbon tax. A carbon tax is based on the amount of carbon released when a fuel is burned. Here we have tax based on gallons

purchased. Propane, diesel, and kerosene each release different amounts of carbon but are taxed the same in this bill.

The purpose of a carbon tax is to alter behavior. The purpose of this bill is to alter buildings to reduce money spent on heating and cooling and to improve people's health."

**Rep. Young of Greensboro** explained his vote as follows:

"Madam Speaker:

Not in my wildest dreams did I ever imagine so many of my Republican colleagues voting to create a carbon tax."

Pending the third reading of the bill, **Rep. Graham of Williamstown** moved to amend the bill as follows:

In Sec. 1 (33 V.S.A. § 2503), in subdivision (a)(1), after the words "at the rate of ~~\$0.02~~ \$0.04 per gallon", by inserting the following:

; provided, however, that dyed diesel fuel delivered to a farm business regulated under 6 V.S.A. chapter 215 or to a forestry operation, as that term is defined under 10 V.S.A. § 2602, shall be exempt from the tax under this subdivision

Pending the question, Shall the bill be amended as offered by Rep. Graham of Williamstown? **Rep. McCoy of Poultney** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as offered by Rep. Graham of Williamstown? was decided in the affirmative. Yeas, 74. Nays, 66.

Those who voted in the affirmative are:

Bancroft of Westford	Gannon of Wilmington	Nicoll of Ludlow
Batchelor of Derby	Goslant of Northfield	Norris of Shoreham
Beck of St. Johnsbury *	Graham of Williamstown	Notte of Rutland City
Birong of Vergennes	Gregoire of Fairfield	Noyes of Wolcott
Bock of Chester	Hango of Berkshire	O'Brien of Tunbridge
Brennan of Colchester	Harrison of Chittenden	Page of Newport City
Brownell of Pownal	Hashim of Dummerston	Pajala of Londonderry
Brumsted of Shelburne	Helm of Fair Haven	Palasik of Milton
Burditt of West Rutland *	Higley of Lowell	Potter of Clarendon
Campbell of St. Johnsbury *	Hill of Wolcott	Quimby of Concord
Canfield of Fair Haven	Hooper of Randolph	Rogers of Waterville
Chase of Colchester	Jerome of Brandon	Rosenquist of Georgia
Chesnut-Tangerman of Middletown Springs	Jessup of Middlesex	Scheuermann of Stowe
Conquest of Newbury	Jickling of Randolph	Seymour of Sutton
Cordes of Lincoln	Kimbell of Woodstock	Shaw of Pittsford
Cupoli of Rutland City	LaClair of Barre Town	Sibilia of Dover
	Leffler of Enosburgh	Smith of Derby



Demrow of Corinth	Marcotte of Coventry	Smith of New Haven
Dickinson of St. Albans Town	Martel of Waterford	Strong of Albany
Donahue of Northfield	Mattos of Milton	Sullivan of Dorset
Fagan of Rutland City	McCoy of Poultney	Szott of Barnard
Fegard of Berkshire	McFaun of Barre Town	Terenzini of Rutland Town
Feltus of Lyndon	Morgan of Milton	Toof of St. Albans Town
Forguites of Springfield	Morrissey of Bennington	Yacovone of Morristown
Gamache of Swanton	Murphy of Fairfax	
	Myers of Essex	

Those who voted in the negative are:

Ancel of Calais	Gardner of Richmond	Partridge of Windham
Anthony of Barre City	Giambatista of Essex	Patt of Worcester
Austin of Colchester	Grad of Moretown	Pugh of South Burlington
Bartholomew of Hartland *	Haas of Rochester	Rachelson of Burlington
Bates of Bennington	Hooper of Montpelier	Ralph of Hartland
Briglin of Thetford	Hooper of Burlington	Redmond of Essex
Browning of Arlington	Houghton of Essex	Scheu of Middlebury
Burke of Brattleboro	James of Manchester	Sheldon of Middlebury
Carroll of Bennington	Killacky of South Burlington	Squirrell of Underhill
Christensen of Weathersfield	Kitzmilller of Montpelier	Stevens of Waterbury
Christie of Hartford	Kornheiser of Brattleboro	Sullivan of Burlington
Cina of Burlington	Krowinski of Burlington	Taylor of Colchester
Coffey of Guilford	LaLonde of South Burlington	Till of Jericho
Colburn of Burlington	Lanpher of Vergennes	Toleno of Brattleboro
Colston of Winooski	Long of Newfane	Townsend of South Burlington
Conlon of Cornwall	Macaig of Williston	Trieber of Rockingham
Copeland-Hanzas of Bradford	Masland of Thetford	Troiano of Stannard
Corcoran of Bennington	McCarthy of St. Albans City	Walz of Barre City
Dolan of Waitsfield	McCormack of Burlington	Webb of Shelburne
Durfee of Shaftsbury	McCullough of Williston	Wood of Waterbury
Elder of Starksboro	Mrowicki of Putney	Yantachka of Charlotte
Emmons of Springfield	Ode of Burlington	
	O'Sullivan of Burlington	

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

Donovan of Burlington	Lefebvre of Newark	Toll of Danville
Gonzalez of Winooski	Lippert of Hinesburg	White of Hartford
Howard of Rutland City	Savage of Swanton	Young of Greensboro

**Rep. Bartholomew of Hartford** explained his vote as follows:

“Madam Speaker:

I’ve served on the Agriculture and Forestry Committee for quite a few years. Therefore, I clearly understand that our farmers are struggling and was seriously tempted to vote for this amendment. However, this is an important bill that begins to address the challenges presented by climate change. It’s a

small step to address the easiest way to reduce the amount of fossil fuel we use. This is fuel that is needlessly wasted due to our housing inventory that is in desperate need of weatherization. Our greatest fuel efficiency comes from fuel we don't use. The time to find easy and inexpensive solutions to climate change passed long ago. The path forward in finding a solution will not be easy and will touch everyone."

**Rep. Beck of St. Johnsbury** explained his vote as follows:

"Madam Speaker:

Vermont's farmers and foresters are on the ropes. They will be heartened to know we've reduced their tax burden."

**Rep. Burditt of West Rutland** explained his vote as follows:

"Madam Speaker:

I find it interesting 7-8 years ago we passed a Working Landscapes bill that in part gave relief to the forestry industry. Today we are potentially revoking part of that relief."

**Rep. Campbell of St. Johnsbury** explained his vote as follows:

"Madam Speaker:

I am sympathetic to the needs of farmers, foresters, and the construction industry. As this is not a heating use, and the intent of the tax is to reduce heating use, and also in the spirit of compromise, I vote to support this amendment."

Pending the third reading of the bill, **Rep. Leffler of Enosburgh** moved to amend the bill as follows:

In Sec. 1 (33 V.S.A. § 2503), by inserting a subsection (e) to read as follows:

(e) Notwithstanding any other provision of law, the rates of taxation in subsections (a)(1)-(3) of this section shall not be increased any more than once every five years.

and that after passage the title of the bill be amended to read: "An act relating to weatherization funded through carbon taxation"

**Rep. Bartholomew of Hartland** raised a Point of Order in that the amendment would bind a future legislature which the Speaker ruled well taken pursuant to Sec. 13(5) of Masons Manual of Legislative Procedure.

Pending the question the third reading of the bill, **Rep. Browning of Arlington** moved to amend the bill as follows:

By striking out Sec. 1 (33 V.S.A. § 2503) in its entirety and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. § 2503 is amended to read:

§ 2503. FUEL TAX

(a)(1) There is imposed a tax on the retail sale of heating oil, propane, kerosene, and other dyed diesel fuel delivered to a residence or business, at the rate of ~~\$0.02~~ \$0.03 per gallon.

(2) There is imposed a gross receipts tax of ~~0.75~~ 0.875 percent on the retail sale of natural gas and 1.125 percent on the retail sale of coal.

\* \* \*

Pending the question, Shall the bill be amended as offered by Rep. Browning of Arlington? **Rep. Browning of Arlington** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as offered by Rep. Browning of Arlington? was decided in the negative. Yeas, 16. Nays, 122.

Those who voted in the affirmative are:

Bancroft of Westford	Fegard of Berkshire	McFaun of Barre Town
Brownell of Pownal	Feltus of Lyndon	Rosenquist of Georgia
Browning of Arlington *	Higley of Lowell	Sullivan of Dorset
Brumsted of Shelburne	LaClair of Barre Town	Young of Greensboro
Demrow of Corinth	Marcotte of Coventry	
Donahue of Northfield	Martel of Waterford	

Those who voted in the negative are:

Ancel of Calais	Gardner of Richmond	Noyes of Wolcott
Anthony of Barre City	Giambatista of Essex	O'Brien of Tunbridge
Austin of Colchester	Goslant of Northfield	Ode of Burlington
Bartholomew of Hartland	Grad of Moretown	O'Sullivan of Burlington
Batchelor of Derby	Graham of Williamstown	Page of Newport City
Bates of Bennington	Gregoire of Fairfield	Pajala of Londonderry
Beck of St. Johnsbury	Haas of Rochester	Palasik of Milton
Birong of Vergennes	Hango of Berkshire	Partridge of Windham
Bock of Chester	Harrison of Chittenden	Patt of Worcester
Brennan of Colchester	Hashim of Dummerston	Potter of Clarendon
Briglin of Thetford	Helm of Fair Haven	Pugh of South Burlington
Burditt of West Rutland	Hill of Wolcott	Quimby of Concord
Burke of Brattleboro	Hooper of Montpelier	Rachelson of Burlington
Campbell of St. Johnsbury	Hooper of Randolph	Ralph of Hartland
Canfield of Fair Haven	Hooper of Burlington	Redmond of Essex
Carroll of Bennington	Houghton of Essex	Rogers of Waterville
Chase of Colchester	James of Manchester	Scheu of Middlebury

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Chesnut-Tangerman of Middletown Springs	Jerome of Brandon	Scheuermann of Stowe
Christensen of Weathersfield	Jessup of Middlesex	Seymour of Sutton *
Christie of Hartford	Jickling of Randolph	Shaw of Pittsford
Cina of Burlington	Killacky of South Burlington	Sheldon of Middlebury
Coffey of Guilford	Kimbell of Woodstock	Sibilia of Dover
Colburn of Burlington	Kitzmiller of Montpelier	Smith of Derby
Colston of Winooski	Kornheiser of Brattleboro	Squirrell of Underhill
Conlon of Cornwall	Krowinski of Burlington	Stevens of Waterbury
Conquest of Newbury	LaLonde of South Burlington	Sullivan of Burlington
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Szott of Barnard
Corcoran of Bennington	Leffler of Enosburgh	Taylor of Colchester
Cordes of Lincoln	Long of Newfane	Terenzini of Rutland Town
Cupoli of Rutland City	Macaig of Williston	Till of Jericho
Dickinson of St. Albans Town	Masland of Thetford	Toleno of Brattleboro
Dolan of Waitsfield	Mattos of Milton	Toll of Danville
Durfee of Shaftsbury	McCarthy of St. Albans City	Toof of St. Albans Town
Elder of Starksboro	McCormack of Burlington	Townsend of South Burlington
Emmons of Springfield	McCoy of Poultney	Trieber of Rockingham
Fagan of Rutland City	McCullough of Williston	Troiano of Stannard
Forguites of Springfield	Morgan of Milton	Walz of Barre City
Gamache of Swanton	Morrissey of Bennington	Webb of Shelburne
Gannon of Wilmington	Murphy of Fairfax	Wood of Waterbury
	Myers of Essex	Yacovone of Morristown
	Nicoll of Ludlow	Yantachka of Charlotte
	Notte of Rutland City	

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

Donovan of Burlington	Lippert of Hinesburg	Smith of New Haven
Gonzalez of Winooski	Mrowicki of Putney	Strong of Albany
Howard of Rutland City	Norris of Shoreham	White of Hartford
Lefebvre of Newark	Savage of Swanton	

**Rep. Browning of Arlington** explained her vote as follows:

“Madam Speaker:

I vote yes for an increase in funding for low income home weatherization using 50% increase in the fuel tax. This is a common sense and balanced compromise between no increase and a 100% increase in that tax.”

**Rep. Seymour of Sutton** explained his vote as follows:

“Madam Speaker:

Be it a 1 cent increase or a 2 cent increase, the people of Vermont have still been taxed too much.”

Pending the third reading of the bill, **Rep. Leffler of Enosburgh** moved to amend the bill as follows:

By striking out Sec. 3 (effective dates) in its entirety and by inserting Secs. 3 and 4 to read as follows:

Sec. 3. 33 V.S.A. § 2503(a) is amended to read:

(a)(1) There is imposed a tax on the retail sale of heating oil, propane, kerosene, and other dyed diesel fuel delivered to a residence or business, at the rate of ~~\$0.04~~ \$0.02 per gallon.

(2) There is imposed a gross receipts tax of ~~1.0~~ 0.75 percent on the retail sale of natural gas and ~~1.5 percent on the retail sale of coal.~~

\* \* \*

Sec. 4. EFFECTIVE DATES

This act shall take effect on July 1, 2019, except for Sec. 3 (rates) that shall take effect on July 1, 2022.

Pending the question, Shall the bill be amended as offered by Rep. Leffler of Enosburgh? **Rep. Leffler of Enosburgh** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as offered by Rep. Leffler of Enosburgh? was decided in the negative. Yeas, 19. Nays, 117.

Those who voted in the affirmative are:

Bancroft of Westford	Donahue of Northfield	Leffler of Enosburgh
Beck of St. Johnsbury	Goslant of Northfield	McCoy of Poultney
Brennan of Colchester	Graham of Williamstown	McFaun of Barre Town
Brownell of Pownal	Harrison of Chittenden	Quimby of Concord
Browning of Arlington	Helm of Fair Haven	Seymour of Sutton
Canfield of Fair Haven	Higley of Lowell	
Cupoli of Rutland City	LaClair of Barre Town	

Those who voted in the negative are:

Ancel of Calais	Gannon of Wilmington	O'Sullivan of Burlington
Anthony of Barre City	Gardner of Richmond	Page of Newport City
Austin of Colchester	Giambatista of Essex	Pajala of Londonderry
Bartholomew of Hartland	Grad of Moretown	Palasik of Milton
Batchelor of Derby	Gregoire of Fairfield	Partridge of Windham
Bates of Bennington	Haas of Rochester	Patt of Worcester
Birong of Vergennes	Hango of Berkshire	Pugh of South Burlington
Bock of Chester	Hashim of Dummerston	Rachelson of Burlington
Briglin of Thetford	Hill of Wolcott	Ralph of Hartland
Brumsted of Shelburne	Hooper of Montpelier	Redmond of Essex
Burditt of West Rutland	Hooper of Randolph	Rogers of Waterville

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Burke of Brattleboro	Hooper of Burlington	Rosenquist of Georgia
Campbell of St. Johnsbury	Houghton of Essex	Scheu of Middlebury
Carroll of Bennington	James of Manchester	Scheuermann of Stowe
Chase of Colchester	Jerome of Brandon	Shaw of Pittsford
Chesnut-Tangerman of Middletown Springs	Jessup of Middlesex	Sheldon of Middlebury
Christensen of Weathersfield	Jickling of Randolph	Sibilia of Dover
Christie of Hartford	Killacky of South Burlington	Smith of Derby
Cina of Burlington	Kimbell of Woodstock	Smith of New Haven
Coffey of Guilford	Kornheiser of Brattleboro	Squirrell of Underhill
Colburn of Burlington	Krowinski of Burlington	Stevens of Waterbury
Colston of Winooski	LaLonde of South Burlington	Sullivan of Dorset
Conlon of Cornwall	Lanpher of Vergennes	Sullivan of Burlington
Conquest of Newbury	Long of Newfane	Szott of Barnard
Copeland-Hanzas of Bradford	Macaig of Williston	Taylor of Colchester
Corcoran of Bennington	Marcotte of Coventry	Terenzini of Rutland Town
Cordes of Lincoln	Masland of Thetford	Till of Jericho
Demrow of Corinth	Mattos of Milton	Toleno of Brattleboro
Dickinson of St. Albans Town	McCarthy of St. Albans City	Toll of Danville
Dolan of Waitsfield	McCormack of Burlington	Toof of St. Albans Town
Durfee of Shaftsbury	McCullough of Williston	Townsend of South Burlington
Elder of Starksboro	Morgan of Milton	Trieber of Rockingham
Emmons of Springfield	Morrissey of Bennington	Troiano of Stannard
Fagan of Rutland City	Murphy of Fairfax	Walz of Barre City
Fegard of Berkshire	Myers of Essex	Webb of Shelburne
Feltus of Lyndon	Nicoll of Ludlow	Yacovone of Morristown
Forguites of Springfield	Norris of Shoreham	Yantachka of Charlotte
Gamache of Swanton	Notte of Rutland City	Young of Greensboro
	Noyes of Wolcott	
	O'Brien of Tunbridge	
	Ode of Burlington	

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

Donovan of Burlington	Lippert of Hinesburg	Strong of Albany
Gonzalez of Winooski	Martel of Waterford	White of Hartford
Howard of Rutland City	Mrowicki of Putney	Wood of Waterbury
Kitzmiller of Montpelier	Potter of Clarendon	
Lefebvre of Newark	Savage of Swanton	

Thereupon, the bill was read the third time and passed.

### **Third Reading; Bill Passed**

#### **H. 531**

House bill, entitled

An act relating to Vermont's child care and early learning system

Was taken up, read the third time.

Pending the question, Shall the bill pass? **Rep. Pugh of South Burlington** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass? was decided in the affirmative. Yeas, 133. Nays, 0.

Those who voted in the affirmative are:

Ancel of Calais	Gamache of Swanton	Notte of Rutland City
Anthony of Barre City	Gannon of Wilmington	Noyes of Wolcott
Austin of Colchester	Giambatista of Essex	O'Brien of Tunbridge
Bancroft of Westford	Goslant of Northfield	Ode of Burlington *
Bartholomew of Hartland	Grad of Moretown	O'Sullivan of Burlington
Batchelor of Derby	Graham of Williamstown	Page of Newport City
Bates of Bennington	Gregoire of Fairfield	Pajala of Londonderry
Beck of St. Johnsbury	Haas of Rochester	Palasik of Milton
Birong of Vergennes	Hango of Berkshire	Partridge of Windham
Bock of Chester	Harrison of Chittenden	Patt of Worcester
Briglin of Thetford	Hashim of Dummerston	Pugh of South Burlington *
Brownell of Pownal	Helm of Fair Haven	Quimby of Concord
Browning of Arlington	Higley of Lowell	Rachelson of Burlington
Brumsted of Shelburne	Hill of Wolcott	Ralph of Hartland
Burditt of West Rutland	Hooper of Montpelier	Redmond of Essex
Burke of Brattleboro	Hooper of Randolph	Rogers of Waterville
Campbell of St. Johnsbury	Hooper of Burlington	Rosenquist of Georgia
Canfield of Fair Haven	Houghton of Essex	Scheu of Middlebury
Carroll of Bennington	James of Manchester	Scheuermann of Stowe
Chase of Colchester	Jerome of Brandon	Seymour of Sutton
Chesnut-Tangerman of Middletown Springs	Jessup of Middlesex *	Shaw of Pittsford
Christensen of Weathersfield	Jickling of Randolph	Sheldon of Middlebury
Cina of Burlington	Killacky of South Burlington	Sibilia of Dover
Coffey of Guilford	Kimbell of Woodstock	Smith of Derby
Colburn of Burlington	Kornheiser of Brattleboro	Smith of New Haven
Colston of Winooski	Krowinski of Burlington	Squirrell of Underhill
Conlon of Cornwall	LaClair of Barre Town	Stevens of Waterbury
Conquest of Newbury	LaLonde of South Burlington	Sullivan of Dorset
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Sullivan of Burlington
Corcoran of Bennington	Leffler of Enosburgh	Szott of Barnard
Cordes of Lincoln	Long of Newfane	Taylor of Colchester
Cupoli of Rutland City	Macaig of Williston	Terenzini of Rutland Town
Demrow of Corinth	Marcotte of Coventry	Till of Jericho
Dickinson of St. Albans Town	Masland of Thetford	Toleno of Brattleboro
Dolan of Waitsfield	Mattos of Milton	Toll of Danville
Donahue of Northfield	McCarthy of St. Albans City	Toof of St. Albans Town
Durfee of Shaftsbury	McCormack of Burlington	Townsend of South Burlington
Elder of Starksboro	McCoy of Poultney	Trieber of Rockingham
Emmons of Springfield	McCullough of Williston	Troiano of Stannard
Fagan of Rutland City	McFaun of Barre Town	Walz of Barre City
Fegard of Berkshire	Morgan of Milton	Webb of Shelburne
	Morrissey of Bennington	Yacovone of Morristown
	Murphy of Fairfax	Yantachka of Charlotte

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Feltus of Lyndon	Myers of Essex	Young of Greensboro
Forguites of Springfield	Nicoll of Ludlow *	
	Norris of Shoreham	

Those who voted in the negative are: none

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

Brennan of Colchester	Kitzmiller of Montpelier	Savage of Swanton
Christie of Hartford	Lefebvre of Newark	Strong of Albany
Donovan of Burlington	Lippert of Hinesburg	White of Hartford
Gardner of Richmond	Martel of Waterford	Wood of Waterbury
Gonzalez of Winooski	Mrowicki of Putney	
Howard of Rutland City	Potter of Clarendon	

**Rep. Jessup of Middlesex** explained her vote as follows:

“Madam Speaker:

H.531 addresses three important areas. First, it expands high quality and affordable childcare slots. Second, it incentivizes those who care for our youngest Vermonters to stay in the field. And third, it allows parents and guardians to return to the workforce. In sum, H.531 exemplifies ‘doing well by doing good.’”

**Rep. Nicoll of Ludlow** explained his vote as follows:

“Madam Speaker:

I vote yes today for childcare providers and small businesses throughout our state.”

**Rep. Ode of Burlington** explained her vote as follows:

“Madam Speaker:

Passage of this childcare bill is a ‘win’ for Vermont. It is essential for continued economic development. It helps businesses, small and large. It supports parents and children. It is important to our workforce. And it sends a signal to young families that Vermont strives to continue to be a healthy place to live and to raise a family.”

**Rep. Pugh of South Burlington** explained her vote as follows:

“Madam Speaker:

There would be one more enthusiastic yes if the representative from Waterbury, one of the bill reporters, had been able to be here this evening.”



**Third Reading; Bill Passed****H. 513**

House bill, entitled

An act relating to broadband deployment throughout Vermont

Was taken up, read the third time and passed.

**Third Reading; Bill Passed****H. 526**

House bill, entitled

An act relating to town clerk recording fees and town restoration and preservation reserve funds

Was taken up, read the third time and passed.

**Third Reading; Bill Passed****H. 536**

House bill, entitled

An act relating to education finance

Was taken up, read the third time and passed.

**Action on Bill Postponed****H. 524**

House bill, entitled

An act relating to health insurance and the individual mandate

Was taken up and pending the reading of the report of the committee on Health Care, on motion of **Rep. Houghton of Essex**, action on the bill was postponed until March 28, 2019.

**Action on Bill Postponed****S. 14**

Senate bill, entitled

An act relating to extending the moratorium on home health agency certificates of need

Was taken up and pending the reading of the report of the committee on Human Services, on motion of **Rep. Nicoll of Ludlow**, action on the bill was postponed until March 28, 2019.

**Bill Amended; Read Third Time; Bill Passed****H. 533**

House bill, entitled

An act relating to workforce development

Was taken up and pending third reading of the bill, **Rep. Shaw of Pittsford** moved to amend the bill as follows:

By adding a Sec. 12a to read:

Sec. 12a. CORRECTIONS; WORKFORCE TRAINING

(a)(1) On or before October 10, 2019, the Department of Corrections and the Department of Labor shall execute a memorandum of understanding regarding a standardized program of education and training for all new and existing probation and parole officers that includes components related to:

(A) minimizing barriers for offenders to obtaining and maintaining employment; and

(B) minimizing the impact of program and supervision requirements on the offender's employment, including monitoring and facilitating compliance with Department of Corrections case plan goals based on best practices and consistent with public safety.

(2) The Departments shall provide written notice when the memorandum of understanding is executed to the chairs of the House Committees on Commerce and Economic Development and on Corrections and Institutions and to the Senate Committees on Economic Development, Housing and General Affairs and on Institutions.

(3) The Departments shall ensure that all incumbent probation and parole officers receive the education and training under the program on or before July 1, 2020.

(b) The Department of Corrections shall collaborate with the Department of Motor Vehicles and other partners as necessary to ensure that a sentenced inmate is provided with at least one form of government-issued identification, not to include an inmate identification card, upon release from incarceration.

(c) Reports.

(1) On or before August 15, 2019, the Departments of Corrections and Labor shall report to the Joint Legislative Justice Oversight Committee concerning the Departments' progress towards developing the memorandum of understanding as required by this section.

(2) On or before December 15, 2020, the Departments of Corrections and Labor shall report to the House Committees on Commerce and Economic Development and on Corrections and Institutions and to the Senate Committees on Economic Development, Housing and General Affairs and on Institutions concerning the implementation of this section.

Which was agreed to. Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? **Rep. Marcotte of Coventry** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass? was decided in the affirmative. Yeas, 124. Nays, 0.

Those who voted in the affirmative are:

Ancel of Calais	Forguites of Springfield	Norris of Shoreham
Anthony of Barre City	Gamache of Swanton	Notte of Rutland City
Austin of Colchester	Gannon of Wilmington	Noyes of Wolcott
Bancroft of Westford	Giambatista of Essex	Ode of Burlington
Bartholomew of Hartland	Goslant of Northfield	O'Sullivan of Burlington
Batchelor of Derby	Grad of Moretown	Page of Newport City
Bates of Bennington	Graham of Williamstown	Pajala of Londonderry
Beck of St. Johnsbury	Haas of Rochester	Palasik of Milton
Birong of Vergennes	Hango of Berkshire	Partridge of Windham
Bock of Chester	Harrison of Chittenden	Patt of Worcester
Briglin of Thetford	Hashim of Dummerston	Pugh of South Burlington
Brownell of Pownal	Helm of Fair Haven	Quimby of Concord
Browning of Arlington	Higley of Lowell	Rachelson of Burlington
Brumsted of Shelburne	Hill of Wolcott	Ralph of Hartland
Burditt of West Rutland	Hooper of Montpelier	Redmond of Essex
Burke of Brattleboro	Hooper of Randolph	Rogers of Waterville
Campbell of St. Johnsbury	Hooper of Burlington	Rosenquist of Georgia
Canfield of Fair Haven	Houghton of Essex	Scheu of Middlebury
Carroll of Bennington	James of Manchester	Scheuermann of Stowe
Chase of Colchester	Jerome of Brandon	Seymour of Sutton
Chesnut-Tangerman of Middletown Springs	Jessup of Middlesex	Shaw of Pittsford
Christensen of Weathersfield	Jickling of Randolph	Sheldon of Middlebury
Coffey of Guilford	Killacky of South Burlington	Sibilia of Dover
Colburn of Burlington	Kimbell of Woodstock	Smith of New Haven
Colston of Winooski	Kornheiser of Brattleboro	Squirrell of Underhill
Conlon of Cornwall	Krowinski of Burlington	Stevens of Waterbury
Conquest of Newbury	LaClair of Barre Town	Sullivan of Dorset
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Sullivan of Burlington
Corcoran of Bennington	Leffler of Enosburgh	Taylor of Colchester
Cordes of Lincoln	Long of Newfane	Terenzini of Rutland Town
Cupoli of Rutland City	Macaig of Williston	Till of Jericho
Demrow of Corinth	Marcotte of Coventry	Toleno of Brattleboro
Dickinson of St. Albans	Mattos of Milton	Toll of Danville
	McCarthy of St. Albans City	Toof of St. Albans Town
	McCormack of Burlington	Townsend of South

Town	McCoy of Poultney	Burlington
Dolan of Waitsfield	McCullough of Williston	Troiano of Stannard
Durfee of Shaftsbury	McFaun of Barre Town	Walz of Barre City
Elder of Starksboro	Morgan of Milton	Webb of Shelburne
Emmons of Springfield	Morrissey of Bennington	Yacovone of Morristown
Fagan of Rutland City	Murphy of Fairfax	Yantachka of Charlotte
Fegard of Berkshire	Myers of Essex	Young of Greensboro
Feltus of Lyndon	Nicoll of Ludlow	

Those who voted in the negative are: none

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

Brennan of Colchester	Kitzmiller of Montpelier	Savage of Swanton
Christie of Hartford	LaLonde of South	Smith of Derby
Cina of Burlington	Burlington	Strong of Albany
Donahue of Northfield	Lefebvre of Newark	Szott of Barnard
Donovan of Burlington	Lippert of Hinesburg	Trieber of Rockingham
Gardner of Richmond	Martel of Waterford	White of Hartford
Gonzalez of Winooski	Masland of Thetford	Wood of Waterbury
Gregoire of Fairfield	Mrowicki of Putney	
Howard of Rutland City	O'Brien of Tunbridge	
	Potter of Clarendon	

### **Adjournment**

At six o'clock and fifty-two minutes in the evening, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at ten o'clock in the forenoon.