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

Devotional Exercises
A moment of silence was observed in lieu of a devotion.

Pledge of Allegiance
Page Mia Dolan of Barre led the House in the Pledge of Allegiance.

Message from the Senate No. 19
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 on its part passed Senate bill of the following title:

S. 113. An act relating to establishing a cause of action for medical monitoring expenses.

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:


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

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

H.C.R. 96. House concurrent resolution recognizing July 2022 as Park and Recreation Month in Vermont and designating July 15, 2022, as Vermont Park and Recreation Professionals Day in Vermont.

H.C.R. 97. House concurrent resolution congratulating Alicia Dana on winning the Women’s Road Race H1-4 cycling bronze medal at the 2020 Paralympics in Tokyo.
House Bill Introduced

H. 706

By Reps. Mulvaney-Stanak of Burlington, Cina of Burlington, Colburn of Burlington, Donnally of Hyde Park, Lippert of Hinesburg, Small of Winooski, Surprenant of Barnard, and Vyhovsky of Essex,

House bill, entitled

An act relating to inclusive data collection policies for insurers and health care providers

Was read the first time and referred to the Committee on Commerce and Economic Development.

Senate Bill Referred

S. 113

Senate bill, entitled

An act relating to establishing a cause of action for medical monitoring expenses

Was read the first time and referred to the Committee on Judiciary.

Bill Referred to Committee on Ways and Means

H. 655

House bill, entitled

An act relating to establishing a telehealth licensure and registration system

Appearing on the Notice Calendar, and pursuant to House Rule 35(a), affecting the revenue of the State or materially affecting the revenue of one or more municipalities, was referred to the Committee on Ways and Means.

Proposed Amendment to the Constitution of the State of Vermont

Adopted in Concurrence

Proposal 5

Rep. Pugh of South Burlington, for the Committee on Human Services, to which had been referred Proposal 5, which is printed in full below, reported in favor of its adoption in concurrence.

Proposal 5, having appeared on the Calendar for five legislative days pursuant to House Rule 51a, was taken up.
Subject: Declaration of rights; right to personal reproductive liberty

PROPOSAL 5

Sec. 1. PURPOSE

(a) This proposal would amend the Constitution of the State of Vermont to ensure that every Vermonter is afforded personal reproductive liberty. The Constitution is our founding legal document stating the overarching values of our society. This amendment is in keeping with the values espoused by the current Vermont Constitution. Chapter I, Article 1 declares “That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights.” Chapter I, Article 7 states “That government is, or ought to be, instituted for the common benefit, protection, and security of the people.” The core value reflected in Article 7 is that all people should be afforded all the benefits and protections bestowed by the government, and that the government should not confer special advantages upon the privileged. This amendment would reassert the principles of equality and personal liberty reflected in Articles 1 and 7 and ensure that government does not create or perpetuate the legal, social, or economic inferiority of any class of people. This proposed constitutional amendment is not intended to limit the scope of rights and protections afforded by Article 7 or any other provision in the Vermont Constitution.

(b) The right to reproductive liberty is central to the exercise of personal autonomy and involves decisions people should be able to make free from compulsion of the State. Enshrining this right in the Constitution is critical to ensuring equal protection and treatment under the law and upholding the right of all people to health, dignity, independence, and freedom.

Sec. 2. Article 22 of Chapter I of the Vermont Constitution is added to read:

Article 22. [Personal reproductive liberty]

That an individual’s right to personal reproductive autonomy is central to the liberty and dignity to determine one’s own life course and shall not be denied or infringed unless justified by a compelling State interest achieved by the least restrictive means.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in
accordance with the provisions of 17 V.S.A. chapter 32.

Pending the question, Shall the House adopt the Constitutional proposal in concurrence, Rep. Pugh of South 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 House adopt the Constitutional proposal in concurrence, was decided in the affirmative. Yeas, 107. Nays, 41.

Those who voted in the affirmative are:

Ancel of Calais  Garofano of Essex  Ode of Burlington
Anthony of Barre City  Goldman of Rockingham  Pajala of Londonderry
Aarrison of Weathersfield  Grad of Moretown  Partridge of Windham
Austin of Colchester  Hooper of Montpelier  Patt of Worcester
Bartholomew of Hartland  Hooper of Randolph  Pearl of Danville
Beck of St. Johnsbury  Hooper of Burlington  Pugh of South Burlington
Birong of Vergennes  Houghton of Essex  Rachelson of Burlington
Black of Essex  Howard of Rutland City  Rogers of Waterville
Bluemle of Burlington  James of Manchester  Satcowitz of Randolph
Bock of Chester  Jerome of Brandon  Scheu of Middlebury
Bongartz of Manchester  Jessup of Middlesex  Scheuermann of Stowe
Bos-Lun of Westminster  Killacky of South Burlington  Sheldon of Middlebury
Brady of Williston  Kimbell of Woodstock  Sibilia of Dover
Briglin of Thetford  Kitzmiller of Montpelier  Sims of Craftsbury
Brown of Richmond  Kornheiser of Brattleboro  Small of Winooski
Brownell of Pownal  LaLonde of South  Squirell of Underhill
Brumsted of Shelburne  Burlington  Stebbins of Burlington
Burke of Brattleboro  Lanpher of Vergennes  Stevens of Waterbury
Burrows of West Windsor  Lefebvre of Newark  Sullivan of Dorset
Campbell of St. Johnsbury  Leffler of Enosburgh  Surprenant of Barnard
Chase of Colchester  Lippert of Hinesburg  Taylor of Colchester
Christie of Hartford  Long of Newfane  *Till of Jericho
Cina of Burlington  Martin of Franklin  Toleno of Brattleboro
Coffey of Guilford  Masland of Thetford  Townsend of South
Colburn of Burlington  McCarthy of St. Albans City  Burlington
Colston of Winooski  McCormack of Burlington  Troiano of Stannard
Conlon of Cornwall  McCullough of Williston  Vyhnovsky of Essex
Copeland Hanzas of  Morris of Springfield  Walker of Swanton
Bradford  Mrowicki of Putney  Walz of Barre City
Corcoran of Bennington  Mulvaney-Stanak of  Webb of Shelburne
Cordes of Lincoln  Burlington  White of Bethel
Dolan of Essex  Murphy of Fairfax  White of Hartford
Dolan of Waitsfield  Nicoll of Ludlow  Whitman of Bennington
Donnally of Hyde Park  Nigro of Bennington  Wood of Waterbury
Durfee of Shafsbury  Norris of Shoreham  Yacovone of Morristown
Elder of Starksboro  Notte of Rutland City
Emmons of Springfield  Noyes of Wolcott
Gannon of Wilmington  O'Brien of Tunbridge
Those who voted in the negative are:


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

Seymour of Sutton

Rep. Harrison of Chittenden explained his vote as follows:

“Madam Speaker:

The Vermont Constitution belongs to all Vermonters, and I would normally default to vote for the opportunity for everyone to make a decision on this amendment as I did in the last biennium. However, as we know, the constitution amendment process puts this body in an important gatekeeper role with passage in two successive bienniums. As I listened to the discussion and explanations today, there are perhaps more questions than answers on what this amendment means so I feel compelled to vote no.”

Rep. Long of Newfane explained her vote as follows:

“Madam Speaker:

Vermonters have valued the right to have access to personal reproductive freedom for nearly half a century. Today, we have taken a fundamental step in ensure that reproductive liberty will be a guaranteed right for future generations. I voted in support of Proposition 5 to give Vermont voters a voice in preserving that right in our Constitution, for Vermonters today and for all who come after us.”

Recess

At twelve o'clock and two minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.
Message from the Senate No. 20

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 on its part passed Senate bill of the following title:

**S. 184.** An act relating to defense of others and justifiable homicide.

In the passage of which the concurrence of the House is requested.

The Senate has on its part adopted joint resolution of the following title:

**J.R.S. 41.** Joint resolution relating to weekend adjournment.

In the adoption of which the concurrence of the House is requested.

House Called to Order

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

Second Reading; Motion to Commit Disagreed to; Bill Amended;
Third Reading Ordered

H. 510

Rep. Kornheiser of Brattleboro, for the Committee on Ways and Means, to which had been referred House bill, entitled

An act relating to creating a Vermont child tax credit

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

*** Child Tax Credit ***

Sec. 1. 32 V.S.A. § 5830f is added to read:

§ 5830f. VERMONT CHILD TAX CREDIT

(a) A resident individual or part-year resident individual who is entitled to a child tax credit under the laws of the United States shall be entitled to a refundable credit against the tax imposed by section 5822 of this title for the taxable year. The total credit per taxable year shall be in the amount of $1,200.00 per qualifying child, as defined under 26 U.S.C. § 152(c), who is six years of age or younger as of the close of the calendar year in which the taxable year of the taxpayer begins. For a part-year resident individual, the amount of the credit shall be multiplied by the percentage that the individual’s
income that is earned or received during the period of the individual’s residency in this State bears to the individual’s total income.

(b) Notwithstanding subsection (a) of this section, the amount of the credit under this section shall be reduced, but not below zero, by $50.00 for each $1,000.00, or fraction thereof, by which the individual’s adjusted gross income exceeds $200,000.00, irrespective of the individual’s filing status. For purposes of this subsection, spouses filing jointly shall be considered an individual.

(c) Notwithstanding any provision of law to the contrary, the refundable credit and its payment authorized under this section shall be treated in the same manner as the federal Earned Income Tax Credit and shall not be considered as assets, income, or resources to the same extent the credit and its payment would be disregarded pursuant to 26 U.S.C. § 6409 and the general welfare doctrine for purposes of determining eligibility for benefits or assistance, or the amount or extent of those benefits or assistance, under any State or local program, including programs established under 33 V.S.A. § 3512 and chapters 11, 17, 21, 25, and 26, for a period of 12 months from receipt. This subsection shall only apply to the extent that it does not conflict with federal law relating to the benefit or assistance program and that any required federal approval or waiver is first obtained for that program.

Sec. 2. 32 V.S.A. § 5830f(d) is added to read:

(d) The Commissioner shall determine and pay 50 percent of the credit allowed to each individual under this section on or before September 1 of the taxable year, unless the individual elects not to receive the payment. The remaining credit allowed to each individual under this section shall be determined at the time of filing a Vermont personal income tax return for the taxable year pursuant to section 5861 of this title.

Sec. 3. 32 V.S.A. § 5813(y) is added to read:

(y) The statutory purpose of the Vermont child tax credit in section 5830f of this title is to provide financial support to families with young children.

Sec. 4. REPORT ON MONTHLY CHILD TAX CREDIT PAYMENTS

On or before January 15, 2023, the Commissioner of Taxes, in consultation with the Commissioner for Children and Families, shall report to the House Committees on Human Services and on Ways and Means and the Senate Committees on Finance and on Health and Welfare recommendations and considerations for making advance monthly payments of the child tax credit under 32 V.S.A. § 5830f, including:
(1) options for administering advance monthly payments during the taxable year;

(2) structuring the advance monthly payments or requesting preliminary approvals or waivers from federal benefit and assistance programs in a manner that will exclude the advance monthly payments from income, assets, or resources used in making benefit and assistance determinations; and

(3) any proposed legislative action.

* * * Social Security Income Exclusion * * *

Sec. 5. 32 V.S.A. § 5830e is amended to read:

§ 5830e. SOCIAL SECURITY INCOME

The portion of federally taxable Social Security benefits excluded from taxable income under subdivision 5811(21)(B)(iv) of this chapter shall be as follows:

(1) For taxpayers whose filing status is single, married filing separately, head of household, or qualifying widow or widower surviving spouse:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to $45,000.00 $50,000.00, all federally taxable benefits received under the federal Social Security Act shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than $45,000.00 $50,000.00 but less than $55,000.00 $60,000.00, the percentage of federally taxable benefits received under the Social Security Act to be excluded shall be proportional to the amount of the taxpayer’s federal adjusted gross income over $45,000.00 $50,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from $55,000.00 $60,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by $10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the federally taxable benefits received under the Social Security Act.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than $55,000.00 $60,000.00, no amount of the federally taxable benefits received under the Social Security Act shall be excluded under this section.

(2) For taxpayers whose filing status is married filing jointly:
(A) If the federal adjusted gross income of the taxpayer is less than or equal to $60,000.00 $65,000.00, all federally taxable benefits received under the Social Security Act shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than $60,000.00 $65,000.00 but less than $70,000.00 $75,000.00, the percentage of federally taxable benefits received under the Social Security Act to be excluded shall be proportional to the amount of the taxpayer’s federal adjusted gross income over $60,000.00 $65,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from $70,000.00 $75,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by $10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the federally taxable benefits received under the Social Security Act.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than $70,000.00 $75,000.00, no amount of the federally taxable benefits received under the Social Security Act shall be excluded under this section.

* * * Effective Dates * * *

Sec. 6. EFFECTIVE DATES

(a) This section and Sec. 4 (report on monthly child tax credit payments) shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214, Secs. 1 (child tax credit), 3 (child tax credit statutory purpose), and 5 (Social Security income exclusion) shall take effect retroactively on January 1, 2022 and shall apply to taxable years beginning on and after January 1, 2022.

(c) Sec. 2 (advance payment of child tax credit) shall take effect on January 1, 2023 and shall apply to taxable years beginning on and after January 1, 2023.

and that after passage the title of the bill be amended to read: “An act relating to a Vermont Child Tax Credit and the Vermont Social Security income exclusion”

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Ways and Means was presented.
Pending the question, Shall the bill be amended as recommended by the Committee on Ways and Means?, Rep. Toof of St. Albans Town moved that the bill be committed to the Committee on Appropriations, which was disagreed to in a vote by division: Yeas, 54; Nays, 93.

Pending the question, Shall the bill be amended as recommended by the Committee on Ways and Means?, Rep. Ancel of Calais 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 recommended by the Committee on Ways and Means?, was decided in the affirmative. Yeas, 102. Nays, 46.

Those who voted in the affirmative are:

Ancel of Calais  Elder of Starksboro  Nigro of Bennington
Anthony of Barre City  Emmons of Springfield  Norris of Shoreham
Arrison of Weathersfield  Gannon of Wilmington  Notte of Rutland City
Austin of Colchester  Garofano of Essex  O’Brien of Tunbridge
Bartholomew of Hartland  Goldman of Rockingham  Ode of Burlington
Beck of St. Johnsbury  Grad of Moretown  Partridge of Windham
Birong of Vergennes  Harrison of Chittenden  Patt of Worcester
Black of Essex  Hooper of Montpelier  Pearl of Danville
Bluemle of Burlington  Hooper of Randolph  Pugh of South Burlington
Bock of Chester  Hooper of Burlington  Raelson of Burlington
Bongartz of Manchester  Houghton of Essex  Rogers of Waterville
Bos-Lun of Westminster  Howard of Rutland City  Satcowitz of Randolph
Brady of Williston  James of Manchester  Scheu of Middlebury
Briglin of Thetford  Jerome of Brandon  Sheldon of Middlebury
Brown of Richmond  Jessup of Middlesex  Sims of Craftsbury
Brownell of Pownal  Killacky of South Burlington  Squirrell of Underhill
Brumsted of Shelburne  Kimbell of Woodstock  Stebbins of Burlington
Burke of Brattleboro  Kitzmiller of Montpelier  Stevens of Waterbury
Burrows of West Windsor  Kornheiser of Brattleboro  Sullivan of Dorset
Campbell of St. Johnsbury  LaLonde of South  Surprenant of Barnard
Chase of Colchester  Burlington  Taylor of Colchester
Christie of Hartford  Lanpher of Vergennes  Till of Jericho
Cina of Burlington  Lefebvre of Newark  Teleno of Brattleboro
Coffey of Guilford  Lippert of Hinesburg  Townsend of South
Colburn of Burlington  Long of Newfane  Burlington
Colston of Winooski  Marcotte of Coventry  Troiano of Stannard
Conlon of Cornwall  Masland of Thetford  Vyhovsky of Essex
Copeland Hanzas of Bradford  McCarthy of St. Albans City  Walz of Barre City
Donahue of Northfield  McCormack of Burlington  Webb of Shelburne
Donnelly of Hyde Park  McCullough of Williston  White of Bethel
Duran of Shaftsbury  McFaun of Barre Town  White of Hartford
Dolan of Essex  Morris of Springfield  Whitman of Bennington
Dolan of Waitsfield  Mrowicki of Putney  Yacovone of Morristown
Donahue of Northfield *  Mulvaney-Stanak of Burlington  Yantachka of Charlotte

Those who voted in the negative are:

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<th>Achey of Middletown Springs</th>
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<td>Brennan of Colchester</td>
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<td>Goslant of Northfield*</td>
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<td>Murphy of Fairfax</td>
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<td>Gregoire of Fairfield</td>
<td>Norris of Sheldon</td>
<td>Toof of St. Albans Town</td>
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<td>Noyes of Wolcott</td>
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<td>Page of Newport City</td>
<td>Williams of Granby</td>
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<td>Higley of Lowell</td>
<td>Pajala of Londonderry</td>
<td>Wood of Waterbury</td>
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Those members absent with leave of the House and not voting are:

Seymour of Sutton

**Rep. Donahue of Northfield** explained her vote as follows:

“Madam Speaker:

I am voting yes at this point so that a tax relief initiative moves forward, because I believe we do need to return some of our added revenues to struggling Vermonters. I hope it will eventually include more balanced supports that focus on the greatest needs. If it does not, I will not support the final bill.”

**Rep. Goslant of Northfield** explained his vote as follows:

“Madam Speaker:

Today I voted against this bill, not because I am opposed to tax relief to young families and expanding the Social Security income tax exemption. In fact, I am thrilled that we are discussing returning nearly $50M to Vermonters…and are FINALLY talking about ways to attract more people to the State.

However, I voted NO…because…I believe other tax relief proposals should be vetted and discussed before moving something of this magnitude. It is time that we pay attention to our seniors…and I believe that we can do much more on Social Security than a $5000 increase.

I hope that we can continue the conversation on how to provide tax relief to as many Vermonters as possible…including military retirees…those with
student loan debt...nurses...childcare workers...those with not just children but adult dependents...and more.”

Thereupon, third reading was ordered.

**Favorable Reports; Second Reading; Third Reading Ordered**

**H. 559**

**Rep. Mulvaney-Stanak of Burlington**, for the Committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to workers’ compensation
Reported in favor of its passage.

**Rep. Durfee of Shaftsbury**, for the Committee on Ways and Means, reported in favor of its passage.

The bill having appeared on the Notice Calendar, was taken up, read the second time, and third reading ordered.

**Adjournment**

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