

# Journal of the House

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Tuesday, April 20, 2021

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

## Devotional Exercises

Devotional exercises were conducted by Rep. Patt of Worcester.

## Pledge of Allegiance

Speaker Krowinski led the House in the Pledge of Allegiance.

## Message from the Senate No. 45

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

Madam Speaker:

I am directed to inform the House that:

The Senate has considered a bill originating in the House of the following title:

**H. 154.** An act relating to the failure of municipal officers to accept office.

And has passed the same in concurrence.

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

**S. 18.** An act relating to limiting earned good time sentence reductions for offenders convicted of certain crimes.

And has concurred therein.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

**H.C.R. 42.** House concurrent resolution in memory of Lawrence B. Myott of Franklin, Vermont's "Mr. Maple" and former Vergennes City Councillor.

**H.C.R. 43.** House concurrent resolution honoring former Montpelier Mayor John Hollar for his exemplary civic and community leadership.

**H.C.R. 44.** House concurrent resolution congratulating the Vermont Student Assistance Corporation on the 30th anniversary of its TRIO Educational Opportunity Center of Vermont.

**Message from the Governor**

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 17th day of April, 2020, *he allowed to become law without his signature a bill* originating in the House of the following title:

**H. 315** An act relating to COVID-19 relief

**Governor's Letter**

“April 17, 2021

The Honorable BetsyAnn Wrask  
Clerk of the Vermont House of Representatives  
115 State Street  
Montpelier, VT 05633

Dear Ms. Wrask:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, H.315, *An Act Relating to Covid-19 Relief*, will become law without my signature for the reasons stated herein.

H.315 started as a smart spending bill – about \$62 million in total – to fund urgent pandemic needs, including business recovery grants that were a top priority in the budget adjustment proposal I proposed in January. The need was there in January and is still urgent today.

Over the two months it took the Legislature to pass H.315, it evolved into something much larger and more complex.

To the Legislature's credit, the bill includes some valuable relief for Vermonters, including:

- \$47 million for budget initiatives I put forward, including economic aid to businesses, housing to immediately address emergency needs, brownfield remediation and environmental clean-up and VOREC community grants.
- \$5 million for foreclosure prevention.
- \$7.64 million for mental health services, recovery centers, New Americans, refugees and immigrants, and grants to Reach-Up participants.

- Linking to federal income taxes for tax year 2020, which will exempt the first \$10,200 of unemployment insurance income, as well as Paycheck Protection Program forgiven loan funds.

For these reasons, I'm allowing H.315 to become law.

Unfortunately, I cannot sign this bill because it includes policy and spending choices that suggest we have very different opinions about how best to deploy the federal recovery and economic stimulus funding.

As a result, I want to be clear: I feel *very* strongly that we need to invest federal American Rescue Plan Act (ARPA) money in a truly strategic and fully transparent way, preferably in a single piece of legislation. These investments should be in tangible infrastructure that provide the greatest economic benefits and will truly transform our economy – especially in the parts of the state that need it most. I will not support a piecemeal or diluted approach to the investment of ARPA funds.

We must not squander this unprecedented opportunity to transform the economy of our state. If we work together, we can make historic investments in climate change mitigation, water and sewer infrastructure, universal broad band, housing and more. All these investments, if planned and supported wisely, will be something we can point to as the silver-lining of this pandemic. We must not forgo the opportunity to maximize the benefit of this federal money simply because the federal timing did not align with the traditional legislative calendar or process. That would be profoundly shortsighted.

Similarly, I also feel strongly that the Legislature should reverse its decision to insert, at the last minute, a new and punitive tax liability on federal PPP loans. These forgivable loans were issued to help employers survive this pandemic and preserve jobs. And our businesses have applied for these loans with the understanding they would not be taxed. In addition, Senator Leahy's office has confirmed that these resources were never intended to be taxed. The Legislature should be at their side, helping them up. Not on their back, trying to raise yet more in taxes.

I encourage the Legislature to take these concerns seriously – as they reflect core priorities that I will want to see reflected in the budget and other legislation as we move toward adjournment.

More specifically, rather than act quickly on H.315 with available state funds and federal Coronavirus Relief Funds – and without allowing for a transparent, tangible and transformative approach to investing \$1 billion in federal American Rescue Plan Act (ARPA) funds – the Legislature chose to hastily deploy \$59 million of ARPA funds unnecessarily. The initiatives

in H.315 are not bad investments, but they should not be funded with ARPA money. Again, we owe it to Vermonters to spend the ARPA funds in a transparent way, preferably through a single spending bill, so Vermonters can easily understand the investments and can verify that the Legislature is maximizing the value of every penny to strengthen the economy in every county and every community.

In addition to unnecessarily expending ARPA funds, H.315 also spends about \$4 million in Elementary and Secondary School Emergency Relief (ESSER) funds. Congress explicitly appropriated this money to the Vermont Agency of Education. In H.315, the Legislature added their approval as an additional requirement. This will prevent the Agency from moving quickly to meet the needs of our children. The fact is our kids are not doing okay in the hybrid learning environment and they should not have to wait for the Legislature's appropriations process.

The need for flexibility should be apparent and the expertise and judgment of the professionals at the Agency ought to be respected, not micro-managed. I intend to use all the tools at my disposal to take advantage of these grants.

Again, I want to underscore how strongly I feel about the need for an agreement between the House, Senate, and the Administration on how to spend ARPA funds. This should come *before* any additional funds are expended. I also want to reiterate that I do not support deploying these funds in a piecemeal fashion across a hodgepodge of bills and programs. These funds are meant to expedite recovery, revitalize our economy, and make a difference in the lives of Vermonters well into the future. They are not to provide short-term, unsustainable band aids for complicated issues or plug ongoing budget holes.

In conclusion, because this bill contains urgently needed funds for Vermonters, I am allowing it to become law. But the Legislature should take note that I will not support any additional, unnecessary, or unwise use of ARPA or ESSER funding. I urge the Legislature to work with me to take a more collaborative, transparent, and strategic approach to allocating the remaining ARPA funds and maximizing the transformative economic benefits of these once-in-a-lifetime funds for Vermonters.

Sincerely,

Philip B. Scott  
Governor  
PBS/kp”

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**House Bill Introduced****H. 450**

By Reps. Ode of Burlington, Hooper of Burlington, and Mulvaney-Stanak of Burlington,

House bill, entitled

An act relating to stipends for the care of guide, signal, and service animals

Was read the first time and referred to the Committee on Human Services.

**Bill Referred to Committee on Appropriations****S. 16**

Senate bill, entitled

An act relating to the creation of the Task Force on School Exclusionary Discipline Reform

Appearing on the Calendar for Notice, and pursuant to Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

**Bill Referred to Committee on Ways and Means****S. 102**

Senate bill, entitled

An act relating to the regulation of agricultural inputs for farming

Appearing on the Calendar for Notice, and pursuant to Rule 35(a), affecting the revenue of the State, was referred to the Committee on Ways and Means.

**Joint Resolution Referred to Committee****J.R.H. 9**

Joint resolution urging Congress to support statehood for the Commonwealth of Puerto Rico

Offered by: Representative Copeland Hanzas of Bradford

Whereas, on July 25, 1898, during the Spanish–American War, U.S. military forces invaded the Spanish colony of Puerto Rico, and

Whereas, pursuant to the Treaty of December 1898, which ended the conflict, Spain ceded Puerto Rico to the United States, and

Whereas, the Constitution of Puerto Rico, adopted in 1952, resulted in the jurisdiction's designation as a commonwealth, and

Whereas, in 1917, the Jones–Shafroth Act granted Puerto Ricans U.S. citizenship, but unless they move to the mainland they are unable to vote in U.S. presidential elections, and

Whereas, despite its having a population of over 3 million, representation for the Commonwealth of Puerto Rico in the U.S. House of Representatives is restricted to a single Resident Commissioner, who, unlike the representatives of the states, is prohibited from voting on legislation on the floor of the House, and the Commonwealth has no representation in the U.S. Senate, and

Whereas, discussion of possible statehood for the Commonwealth has occurred since the 1930s, and

Whereas, Puerto Ricans’ dissatisfaction with the federal response to the massive devastation and approximately 3,000 deaths resulting from Hurricane Maria in 2017 and the still-unsettled bankruptcy of the Puerto Rico Electric Power Authority have intensified the debate surrounding possible statehood, and

Whereas, although Puerto Ricans pay federal payroll taxes, their access to the services those taxes finance, including Medicaid, Supplemental Security Income, Supplemental Nutrition Assistance, and the Earned Income Tax Credit is not equivalent to the extent afforded in the states, and

Whereas, in 2012 and 2017, a majority of the voters in Puerto Rico favored a political status other than the Commonwealth, and a majority of this subset of the electorate supported statehood, and

Whereas, in a November 2020 referendum, 52.52 percent of voters in Puerto Rico supported Puerto Rico’s immediate admittance as the nation’s 51st state, and

Whereas, in March 2021, U.S. Rep. Darren Soto of Florida and Puerto Rico’s Resident Commissioner Jenniffer Gonzalez introduced H.1522, the Puerto Rico Statehood Admissions Act, and Senator Martin Heinrich of New Mexico has introduced S.780, a comparable bill, in the Senate, and

Whereas, statehood would provide the Commonwealth of Puerto Rico equal legal and political status with the 50 states, including full voting representation in the U.S. House and U.S. Senate, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Congress to support statehood for the Commonwealth of Puerto Rico, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the U.S. Resident Commissioner for Puerto Rico and the Vermont Congressional Delegation.

Was read by title only and, in the Speaker's discretion pursuant to Rule 52, treated as bill, and referred to the Committee on Government Operations.

**Committee Relieved of Consideration  
and Bill Recommitted to Other Committee**

**S. 114**

**Rep. Scheu of Middlebury** moved that the Committee on Appropriations be relieved of House bill, entitled

An act relating to improving prekindergarten through grade 12 literacy within the State

And that the bill be recommitted to the Committee on Education, which was agreed to.

**Adjournment**

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