Journal of the House

Wednesday, May 15, 2019

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

Devotional Exercises

Devotional exercises were conducted by Matthew Romei, VT Capitol Police Chief, Williamstown, VT.

House Resolution Adopted

H.R. 9

House resolution, entitled

House resolution expressing support for the welcoming and settling of refugees in the United States

Triber of Rockingham, Troiano of Stannard, Walz of Barre City, Webb of Shelburne, White of Hartford, Wood of Waterbury, Yacovone of Morristown, Yantachka of Charlotte, and Young of Greensboro

Whereas, the Office of the United Nations High Commissioner for Refugees (UNHCR) was established in December 1950 “to lead and coordinate international action to protect refugees and resolve refugee problems worldwide,” and

Whereas, the UNHCR reports that there are more refugees in the world today than at any time since World War II, and many of the world’s refugees are children, and

Whereas, the UNHCR has determined that 1.19 million refugees are in need of immediate resettlement, and

Whereas, refugees are fleeing armed conflicts and human rights abuses in Africa, Central America, the Middle East, and Southeast Asia, and

Whereas, these refugees who need to be resettled include torture survivors, people with severe medical conditions, LGBTI individuals, children travelling alone, and women and children at risk—none of whom can return home nor stay in their current host country due to their extreme vulnerability, and

Whereas, only 10 nations host one-half of the world’s refugees, including countries that do not have adequate resources to feed, house, or keep these refugees safe, and

Whereas, refugees in need of resettlement represent only a tiny fraction of the world’s population, and

Whereas, every single refugee admitted into the United States must undergo a strict and lengthy security check, involving multiple law enforcement and intelligence agencies, and

Whereas, the U.S. Committee for Refugees and Immigrants’ Vermont Refugee Resettlement Program (VRRP) and numerous other Vermont community and religious organizations have declared their support for resettling refugees in Vermont, and since 1980, VRRP has resettled more than 7,000 refugees from many nations, and

Whereas, in the interest of affordability and sustainable economic development, Vermont is working hard to build its workforce, to be a supportive place for children and families, and to welcome people as new residents to the State, and
Whereas, the United Nations World Refugee Day will be celebrated on June 20, 2019 to honor the strength and courage of refugees and to encourage public awareness and support of refugees, now therefore be it

Resolved by the House of Representatives:

That this legislative body applauds the historic tradition of the United States welcoming refugees in keeping with our national values and respect for human rights, and be it further

Resolved: That this legislative body declares its support for the resettlement of refugees in the United States, including Vermont, regardless of religion, race, nationality, or country of origin and calls upon other states to support a national effort to resettle the most vulnerable refugees, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the Vermont Refugee Resettlement Program, the President of the United States, the Governor, the Vermont Congressional Delegation, and the United Nations High Commissioner for Refugees

Which was read and adopted.

House Resolution Referred to Committee

H.R. 10

House resolution, entitled

House resolution reaffirming the position of the House related to 2019’s House Bill 39

Offered by: Representatives Scheuermann of Stowe, Browning of Arlington, Burditt of West Rutland, Burke of Brattleboro, Cina of Burlington, Gamache of Swanton, Gregoire of Fairfield, Higley of Lowell, Leffler of Enosburgh, Morrissey of Bennington, Mrowicki of Putney, Page of Newport City, Partridge of Windham, Patt of Worcester, Rogers of Waterville, Rosenquist of Georgia, Savage of Swanton, Smith of Derby, Strong of Albany, Yacovone of Morristown, and Young of Greensboro

Whereas, House Bill 39, “An act relating to the extension of the deadline of school district mergers required by the State Board of Education” is bipartisan legislation intended to address transitional issues impacting the school district merger process, and

Whereas, the rapidity of the merger process required of certain districts, especially those that the State Board of Education ordered to be established and that were not part of a merger study committee, poses problems for a
smooth and successful transition for teachers, administrators, support staff, students, and parents, and

Whereas, on February 7, 2019, the House approved a Committee on Education strike-all amendment, on a vote of 134–10, and that amendment reflects the text of the bill as adopted in the House, and

Whereas, the bill proceeded to the Senate, where the measure was altered significantly prior to passage, and

Whereas, the subsequently appointed conferees have deadlocked, and on April 30, 2019, the Senate reaffirmed its position on House Bill 39 and requested the appointment of new conferees, and

Whereas, the enactment of an acceptable version of House Bill 39 is of great importance for the orderly opening of the 2019–2020 public school year, now therefore be it

Resolved by the House of Representatives:

That this legislative body reaffirms its position on 2019’s House Bill 39, and be it further

Resolved: That this legislative body requests that new conferees be appointed in order to reach a successful conclusion to the deliberations on House Bill 39.

Which was read and referred to the committee on Education pursuant to Rule 52.

Second Reading; Consideration Interrupted

S. 23

Rep. Troiano of Stannard, for the committee on General, Housing, and Military Affairs, to which had been referred Senate bill, entitled

An act relating to increasing the minimum wage

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 21 V.S.A. § 384 is amended to read:

§ 384. EMPLOYMENT; WAGES

(a)(1) An employer shall not employ any employee at a rate of less than $9.15. Beginning on January 1, 2016, an employer shall not employ any employee at a rate of less than $9.60. Beginning on January 1, 2017, an employer shall not employ any employee at a rate of less than $10.00.
Beginning on January 1, 2018, an employer shall not employ any employee at a rate of less than $10.50, and beginning $10.78. Beginning on January 1, 2019 2020, an employer shall not employ any employee at a rate of less than $11.50. Beginning on January 1, 2021, an employer shall not employ any employee at a rate of less than $12.50. Beginning on January 1, 2022, an employer shall not employ any employee at a rate of less than $13.10. Beginning on January 1, 2023, an employer shall not employ any employee at a rate of less than $14.05. Beginning on January 1, 2024, an employer shall not employ any employee at a rate of less than $15.00, and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in no event shall the minimum wage be decreased. The minimum wage shall be rounded off to the nearest $0.01.

(2) An employer in the hotel, motel, tourist place, and restaurant industry shall not employ a service or tipped employee at a basic wage rate less than one-half the minimum wage. As used in this subsection, “a service or tipped employee” means an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than $120.00 per month in tips for direct and personal customer service.

(3) If the minimum wage rate established by the U.S. government is greater than the rate established for Vermont for any year, the minimum wage rate for that year shall be the rate established by the U.S. government.

* * *

(e)(1) A tip shall be the sole property of the employee or employees to whom it was paid, given, or left. An employer that permits patrons to pay tips by credit card shall pay an employee the full amount of the tip that the customer indicated, without any deductions for credit card processing fees or costs that may be charged to the employer by the credit card company.

(2) An employer shall not collect, deduct, or receive any portion of a tip left for an employee or credit any portion of a tip left for an employee against the wages due to the employee pursuant to subsection (a) of this section.

(3) This subsection shall not be construed to prohibit the pooling of tips among:

(A) service or tipped employees as defined pursuant to subsection (a) of this section; or
(B) service or tipped employees who are paid at least the federal minimum wage established pursuant to 29 U.S.C. § 206(a)(1) and non-supervisory employees who do not customarily and regularly receive more than $120.00 per month in tips for direct and personal customer service.

Sec. 2. 21 V.S.A. § 383 is amended to read:

§ 383. DEFINITIONS

Terms used in this subchapter have the following meanings. As used in this subchapter, unless a different meaning is clearly apparent from the language or context:

(1) “Commissioner,” means the Commissioner of Labor or designee.

(2) “Employee,” means any individual employed or permitted to work by an employer except:

* * *

(G) taxi-cab taxicab drivers;

(H) outside salespersons; and

(I) secondary school students under 18 years of age working during all or any part of the school year or regular vacation periods. As used in this subdivision (2)(I), “regular vacation periods” does not include the period between two successive academic years.

(3) “Occupation,” means an industry, trade, or business or branch thereof, or a class of work in which workers are gainfully employed.

(4) “Tip” means a sum of money gratuitously and voluntarily left by a customer for service, or indicated on a bill or charge statement, to be paid to a service or tipped employee for directly and personally serving the customer in a hotel, motel, tourist place, or restaurant. An employer-mandated service charge shall not be considered a tip.

Sec. 3. CHILD CARE FINANCIAL ASSISTANCE PROGRAM

(a) It is the intent of the General Assembly that investments and initiatives set forth in this section and Sec. 4 of this act are meant to complement the anticipated redesign of the Child Care Financial Assistance Program, which shall be monitored by the General Assembly.

(b) In fiscal year 2020, of the funds appropriated from the General Fund to the Department for Children and Families’ Child Development Division, $1,250,000.00 shall be used to restore the base for the Child Care Financial Assistance Program (CCFAP) and $6,900,000.00 shall be used to adjust the sliding fee scale and reimbursement rates in CCFAP as follows:
(1) adjust the sliding fee scale of CCFAP to ensure that families whose gross income is up to 100 percent of the current federal poverty guidelines receive 100 percent of the available benefit and that families whose gross income is between 100 and 300 percent of the current federal poverty guidelines receive between 99 and 10 percent of the available financial assistance benefit, scaling between set eligibility levels as follows:

(A) 95 percent of the available financial assistance benefit for families at 125 percent of the current federal poverty guidelines;

(B) 75 percent of the available financial assistance benefit for families at 150 percent of the current federal poverty guidelines;

(C) 50 percent of the available financial assistance benefit for families at 200 percent of the current federal poverty guidelines; and

(D) 10 percent of the available financial assistance benefit for families at 300 percent of the current federal poverty guidelines; and

(2) align rates of reimbursement for preschool and school age children participating in CCFAP in fiscal year 2020 with the market rates reported on the 2015 Vermont Market Rate Survey and maintain rates of reimbursement for infants and toddlers participating in CCFAP in fiscal year 2020 with the market rates reported on the 2017 Vermont Market Rate Survey.

Sec. 4. 33 V.S.A. § 3512(a)(4) is added to read:

(4) Beginning on January 1, 2025 and each subsequent year the minimum wage is increased thereafter, the Commissioner for Children and Families shall amend the Department for Children and Families’ Child Care Financial Assistance Program to:

(A) adjust the sliding fee scale to correspond with each minimum wage increase required pursuant to 21 V.S.A. § 384(a)(1) in order to ensure that the benefit percentage at each new minimum wage level is not lower than the percentage applied under the former minimum wage; and

(B) adjust the rate of reimbursement paid to providers on behalf of families participating in the Child Care Financial Assistance Program in a manner that offsets the estimated increased cost of child care in Vermont resulting from an increase in the minimum wage required pursuant to 21 V.S.A. § 384(a)(1).

Sec. 5. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS; APPROPRIATION

(a) In order to increase Medicaid reimbursement rates to home health agencies, nursing homes, residential care homes, assisted living residences,
and adult day agencies by $3,305,646.00 in fiscal year 2020 to facilitate the payment of wages to their employees who are providing health care services pursuant to the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384 and to mitigate wage compression for employees of those service providers who are in occupations with a starting wage rate within $1.00 of the minimum wage:

(1) $874,894.00 is appropriated in fiscal year 2020 from the General Fund to the Department of Vermont Health Access;

(2) $1,021,691.00 is appropriated in fiscal year 2020 from federal funds to the Department of Vermont Health Access; and

(3) the Secretary of Human Services shall redirect to the Medicaid programs identified in this subsection an estimated $650,000.00 of State funds and any related federal matching funds from savings experienced by programs within the Agency of Human Services as a result of the increase in the minimum wage on January 1, 2020.

(b) On or before November 15, 2019, the Department of Vermont Health Access shall submit a written report to the Joint Fiscal Committee regarding the adequacy of the funds appropriated pursuant to subsection (a) of this section, and any additional appropriation that may be necessary during fiscal year 2020.

Sec. 6. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS; PROJECTIONS; REPORT

On or before December 1, 2019, the Secretary of Human Services, in consultation with the Joint Fiscal Office and relevant service providers, shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, on Health Care, and on Human Services and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Health and Welfare regarding the projected costs for fiscal years 2021, 2022, 2023, and 2024 of increasing Medicaid reimbursement rates to all Medicaid participating providers, including designated agencies, specialized service agencies, home health agencies, nursing homes, residential care homes, assisted living residences, and adult day agencies, by an amount necessary to facilitate the payment of wages to their employees who are providing services pursuant to the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384 and to mitigate wage compression for employees providing services pursuant to the State Medicaid Program who are in occupations with a starting wage rate within $1.00 of the minimum wage.
Sec. 7. MINIMUM WAGE; ADJUSTMENT FOR INFLATION; REPORT

On or before January 15, 2023, the Office of Legislative Council and the Joint Fiscal Office shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding potential mechanisms for indexing the minimum wage established pursuant to 21 V.S.A. § 384 to inflation after 2024. In particular, the report shall:

(1) identify and examine mechanisms that other jurisdictions use to index their minimum wages to inflation and the potential benefits and disadvantages of each mechanism; and

(2) identify and examine any alternative mechanisms to index the minimum wage to inflation, including alternative measures of inflation, and the potential benefits and disadvantages of each mechanism.

Sec. 8. TIPPED AND STUDENT MINIMUM WAGE STUDY COMMITTEE; REPORT

(a) Creation. There is created the tipped and student minimum wage study committee to examine the effects of altering or eliminating the basic wage rate for tipped employees in Vermont and of eliminating the subminimum wage for secondary school students during the school year.

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

(1) one member of the House appointed by the Speaker of the House;

(2) one member of the Senate appointed by the Committee on Committees;

(3) the Commissioner of Labor or designee;

(4) the Commissioner for Children and Families or designee;

(5) one member representing employers in the food service or hospitality industry, appointed by the Speaker of the House; and

(6) one member representing tipped workers in the food service or hospitality industry, appointed by the Committee on Committees.

(c) Powers and duties. The Committee shall study the effects of altering or eliminating the basic wage rate for tipped employees and of eliminating the subminimum wage for secondary school students during the school year, including the following issues:

(1) the impact in states that have eliminated their tipped wage on:
(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(2) the impact in states that have increased their tipped wage during the last 10 years on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(3) the impact in states that have decoupled their tipped wage from the standard minimum wage during the last 10 years on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(4) the projected impact in Vermont of altering or eliminating the basic wage rate for tipped employees on:

(A) jobs, prices, and the State economy; and

(B) the welfare of tipped workers, women, and working families with children; and

(5) the projected impact in Vermont of eliminating the subminimum wage for secondary school students on jobs, prices, the State economy, and the welfare of individuals under 22 years of age.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(e) Report. On or before December 15, 2019, the Committee shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings and recommendations, if any, for legislative action related to Vermont’s basic wage for tipped employees and subminimum wage for secondary school students.

(f) Meetings.

(1) The Commissioner of Labor shall call the first meeting of the Committee to occur on or before September 15, 2019.

(2) The Committee shall select a chair from among its members at the first meeting.
A majority of the membership shall constitute a quorum.

The Committee shall cease to exist on January 30, 2020.

Compensation and reimbursement.

For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

Members of the Committee who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 9. MINIMUM WAGE FOR AGRICULTURAL WORKERS; WORKING GROUP; REPORT

(a) Creation. There is created the Agricultural Minimum Wage Working Group to examine the wage and hour laws for agricultural workers.

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

(1) one member of the House appointed by the Speaker of the House;

(2) one member of the Senate appointed by the Committee on Committees;

(3) The Secretary of Agriculture or designee; and

(4) The Commissioner of Labor or designee.

(c) Powers and duties. The Working Group shall study the wage and hour laws for agricultural workers, including the following issues:

(1) the overlapping legal requirements of the federal Fair Labor Standards Act and Vermont’s wage and hour laws with respect to agricultural employees and employers;

(2) particular issues and challenges related to federal and State wage and hour laws that Vermont’s agricultural employees and employers face; and

(3) how other states have addressed similar issues and challenges in their wage and hour laws.
(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Office of Legislative Council.

(e) Report. On or before December 15, 2019, the Working Group shall submit a written report to the House Committees on Agriculture and on General, Housing, and Military Affairs and the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The member from the House shall call the first meeting of the Working Group to occur on or before September 15, 2019.

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

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


(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, a legislative member of the Working Group serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 10. LEGISLATIVE COUNCIL; DRAFT LEGISLATION

On or before January 15, 2020, the Office of Legislative Council shall prepare and submit a draft bill to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs that makes statutory amendments of a technical nature to modernize the statutory language of 21 V.S.A. chapter 5, subchapter 3. The draft bill shall also identify provisions of 21 V.S.A. chapter 5, subchapter 3 that may require amendment in order to eliminate out-of-date and obsolete provisions. The Office of Legislative Council shall consult with the Commissioner of Labor to identify language requiring modernization and provisions that are out-of-date or obsolete.

Sec. 11. EFFECTIVE DATES

(a) In Sec. 2, 21 V.S.A. § 383, the amendments to subdivisions (2)(G) and (I) shall take effect on January 1, 2020. The remaining provisions of Sec. 2 shall take effect on July 1, 2019.

(b) The remaining sections of this act shall take effect on July 1, 2019.
Rep. Trieber of Rockingham, for the committee on Appropriations, recommended that the House propose to the Senate to amend the bill as recommended by the committee on General, Housing, and Military Affairs and when amended as follows:

First: In Sec. 1, 21 V.S.A. § 384, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a)(1) An employer shall not employ any employee at a rate of less than $9.15. Beginning on January 1, 2016, an employer shall not employ any employee at a rate of less than $9.60. Beginning on January 1, 2017, an employer shall not employ any employee at a rate of less than $10.00. Beginning on January 1, 2018, an employer shall not employ any employee at a rate of less than $10.50, and beginning $10.78. Beginning on January 1, 2019 2020, the minimum wage rate shall be increased by two and one quarter times the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, provided that the rate of increase shall not be more than five and one half percent, until the minimum wage is equal to or greater than $15.00. On January 1 of the first year after the minimum wage rate reaches an amount that is equal to or greater than $15.00 and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in no event shall the minimum wage be decreased. The minimum wage shall be rounded off to the nearest $0.01.

(2) An employer in the hotel, motel, tourist place, and restaurant industry shall not employ a service or tipped employee at a basic wage rate less than one-half the minimum wage. As used in this subsection, “a service or tipped employee” means an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than $120.00 per month in tips for direct and personal customer service.

(3) If the minimum wage rate established by the U.S. government is greater than the rate established for Vermont pursuant to subdivision (1) of this subsection for any year, the minimum wage rate for that year shall be the rate established by the U.S. government.

Second: In Sec. 1, 21 V.S.A. § 384, after subsection (e), by inserting a subsection (f) to read:
(f)(1) Notwithstanding 2 V.S.A. § 20(d), on or before December 1, 2019, and on or before each subsequent December 1 until the minimum wage established pursuant to subdivision (a)(1)(B) of this section reaches $15.00, the Commissioner of Taxes shall submit a written report to the Governor and the General Assembly regarding whether the inflation-adjusted revenues from the sales tax imposed pursuant to 32 V.S.A. § 9771 and the use tax imposed pursuant to 32 V.S.A. § 9773 for the 12-month period ending on September 30 of that year have decreased by two percent or more relative to the revenues from the sales tax and use tax for the 12-month period ending on September 30 of the previous year.

(2) Notwithstanding subdivision (a)(1) of this section, the minimum wage rate established pursuant to subdivision (a)(1) shall be increased by the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1 or by five percent, whichever is smaller, on January 1 of the next calendar year if both of the following occur:

(A) the Commissioner of Taxes’ report indicates that the inflation-adjusted revenues from the sales tax imposed pursuant to 32 V.S.A. § 9771 and the use tax imposed pursuant to 32 V.S.A. § 9773 for the 12-month period ending on September 30 of that year have decreased by two percent or more relative to the revenues from the sales tax and use tax for the 12-month period ending on September 30 of the previous year; and

(B) the official State revenue estimate for the General Fund in the current or next fiscal year has been reduced by two percent or more.

Third: By striking out Secs. 5 and 6, Medicaid participating providers, and inserting in lieu thereof new Secs. 5 and 6 to read as follows:

Sec. 5. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS; REPORT

(a) On or before December 15, 2019, the Secretary of Human Services, in consultation with the Joint Fiscal Office and relevant service providers, shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, on Health Care, and on Human Services and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Health and Welfare regarding the projected costs for fiscal years 2020 and 2021 of increasing Medicaid reimbursement rates to Medicaid participating providers, including designated agencies, specialized service agencies, home health agencies, nursing homes, residential care homes, assisted living residences, and adult
day agencies, by an amount necessary to facilitate the payment of wages to their employees who are providing services pursuant to the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384.

(b)(1) On or before August 15, 2019, the Secretary of Human Services shall request from Medicaid participating providers with employees who are providing services pursuant to the State Medicaid Program and earn wages that are at or near the minimum wage set forth in 21 V.S.A. § 384 any documentation of wages and related costs that the Secretary determines to be necessary to develop the projections required pursuant to subsection (a) of this section.

(2) Service providers shall, on or before October 15, 2019, provide to the Secretary the documentation requested pursuant to subdivision (1) of this subsection.

(3) Any service provider that fails to provide the information requested by the Secretary pursuant to this subsection shall forfeit the right in fiscal years 2020 and 2021 to any increase in Medicaid reimbursement rates that is proposed pursuant to subsection (a) of this section.

Sec. 6. MINIMUM WAGE FOR EMPLOYERS PROVIDING BENEFITS; STUDY COMMITTEE; REPORT

(a) Creation. There is created the Minimum Wage for Employers Providing Benefits Study Committee to examine the possibility of creating a separate minimum wage rate for employers that provide certain benefits to their employees that would increase more slowly than the standard minimum wage.

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

(1) a current member of the House of Representatives, who shall be appointed by the Speaker of the House;

(2) a current member of the Senate, who shall be appointed by the Committee on Committees;

(3) a representative of employers, who shall be appointed by the Speaker of the House;

(4) a representative of employees earning wages that are at or near the minimum wage, who shall be appointed by the Committee on Committees; and

(5) the Commissioner of Labor or designee.
(c) Powers and duties. The Committee shall study the possibility of creating a separate minimum wage rate for employers that provide certain benefits to their employees that would increase more slowly than the standard minimum wage, including the following topics:

(1) the experience of jurisdictions that have created a second minimum wage rate for employers that provide certain benefits to their employees that would increase more slowly than the standard minimum wage;

(2) the advantages and drawbacks of permitting an employer to qualify for a minimum wage rate that increases more slowly than the standard minimum wage by providing certain types of benefits, including health insurance, retirement, child care reimbursement, family and medical leave, and tuition reimbursement; and

(3) an appropriate minimum value of benefits that must be provided to qualify an employer for a second minimum wage rate that increases more slowly than the standard minimum wage.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(e) Report. On or before January 15, 2020, the Committee shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The member from the House shall call the first meeting of the Committee to occur on or before September 15, 2019.

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

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

(4) The Committee shall cease to exist on January 31, 2020.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings.
(2) Other members of the Committee who are not otherwise compensated for their attendance at meetings shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than four meetings.

(3) Payments to members of the Committee authorized under this subsection shall be made from monies appropriated to the General Assembly.

The bill having appeared on the Calendar one day for Notice was taken up and read the second time.

Recess

At eleven o'clock and seven minutes in the forenoon, the Speaker declared a recess until eleven o'clock and thirty minutes in the forenoon.

At eleven o'clock and thirty-five minutes in the forenoon, the Speaker called the House to order. Thereupon, the Speaker declared a recess until twelve o'clock and forty minutes in afternoon.

Message from the Senate No. 59

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

Madam Speaker:

I am directed to inform the House that:

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

S. 131. An act relating to insurance and securities.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

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

S. 41. An act relating to regulating entities that administer health reimbursement arrangements.

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. 133. An act relating to miscellaneous energy subjects.

And has concurred therein.
The Senate has considered bills originating in the House of the following titles:

**H. 287.** An act relating to small probate estates.

**H. 524.** An act relating to health insurance and the individual mandate.

**H. 525.** An act relating to miscellaneous agricultural subjects.

**H. 530.** An act relating to the qualifications and election of the Adjutant and Inspector General.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the House is requested.

The Governor has informed the Senate that on the fourteenth day of May, 2019 he approved and signed a bill originating in the Senate of the following title:

**S. 154.** An act relating to miscellaneous banking provisions.

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

**Consideration Resumed; Proposals of Amendment Agreed to; Third Reading Ordered**

**S. 23**

Consideration resumed on Senate bill, entitled

An act relating to increasing the minimum wage

Thereupon, the report of the committee on General, Housing, and Military Affairs was amended as recommended by the committee on Appropriations.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the committee on General, Housing, and Military Affairs, as amended? **Rep. Trieber of Rockingham** moved to amend the proposal of amendment as recommended by the committee on General, Housing, and Military Affairs, as amended, as follows:

*First:* In Sec. 1, 21 V.S.A. § 384, in subdivision (a)(1), before the words “the minimum wage rate shall be increased by two and one quarter times” by inserting the following: “, and on each subsequent January 1,”

*Second:* In Sec. 1, 21 V.S.A. § 384, in subdivision (f)(1), by striking out “(a)(1)(B)” and inserting in lieu thereof the following: “(a)(1)”

Which was agreed to.
Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the committee on General, Housing, and Military Affairs, as amended? **Rep. Browning of Arlington** moved to amend the proposal of amendment as recommended by the committee on General, Housing, and Military Affairs, as amended, as follows:

First: In Sec. 1, 21 V.S.A. § 384, by striking out subdivision (a)(1) in its entirety and inserting in lieu thereof a new subdivision (a)(1) to read as follows:

(a)(1)(A) An employer shall not employ any employee at a rate of less than $9.15. Beginning on January 1, 2016, an employer shall not employ any employee at a rate of less than $9.60. Beginning on January 1, 2017, an employer shall not employ any employee at a rate of less than $10.00. Beginning on January 1, 2018, an employer shall not employ any employee at a rate of less than $10.50, and beginning $10.78. Beginning on January 1, 2019 and on each subsequent January 1, of 2021 the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in no event shall the minimum wage be decreased.

(B) Beginning on January 1, 2022 and on each subsequent January 1, the minimum wage rate shall be increased by two and one quarter times the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, provided that the rate of increase shall not be more than five and one half percent, until the minimum wage is equal to or greater than $15.00. On January 1 of the first year after the minimum wage rate reaches an amount that is equal to or greater than $15.00 and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller. In no event shall the minimum wage be decreased.

(C) The minimum wage shall be rounded off to the nearest $0.01.

Second: In Sec. 1, 21 V.S.A. § 384, by striking out subsection (f) in its entirety and by inserting a new subsection (f) to read as follows:
(f)(1) Notwithstanding 2 V.S.A. § 20(d), on or before December 1, 2021, and on or before each subsequent December 1 until the minimum wage established pursuant to subdivision (a)(2) of this section reaches $15.00, the Commissioner of Taxes shall submit a written report to the Governor and the General Assembly regarding whether the inflation-adjusted revenues from the sales tax imposed pursuant to 32 V.S.A. § 9771 and the use tax imposed pursuant to 32 V.S.A. § 9773 for the 12-month period ending on September 30 of that year have decreased by two percent or more relative to the revenues from the sales tax and use tax for the 12-month period ending on September 30 of the previous year.

(2) Notwithstanding subdivision (a)(2) of this section, the minimum wage rate established pursuant to subdivision (a)(2) shall be increased by the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1 or by five percent, whichever is smaller, on January 1 of the next calendar year if two of the following occur:

(A) The Commissioner of Taxes’ report indicates that the inflation-adjusted revenues from the sales tax imposed pursuant to 32 V.S.A. § 9771 and the use tax imposed pursuant to 32 V.S.A. § 9773 for the 12-month period ending on September 30 of that year have decreased by two percent or more relative to the revenues from the sales tax and use tax for the 12-month period ending on September 30 of the previous year.

(B) The official State revenue estimate for the General Fund in the current or next fiscal year is reduced by two percent or more.

(C) The seasonally adjusted unemployment rate (U-3) for the State is equal to or greater than five percent for any single month between April 1 and September 30 of the current calendar year.

Third: In Sec. 5, report on increases for Medicaid participating providers, in the first sentence, after “On or before December 15,” by striking out “2019” and inserting in lieu thereof “2021”

Fourth: In Sec. 5, report on increases for Medicaid participating providers, in the first sentence, after “the projected costs for fiscal years” by striking out “2020 and 2021” and inserting in lieu thereof “2022 and 2023”

Sixth: In Sec. 7, report on inflation index for minimum wage rate, in the first sentence, after “On or before January 15,” by striking out “2023” and inserting in lieu thereof “2021”

Seventh: In Sec. 7, report on inflation index for minimum wage rate, in the first sentence, by striking out “after 2024”
Pending the question, Shall the report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Browning of Arlington? **Rep. Donahue of Northfield** 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 Report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Browning of Arlington? was decided in the negative. Yeas, 39. Nays, 105.

Those who voted in the affirmative are:

- Bancroft of Westford
- Batchelor of Derby
- Brennan of Colchester
- Browning of Arlington
- Canfield of Fair Haven
- Cupoli of Rutland City
- Donahue of Northfield
- Fagan of Rutland City
- Fegard of Berkshire
- Gamache of Swanton
- Goslant of Northfield
- Graham of Williamstown
- Gregoire of Fairfield
- Hango of Berkshire
- Harrison of Chittenden
- Helm of Fair Haven
- Higley of Lowell
- LaClair of Barre Town
- Lefebvre of Newmarket
- Leffler of Enosburgh
- Martel of Waterford
- McCoy of Poulton
- Feltus of Lyndon
- Gardner of Richmond
- Giambatista of Essex
- Grad of Moretown
- Haas of Rochester
- Hashim of Dummerston
- Hill of Wolcott
- Hooper of Montpelier
- Hooper of Randolph
- Houghton of Essex
- Howard of Rutland City
- James of Manchester
- Jerome of Brandon
- Jessup of Middlesex
- Jickling of Randolph
- Killacky of South Burlington
- Kimbell of Woodstock
- Kitzmiller of Montpelier
- Kornheiser of Brattleboro
- Krowsinski of Burlington
- LaLonde of South
- Burlington

Those who voted in the negative are:

- Ancel of Calais
- Anthony of Barre City
- Austin of Colchester
- Bartholomew of Hartland
- Bates of Bennington
- Beck of St. Johnsbury
- Biron of Vergennes
- Bock of Chester
- Briglin of Thetford
- Brownell of Pownal
- Brumsted of Shelburne
- Burditt of West Rutland
- Burke of Brattleboro
- Campbell of St. Johnsbury
- Carroll of Bennington
- Chase of Colchester
- Chesnut-Tangerman of Middlebury Springs
- Christensen of Weathersfield
- Christie of Hartford
- Cina of Burlington
- Coffey of Guilford
- Colburn of Burlington
- Page of Newport City
- Palasik of Milton
- Quinby of Concord
- Rosenquist of Georgia
- Savage of Swanton
- Scheuermann of Stowe
- Seymour of Sutton
- Shaw of Pittsford
- Smith of New Haven
- Strong of Albany
- Sullivan of Dorset
- Terenzini of Rutland Town
- Toof of St. Albans Town
- Notte of Rutland City
- Noyes of Wolcott
- O'Brien of Tunbridge
- Ode of Burlington
- O'Sullivan of Burlington
- Pajala of Londonderry
- Partridge of Windham
- Patt of Worcester
- Potter of Clarendon
- Pugh of South Burlington
- Rachelson of Burlington
- Redmond of Essex
- Rogers of Waterville
- Scheu of Middlebury
- Sheldon of Middlebury
- Smith of Derby
- Squirrel of Underhill
- Stevens of Waterbury
- Sullivan of Burlington
- Szott of Barnard
- Taylor of Colchester
- Till of Jericho
Colston of Winooski            Lanpher of Vergennes            Toleno of Brattleboro
Conlon of Cornwall            Lippert of Hinesburg             Toll of Danville
Conquest of Newbury           Long of Newfane                   Townsend of South
Copeland-Hanzas of Bradford   Marcotte of Coventry             Trieber of Rockingham
Corcoran of Bennington        Masland of Thetford             Troiano of Stannard
Cordes of Lincoln             Mattos of Milton                 Walz of Barre City
Demrow of Corinth             McCarthy of St. Albans City       Webb of Shelburne
Dolan of Waitsfield           McCormack of Burlington           White of Hartford
Donovan of Burlington         McCullough of Williston          Wood of Waterbury
Durfee of Shaftsbury          Mrowicki of Putney                 Yacovone of Morristown
Elder of Starksboro           Murphy of Fairfax                   Yantachka of Charlotte
Emmons of Springfield         Myers of Essex                    Young of Greensboro
Nicoll of Ludlow

Those members absent with leave of the House and not voting are:
Dickinson of St. Albans Town  Gannon of Wilmington       Sibling of Dover
Gonzalez of Winooski

Rep. Browning of Arlington explained her vote as follows:
“Madam Speaker:

I vote yes for a gradual and cautious approach to further increases in the minimum wage. It is important for the labor market and businesses to have time to absorb these increases so that some of the Vermonters we are trying to help are not hurt through loss of hours or loss of jobs.”

Rep. Donahue of Northfield explained her vote as follows:
“Madam Speaker:

I would like to support an increase in our minimum wage if done cautiously, with due attention to potential negative economic impacts that actually hurt workers. This amendment does that, so I vote yes.”

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the committee on General, Housing, and Military Affairs, as amended? Rep. Wood of Waterbury moved to amend the proposal of amendment as recommended by the committee on General, Housing, and Military Affairs, as amended, as follows:

By striking out Sec. 5 in its entirety and inserting in lieu thereof a new Sec. 5 to read as follows:

Sec. 5. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS AND INDEPENDENT DIRECT SUPPORT PROVIDERS; REPORT
(a) On or before December 15, 2019, the Secretary of Human Services, in consultation with the Joint Fiscal Office and relevant service providers, shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, on Health Care, and on Human Services and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Health and Welfare regarding the projected costs for fiscal years 2020 and 2021 of increasing Medicaid reimbursement rates to:

(1) Medicaid participating providers, including designated agencies, specialized service agencies, home health agencies, nursing homes, residential care homes, assisted living residences, and adult day agencies, by an amount necessary to facilitate the payment of wages to their employees who are providing services pursuant to the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384; and

(2) independent direct support providers who are providing home- and community-based services pursuant to the State Medicaid Program to facilitate the payment of wages to those independent direct support providers that are equal to at least the minimum wage set forth in 21 V.S.A. § 384.

(b)(1) On or before August 15, 2019, the Secretary of Human Services shall request any documentation of wages and related costs that the Secretary determines to be necessary to develop the projections required pursuant to subsection (a) of this section from:

(A) Medicaid participating providers with employees who are providing services pursuant to the State Medicaid Program and earn wages that are at or near the minimum wage set forth in 21 V.S.A. § 384; and

(B) any fiscal services agency providing payroll services in relation to independent direct support providers who are providing home- and community-based services pursuant to the State Medicaid Program.

(2) Service providers and fiscal services agencies shall, on or before October 15, 2019, provide to the Secretary the documentation requested pursuant to subdivision (1) of this subsection.

(3) Any service provider that fails to provide the information requested by the Secretary pursuant to this subsection shall forfeit the right in fiscal years 2020 and 2021 to any increase in Medicaid reimbursement rates that is proposed pursuant to subsection (a) of this section.

Pending the question, Shall the Report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Wood of Waterbury? Rep. McCoy of Poulteny 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 Report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Wood of Waterbury? was decided in the affirmative. Yeas, 144. Nays, 0.

Those who voted in the affirmative are:

Ancel of Calais                Goslan of Northfield                Notte of Rutland City
Anthony of Barre City         Grad of Moretown                    Noyes of Wolcott
Austin of Colchester          Graham of Williamstown              O'Brien of Tunbridge
Bancroft of Westford          Greig of Fairfied                   Ode of Burlington
Bartholomew of Hartland       Haas of Rochester                   O'Sullivan of Burlington
Batchelor of Derby            Hango of Berkshire                  Page of Newport City
Bates of Bennington           Harrison of Chittenden              Pajala of Londonderry
Beck of St. Johnsbury         Hashem of Dummerston               Palasik of Milton
Biron of Vergennes            Helm of Fair Haven                  Partridge of Windham
Bock of Chester               Higley of Lowell                   Patt of Worcester
Brennan of Colchester         Hill of Wolcott                     Potter of Clarendon
Briglin of Thetford           Hooper of Montpelier                Pugh of South Burlington
Brownell of Pownal            Hooper of Randolph                  Quimby of Concord
Browning of Arlington         Hooper of Burlington                Rachelson of Burlington
Brumsted of Shelburne         Houghton of Essex                   Ralph of Hartland
Burditt of West Rutland       Howard of Rutland City              Redmond of Essex
Burke of Brattleboro          James of Manchester                 Rogers of Waterville
Campbell of St. Johnsbury     Jerome of Brandon                    Rosenquist of Georgia
Canfield of Fair Haven        Jessup of Middlesex                Savage of Swanton
Carroll of Bennington         Jickling of Randolph                Scuou of Middlebury
Chase of Colchester           Killacky of South Burlington        Scheuermann of Stowe
Chesnut-Tangerman of Middletown Springs  Kimbell of Woodstock            Seymour of Sutton
Christensen of Weathersfield  Kornsdes of Brattleboro                Sheldon of Middlebury
Christie of Hartford           Krowinski of Burlington             Smith of Derby
Cina of Burlington            LaClair of Barre Town               Smith of New Haven
Coffey of Guilford            LaLonde of South                    Squirrel of Underhill
Colburn of Burlington         Burlington                                    Stevens of Waterbury
Colston of Winooski           Lanpher of Vergennes               Strong of Albany
Conlon of Cornwall            Lefebvre of Newark                  Sullivan of Dorset
Conquest of Newbury           Lefler of Enosburgh                 Sullivan of Burlington
Copeland-Hanzes of Bradford   Lippet of Hinesburg                  Szott of Barnard
Corcoran of Bennington        Long of Newfane                      Taylor of Colchester
Cordes of Lincoln             Macaig of Williston                 Terenzini of Rutland Town
Cupoli of Rutland City        Marcote of Coventry                 Till of Jericho
Demrow of Corinth             Masland of Thetford                 Toll of Danville
Dolan of Waitsfield           Mattos of Milton                    Toof of St. Albans Town
Donahue of Northfield         McCarthy of St. Albans City            Townsend of South
Donovan of Burlington         McCormack of Burlington              Burlington
Durfee of Shaftsbury          McCoy of Poultney                    Trier of Rockingham
Elder of Starksboro           McCullough of Williston              Troiano of Stannard
Emmons of Springfield         McFaun of Barre Town                Walz of Barre City
Fagan of Rutland City         Morgan of Milton                      Webb of Shelburne
Those who voted in the negative are: none

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

- Dickinson of St. Albans
- Gannon of Wilmington
- Sibilia of Dover
- Gonzalez of Winooski

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the committee on General, Housing, and Military Affairs, as amended? **Rep. Chesnut-Tangerman of Middletown Springs** moved to amend the proposal of amendment as recommended by the committee on General, Housing, and Military Affairs, as amended, as follows:

**First:** In Sec. 1, 21 V.S.A. § 384, by striking out subdivision (a)(1) in its entirety and inserting in lieu thereof a new subdivision (a)(1) to read as follows:

(a)(1) An employer shall not employ any employee at a rate of less than $9.15. Beginning on January 1, 2016, an employer shall not employ any employee at a rate of less than $9.60. Beginning on January 1, 2017, an employer shall not employ any employee at a rate of less than $10.00. Beginning on January 1, 2018, an employer shall not employ any employee at a rate of less than $10.50, and beginning $10.78. Beginning on January 1, 2019 2020, an employer shall not employ any employee at a rate of less than $11.50. Beginning on January 1, 2021, an employer shall not employ any employee at a rate of less than $12.25. Beginning on January 1, 2022, an employer shall not employ any employee at a rate of less than $13.10. Beginning on January 1, 2023, an employer shall not employ any employee at a rate of less than $14.05. Beginning on January 1, 2024, an employer shall not employ any employee at a rate of less than $15.00, and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in no event shall the minimum wage be decreased. The minimum wage shall be rounded off to the nearest $0.01.

Second: By striking out Sec. 5 in its entirety and inserting in lieu thereof Secs. 5 and 5a to read as follows:
Sec. 5. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS; APPROPRIATION

(a) In order to increase Medicaid reimbursement rates to home health agencies, nursing homes, residential care homes, assisted living residences, and adult day agencies by $3,305,646.00 in fiscal year 2020 to facilitate the payment of wages to their employees who are providing health care services pursuant to the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384 and to mitigate wage compression for employees of those service providers who are in occupations with a starting wage rate within $1.00 of the minimum wage:

(1) $874,894.00 is appropriated in fiscal year 2020 from the General Fund to the Department of Vermont Health Access;

(2) $1,021,691.00 is appropriated in fiscal year 2020 from federal funds to the Department of Vermont Health Access; and

(3) the Secretary of Human Services shall redirect to the Medicaid programs identified in this subsection an estimated $650,000.00 of State funds and any related federal matching funds from savings experienced by programs within the Agency of Human Services as a result of the increase in the minimum wage on January 1, 2020.

(b) On or before November 15, 2019, the Department of Vermont Health Access shall submit a written report to the Joint Fiscal Committee regarding the adequacy of the funds appropriated pursuant to subsection (a) of this section, and any additional appropriation that may be necessary during fiscal year 2020.

Sec. 5a. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS; PROJECTIONS; REPORT

On or before December 1, 2019, the Secretary of Human Services, in consultation with the Joint Fiscal Office and relevant service providers, shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, on Health Care, and on Human Services and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Health and Welfare regarding the projected costs for fiscal years 2021, 2022, 2023, and 2024 of increasing Medicaid reimbursement rates to all Medicaid participating providers, including designated agencies, specialized service agencies, home health agencies, nursing homes, residential care homes, assisted living residences, and adult day agencies, by an amount necessary to facilitate the payment of wages to their employees who are providing services pursuant to
the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384 and to mitigate wage compression for employees providing services pursuant to the State Medicaid Program who are in occupations with a starting wage rate within $1.00 of the minimum wage.

Thereupon, **Rep. Cina of Burlington** asked that the question be divided and that the first instance of amendment be taken first and the second instance of amendment be taken second.

Pending the question, Shall the Report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Chesnut-Tangerman of Middletown Springs in the first instance of amendment? **Rep. Cina of 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 report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Chesnut-Tangerman of Middletown Springs in the first instance of amendment? was decided in the negative. Yeas, 21. Nays, 121.

Those who voted in the affirmative are:

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<td>Cordes of Lincoln</td>
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Those who voted in the negative are:

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Donahue of Northfield  Masland of Thetford  Toof of St. Albans Town
Durfee of Shaftsbury  Mattos of Milton  Townsend of South
Elder of Starksboro  McCarthy of St. Albans City  Burlington
Emmons of Springfield  McCormack of Burlington  Trieber of Rockingham
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Fegard of Berkshire  McCullough of Williston  Walz of Barre City
Feltus of Lyndon  McFaun of Barre Town  Webb of Shelburne
Gamache of Swanton  Morgan of Milton  White of Hartford
Gardner of Richmond  Morrissey of Bennington  Wood of Waterbury
Giambatista of Essex  Murphy of Fairfax  Yantachka of Charlotte *
Goslant of Northfield  Myers of Essex  Young of Greensboro
Norris of Shoreham

Those members absent with leave of the House and not voting are:
Dickinson of St. Albans  Gonzalez of Winooski  Toll of Danville
Town  Marcotte of Coventry
Gannon of Wilmington  Sibilia of Dover

**Rep. Cordes of Lincoln** explained her vote as follows:

“Madam Speaker:

Minimum wage is a women’s issue. The majority of Medicaid service caregivers are women who are still struggling with pay inequity. ‘It’ll be the year 3888 before [women] make a buck.’ (Laurie Anderson - ‘Beautiful Red Dress’)

Minimum wage is a dignity issue. Many of our friends, including those in our own State House who serve us food, need food stamps to make ends meet.

Raising the minimum wage as soon as possible is just one imperative step we must take to lift up the vulnerable, improve our economy, and reverse the ever-widening income and wealth gap.”

**Rep. Hooper of Burlington** explained his vote as follows:

“Madam Speaker:
I support putting money in Vermonters pockets. Clearly trickle down does not work. The largest employer in the state has a $15 hiring rate in 2020. This will be an economic boost for Chittenden County businesses large and small. It will happen next year so to my mind this body delaying full implementation so much longer is ill advised.”

Rep. Yantachka of Charlotte explained his vote as follows:

“Madam Speaker:

Every Vermonter who works 40 hours per week deserves to be paid enough to pay the rent, heat their home, feed and clothe their family, and get to and from work. They deserve a livable wage today, not by 2024 or 2026. I support what this amendment is trying to do. However, we live within the reality of this building, and, based on what we're hearing from the Governor, adopting this amendment will likely prevent any increase in the minimum wage from becoming law. So, as much as I would like to vote YES on this amendment, I have to vote NO to improve our chances to get more money into the pockets of those at the bottom of the pay scale sooner than later.”

Pending the question, Shall the report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Chesnut-Tangerman of Middletown Springs in the second instance? Rep. Colburn of 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 Report of the Committee on General, Housing, and Military Affairs, as amended, be amended as offered by Rep. Chesnut-Tangerman of Middletown Springs in the second instance? was decided in the negative. Yeas, 20. Nays, 122.

Those who voted in the affirmative are:

Anthony of Barre City
Brownell of Pownal
Burke of Brattleboro
Chesnut-Tangerman of Middletown Springs
Christensen of Weathersfield
Cina of Burlington
Colburn of Burlington
Cordes of Lincoln
Donovan of Burlington
Haas of Rochester
Jickling of Randolph
Noyes of Wolcott
Page of Newport City

Those who voted in the negative are:

Ancel of Calais
Austin of Colchester
Bancroft of Westford
Bartholomew of Hartland
Batchelor of Derby
Bates of Bennington
Beck of St. Johnsbury
Gregoire of Fairfield
Hango of Berkshire
Harrison of Chittenden
Hashim of Dummerston
Helm of Fair Haven
Hill of Wolcott
Hooper of Montpelier

Pajala of Londonderry
Rachelson of Burlington
Ralph of Hartland
Szott of Barnard
Till of Jericho
Wood of Waterbury
Yacovone of Morristown

Notte of Rutland City
O’Brien of Tunbridge
Ode of Burlington
O’Sullivan of Burlington
Palasik of Milton
Partridge of Windham
Patt of Worcester
Birong of Vergennes  Hooper of Randolph  Potter of Clarendon
Bock of Chester  Hooper of Burlington  Pugh of South Burlington
Brennan of Colchester  Houghton of Essex  Quimby of Concord
Briglin of Thetford  Howard of Rutland City  Redmond of Essex
Browning of Arlington  James of Manchester  Rogers of Waterville
Brumsted of Shelburne  Jerome of Brandon  Rosenquist of Georgia
Burditt of West Rutland  Jessup of Middlesex  Savage of Swanton
Campbell of St. Johnsbury  Killacky of South Burlington  Scheu of Middlebury
Canfield of Fair Haven  Kitzmiller of Montpelier  Scheuermann of Stowe
Carroll of Bennington  Kornheiser of Brattleboro  Seymour of Sutton
Chase of Colchester  Krowinski of Burlington  Shaw of Pittsford
Christie of Hartford  LaClair of Barre Town  Sheldon of Middlebury
Coftey of Guilford  LaLonde of South  Smith of Derby
Colston of Winooski  Burlington  Smith of New Haven
Conlon of Cornwall  Lanpher of Vergennes  Squirrel of Underhill
Conquest of Newbury  Lefebvre of Newark  Stevens of Waterbury
Copeland-Hanzas of  Leffler of Enosburgh  Strong of Albany
Bradford  Lippert of Hinesburg  Sullivan of Dorset
Corcoran of Bennington  Long of Newfane  Sullivan of Burlington
Cupoli of Rutland City  Macaig of Williston  Taylor of Colchester
Demrow of Corinth  Marcotte of Coventry  Terenzini of Rutland Town
Dolan of Waitsfield  Martel of Waterford  Toleno of Brattleboro
Donahue of Northfield  Masland of Thetford  Toll of Danville
Durfee of Shaftsbury  Mattos of Milton  Toof of St. Albans Town
Elder of Starksboro  McCarthy of St. Albans City  Townsend of South
Emmons of Springfield  McCormack of Burlington  Burlington
Fagan of Rutland City  McCoy of Poultney  Trieb of Rockingham
Fegard of Berkshire  McCullough of Williston  Troiano of Stannard
Feltus of Lyndon  McFaun of Barre Town  Walz of Barre City
Gamache of Swanton  Morgan of Milton  Webb of Shelburne
Gardner of Richmond  Morrissey of Bennington  White of Hartford
Giambatista of Essex  Mrowicki of Putney  Yantachka of Charlotte
Goslant of Northfield  Murphy of Fairfax  Young of Greensboro
Grad of Moretown  Myers of Essex  
Graham of Williamstown  Nicoll of Ludlow  Norris of Shoreham

Those members absent with leave of the House and not voting are:
Dickinson of St. Albans  Gonzalez of Winooski  Sibilia of Dover
Town  Higley of Lowell
Gannon of Wilmington  Kimbell of Woodstock

**Rep. Chesnut-Tangerman of Middletown Springs** explained his vote as follows:

“Madam Speaker:

I want to thank the body for this debate. This is critical and will be ongoing. It is important that we continue to push for a more livable state and a livable wage. Thank you all.”
Thereupon, the proposal of amendment as recommended by the committee on General, Housing, and Military Affairs, as amended, was agreed to.

Pending the question, Shall the bill be read a third time? Rep. McCoy of Poultnay 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 read a third time? was decided in the affirmative. Yeas, 90. Nays, 53.

Those who voted in the affirmative are:

Ancel of Calais        Durfee of Shaftsbury        Mrowicki of Putney
Anthony of Barre City  Elder of Starksboro         Nicoll of Ludlow
Austin of Colchester   Emmons of Springfield       O'Brien of Tunbridge
Bartholomew of Hartland Gardner of Richmond        Ode of Burlington *
Bates of Bennington     Giambatista of Essex         O'Sullivan of Burlington
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
Brumsted of Shelburne   Hooper of Montpelier        Rachelson of Burlington
Burke of Brattleboro   Hooper of Randolph          Redmond of Essex
Campbell of St. Johnsbury Hooper of Burlington      Scheu of Middlebury
Carroll of Bennington  Houghton of Essex            Sheldon of Middlebury
Chase of Colchester    Howard of Rutland City       Squerrell of Underhill
Chesnut-Tangerman of   James of Manchester         Stevens of Waterbury
Middletown Springs     Jerome of Brandon            Sullivan of Dorset *
Christensen of Weathersfield Jessup of Middlesex     Sullivan of Burlington
Christie of Hartford   Jickling of Randolph         Szott of Barnard
Cina of Burlington     Killacky of South Burlington  Taylor of Colchester
Coffey of Guilford     Kitzmiller of Montpelier       Till of Jericho
Colburn of Burlington  Kornheiser of Brattleboro     Toleno of Brattleboro
Colston of Winooski    Krowinski of Burlington *     Toll of Danville
Conlon of Cornwall     LaLonde of South             Townsend of South
Conquest of Newbury    Burlington                   Burlington
Copeland-Hanzas of     Lanpher of Vergennes         Trieber of Rockingham
Bradford               Lippert of Hinesburg         Troiano of Stannard
Corcoran of Bennington Long of Newfane               Walz of Barre City
Cordes of Lincoln      Macaig of Williston          Webb of Shelburne
Demrow of Corinth      Masland of Thetford          White of Hartford *
Dolan of Waitsfield    McCarthy of St. Albans City   Yacovone of Morristown
Donovan of Burlington  McCormack of Burlington       Yantachka of Charlotte

Those who voted in the negative are:

Bancroft of Westford   Helm of Fair Haven           Pajala of Londonderry
Batchelor of Derby     Higley of Lowell            Palaski of Milton
Beck of St. Johnsbury  LaClair of Barre Town       Quimby of Concord
Brennan of Colchester  Lefebvre of Newark           Ralph of Hartland *
Those members absent with leave of the House and not voting are:

Dickinson of St. Albans
Gannon of Wilmington
Gonzalez of Winooski

Rep. Colburn of Burlington explained her vote as follows:

“Madam Speaker:

I voted against amendments to dilute a minimum wage increase and for amendments to get us to a livable wage sooner. At the end of the day, I can’t oppose a wage increase that is an improvement on current law. That said, we can and should do better than this for working Vermonters. This work is not over.”

Rep. Krowinski of Burlington explained her vote as follows:

“Madam Speaker:

I vote yes. When Vermonters have more money in their pockets, working families have more to invest back into our local economy, growing jobs and creating economic opportunity in all of Vermont’s 14 counties. Raising the minimum wage will help us grow an economy that works for everyone, not just a select few.”

Rep. Leffler of Enosburgh explained her vote as follows:

“Madam Speaker:

I voted against this bill because I refuse to ignore the harm implicit in this bill to our small towns and small businesses and most importantly Vermonters.

If, as previously mentioned today, it is the will of this body to have money in Vermonters’ pockets, I seriously suggest we start by leaving the money already there alone.”
Rep. Ode of Burlington explained her vote as follows:

“Madam Speaker:

Raising the minimum wage will help lift tens of thousands of working Vermonters out of poverty.

It will result in increased income tax revenue for the State of Vermont and it will reduce dependency on state programs that support low income families.

Raising the minimum wage is good for Vermont’s workers, Vermont’s families, Vermont’s businesses (helping to prevent expensive employee turnover), and Vermont’s economy.”

Rep. Ralph of Hartland explained his vote as follows:

“Madam Speaker:

I support minimum wage and am willing to take the risks associated with a wage hike on our economy and businesses because I strongly support all efforts to bring Vermonters out of poverty and to provide an adequate income. However I cannot support this bill because with it brings all the risks but doesn’t actually mandate a livable wage in a timely fashion that could help Vermonters. As a result I am afraid this bill as is will hurt Vermonters and the Vermont economy. I’m frustrated that we would let political victories supersede the best interests of our state.”

Rep. Sullivan of Dorset explained her vote as follows:

“Madam Speaker:

Some of the biggest beneficiaries of minimum wage increases are children. Higher wages ease the grind of poverty, freeing up people’s capacity to quit. While a higher minimum wage is powerful medicine, raising the minimum wage might only be a temporary fix, so I would like to see the future discussions go to focusing on minimum income instead.”

Rep. White of Hartford explained her vote as follows:

“Madam Speaker:

More women than men are working minimum wage jobs – nationally women make up two-thirds of all minimum wage earners. Raising women’s wages would have positive impacts on Vermont’s economy and move us towards closing the wage gap which would reduce the poverty rate. I vote yes because it is the pragmatic and moral choice.”

Rep. Wood of Waterbury explained her vote as follows:

“Madam Speaker:
I am supportive of a minimum wage increase, but not at the expense of older Vermonters and people with disabilities. We must keep the promise to address the Medicaid rates.”

**Action on Bill Postponed**

**H. 16**

House bill, entitled
An act relating to boards and commissions

Was taken up and pending consideration of the Senate proposal of amendment, on motion of Rep. Copeland-Hanzas of Bradford, action on the bill was postponed until May 17, 2019.

**Action on Bill Postponed**

**H. 543**

House bill, entitled
An act relating to capital construction and State bonding

Was taken up and pending consideration of the Senate proposal of amendment, on motion of Rep. Emmons of Springfield, action on the bill was postponed until May 16, 2019.

**Message from the Senate No. 60**

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

Madam Speaker:

I am directed to inform the House that:

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

**S. 107.** An act relating to elections corrections.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

The Senate has considered House proposal of amendment to the following Senate bill and has refused to concur therein and asks for a Committee of Conference upon the disagreeing votes of the two Houses to which the President announced the appointment as members of such Committee on the part of the Senate:

**S. 110.** An act relating to data privacy and consumer protection.
Senator Hooker  
Senator Baruth  
Senator Sirotkin

Pursuant to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on House bill entitled:

**H. 536.** An act relating to education finance.

The President announced the appointment as members of such Committee on the part of the Senate:

Senator Cummings  
Senator MacDonald  
Senator Campion

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

**H. 518.** An act relating to fair and impartial policing.

And has concurred therein with an amendment in the passage of which the concurrence of the House is requested.

**Favorable Report; Second Reading; Third Reading Ordered**

**S. 169**

**Rep. LaLonde of South Burlington,** for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to firearms procedures  
Reported in favor of its passage in concurrence

The bill, having appeared on the Calendar one day for Notice, was taken up and read the second time.

Pending the question, Shall the bill be read a third time? **Rep. Savage of Swanton** moved that the House propose to the Senate to amend the bill as follows:

By adding a Sec. 1a to read as follows:

Sec. 1a. 13 V.S.A. § 4017 is amended to read:

§ 4017. PERSONS PROHIBITED FROM POSSESSING FIREARMS;  
CONVICTION OF VIOLENT CRIME

(a) A person shall not possess a firearm if the person has been convicted of a violent crime.
(d) As used in this section:

(3) “Violent crime” means:

(A)(i) A listed crime as defined in subdivision 5301(7) of this title other than:

(V) leaving the scene of an accident resulting in serious bodily injury or death as defined in 23 V.S.A. § 1128(b) or (c); or

(VI) a violation of section 1030 of this title (violation of abuse prevention order) committed before July 1, 2015; or

(VII) a misdemeanor violation of chapter 28 of this title, relating to abuse, neglect, and exploitation of vulnerable adults; or

Thereupon, **Rep Savage of Swanton** asked and was granted leave of the House to withdraw the amendment.

Pending the question, Shall the bill be read a third time? **Reps. Brennan of Colchester and Higley of Lowell** moved that the House propose to the Senate to amend the bill as follows:

In Sec. 3, 13 V.S.A. § 4019a, by adding a new subsection (d) to read as follows:

(d)(1) This section shall not apply if the proposed seller is a licensed firearms dealer under 18 U.S.C. § 923, and:

(A) the proposed seller has a written record indicating that the proposed purchaser has previously purchased a firearm from the proposed seller; or

(B) the proposed seller contacts another person in Vermont who is a licensed firearms dealer under 18 U.S.C. § 923, and that person tells the proposed seller that he or she has a written record indicating that the proposed purchaser has previously purchased a firearm from him or her.

(2) A person shall not knowingly make a false statement or provide false information to a licensed dealer with the intent to deceive the dealer regarding the person’s previous firearms purchases. A person who violates this subdivision shall be punished under subsection (b) of this section.

Which was disagreed to.
Pending the question, Shall the bill be read a third time? **Reps. McFaun of Barre Town, Anthony of Barre City and LaClair of Barre Town** moved that the House propose to the Senate to amend the bill as follows:

In Sec. 3, 13 V.S.A. § 4019a, by adding a new subsection (d) to read as follows:

(d)(1) This section shall not apply to a firearm transferred:

(A) at a gun show; or

(B) by a raffle conducted at a banquet sponsored by an organization or club.

(2) As used in this subsection, “gun show” means an event at which:

(A) 25 or more firearms are offered or exhibited for sale, transfer, or exchange to the public; and

(B) two or more persons are exhibiting one or more firearms for sale, transfer, or exchange to the public.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by Rep. McFaun of Barre Town? **Rep. McFaun of Barre Town** 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 House propose to the Senate to amend the bill as offered by Rep. McFaun of Barre Town? was decided in the negative. Yeas, 56. Nays, 81.

Those who voted in the affirmative are:

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<tr>
<th>Anthony of Barre City</th>
<th>Graham of Williamstown</th>
<th>Norris of Shoreham</th>
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<td>Bancroft of Westford</td>
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<td>Murphy of Fairfax</td>
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<td>Goslant of Northfield</td>
<td>Myers of Essex</td>
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</table>
Those who voted in the negative are:

Ancel of Calais  
Austin of Colchester  
Bartholomew of Hartland  
Birong of Vergennes  
Briglin of Thetford  
Brumsted of Shelburne  
Burditt of West Rutland  
Burke of Brattleboro  
Campbell of St. Johnsbury  
Carroll of Bennington  
Chesnut-Tangerman of Middletown Springs  
Christensen of Weathersfield  
Christie of Hartford  
Coffey of Guilford  
Colburn of Burlington  
Colston of Winooski  
Conlon of Cornwall  
Copeland-Hanzas of Bradford  
Corcoran of Bennington  
Cordes of Lincoln  
Dolan of Waitsfield  
Donovan of Burlington  
Durfee of Shaftsbury  
Elder of Starksboro  
Emmons of Springfield  
Feltus of Lyndon  
Gardner of Richmond  
Giambatista of Essex  
Grad of Moretown  
Haas of Rochester  
Hashim of Winooski  
Hooper of Montpelier  
Hooper of Burlington  
Houghton of Essex  
Kidd of Rutland City  
Kornheiser of Brattleboro  
Krowinski of Burlington  
LaLonde of South Burlington  
Lanpher of Vergennes  
Lippert of Middlesex  
Killacky of South Burlington  
Kitzmiller of Montpelier  
Kornheiser of Brattleboro  
Krowinski of Burlington  
LaLonde of South Burlington  
Burlington  
Lanpher of Vergennes  
Long of Newfane  
Macaig of Williston  
Masland of Thetford  
McCarthy of St. Albans City  
McCormack of Burlington  
McCullough of Williston  
Mrowicki of Putney  
Nicoll of Ludlow  
Notte of Rutland City  
O'Brien of Tunbridge  
Ode of Burlington  
O'Sullivan of Burlington  
Partridge of Windham  
Patt of Worcester  
Pugh of South Burlington  
Rachelson of Burlington  
Ralph of Hartland  
Redmond of Essex  
Scheu of Middlebury  
Sheldon of Middlebury  
Squirrel of Underhill  
Stevens of Waterbury  
Sullivan of Dorset  
Sullivan of Burlington  
Szott of Barnard  
Taylor of Colchester  
Till of Jericho  
Tonelo of Brattleboro  
Toll of Danville  
Townsend of South  
Burlington  
Troiano of Stannard  
Walz of Barre City  
White of Hartford  
Wood of Waterbury  
Yantachka of Charlotte  
Young of Greensboro

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

Cina of Burlington  
Dickinson of St. Albans  
Dolan of Waitsfield  
Donovan of Burlington  
Durfee of Shaftsbury  
Elder of Starksboro  
Emmons of Springfield  
Gannon of Wilmington  
Gonzalez of Winooski  
Gregoire of Fairfield  
James of Manchester  
Kimbell of Woodstock  
Gomez of Winooski  
Thetford  
Winooski  
Dover  
Rockingham  
Sibilia of Dover  
Stannard  
Manchester  
Woodstock  
Burlington  
South Bend  
Noyes of Wolcott  
Sibilia of Dover  
Trieb of Rockingham  
Webb of Shelburne

Pending the question, Shall the bill be read a third time? Rep. Bancroft of Westford moved that the House propose to the Senate to amend to amend the bill as follows:

In Sec. 3, 13 V.S.A. § 4019a, by adding a new subsection (d) to read as follows:

(d) This section shall not apply if the firearm is ordered by telephone or over the Internet by a person in Vermont, or if the firearm is purchased by a Vermont resident in another state for delivery to Vermont, and it takes more
than 24 hours for the firearm to be delivered to a firearms dealer in Vermont who is licensed under 18 U.S.C. § 923.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by Rep. Bancroft of Westford? Rep. Bancroft of Westford 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 House propose to the Senate to amend the bill as offered by Rep. Bancroft of Westford? was decided in the negative. Yeas, 50. Nays, 89.

Those who voted in the affirmative are:

- Bancroft of Westford
- Batchelor of Derby
- Beck of St. Johnsbury
- Bock of Chester
- Brennan of Colchester
- Brownell of Pownal
- Canfield of Fair Haven
- Carroll of Bennington
- Chase of Colchester
- Conquest of Newbury
- Cupoli of Rutland City
- Donahue of Northfield
- Fagan of Rutland City
- Fegard of Berkshire
- Felts of Lyndon
- Gamache of Swanton
- Goslan of Northfield
- Bancroft of Westford
- Batchelor of Derby
- Beck of St. Johnsbury
- Bock of Chester
- Brennan of Colchester
- Brownell of Pownal
- Canfield of Fair Haven
- Carroll of Bennington
- Chase of Colchester
- Conquest of Newbury
- Cupoli of Rutland City
- Donahue of Northfield
- Fagan of Rutland City
- Fegard of Berkshire
- Felts of Lyndon
- Gamache of Swanton
- Goslan of Northfield

Those who voted in the negative are:

- Ancel of Calais
- Anthony of Barre City
- Austin of Colchester
- Bartholomew of Hartland
- Bates of Bennington
- Biron of Vergennes
- Briglin of Thetford
- Browning of Arlington
- Brumsted of Shelburne
- Burditt of West Rutland
- Burke of Brattleboro
- Campbell of St. Johnsbury
- Chestnut-Tangerman of Middletown Springs
- Christensen of Weathersfield
- Christie of Hartford
- Coffey of Guilford
- Colburn of Burlington
- Colston of Winooski
- Ancel of Calais
- Anthony of Barre City
- Austin of Colchester
- Bartholomew of Hartland
- Bates of Bennington
- Biron of Vergennes
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- Colston of Winooski

Giambatista of Essex
Grad of Moretown
Haas of Rochester
Hashim of Dummerston
Hooper of Montpelier
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Houghton of Essex
Howard of Rutland City
James of Manchester
Jerome of Brandon
Jessup of Middlesex
Jickling of Randolph
Killacky of South Burlington
Kitzmiller of Montpelier
Kornheiser of Brattleboro
Krowinski of Burlington
LaLonde of South
LaLonde of South
Lefebvre of Newbury
Marcotte of Coventry
Martel of Waterford
Math of Milton
McCoy of Poultney
McFaun of Barre Town
Morgan of Milton
Morrissey of Bennington
Myers of Essex
Norris of Shoreham
Page of Newport City
Palisik of Milton
Potter of Clarendon
Quinby of Concord
Rosenquist of Georgia
Scheuermann of Stowe
Seymour of Sutton
Shaw of Pittsford
Smith of Derby
Smith of New Haven
Smith of New Haven
Strong of Albany
Terenzini of Rutland Town
Toof of St. Albans Town
Ode of Burlington
O'Sullivan of Burlington
Pajala of Londonderry
Partridge of Windham
Pugh of South Burlington
Rachelson of Burlington
Ralph of Hartland
Redmond of Essex
Rogers of Waterville
Schue of Middlebury
Sheldon of Middlebury
Squirrel of Underhill
Stevens of Waterbury
Sullivan of Dorset
Sullivan of Burlington
Szott of Barnard
Taylor of Colchester
Till of Jericho
Toleno of Brattleboro
Pending the question, Shall the bill be read a third time? Rep. Brennan of Colchester moved that the House propose to the Senate to amend the bill as follows:

In Sec. 3, 13 V.S.A. § 4019a, by adding a new subsection (d) to read as follows:

(d) This section shall not apply if the proposed seller is a licensed firearms dealer under 18 U.S.C. § 923 and the proposed purchaser presents the proposed seller with:

   (1) a currently effective abuse prevention order issued under 15 V.S.A. chapter 21 or 33 V.S.A. chapter 69, or a currently effective order against stalking or sexual assault issued under 12 V.S.A. chapter 178; or

   (2) a written statement signed by a municipality’s chief law enforcement officer attesting that there is an immediate risk of harm to the proposed purchaser that under the circumstances outweighs the benefits of waiting 24 hours before purchasing a firearm.

Pending the question, Shall the House propose to the Senate to amend the bill as offered by Rep. Brennan of Colchester? Rep. Cupoli of Rutland City 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 House propose to the Senate to amend the bill as offered by Rep. Brennan of Colchester? was decided in the negative. Yeas, 49. Nays, 93.

Those who voted in the affirmative are:
<table>
<thead>
<tr>
<th>Bancroft of Westford</th>
<th>Graham of Williamstown</th>
<th>Norris of Shoreham</th>
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<tr>
<td>Batchelor of Derby</td>
<td>Gregoire of Fairfield</td>
<td>Page of Newport City</td>
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<td>Beck of St. Johnsbury</td>
<td>Hango of Berkshire</td>
<td>Palaski of Milton</td>
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<td>Bock of Chester</td>
<td>Harrison of Chittenden</td>
<td>Potter of Clarendon</td>
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<td>Brennan of Colchester</td>
<td>Helm of Fair Haven</td>
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<td>Browning of Arlington</td>
<td>Higley of Lowell</td>
<td>Rosenquist of Georgia</td>
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<td>Canfield of Fair Haven</td>
<td>LaClair of Barre Town</td>
<td>Savage of Swanton</td>
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<td>Scheuermann of Stowe</td>
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<td>Corcoran of Bennington</td>
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<td>Cupoli of Rutland City</td>
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<td>Mattos of Milton</td>
<td>Smith of New Haven</td>
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<td>Fagan of Rutland City</td>
<td>McCoy of Poultney</td>
<td>Strong of Albany</td>
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<td>Fegard of Berkshire</td>
<td>McFaun of Barre Town</td>
<td>Terenzini of Rutland Town</td>
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<td>Feltus of Lyndon</td>
<td>Morgan of Milton</td>
<td>Toof of St. Albans Town</td>
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<td>Gamache of Swanton</td>
<td>Morrissey of Bennington</td>
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<td>Gosiant of Northfield</td>
<td>Myers of Essex</td>
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</tbody>
</table>

Those who voted in the negative are:

Ancel of Calais  Gonzalez of Winooski  O'Brien of Tunbridge  
Anthony of Barre City Grad of Moretown  Ode of Burlington  
Austin of Colchester Haas of Rochester  O'Sullivan of Burlington  
Bartholomew of Hartland Hashim of Dummerston  Pajala of Londonderry  
Bates of Bennington Hill of Wolcott  Partridge of Windham  
Birong of Vergennes Hooper of Montpelier  Patt of Worcester  
Briglin of Thetford Hooper of Randolph  Pugh of South Burlington  
Brownell of Pownal Hooper of Burlington  Rachedson of Burlington  
Brumsted of Shelburne Houghton of Essex  Ralph of Hartland  
Burditt of West Rutland Howard of Rutland City  Redmond of Essex  
Burke of Brattleboro James of Manchester  Rogers of Waterville  
Campbell of St. Johnsbury Jerome of Brandon  Scheu of Middlebury  
Chesnut-Tangerman of Jessup of Middlesex  Sheldon of Middlebury  
Middletown Springs Jickling of Randolph  Squirrel of Underhill  
Christensen of Weathersfield Killacky of South Burlington  Stevens of Waterbury  
Christie of Hartford Kitzmiller of Montpelier  Sullivan of Dorset  
Coffey of Guilford Kornheiser of Brattleboro  Sullivan of Burlington  
Colburn of Burlington Krowniski of Burlington  Szott of Barnard  
Colston of Winooski LaLonde of South  Taylor of Colchester  
Conlon of Cornwall Burlington  Till of Jericho  
Conquest of Newbury Lanpher of Vergennes  Toleno of Brattleboro  
Copeland-Hanzas of Lippert of Hinesburg  Toll of Danville  
Bradford Long of Newfane  Townsend of South  
Cordes of Lincoln Makaig of Williston  Burlington  
Demrow of Corinth Masland of Thetford  Troiano of Stannard  
Dolan of Waitsfield McCarthy of St. Albans City  Walz of Barre City  
Donovan of Burlington McCormack of Burlington  Webb of Shelburne  
Durfee of Shafsbury McCullough of Williston  White of Hartford  
Elder of Starksboro Mrowicki of Putney  Wood of Waterbury  
Emmons of Springfield Murphy of Fairfax  Yacovone of Morristown  
Gardner of Richmond Nicoll of Ludlow  Yantachka of Charlotte  

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

- Giambatista of Essex
- Notte of Rutland City
- Young of Greensboro
- Noyes of Wolcott

Rep. Seymour of Sutton explained his vote as follows:

“Madam Speaker:

I am disappointed that this amendment was not supported by more members of the House. I truly felt this was an opportunity to make this bill better for all Vermonters. Let us not forget that gun rights are women's rights as well.”

Pending the question, Shall the bill be read a third time? Rep. Donahue of Northfield moved that the bill be committed to the committee on Health Care.

Pending the question, Shall the bill be committed to the Committee on Health Care? Rep. LaClair of Barre Town 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 committed to the Committee on Health Care? was decided in the negative. Yeas, 46. Nays, 94.

Those who voted in the affirmative are:

- Bancroft of Westford
- Batchelor of Derby
- Bock of Chester
- Brennan of Colchester
- Browell of Pownal
- Browning of Arlington
- Canfield of Fair Haven
- Cupoli of Rutland City
- Donahue of Northfield *
- Fagan of Rutland City
- Fegard of Berkshire
- Feltus of Lyndon
- Gamache of Swanton
- Goslant of Northfield
- Graham of Williamstown
- Gregoire of Fairfield
- Hango of Berkshire
- Harrison of Chittenden
- Helm of Fair Haven
- Higley of Lowell
- LaClair of Barre Town
- Lefebvre of Newark
- Leffler of Enosburgh
- Marcotte of Coventry
- Mattos of Coventry
- McCoy of Poulney
- McFaun of Barre Town
- Morgan of Milton
- Morrissey of Bennington
- Myers of Essex
- Norris of Shoreham
- Page of Newport City
- Palasik of Milton
- Potter of Clarendon
- Quimby of Concord
- Rogers of Waterville
- Rosenquist of Georgia
- Savage of Swanton
- Seymour of Sutton
- Shaw of Pittsford
- Smith of Derby
- Smith of New Haven
- Strong of Albany
- Szott of Barnard
- Terezini of Rutland Town
- Toof of St. Albans Town

Those who voted in the negative are:

- Ancel of Calais
- Anthony of Barre City
- Austin of Colchester
- Giambatista of Essex
- Gonzalez of Winooski
- Grad of Moretown
- O'Brien of Tunbridge
- Ode of Burlington
- O'Sullivan of Burlington
Bartholomew of Hartland Haas of Rochester Pajala of Londonderry
Bates of Bennington Hashim of Dummerston Partridge of Windham
Beck of St. Johnsbury Hill of Wolcott Patt of Worcester
Birong of Vergennes Hooper of Montpelier Pugh of South Burlington
Briglin of Thetford Hooper of Randolph Rachelson of Burlington
Brumsted of Shelburne Hooper of Burlington Ralph of Hartland
Burditt of West Rutland Houghton of Essex Redmond of Essex
Burke of Brattleboro Howard of Rutland City Scheu of Middlebury
Campbell of St. Johnsbury James of Manchester Scheuermann of Stowe
Carroll of Bennington Jerome of Brandon Sheldon of Middlebury
Chase of Colchester Jessup of Middlesex Squirrel of Underhill
Chesnut-Tangerman of Killacky of South Burlington Stevens of Waterbury
Middletown Springs Jickling of Randolph Sullivan of Dorset
Christensen of Weathersfield Kitzmiller of Montpelier Sullivan of Burlington
Christie of Hartford Kornheiser of Brattleboro Taylor of Colchester
Coffey of Guilford Krowinski of Burlington Till of Jericho
Collburn of Burlington LaLonde of South Toleno of Brattleboro
Colston of Winooski Burlington Toll of Danville
Conlon of Cornwall Lanpher of Vergennes Townsend of South
Conquest of Newbury Lippert of Hinesburg Burlington
Copeland-Hanzas of Long of Newfane Troiano of Stannard
Bradford Macaig of Williston Walz of Barre City
Corcoran of Bennington Masland of Thetford Webb of Shelburne
Cordes of Lincoln McCarthy of St. Albans City White of Hartford
Demrow of Corinth McCormack of Burlington Wood of Waterbury
Dolan of Waitsfield McCullough of Williston Yakovone of Morristown
Durfee of Shaftsbury Mrowicki of Putney Yantachka of Charlotte
Elder of Starksboro Murphy of Fairfax Young of Greensboro
Emmons of Springfield Nicoll of Ludlow
Gardner of Richmond Notte of Rutland City
Those members absent with leave of the House and not voting are:

Cina of Burlington Donovan of Burlington Martel of Waterford
Dickinson of St. Albans Gannon of Wilmington Sibilia of Dover
Town Kimbell of Woodstock Tlieber of Rockingham

Rep. Donahue of Northfield explained her vote as follows:

“Madam Speaker:

Is this a gun restriction law under the guise of suicide prevention, or a suicide prevention effort through the vehicle of a gun restriction law? A refusal to have the Health Care committee review it answers that question.”

Pending the question, Shall the bill be read a third time? Rep. McCoy of Poultnex 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 read a third time? was decided in the affirmative. Yeas, 82. Nays, 58.

Those who voted in the affirmative are:

Ancel of Calais *  Giambatista of Essex  Ode of Burlington
Anthony of Barre City  Gonzalez of Winooski  O'Sullivan of Burlington
Austin of Colchester *  Grad of Moretown *  Partridge of Windham
Bartholomew of Hartland  Haas of Rochester  Patt of Worcester
Bates of Bennington  Hashim of Dummerston  Pugh of South Burlington
Birong of Vergennes  Hooper of Montpelier  Raelchson of Burlington
Briglin of Thetford  Hooper of Burlington  Ralph of Hartland
Brumsted of Shelburne  Houghton of Essex  Redmond of Essex *
Burke of Brattleboro  Howard of Rutland City  Scheu of Middlebury
Campbell of St. Johnsbury  James of Manchester  Sheldon of Middlebury
Carroll of Bennington  Jerome of Brandon  Squirrel of Underhill
Chesnut-Tangerman of Middletown  Jessup of Middlesex  Stevens of Waterbury
Christensen of Weathersfield  Killacky of South Burlington  Sullivan of Dorset
Christie of Hartford  Kitzmiller of Montpelier  Taylor of Colchester
Coffey of Guilford  Kornheiser of Brattleboro  Till of Jericho
Colburn of Burlington  Krowinski of Burlington  Tolo of Brattleboro
Colston of Winooski  LaLonde of South  Toll of Danville
Conlon of Cornwall  Burlington  Townsend of South
Conquest of Newbury  Lanpher of Vergennes  Burlington
Copeland-Hanzas of Bradford  Lippert of Hinesburg  Troiano of Stannard
Coffey of Guilford  Long of Newfane  Walz of Barre City
Colburn of Burlington  Macaig of Williston  Webb of Sherburne
Conlon of Cornwall  Mawser of Williston  White of Hartford
Copeland-Hanzas of Bradford  Masland of Thetford  Wood of Waterbury
Cross of Bennington  McCarthy of St. Albans  Yang of Morristown
Cordes of Lincoln  McCormack of Burlington  Yantachka of Charlotte
Dolan of Waitsfield  McCullough of Williston  Yantachka of Charlotte
Emmons of Springfield  Mrowicki of Putney *  Yantachka of Charlotte
Gardner of Richmond  Murphy of Fairfax  Nicoll of Ludlow

Those who voted in the negative are:

Bancroft of Westford  Hango of Berkshire  O’Brien of Tunbridge
Batchelor of Derby  Harrison of Chittenden  Page of Newport City
Beck of St. Johnsbury  Helm of Fair Haven  Pajala of Londonderry
Bock of Chester  Higley of Lowell  Palasik of Milton
Brennan of Colchester  Hill of Wolcott  Potter of Clarendon
Brownell of Pownal  Hooper of Randolph  Quinby of Concord
Browning of Arlington  Jickling of Randolph  Rogers of Waterville
Burditt of West Rutland  LaClair of Barre Town  Rosenquist of Georgia
Canfield of Fair Haven  Lefebvre of Newark  Savage of Swanton
Chase of Colchester  Lefler of Enosburgh  Scheuermann of Stowe
Cupoli of Rutland City  Marcotte of Coventry  Seymour of Sutton
Demrow of Corinth  Mathis of Milton  Shaw of Pittsford
Donahue of Northfield  McCoy of Poultney  Smith of Derby
Fagan of Rutland City  McFaun of Barre Town  Smith of New Haven
Fegard of Berkshire  Morgan of Milton  Strong of Albany
Feltus of Lyndon  Morrissey of Bennington  Szott of Barnard
Gamache of Swanton  Myers of Essex  Terenzini of Rutland Town
Goslant of Northfield  Norris of Shoreham  Toof of St. Albans Town
Graham of Williamstown  Notte of Rutland City
Gregoire of Fairfield  Noyes of Wolcott

Those members absent with leave of the House and not voting are:
Cina of Burlington  Donovan of Burlington  Sibilia of Dover
Dickinson of St. Albans Town  Gannon of Wilmington  Trieb of Rockingham
Martel of Waterford  Young of Greensboro

Rep. Ancel of Calais explained her vote as follows:
“Madam Speaker:

When my husband was serving in the Vermont Senate, he introduced a waiting period bill. He introduced it because of concerns about domestic violence and suicide prevention. That was 30 years ago. All I can think to say at this moment is, Finally!”

Rep. Austin of Colchester explained her vote as follows:
“Madam Speaker:

Andrew Black was a student of mine and I do wonder if this law had been enacted earlier if he would be alive today.”

Rep. Grad of Moretown explained her vote as follows:
“Madam Speaker:

I vote yes. S. 169 moves us towards our goals of suicide prevention, preventing domestic violence related homicides, and decreasing firearm related crimes such as human and drug trafficking. S. 169 is an important public health and safety measure that will save lives.”

Rep. Mrowicki of Putney explained his vote as follows:
“Madam Speaker:

My yes vote is for public safety. This bill will slow down a situation spinning out of control and help keep firearms out of the wrong hands at the wrong time. And, yes if it saves one life, it’s worth it.”

Rep. Redmond of Essex explained her vote as follows:
“Madam Speaker:

Today, Everytown for Gun Safety released the results of a survey of 800 VT adults. It shows that 80 percent of Vermonners support a 24-hour waiting
period for all handgun sales. The survey also indicates that 75 percent of Vermonters support gun violence prevention legislation that was passed by VT lawmakers last year. My Essex constituents overwhelmingly support S. 169 and I have heard from dozens and dozens of them. I cast my vote this evening in favor of a waiting period and I do so in honor of a beloved young man from Essex who departed this life much too early, and his courageous parents whose advocacy will save future VT lives.”

Adjournment

At eight o'clock and thirty-three minutes in the evening, on motion of Rep. McCoy of Poultney, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.