

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:

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

Those who voted in the negative are:

Ancel of Calais	Grad of Moretown	Norris of Shoreham
Anthony of Barre City	Graham of Williamstown	Notte of Rutland City
Austin of Colchester	Helm of Fair Haven	O'Brien of Tunbridge
Bancroft of Westford	Hooper of Montpelier	Ode of Burlington
Bartholomew of Hartland	Hooper of Burlington	Partridge of Windham
Batchelor of Derby	Howard of Rutland City	Patt of Worcester
Birong of Vergennes	James of Manchester	Potter of Clarendon
Brennan of Colchester	Jerome of Brandon	Pugh of South Burlington
Briglin of Thetford	Jessup of Middlesex	Redmond of Essex

Campbell of St. Johnsbury	Killacky of South Burlington	Reed of Braintree
Christie of Hartford	Kimbell of Woodstock	Scheu of Middlebury
Coffey of Guilford	Kornheiser of Brattleboro	Sheldon of Middlebury
Colston of Winooski	Krowinski of Burlington	Squirrell of Underhill
Conlon of Cornwall	LaLonde of South	Stevens of Waterbury
Conquest of Newbury	Burlington	Sullivan of Burlington
Copeland Hanzas of	Lanpher of Vergennes	Taylor of Colchester
Bradford	Lippert of Hinesburg	Toleno of Brattleboro
Cupoli of Rutland City	Long of Newfane	Toll of Danville *
Dickinson of St. Albans	Macaig of Williston	Townsend of South
Town	Marcotte of Coventry	Burlington
Dolan of Waitsfield	Masland of Thetford	Troiano of Stannard
Durfee of Shaftsbury	Mattos of Milton	Tully of Rockingham
Emmons of Springfield	McCarthy of St. Albans City	Webb of Shelburne
Fagan of Rutland City	McCullough of Williston	White of Hartford
Fegard of Berkshire	Mrowicki of Putney	
Gannon of Wilmington	Murphy of Fairfax	
Giambatista of Essex	Myers of Essex	

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.