

Journal of the House

Friday, March 26, 2021

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

A moment of silence was held in lieu of a devotional.

Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time, and referred as follows:

S. 3

Senate bill, entitled

An act relating to competency to stand trial and insanity as a defense

To the Committee on Judiciary.

S. 51

Senate bill, entitled

An act relating to the persons authorized to make contributions to candidates and political parties and to political committee names

To the Committee on Government Operations.

S. 60

Senate bill, entitled

An act relating to allowing municipal and cooperative utilities to offer innovative rates and services

To the Committee on Energy and Technology.

S. 62

Senate bill, entitled

An act relating to creating incentives for new remote and relocation workers

To the Committee on Commerce and Economic Development.

S. 66

Senate bill, entitled
An act relating to electric bicycles
To the Committee on Transportation.

S. 97

Senate bill, entitled
An act relating to miscellaneous judiciary procedures
To the Committee on Judiciary.

Bill Amended; Read Third Time; Bill Passed**H. 210**

House bill, entitled
An act relating to addressing disparities and promoting equity in the health care system

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

First: In Sec. 3, 18 V.S.A. chapter 6, in section 252, Health Equity Advisory Commission, in subsection (b), in subdivision (1)(A), by striking out “, who shall serve as chair”

Second: In Sec. 3, 18 V.S.A. chapter 6, in section 252, Health Equity Advisory Commission, in subsection (c), by striking out subdivision (1) in its entirety and inserting in lieu thereof a new subdivision (1) to read as follows:

(1) provide guidance on the development of the Office of Health Equity, which shall be established based on the Advisory Commission’s recommendations as soon as fiscally practicable to do so, including guidance on:

- (A) the structure, responsibilities, and jurisdiction of the Office;
- (B) whether the Office shall be independent and, if not, in which State agency or department it shall be situated;
- (C) how the Office shall be staffed;
- (D) the populations served and specific issues addressed by the Office;
- (E) the duties of the Office, including how grant funds shall be managed and distributed; and

(F) the time frame and necessary steps to establish the Office;

Third: In Sec. 3, 18 V.S.A. chapter 6, in section 252, Health Equity Advisory Commission, in subsection (c), by inserting subdivisions (5) and (6) to read as follows:

(5) advise the Department of Health on any funding decisions relating to eliminating health disparities and promoting health equity, including the distribution of federal monies related to COVID-19;

(6) to the extent funds are available for the purpose, distribute grants that stimulate the development of community-based and neighborhood-based projects that will improve the health outcomes of individuals who are Black, Indigenous, and Persons of Color; individuals who are LGBTQ; and individuals with disabilities; and

and by renumbering the remaining subdivision to be numerically correct.

Fourth: In Sec. 3, 18 V.S.A. chapter 6, in section 252, Health Equity Advisory Commission, in subsection (f), by striking out subdivisions (2) and (3) in their entirety and inserting new subdivisions (2) and (3) to read as follows:

(2) The Advisory Commission shall select a chair and vice chair at its first meeting and annually thereafter.

(3) The Advisory Commission shall adopt procedures to govern its proceedings, including voting procedures and how the staggered terms shall be apportioned among members.

Fifth: In Sec. 4, 3 V.S.A. § 5003, duties of Executive Director of Racial Equity, in subsection (a), in subdivision (4), by striking out “and chairing” and inserting in lieu thereof “the establishment of”

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

Third Reading; Bill Passed**H. 438**

House bill, entitled

An act relating to capital construction and State bonding

Was taken up, read the third time, and passed.

Bill Amended; Read Third Time; Bill Passed**H. 439**

House bill, entitled

An act relating to making appropriations for the support of government

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

First: By striking out Sec. B.130 in its entirety and inserting in lieu thereof a new Sec. B.130 to read as follows:

Sec. B.130 Auditor of accounts

Personal services	3,965,350
Operating expenses	<u>155,226</u>
Total	4,120,576

Source of funds

General fund	344,615
Special funds	53,145
Internal service funds	<u>3,722,816</u>
Total	4,120,576

Second: By striking out Sec. B.202 in its entirety and inserting in lieu thereof a new Sec. B.202 to read as follows:

Sec. B.202 Defender general - public defense

Personal services	12,730,062
Operating expenses	<u>1,140,326</u>
Total	13,870,388

Source of funds

General fund	13,280,735
Special funds	<u>589,653</u>
Total	13,870,388

Third: By striking out Sec. B.203 in its entirety and inserting in lieu thereof a new Sec. B.203 to read as follows:

Sec. B.203 Defender general - assigned counsel

Personal services	6,146,919
Operating expenses	<u>49,500</u>
Total	6,196,419

Source of funds

General fund	<u>6,196,419</u>
Total	6,196,419

Fourth: By striking out Sec. B.301 in its entirety and inserting in lieu thereof a new Sec. B.301 to read as follows:

Sec. B.301 Secretary's office - global commitment

Grants	<u>1,675,247,843</u>
Total	1,675,247,843

Source of funds

General fund	558,903,959
Special funds	33,370,086
Tobacco fund	21,049,373
State health care resources fund	17,078,501
Federal funds	1,040,227,487
Interdepartmental transfers	<u>4,618,437</u>
Total	1,675,247,843

Fifth: By striking out Sec. B.312 in its entirety and inserting in lieu thereof a new Sec. B.312 to read as follows:

Sec. B.312 Health - public health

Personal services	48,721,754
Operating expenses	10,018,085
Grants	<u>38,742,061</u>
Total	97,481,900

Source of funds

General fund	11,154,334
Special funds	18,897,491
Tobacco fund	1,088,918
Federal Coronavirus Relief Fund	0
Federal funds	49,379,385
Global Commitment fund	15,938,423
Interdepartmental transfers	998,423

Permanent trust funds	<u>25,000</u>
Total	97,481,900

Sixth: By striking out Sec. B.317 in its entirety and inserting in lieu thereof a new Sec. B.317 to read as follows:

Sec. B.317 Department for children and families - family services

Personal services	39,332,995
Operating expenses	4,997,338
Grants	<u>81,171,012</u>
Total	125,501,345

Source of funds

General fund	49,047,462
Special funds	729,587
Federal funds	31,365,138
Global Commitment fund	44,344,158
Interdepartmental transfers	<u>15,000</u>
Total	125,501,345

Seventh: By striking out Sec. B.318 in its entirety and inserting in lieu thereof a new Sec. B.318 to read as follows:

Sec. B.318 Department for children and families - child development

Personal services	5,281,429
Operating expenses	848,079
Grants	<u>77,021,841</u>
Total	83,151,349

Source of funds

General fund	21,819,614
Special funds	16,820,000
Tobacco fund	0
Federal funds	33,574,814
Global Commitment fund	10,914,421
Interdepartmental transfers	<u>22,500</u>

Total	83,151,349
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Eighth: By striking out Sec. B.701 in its entirety and inserting in lieu thereof a new Sec. B.701 to read as follows:

Sec. B.701 Natural resources - state land local property tax assessment

Operating expenses	<u>2,617,540</u>
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Total	2,617,540
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Source of funds

General fund	2,196,040
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Interdepartmental transfers	<u>421,500</u>
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Total	2,617,540
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Ninth: In Sec. B.1102, American Rescue Plan Act of 2021 – coronavirus state fiscal recovery fund appropriations, by striking out subdivision (a)(12) in its entirety and renumbering the remaining subdivisions to be numerically correct.

Tenth: In Sec. C.100, fiscal year 2021 one-time General Fund appropriations, by

striking out subdivisions (a)(1) and (a)(3) in their entirety and renumbering the remaining subdivisions to be numerically correct.

Eleventh: In Sec. D.101, fund transfers, reversions, and reserves, in subsection (a) by inserting a new subdivision (a)(7) to read as follows:

(7) From the General Fund to the Human Rights Commission Fund (21692): \$300,000.

Twelfth: In Sec. E. 321, Department for Children and Families, emergency housing, fiscal year 2022, in subsection (a), in the second sentence after “Federal Emergency Management Agency; Emergency” by striking out the word “Medical” and inserting the word “Rental.”

Thirteenth: By inserting a new section to be Sec. E.602.3 to read as follows:

Sec. E.602.3 VERMONT STATE COLLEGES WORKFORCE DEVELOPMENT AND EDUCATION

(a) Funds appropriated to the Vermont State Colleges in Sec. B.1102(a)(10)(C) of this act for statewide workforce training critical to post pandemic State economic recovery, in coordination with the Department of Labor, shall be allocated as follows:

(1) Welcome home scholarships. \$4,000,000 to provide scholarships of \$5,000 per year or \$2,500 per semester for full-time students enrolled for 12 or more credits, or \$3,000 per year or \$1,500 per semester for part-time students, to Vermonters transferring from out-of-state institutions or returning to school after exiting in 2020–2021. This program’s mission is to incentivize students to come home to Vermont by transferring to VSCS institutions and to complete their degree if they left school without finishing in 2020–2021.

(2) Degree completion program. \$3,000,000 to provide scholarships for up to 30 credits towards a credential of value for adult learners who have earned at least 40 credits towards an undergraduate degree and have a gap in attendance of at least two years.

(3) Critical occupations; graduate internship scholarships. \$2,000,000 to provide scholarships for up to 12 credits and incentive payments of \$15.00 per hour for up to 240 hours per semester for graduate students who are required to fulfill an internship, practicum, or clinical requirement for a graduate degree in education or mental health counseling.

(4) Critical occupations; undergraduate internship scholarships. \$1,000,000 to provide incentive payments of \$15.00 per hour for up to 240 hours per semester for undergraduate students who are required to fulfill an internship, practicum, or clinical requirement for an undergraduate degree in education or allied health.

(5) Free tuition for critical occupation careers. \$5,500,000 to provide free last dollar tuition for one year of undergraduate studies for critical occupation careers, including bookkeeping certificate, IT service desk specialist certificate, certified production technician, graphic design certificate, software and web development program, practical nursing program, electrical and plumbing apprenticeships, child care, nursing programs, mental health counseling, paramedicine, dental hygiene, certificate in accounting, small business management, radiologic science, and respiratory therapy.

(6) Workforce development 2.0. \$3,000,000 to provide funding for up to six credits or two courses, including wraparound services, for Vermonters whose employment was impacted by the COVID-19 public health emergency since March 13, 2020.

(7) Long-term care facility LPN program. \$2,000,000.00 to provide funding for tuition and wraparound services for students to pursue a practical nursing certificate program.

(b) Report. On or before January 15, 2022, the Vermont State Colleges shall submit to the General Assembly a progress report concerning the implementation of this section.

Fourteenth: In Sec. E.605, Vermont student assistance corporation, by striking out subsection (b) in its entirety, and renumber the remaining subsections to be numerically correct.

Fifteenth: In Sec. E.915, transportation – town highway aid program, by striking out subsection (a) in its entirety, and inserting in lieu thereof the following:

(a) The total appropriation in Secs. B.915 and B.1104(a)(1)(B) is authorized, notwithstanding the provisions of 19 V.S.A. § 306(a).

Sixteenth: In Sec. G.100, provision of effective dates, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) Secs. C.100 through C.106 (Fiscal Year 2021 adjustments) and Sec. F.112 (Judiciary onetime payments authorized) 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. Hooper of Montpelier** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass? was decided in the affirmative. Yeas, 147. Nays, 0.

Those who voted in the affirmative are:

Achey of Middletown Springs	Grad of Moretown	Ode of Burlington
Ancel of Calais	Graham of Williamstown	Page of Newport City
Anthony of Barre City	Gregoire of Fairfield	Pajala of Londonderry
Arrison of Weathersfield	Hango of Berkshire	Palasik of Milton
Austin of Colchester	Harrison of Chittenden	Parsons of Newbury
Bartholomew of Hartland	Helm of Fair Haven	Partridge of Windham
Batchelor of Derby	Higley of Lowell	Patt of Worcester
Beck of St. Johnsbury	Hooper of Montpelier	Pearl of Danville
Birong of Vergennes	Hooper of Randolph	Peterson of Clarendon
Black of Essex	Hooper of Burlington	Pugh of South Burlington
Bluemle of Burlington	Houghton of Essex	Rachelson of Burlington
Bock of Chester	Howard of Rutland City	Redmond of Essex
Bongartz of Manchester	James of Manchester	Rogers of Waterville
	Jerome of Brandon	Rosenquist of Georgia

Bos-Lun of Westminster	Jessup of Middlesex	Satcowitz of Randolph
Brady of Williston	Killacky of South Burlington	Savage of Swanton
Brennan of Colchester	Kimbell of Woodstock	Scheu of Middlebury
Briglin of Thetford	Kitzmiller of Montpelier	Scheuermann of Stowe
Brown of Richmond	Kornheiser of Brattleboro	Seymour of Sutton
Brownell of Pownal	LaClair of Barre Town	Shaw of Pittsford
Brumsted of Shelburne	LaLonde of South	Sheldon of Middlebury
Burditt of West Rutland	Burlington	Sibilia of Dover
Burke of Brattleboro	Lanpher of Vergennes	Sims of Craftsbury
Burrows of West Windsor	Lefebvre of Newark	Small of Winooski
Campbell of St. Johnsbury	Lefebvre of Orange	Smith of Derby
Canfield of Fair Haven	Leffler of Enosburgh	Smith of New Haven
Chase of Colchester	Lippert of Hinesburg	Squirrell of Underhill
Christie of Hartford	Long of Newfane *	Stebbins of Burlington
Cina of Burlington	Marcotte of Coventry	Stevens of Waterbury
Coffey of Guilford	Martel of Waterford	Strong of Albany
Colburn of Burlington	Martin of Franklin	Sullivan of Dorset
Colston of Winooski	Masland of Thetford	Surprenant of Barnard
Conlon of Cornwall	Mattos of Milton	Taylor of Colchester
Copeland Hanzas of	McCarthy of St. Albans City	Till of Jericho
Bradford	McCormack of Burlington	Toleno of Brattleboro
Corcoran of Bennington	McCoy of Poultney *	Toof of St. Albans Town
Cordes of Lincoln	McCullough of Williston	Townsend of South
Cupoli of Rutland City	McFaun of Barre Town	Burlington
Dickinson of St. Albans	Morgan, L. of Milton	Troiano of Stannard
Town	Morgan, M. of Milton	Vyhovsky of Essex
Dolan of Essex	Morris of Springfield	Walz of Barre City
Dolan of Waitsfield	Morrissey of Bennington	Webb of Shelburne
Donahue of Northfield	Mulvaney-Stanak of	White of Bethel
Donnally of Hyde Park	Burlington	White of Hartford
Durfee of Shaftsbury	Murphy of Fairfax	Whitman of Bennington
Elder of Starksboro	Nicoll of Ludlow	Williams of Granby
Emmons of Springfield	Nigro of Bennington	Wood of Waterbury
Fagan of Rutland City	Norris of Sheldon	Yacovone of Morristown
Feltus of Lyndon	Norris of Shoreham	Yantachka of Charlotte
Gannon of Wilmington	Notte of Rutland City	
Goldman of Rockingham	Noyes of Wolcott	
Goslant of Northfield	O'Brien of Tunbridge	

Those who voted in the negative are: none

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

Mrowicki of Putney

Terenzini of Rutland Town

Rep. Long of Newfane explained her vote as follows:

“Madam Speaker:

I vote in support of this budget that makes significant investments in many important priorities including childcare, expansion of broad band, housing,

clean water, workforce development and our state college system. I thank our hard working Appropriations Committee for proposing a budget that leaves no Vermonter behind.”

Rep. McCoy of Poultney explained her vote as follows:

“Madam Speaker:

While I support the FY22 budget as presented, I must express my concern over the use of ARPA funds without federal guidelines in place for some of these funds appropriated. As we have until 2024 to spend this money, my hope is we take a moment and pause to regroup and come back in January to appropriate the remaining ARPA funds as well as make adjustments if needed, to the 650 million dollars we have reserved or allocated in this budget. Thank you.”

Third Reading; Bill Passed

H. 437

House bill, entitled

An act relating to changes that affect the revenue of the State

Was taken up, read the third time, and passed by a vote by division, Yeas 94; Nays 45.

Amendment Offered Prior to Third Reading; Consideration Interrupted

H. 436

House bill, entitled

An act relating to miscellaneous changes to Vermont’s tax laws

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

After Sec. 15, pharmaceutical manufacturer annual reporting, by inserting a new Sec. 16 and its reader assistance heading to read as follows:

* * * Workers’ Compensation; Rate of Contribution * * *

Sec. 16. WORKERS’ COMPENSATION RATE OF CONTRIBUTION

For fiscal year 2022, after consideration of the formula in 21 V.S.A. § 711(b) and historical rate trends, the General Assembly determines that the rate of contribution for the direct calendar year premium for workers’ compensation insurance shall remain at the rate of 1.4 percent. The contribution rate for self-insured workers’ compensation losses and workers’ compensation losses of corporations approved under 21 V.S.A. chapter 9 shall remain at one percent.

and by renumbering the remaining section to be numerically correct.

Point of Order

In response to member concerns that they were unable to vote on the prior question due to breaks in their connectivity, **Rep. Donahue of Northfield** raised a Point of Order in that those members experiencing voting issues should be allowed to vote even if the vote has concluded.

Recess

At ten o'clock and thirty minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At ten o'clock and forty-three minutes in the forenoon, the Speaker called the House to order.

Thereupon, in response to the point of order raised by **Rep. Donahue of Northfield**, the Speaker found the point of order well taken and ruled that the body will finish the pending question, then request a rules suspension to allow for immediate reconsideration of the prior vote during which members experienced remote connectivity issues and therefore could not vote.

Consideration Resumed; Bill Amended; Amendment Offered; Third Reading; Bill Passed

H. 436

Consideration resumed on House bill, entitled

An act relating to miscellaneous changes to Vermont's tax laws

Amendment offered by **Rep. Ode of Burlington** was agreed to.

Pending third reading of the bill, **Reps. Cina of Burlington, Howard of Rutland City, Anthony of Barre City, Burke of Brattleboro, Colburn of Burlington, Cordes of Lincoln, Hooper of Burlington, Mulvaney-Stanak of Burlington, Small of Winooski, Surprenant of Barnard, Vyhovsky of Essex, and Yantachka of Charlotte** moved to amend the bill as follows:

By striking out Sec. 16, effective dates, and its reader assistance heading in their entirety and inserting in lieu thereof the following:

* * * Income Tax Surcharge; State Retirement Liabilities * * *

Sec. 16. 32 V.S.A. § 435(b) is amended to read:

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

* * *

(5) Individual income taxes levied pursuant to chapter 151 of this title, except for the surcharge imposed and transferred pursuant to subdivision 5822(a)(7) of this title;

* * *

Sec. 17. 32 V.S.A. § 5822(a)(7) is added to read:

(7) If the federal adjusted gross income of the taxpayer exceeds \$500,000.00, then the rate of taxation under subdivisions (1)–(6) of this subsection on income over that amount shall be increased by three percent. Each year on July 1, the Office of Finance and Management shall estimate the amount of revenue raised under this subdivision in the prior taxable year and that same amount shall be transferred from the General Fund and deposited in equal shares in the Vermont State Employees' Postemployment Benefits Trust Fund established by 3 V.S.A. § 479a and the Vermont Teachers' Retirement Fund established by 16 V.S.A. § 1944.

* * * Effective Dates * * *

Sec. 18. EFFECTIVE DATES

This act shall take effect on July 1, 2021 except:

(1) Sec. 1 (taxable meal facilitators) shall take effect on August 1, 2021.

(2) Notwithstanding 1 V.S.A. § 214, Sec. 2 (alcoholic beverages) shall take effect retroactively on April 1, 2021 and apply to sales made on and after April 1, 2021.

(3) Notwithstanding 1 V.S.A. § 214, Secs. 9–10 (current use contingent lien and subordination fee) and 11 (tax expenditure statutory purpose) shall take effect retroactively on July 1, 2020. Secs. 9–10 shall take effect retroactively to correct an erroneous technical revision to 2019 Acts and Resolves, No. 20, Sec. 109(a).

(4) Secs. 16–17 (income tax surcharge) shall take effect on January 1, 2022 and shall apply to taxable year 2022 and after.

Pending the question, Shall the bill be amended as offered by Rep Cina and others? **Rep. Hooper 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 bill be amended as offered by Rep Cina and others? was decided in the negative. Yeas, 21. Nays, 125.

Those who voted in the affirmative are:

Anthony of Barre City	Howard of Rutland City	Satcowitz of Randolph
Burke of Brattleboro	Lefebvre of Newark	Small of Winooski
Burrows of West Windsor	McCormack of Burlington	Surprenant of Barnard

Cina of Burlington	McCullough of Williston	Vyhovsky of Essex *
Colburn of Burlington *	Mulvaney-Stanak of Burlington	Yacovone of Morristown *
Cordes of Lincoln	Nicoll of Ludlow	Yantachka of Charlotte *
Hooper of Randolph	Notte of Rutland City	
Hooper of Burlington		

Those who voted in the negative are:

Achey of Middletown Springs	Graham of Williamstown	Page of Newport City
Ancel of Calais *	Gregoire of Fairfield	Pajala of Londonderry
Arrison of Weathersfield	Hango of Berkshire	Palasik of Milton
Austin of Colchester	Harrison of Chittenden	Parsons of Newbury
Bartholomew of Hartland	Helm of Fair Haven	Partridge of Windham
Batchelor of Derby	Higley of Lowell	Patt of Worcester
Beck of St. Johnsbury	Hooper of Montpelier	Pearl of Danville
Birong of Vergennes	Houghton of Essex	Peterson of Clarendon
Black of Essex *	James of Manchester	Pugh of South Burlington
Bluemle of Burlington *	Jerome of Brandon	Rachelson of Burlington
Bock of Chester	Jessup of Middlesex	Redmond of Essex
Bongartz of Manchester	Killacky of South Burlington	Rogers of Waterville
Bos-Lun of Westminster *	Kimball of Woodstock	Rosenquist of Georgia
Brady of Williston *	Kitzmiller of Montpelier	Savage of Swanton
Brennan of Colchester	Kornheiser of Brattleboro *	Scheu of Middlebury
Briglin of Thetford	LaClair of Barre Town	Scheuermann of Stowe
Brown of Richmond	LaLonde of South Burlington	Seymour of Sutton
Brownell of Pownal	Lanpher of Vergennes	Shaw of Pittsford
Brumsted of Shelburne	Lefebvre of Orange	Sheldon of Middlebury
Burditt of West Rutland	Leffler of Enosburgh	Sibilia of Dover
Campbell of St. Johnsbury	Lippert of Hinesburg	Sims of Craftsbury
Canfield of Fair Haven	Long of Newfane	Smith of Derby
Christie of Hartford	Marcotte of Coventry	Smith of New Haven
Coffey of Guilford	Martel of Waterford	Squirrell of Underhill
Colston of Winooski	Martin of Franklin	Stebbins of Burlington *
Conlon of Cornwall	Masland of Thetford	Stevens of Waterbury
Copeland Hanzas of Bradford	Mattos of Milton	Strong of Albany
Corcoran of Bennington	McCarthy of St. Albans City *	Sullivan of Dorset *
Cupoli of Rutland City	McCoy of Poultney	Taylor of Colchester
Dolan of Essex	McFaun of Barre Town	Till of Jericho *
Dolan of Waitsfield *	Morgan, L. of Milton	Toleno of Brattleboro
Donahue of Northfield	Morgan, M. of Milton	Toof of St. Albans Town
Donnally of Hyde Park	Morris of Springfield *	Townsend of South Burlington
Durfee of Shaftsbury	Morrissey of Bennington	Troiano of Stannard *
Elder of Starksboro	Mrowicki of Putney	Walz of Barre City
Emmons of Springfield	Murphy of Fairfax	Webb of Shelburne
Fagan of Rutland City	Nigro of Bennington	White of Bethel
Feltus of Lyndon	Norris of Sheldon	White of Hartford
Gannon of Wilmington	Norris of Shoreham	Whitman of Bennington *
Goldman of Rockingham	Noyes of Wolcott	Williams of Granby
Goslant of Northfield	O'Brien of Tunbridge	Wood of Waterbury

Grad of Moretown

Ode of Burlington

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

Chase of Colchester

Town

Dickinson of St. Albans

Terenzini of Rutland Town

Rep. Ancel of Calais explained her vote as follows:

“Madam Speaker:

The Snelling Surcharge, which has been referenced several times today, was a temporary increase intended to address a short term economic crisis. If we have capacity to increase taxes — and we may — we need to think carefully about how we decide to use that capacity.”

Rep. Black of Essex explained her vote as follows:

“Madam Speaker:

I vote no. An amendment that was drafted overnight, is not the appropriate process to take for either a major piece of tax policy, or for such an important issue as resolving the state pension crisis. We owe our teachers and state employees more than that. They deserve thoughtful consideration within the committees of jurisdiction. A process which provides a thorough examination of the many levers affecting this situation, including tax policy, and allows for extensive and comprehensive testimony.”

Rep. Bluemle of Burlington explained her vote as follows:

“Madam Speaker:

I voted no on this amendment for the reasons stated by many of my colleagues: I believe that issues like this require a full vetting and process. But I am grateful for the amendment, as it has raised the issue of taxation as one tool we should openly explore to address the pension issue and other unmet needs in our state.”

Rep. Bos-Lun of Westminster explained her vote as follows:

“Madam Speaker:

I voted no not because I think the idea in the amendment is not a good one to consider, but because the legislature needs more time to explore this possibility to make the best decision for the people of Vermont through taking testimony in the legislative process to determine how to address the pension situation most effectively.”

Rep. Brady of Williston explained her vote as follows:

“Madam Speaker:

I would like to think we have always known how vital and complex the work of teachers is but surely the pandemic has made it crystal clear. Schools are the lifeblood of our communities and teachers and school staff educate, nurture and support our most valuable asset, our children. I appreciate the intent of this amendment brought forth by the Representative from BTV and the workers caucus. While I think we need to take more time to make such tax policy, I sincerely hope that our larger pension conversation will be a comprehensive one that carefully considers our values and that we remember our tax policy is a reflection of our values.”

Rep. Colburn of Burlington explained her vote as follows:

“Madam Speaker:

We have before us today the third reading for two bills that have come forward to raise revenue for the state. I’m not aware of any other vehicles forthcoming that do so. Sometimes proposals must come forward via amendment, when committees of jurisdiction have chosen not to move them forward. I look forward to the serious consideration of this proposal, and others like it, that so many have expressed a commitment to today. Our hardworking teachers and state employees deserve nothing less.”

Rep. Dolan of Waitsfield explained her vote as follows:

“Madam Speaker:

I voted no on this amendment based on the importance of the Legislature’s deliberative process, the role of committees of jurisdiction and their efforts to engage stakeholders, interested persons and the public in these discussions.”

Rep. Kornheiser of Brattleboro explained her vote as follows:

“Madam Speaker:

I am deeply committed to working to continue and expand Vermont’s legacy of progressive taxation, thoughtfully, deliberatively, with solid numbers and analysis, on behalf of working Vermonters. This is not the way.”

Rep. McCarthy of St. Albans City explained his vote as follows:

“Madam Speaker:

We have just begun consideration of proposals to meet the challenge of shoring up our public retirement systems. We need a complete understanding of how proposals like this will or will not help us achieve the goal of supporting public employees with a pension they can count on. I look forward to supporting equitable, comprehensive solutions to the pension challenge in future legislation.”

Rep. Morris of Springfield explained his vote as follows:

“Madam Speaker:

I voted no for this amendment. My interest in running for the Legislature was because of the due process system of legislating. Though this amendment may have merit, I believe the process of vetting in the appropriate committees is the correct avenue. From the debate this morning, I expect any future income tax legislation will meet with similar debate. The overall income tax system may need to be part of the overall pension deficit discussion as the various committees explore multiple methods for solutions.”

Rep. Stebbins of Burlington explained her vote as follows:

“Madam Speaker:

I voted no on this amendment for many of the reasons mentioned: the lack of testimony taken, the lack of committee deliberation, the missing fiscal note from JFO, the potential unintended consequences. In a nutshell, I cannot support developing tax policy via a House Floor amendment. But I find saying no troubling and challenging. Yes, significant work is underway in House Government Operations and I do appreciate that effort. But the proposals presented thus far have, from my albeit limited understanding, a long way to go in keeping our word to those who have trusted in us. It is March 26th and adjournment, if it is in mid-May, is nearly upon us. I truly hope that this discussion is heard for what it is: an urgent call to action, to creatively, collaboratively and deliberatively come up with a fair, equitable and responsible solution. If the desire is to achieve this in this session, we have seven weeks. Let us work together and get this done.”

Rep. Sullivan of Dorset explained her vote as follows:

“Madam Speaker:

I voted no.

There is no silver bullet to end the retirement crisis in part because each Vermonter has their own path to retirement. Each fix recommended for the Vermont retirement crisis comes with its own limitations and its own positives. The ingredients for a secure retirement in Vermont were put into existence years ago. This will be a problem of both information and retention, rather than design, that needs much analysis beginning in the Committees of jurisdiction.”

Rep. Till of Jericho explained his vote as follows:

“Madam Speaker:

I don't know at this point whether this proposal is our best option for addressing our pension crisis. I do know that the other proposal I've seen is not acceptable.

I also know that the best resolution of the problem will require detailed and extensive deliberations of pros and cons of every proposal. This can not be accomplished with an amendment on the floor."

Rep. Troiano of Stannard explained his vote as follows:

"Madam Speaker:

I have long believed that this is an acceptable way to raise revenue. Tax cuts for the most wealthy Americans has furthered the division of wealth. I do believe that asking those who are more fortunate to pay a little more. The pension situation does deserve more radical thinking. I do believe that this is not an adequate process to implement such a change in policy. Thank the Workers caucus for beginning this discussion forward and I hope it will move forward."

Rep. Vyhovsky of Essex explained her vote as follows:

"Madam Speaker:

Our teachers and state employees, many of whom are essential workers who have carried our state through this pandemic at their own expense, must be able to trust that we are doing everything we possibly can to ensure that not only does this never happen again but also that we are committed to solving this problem in a way that is not on their backs. Working towards a permanent revenue stream is one way in which we work towards this. I have spent much of my time in my school office this year supporting crying teachers ready to leave because they do not feel supported. We have many in this state who have fared quite well during the pandemic and can give back. Our teachers and state employees give back to all of our communities everyday -- now is the moment for us to ask that those who are able to give back to do so, so that these important workers can stay here and thrive here, to continue making our communities and our whole State stronger. I am proud to vote in support of this amendment as one part of a creative solution to a very complex and difficult problem that will impact us all."

Rep. Whitman of Bennington explained his vote as follows:

"Madam Speaker:

I do believe that a more progressive tax structure can create opportunities to address our state's most critical issues. However, due to the magnitude of our state's pension funding issue, and the ongoing public hearings and committee

work on this topic, I **do not** believe that this amendment is the appropriate process for legislating such a consequential policy decision. I also believe that when proposing a source of revenue such as in this amendment, we need to give our due diligence to ensure that the appropriation of that revenue will bring our state the greatest social, economic, and environmental benefits.”

Rep. Yacovone of Morristown explained his vote as follows:

“Madam Speaker:

If revenues from those among us with the most, are not part of the pension solution we then force the solution solely on the backs of the people who did not cause the problem. I vote yes to show our committees of jurisdiction that I hope they will consider the use of revenues as part of the solution to our pension problems.”

Rep. Yantachka of Charlotte explained his vote as follows:

“Madam Speaker:

I voted Yes on this amendment to emphasize that all options should be on the table in addressing the pension problem, including sharing the burden through the income tax. The benefits that were agreed to by the teachers and state employees must be honored. I respect the committee process in spite of my vote for this amendment, and I know that your Government Operations Committee is doing its best to come up with a solution. The amendment failed, but let it be a signal that the burden of a solution should not fall on the shoulders of those who have earned their benefits.”

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

**Rules Suspended; Immediate Reconsideration; Point of Inquiry;
Bill Passed**

H. 437

Rep. Long of Newfane moved to suspend the rules to take up for immediate reconsideration the question Shall the bill pass? on House bill, entitled

An act relating to changes that affect the revenue of the State

Pending the vote on the question, **Rep. Bartholomew of Hartland** raised a Point of Inquiry as to whether this vote can only be used one time for this question and this bill, therefore the bill could not be reconsidered again on the next legislative day. The Speaker ruled that under Rule 80, reconsideration can only be used one time per one question.

Thereupon, the rules were suspended, the vote was taken, and the bill was passed.

Adjournment

At twelve o'clock and ten minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, March 30, 2021, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 20.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House:

H.C.R. 29

House concurrent resolution honoring Barre Town's Town Clerk and Treasurer, Donna Kelty

H.C.R. 30

House concurrent resolution honoring Angeline Faraci for her teaching and soccer coaching achievements

H.C.R. 31

House concurrent resolution in memory of U.S. Second Circuit Judge Peter W. Hall

H.C.R. 32

House concurrent resolution honoring Ronald J. Cioffi for his outstanding leadership of the VNA & Hospice of the Southwest Region

H.C.R. 33

House concurrent resolution in memory of Mary Theresa Ojala of Rutland

H.C.R. 34

House concurrent resolution recognizing March 26, 2021 as SEL (Social and Emotional Learning) Day in Vermont

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2021, seventy-sixth Biennial session.]