Journal of the House

Tuesday, June 9, 2020

At nine o’clock in the forenoon the Speaker called the House to order.

Devotional Exercises
Devotional exercises were conducted by Rep. Selene Colburn of Burlington.

Committee Bill Introduced
H. 962
By the committee on Judiciary,
An act relating to the duration of temporary relief from abuse orders;
Was read and pursuant to House rule 48, bill placed on the Calendar for Notice.

Committee Bill Introduced
H. 963
By the committee on Judiciary,
An act relating to sunsets related to judiciary procedures;
Was read and pursuant to House rule 48, bill placed on the Calendar for Notice.

Senate Bill Referred
S. 232
Senate bill, entitled
An act relating to implementing the expansion of juvenile jurisdiction
Was read and referred to the committee on Judiciary.

Senate Bill Referred
S. 294
Senate bill, entitled
An act relating to expanding access to expungement and sealing of criminal history records
Was read and referred to the committee on Judiciary.
Senate Bill Referred

S. 349

Senate bill, entitled
An act relating to emergency funding for local government
Was read and referred to the committee on Appropriations.

Bill Amended; Read Third Time; Bill Passed

H. 961

House bill, entitled
An act relating to making first quarter fiscal year 2021 appropriations for the support of State government, federal Coronavirus Relief Fund (CRF) appropriations, pay act appropriations, and other fiscal requirements for the first part of the fiscal year

Was taken up and pending third reading of the bill, Reps. Webb of Shelburne, Austin of Colchester, Batchelor of Derby, Conlon of Cornwall, Cupoli of Rutland City, Giambatista of Essex, Hooper of Randolph, James of Manchester, Mattos of Milton and Toof of St. Albans Town moved to amend the bill as follows:

First: by striking Sec. A.9, [RESERVED], in its entirety and inserting in lieu thereof the following:

Sec. A.9. SELECT COMMITTEE ON THE FUTURE OF PUBLIC HIGHER EDUCATION IN VERMONT; REPORTS

(a) Creation. There is created the Select Committee on the Future of Public Higher Education in Vermont (Committee) to assist the State of Vermont in developing a vision and plan for a high-quality, affordable, and workforce-connected future for public higher education in the State.

(b) Membership.

(1) The Committee shall be composed of up to the following 22 members:

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

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

(C) the Interim Chancellor of the Vermont State Colleges (VSC) or designee, and a representative of each of the VSC Board of Trustees, VSC
campus administration, VSC faculty, and VSC students, each appointed by the Interim Chancellor;

(D) the President of the University of Vermont or designee and a representative of the UVM Board of Trustees, appointed by the President;

(E) the Secretary of Commerce and Community Development or designee;

(F) the Secretary of Education or designee;

(G) the Commissioner of Labor or designee;

(H) three representatives of the business community, appointed by the Steering Group created under subsection (c) of this section;

(I) two community members representing regions of the State that are not otherwise represented, appointed by the Steering Group created under subsection (c) of this section;

(J) the President of the Vermont Student Assistance Corporation or designee;

(K) two representatives from Vermont organizations dedicated to higher education or workforce development, such as Advance Vermont, VSC Forward, or the Vermont Talent Management Pipeline, appointed by the Steering Group created under subsection (c) of this section;

(L) up to two members appointed at the discretion of the Steering Group created under subsection (c) of this section.

(2) A Committee member may be appointed to fill more than one role as identified in subdivision (1) of this subsection.

(c) Steering Group. On or before June 29, 2020, the Speaker of the House and the President Pro Tempore shall jointly appoint three members of the Committee, and the Governor shall appoint two members of the Committee, to serve as members of a Steering Group. The Steering Group shall provide leadership to the Committee and shall work with a consulting firm to analyze the issues, challenges, and opportunities facing Vermont’s postsecondary institutions, as well as create a formal action plan to drive change and innovation in the State's postsecondary institutions. The Steering Group may form one or more subcommittees of the Committee to address key topic areas in greater depth.

(d) Collaboration. The Committee shall seek input from and collaborate with key stakeholders, as directed by the Steering Group.
(e) Powers and duties. The Committee shall study the structure of public higher education in Vermont, build on previous studies in this area, and offer recommendations on how to increase affordability, access, retention, attainment, relevance, and fiscal sustainability, including the following issues:

(1) the financial sustainability of the public higher education structure and its impact on institutional capacity to innovate and meet State goals and learners’ needs, including a comparison of higher education programs, delivery models, and structures in other states;

(2) the current organizational structure of public higher education in Vermont and its ability to promote student success; and

(3) the alignment of higher education and workforce development goals, policy frameworks, and partnerships between businesses and institutions of higher education that are designed to meet the needs of employers and promote the public value of education.

(f) Consultant. The Vermont Legislative Joint Fiscal Office, in collaboration with the New England Board of Higher Education (NEBHE), shall issue a request for proposal to hire a consultant to assist the Committee with responses due from interested parties on or before July 17, 2020. On or before July 31, 2020, the Steering Group shall select the consultant.

(g) Assistance. The Committee shall have the administrative and technical assistance of the Vermont Legislative Joint Fiscal Office. NEBHE shall provide project management support to the Committee.

(h) Reports. Recognizing the need for near-term action on system structure, governance, funding, and sustainability, the Committee, through its Steering Group, shall use a phased approach to reporting. The first interim report shall be due on or before December 20, 2020 and shall focus on the topics described in subdivision (e)(1) of this section; the second interim report shall be due on or before June 15, 2021 and shall focus on the topics described in subdivisions (e)(2) and (3) of this section; and the final report, which shall collate findings relative to subsection (e) of this section and include the action plan, shall be due on or before December 15, 2021. All reports shall be in writing and be delivered to the General Assembly and the Governor.

(i) Meetings.

(1) The Secretary of Education or designee shall call the first meeting of the Committee to occur on or before August 28, 2020.

(2) The Speaker of the House and the President Pro Tempore shall jointly select the Committee chair.

(3) A majority of the membership shall constitute a quorum.
(4) The Committee shall cease to exist on January 31, 2022.

(j) 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.

(2) Other members of the Committee, who are not employees of the State of Vermont, shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010.

(3) Compensation and reimbursement under this subsection shall be, in each fiscal year 2021 and 2022, for a maximum of:

(A) six in-person meetings of the Committee;

(B) eight in-person meetings of the Steering Group; and

(C) four remote meetings of up to four subcommittees, assuming compensation and reimbursement for up to five members of each subcommittee.

(4) Payments authorized under this subsection shall be made from monies appropriated to the Vermont Legislative Joint Fiscal Office.

(k) Appropriations.

(1) The sum of $40,250.00 is appropriated from the General Fund to the Secretary of Education in fiscal year 2021 for per diem compensation and reimbursement of expenses for members of the Committee, Steering Group, and subcommittees.

(2) The Vermont Legislative Joint Fiscal Office is authorized to transfer funds identified in Sec. A.3(b) of this act to carry out the actions required under this section.

Second: in Sec. A.40, effective dates, by striking out subsection (a) in its entirety and inserting in lieu thereof the following:

(a) This section and Secs. A.7 (pilot position sunset extension), A.8 (sunset extension), A.9 (Select Committee on the Future of Public Higher Education in Vermont), A.18 (military reclassification), A.20 (repurposing one-time appropriation), A.22 (education fund appropriation technical correction), and A.26 (Bennington waterline loan subsidy increase) shall take effect upon passage.

Which was agreed to. Thereupon, the bill was read the third time.
Pending the question, Shall the bill pass? **Rep. McFaun of Barre Town** asked leave of the House to offer an amendment after third reading.

Pending the question, Shall Rep. McFaun of Barre Town be granted leave of the House to offer an amendment after third reading? **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 Rep. McFaun of Barre Town be granted leave of the House to offer an amendment after third reading? was decided in the negative. Yeas, 73. Nays, 74.

Those who voted in the affirmative are:

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<tr>
<th>Bates of Bennington</th>
<th>Gonzalez of Winooski</th>
<th>Pajala of Londonderry</th>
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<tr>
<td>Beck of St. Johnsbury</td>
<td>Goslant of Northfield</td>
<td>Palasik of Milton</td>
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<td>Bock of Chester</td>
<td>Gregoire of Fairfield</td>
<td>Quimby of Concord</td>
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<td>Brownell of Pownal</td>
<td>Haas of Rochester</td>
<td>Rachelson of Burlington</td>
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<td>Browning of Arlington</td>
<td>Hango of Berkshire</td>
<td>Ralph of Hartland</td>
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<td>Brumsted of Shelburne</td>
<td>Harrison of Chittenden</td>
<td>Rogers of Waterville</td>
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<td>Burditt of West Rutland</td>
<td>Hashim of Dummerston</td>
<td>Rosenquist of Georgia</td>
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<td>Burke of Brattleboro</td>
<td>Higley of Lowell</td>
<td>Savage of Swanton</td>
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<td>Canfield of Fair Haven</td>
<td>Hill of Wolcott</td>
<td>Scheuermann of Stowe</td>
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<td>Carroll of Bennington</td>
<td>Hooper of Randolph</td>
<td>Seymour of Sutton</td>
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<td>Chase of Colchester</td>
<td>Houghton of Essex</td>
<td>Shaw of Pittsford</td>
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<td>Chesnut-Tangeman of Middletown Springs</td>
<td>LaClair of Barre Town</td>
<td>Sibilia of Dover</td>
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<td>Christensen of Weathersfield</td>
<td>Leffler of Enosburgh</td>
<td>Smith of Derby</td>
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<td>Cina of Burlington</td>
<td>Martel of Waterford</td>
<td>Smith of New Haven</td>
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<td>Colburn of Burlington</td>
<td>McCormack of Burlington</td>
<td>Strong of Albany</td>
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<td>Corcoran of Bennington</td>
<td>McCoy of Poultney</td>
<td>Szott of Barnard</td>
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<td>Cordes of Lincoln</td>
<td>McFaun of Barre Town</td>
<td>Terenzini of Rutland Town</td>
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<td>Demrow of Corinth</td>
<td>Morgan of Milton</td>
<td>Toof of St. Albans Town</td>
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<td>Donahue of Northfield</td>
<td>Morris of Springfield</td>
<td>Walz of Barre City</td>
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<td>Donovan of Burlington</td>
<td>Morrissey of Bennington</td>
<td>Wood of Waterbury</td>
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<td>Elder of Starksboro</td>
<td>Nicoll of Ludlow</td>
<td>Yacovone of Morristown</td>
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<td>Feltus of Lyndon</td>
<td>Noyes of Wolcott</td>
<td>Yantachka of Charlotte</td>
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<td>Gamache of Swanton</td>
<td>O'Sullivan of Burlington</td>
<td>Young of Greensboro</td>
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<td>Gardner of Richmond</td>
<td>Page of Newport City</td>
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Those who voted in the negative are:

<table>
<thead>
<tr>
<th>Ancel of Calais</th>
<th>Grad of Moretown</th>
<th>Norris of Shoreham</th>
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<tr>
<td>Anthony of Barre City</td>
<td>Graham of Williamstown</td>
<td>Notte of Rutland City</td>
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<td>Austin of Colchester</td>
<td>Helm of Fair Haven</td>
<td>O'Brien of Tunbridge</td>
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<td>Bancroft of Westford</td>
<td>Hooper of Montpelier</td>
<td>Ode of Burlington</td>
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<tr>
<td>Bartholomew of Hartland</td>
<td>Hooper of Burlington</td>
<td>Partridge of Windham</td>
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<tr>
<td>Batchelor of Derby</td>
<td>Howard of Rutland City</td>
<td>Patt of Worcester</td>
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<tr>
<td>Biron of Vergennes</td>
<td>James of Manchester</td>
<td>Potter of Clarendon</td>
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<tr>
<td>Brennan of Colchester</td>
<td>Jerome of Brandon</td>
<td>Pugh of South Burlington</td>
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<tr>
<td>Briglin of Thetford</td>
<td>Jessup of Middlesex</td>
<td>Redmond of Essex</td>
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Those members absent with leave of the House and not voting are:

Kitzmiller of Montpelier
Till of Jericho

Rep. Toll of Danville explained her vote as follows:

“Madam Speaker:

Of course I support the voice of students to be part of any committee that impacts them. However, I am concerned with the total number of any one group dominating a committee. This could possibly allow for more than 9 members on this committee and that concerns me.”

Rep. Webb of Shelburne explained her vote as follows:

“Madam Speaker:

Our rules require that amendments be presented before third reading for many reasons. This bill has as long path to enactment and is unlikely to remain as it is after leaving this chamber.”

Rep. Wood of Waterbury explained her vote as follows:

“Madam Speaker:

While I do not support the amendment, I support a member’s right to request an amendment.”

Thereupon the bill was passed.
Third Reading; Bill Passed

H. 960

House bill, entitled
An act relating to miscellaneous health care provisions
Was taken up, read the third time and passed.

Rules Suspended; Bills Messaged to Senate Forthwith

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

H. 960

House bill, entitled
An act relating to miscellaneous health care provisions

H. 961

House bill, entitled
An act relating to making first quarter fiscal year 2021 appropriations for the support of State government, federal Coronavirus Relief Fund (CRF) appropriations, pay act appropriations, and other fiscal requirements for the first part of the fiscal year

Adjournment

At ten o'clock and thirty minutes in the forenoon, on motion of Rep. McCoy of Poultney, the House adjourned until tomorrow at two o'clock in the afternoon.