

2023 END OF SESSION REPORT

REP. MONIQUE PRIESTLEY • ORANGE-2: BRADFORD, FAIRLEE & WEST FAIRLEE



HOW TO CONTACT ME

Representative Monique Priestley • House Commerce & Economic Development
Joint Information Technology Oversight Committee • Rural Caucus • Legislative UVM Trustee

Email: mpriestley@leg.state.vt.us • Website: priestleyvt.com • FB/IG: [@priestleyvermont](https://www.facebook.com/priestleyvermont)

Review bills and watch floor debates/committee hearings at legislature.vermont.gov.

The 2023 legislative session concluded on May 12th. This report provides a summary of the updates from each House committee. While numerous bills are still being finalized, we will reconvene at the State House on June 20th to review any bills vetoed by the Governor, including the FY24 State Budget.

Throughout the summer, I will share more details about the bills I was deeply involved in and reflect on my first year as your State Representative. Although the session has ended, I remain committed to addressing constituent requests and preparing bills for introduction when we return for our next session in January 2024.

In the coming months, I will enhance my website with tools to facilitate engagement in the legislative process. In the meantime, I welcome invitations to events and projects where my support could be beneficial. As always, please feel free to reach out with ideas, questions, and concerns at any time.

Agriculture, Food Resiliency & Forestry

Right to Repair

H.81 is legislation aimed at empowering consumers and independent repair shops with the necessary resources for self-repair of agriculture and forestry equipment. This legislation addresses a crucial issue faced by many farmers and loggers who are forced to rely on manufacturer-approved dealers for repairs, causing delays and incurring high costs due to the absence of competition. The Right to Repair bill offers an option to self-repair, employ an independent service, or continue with a dealer. By removing the constraints on repair services, this bill promises to enhance farmer safety and productivity. After receiving bipartisan support in 11 states, H.81 made its way through both the Ag Committee as well as House Committee on Commerce & Economic Development. It passed the House and is currently pending in the Senate.

Addressing Organic Dairy Crisis

Over the past two years, the organic dairy sector has faced a crisis, resulting in the closure of over thirty farms. This downturn has been triggered by escalating production costs, rising fuel prices, and expensive feed due to global conflicts and environmental events. Unlike conventional dairy farmers, organic dairy farmers lack sufficient federal safety nets. In response, the House has proposed one-time emergency relief to Vermont's organic dairy farmers, offering financial support to manage debts and avoid further closures. These funds will be managed by the Vermont Agency of Agriculture, Food & Markets and are intended to support the ongoing efforts of organic dairy farmers in Vermont.

Universal School Meals

Following the precedent set during the pandemic, H.165 aims to permanently provide free meals to all K-12 students in Vermont. This initiative has received strong support and promises multiple benefits, such as increased predictability for meal planning, reduced stigma, greater federal funding access, and partnerships with local farms. Additionally, the legislation aims to secure further federal funds through increased student participation and a new Medicaid eligibility criterion. Schools across Vermont have reported that providing free, healthy meals improves students' nutrition, health, and behavior.

Small Farm Diversification Grant

H.205, part of the final FY24 budget, establishes a one-year pilot grant program to bolster the financial resilience of small farmers. This initiative will cover upfront costs, aiding farmers in transitioning and diversifying their agricultural products, such as shifting from dairy to beef production or introducing new crops. The definition of "small" farmers is intentionally broad to ensure maximum participation, and the grant does not require matching funds from farmers. The Agency of Agriculture, Food and Markets will select applicants based on the viability and projected success of their proposed projects.

Appropriations

A Balanced Budget

On May 12th, a balanced \$8.4 billion budget was approved by the House and Senate for the 2024 fiscal year. The budget aims to responsibly address pressing constituent priorities such as housing, childcare, workforce development, climate action, and critical human services across Vermont. By

investing judiciously in our economy, communities, and families, this budget offers pragmatic solutions to current issues rather than deferring them to the future. Key allocations include:

Housing

\$211 million allocations include \$109 million for affordable housing expansion and \$102 million to address emergency sheltering and supportive services for unhoused Vermonters, recovery housing, transitional housing for formerly incarcerated individuals, and housing for young people transitioning out of foster care.

Raising Provider Rates

This \$99.7 million budget addresses long-standing underfunding of rates for medical and human service programs. By enhancing rates for primary, specialty, and dental care, home health, nursing and residential care, adult day care, substance use and mental health treatment, and ambulance services, the goal is to attract and retain a skilled workforce, meet service demands, and alleviate pressure on hospital emergency rooms.

Childcare

In an effort to transform our childcare system, this initial \$76 million investment focuses on making childcare more affordable for families, stabilizing income for childcare providers, and increasing wages for the early childhood workforce.

Workforce & Higher Education

\$74 million in funds have been set aside to attract and retain workers in critical shortage fields, including nursing, dental hygiene, teaching, psychiatric care, and skilled trades. Investments are also directed towards UVM and Vermont State University, scholarship programs, adult education, small farms and organic dairy producers, and supporting small businesses, rural industries, and working lands enterprises.

Human Services, Prevention & Recovery

This budget initiates a \$20 million two-year pilot to expand opioid use disorder treatment, fund a statewide expansion of mobile crisis units, and invest in recovery centers, recovery housing, after-school programs, youth mentoring, and substance misuse prevention initiatives. It also supports the Vermont Food Bank, Reach Ahead, and Prevent Child Abuse Vermont.

Environment & Climate

The FY24 budget ensures considerable investment in climate and environmental initiatives, including clean water management, rehabilitation of “brownfield” sites, upgrading older housing stock’s septic, water, and energy needs, aquatic invasive species prevention, and PFAS contamination remediation. It also offers incentives for replacing high global warming potential refrigerants and aids in updating school heating systems.

Additional Investments

The budget also supports E-911 and emergency dispatch, state IT network and infrastructure updates, addresses staffing shortages in the judiciary system, supports social equity work through Vermont’s Truth and Reconciliation Commission and Land Access and Opportunity Board, and updates Department of Motor Vehicle fees to reflect inflation rates since 2016.

Commerce & Economic Development

Strengthening Vermont’s Workforce

This year, the legislature continued to fortify Vermont’s workforce, with a particular focus on vital sectors. The FY24 budget allocates \$40 million to education, training, and business support for workforce hiring and retention. This funding will support forgivable loan programs, scholarships, and certificate programs across various sectors, including education, climate work, technology, mental health, nursing, human services, and the arts. We’re dedicated to making Vermont a thriving state for all.

Data Privacy for Consumers

H.121 is an initiative to update Vermont’s privacy laws pertaining to “biometric data” such as fingerprints or facial images. The bill also introduces provisions to enable consumers to avoid online tracking by companies and empowers them to legally challenge organizations infringing their privacy rights. While the House decided to postpone the bill’s passing this year, we’ll conduct a comprehensive review of our data and consumer privacy laws with an aim to align Vermont with other states’ standards.

Catalytic Converter Theft

With the growing issue of catalytic converter theft in Vermont, S.48 aims to mitigate the problem. In 2022

alone, approximately 153,000 catalytic converters were stolen nationwide. Measures proposed in S.48 involve labeling catalytic converters with VIN numbers during transport and sale, maintaining thorough records of catalytic converter transactions by scrap metal processors and salvage yards, and facilitating periodic state inspections of these businesses for record accuracy and compliance with laws. This bill was approved in the legislature in May.

Firefighter Workers’ Compensation

S.73 seeks to expand the range of cancers eligible for workers compensation insurance claims for both volunteer and professional firefighters. The bill adds breast, lung, reproductive system, and thyroid cancers to the list. It also mandates the Division of Fire Safety to draft a report outlining projected costs for statewide regular cancer screenings for all firefighters. The report will also include legislative action recommendations for early cancer detection in firefighters and the elimination of carcinogenic PFAS and other substances in firefighting equipment.

Corrections & Institutions

Community Investments & Public Infrastructure

The General Assembly has passed H.493, the Capital Construction bill for FY24 and FY25. This legislation earmarks \$108 million in capital expenditures for vital public infrastructure projects over the next two years. These funds, which come from General Fund surpluses, will significantly reduce the state’s debt burden and ensure that resources are available for future capital needs. A large portion of these state capital investments will be funneled directly back into our communities. This funding will fulfill our state’s match requirements for federal dollars, ensuring that vital projects, such as municipal water systems, wastewater treatment plants, and municipal drinking water systems, receive the necessary support. The bill also funds Building Communities grants, which directly benefit our cities and towns through programs like cultural facilities grants, historic barns and agriculture grants, historic preservation grants, recreational facilities grants, and regional economic development grants. The FY24 and FY25 Vermont Capital Bill encapsulates the legislature’s commitment to investing in public infrastructure and supporting local communities while addressing critical needs related to human services and property management.

Improving Public Safety & Correctional Systems

Our Capital Bill also addresses pressing issues within our state's correctional facilities. It includes provisions to commence planning for the replacement of the Chittenden Regional Correctional Facility, currently housing our female inmate population. The state is exploring various possibilities, including the establishment of a reentry facility where residents can participate in off-site rehabilitative programs or employment. We believe that harsh living environments in correctional facilities undermine rehabilitation efforts and create challenging working conditions, which contributes to the ongoing shortage of corrections officers. Furthermore, the bill includes plans for the expansion of booking capacity at the North West State Correctional Facility. Currently, the facility is processing a volume of individuals far beyond its original design. The proposed expansion aims to improve working conditions for state employees and provide safer, more humane conditions for individuals moving through the system. As we replace correctional facilities moving forward, our policies will prioritize evidence-based, trauma-informed practices.

Education

Addressing the Teacher Shortage

The teacher shortage across Vermont has had a significant impact on our school communities, particularly over the past few challenging years. In response to this ongoing issue, the Education Committee proposed several initiatives to support our diligent and dedicated teacher workforce, which have been included in H.494, the FY24 budget.

Key proposals in the budget aim to develop the educator workforce through a range of initiatives such as:

- Providing grants to expand support, mentoring, and professional development for prospective educators.
- Suspending provisional teacher licensure fees.
- Studying potential participation in licensure reciprocity agreements and licensure compacts.
- Establishing a \$2.5 million Vermont Teacher Forgivable Loan Incentive Program. This program provides forgivable loans to individuals who commit to working as a teacher in a Vermont public school for a minimum of one year following licensure for each year a forgivable loan is granted.
- Recognizing the importance of diversifying our

educator workforce, the budget also funds the Historically Underrepresented Educator Affinity Groups Grants program. This initiative will provide grants to both new and existing educator affinity groups from historically underrepresented communities.

Investing in School Infrastructure

Many of Vermont's school facilities, due to their age, require significant repairs and investment after years of deferred maintenance. Modern, healthy learning environments enhance student learning and support school professionals more effectively. H.486 sets up a Construction Aid Task Force to report on school construction aid-related issues. The goal is to comprehensively catalogue school facility needs and establish a state-level funding program to alleviate some of the financial burden from local communities when they undertake substantial school construction projects. Such a program was in place in Vermont about fifteen years ago, making Vermont the only state in New England currently without one. The Construction Aid Task Force provisions have been added to the FY24 state budget, and we anticipate significant progress in this area.

PCB Testing

The House has suggested that the polychlorinated biphenyls (PCB) testing program be paused and included in the broader discussion about school construction in Vermont. The Senate disagreed, and the testing program will continue, though the deadline for completion has been extended until 2027. For more information, please visit the Agency of Education webpage on PCB testing.

Environment & Energy

In response to our rapidly changing climate, we've passed two key bills to protect biodiversity and reduce greenhouse gas emissions, addressing vital steps outlined in Vermont's Climate Action Plan.

Community Resilience & Biodiversity Protection

Bill H.126, also known as "30x30", outlines a strategy for permanently conserving 30% of Vermont's landscape by 2030, and 50% by 2050. The bill includes provisions for an updated inventory of currently conserved lands, encompassing both working lands and old forest.

Affordable Heat

Paving the Way for the Future. Bill S.5, the Affordable Heat Act, focuses on how we heat and cool our buildings with the aim of helping Vermonters save money and reduce pollution by transitioning from fossil fuels to cleaner, more sustainable heat sources. The approach involves earning credits through assisting Vermonters, particularly those with fixed, low or moderate incomes, in activities like weatherizing, installing heat pumps, or switching to cleaner fuels at lower prices. The legislature gave final approval to S.5 in May by overriding Governor Scott's veto. The Public Utilities Commission will now spend the next two years researching and designing the proposed Clean Heat Standard. The information, presented to the legislature as a new bill in 2025, will determine the future of the Clean Heat Standard.

Protecting Our Health, Soil & Water

We've passed several bills this year to protect public health and our ecosystems from toxic chemicals and plastic pollution. These include H.67, which requires manufacturers of household products containing hazardous substances to join a program that handles collection and disposal, and H.158, known as the bottle bill, that modernizes and expands the deposit system to help reduce plastic, aluminum, and glass bottle waste.

Housing for All in the Right Places

The HOME bill or S.100, lays the foundation for more affordable housing for Vermont's working families. The bill encourages housing development in vibrant, livable, and walkable downtowns while discouraging sprawl. It includes zoning changes to allow for more housing density and makes it harder to appeal necessary housing projects. The bill also details key investments in affordable housing, rehab programs, emergency shelters, recovery housing, and land access opportunities.

General & Housing

Aiding Vermont's Mobile Home Communities. Mobile homes in Vermont are an estimated 20,651 strong, with around 6,700 situated in mobile home parks. These communities provide significant affordable housing options for our residents. However, our understanding of their condition and infrastructure requires further expansion. How many of these parks require updates to their water and sewer access? What proportion has adopted the co-op model versus traditional ownership and rental structures?

In response, the legislature has established a study committee slated to begin its work in the summer of 2023. The goal is to collate comprehensive data, thereby allowing us to devise effective strategies in the 2024 legislative session to uplift this vital housing sector.

Progress on Paid Family & Medical Leave

Though we were unable to advance the Paid Family and Medical Leave Insurance bill, H.66, through the Senate, the House remains unwavering in its commitment to this priority. Passed with robust support in the House in March, H.66 proposed three critical provisions:

- Job protection for employees on leave
- 90% wage replacement benefits up to the state average wage
- A generous leave allotment for a wide array of circumstances

Similar to any insurance program, paid leave would necessitate validation and approval. Circumstances covered would encompass serious health conditions for the employee or a family member, miscarriage, childbirth and child bonding, residential treatment for substance use disorder, preparation for military active duty, bereavement, and "safe leave" for victims of domestic violence, sexual assault, or stalking seeking medical care, counseling, or legal services. We will continue striving for the implementation of these vital protections for Vermonters.

Government Operations & Military Affairs

Impeachment Investigation

For the first time since 1976, the Vermont House has initiated an impeachment investigation into two elected Franklin County officials: the sheriff and the state's attorney. This process was instigated due to allegations of misconduct and their refusal to step down. The impeachment process is particularly complex for a sheriff, as their position is constitutionally protected. On May 16, a bipartisan seven-member Special Committee on Impeachment Inquiry was appointed by the Speaker of the House. The committee is tasked with determining if there are sufficient grounds for impeachment. The committee holds subpoena power and will meet throughout the 2023–2024 biennium to complete its investigation. This includes examining documents, gathering evidence, and interviewing witnesses.

Sheriff Office Reform

Recent challenges within sheriff departments across the state prompted legislative action in this session. The bill S.17 was passed to ensure accountability, provide guidance, and establish structure within sheriff departments. Key provisions include prohibiting charges for standby services for abuse survivors, mandating transition plans for new sheriffs, and enhancing transparency and ethical standards for sheriffs. The bill also establishes a model policy for sheriff department compensation and benefits.

Online Sports Wagering

Bill H.127, legalizing online sports wagering, is en route to the Governor for signature. This bill aims to provide consumer protections and capture revenue from currently illegal gambling operations. To safeguard consumers, the bill ensures a regulated industry and provisions for problem gambling support. Notably, licensed operators must meet responsible gambling requirements, including allowing bettors to set wager limits or exclude themselves from gambling. Credit card usage for sports betting is prohibited, and no physical gambling locations are permitted. Revenue from online sports wagering will contribute to enhanced investment in treatment and support for problem gambling via the Department of Mental Health.

Health Care

Addressing Vermont's Suicide Crisis

Our suicide rate is a pressing concern as it stands 50% higher than the national average. Aiming to mitigate this crisis, our legislature has passed H.230, a bill focusing on suicide prevention. The bill mandates a 72-hour waiting period for gun sales, provides penalties for negligent storage, and allows household members to petition for Extreme Risk Protection Orders. Further, H.481 will engage our schools and communities in suicide prevention efforts under the guidance of Vermont's Director of Suicide Prevention. These measures are not only aimed at prevention but also providing support in the aftermath of such tragedies.

Preserving Health Care Provider Rights

In the wake of threats to reproductive rights and the rights of our transgender citizens, Vermont stands firm in protecting its healthcare professionals. Bills H.89 and S.37 shield our providers from criminal, civil, and regulatory penalties for providing vital health

services. These bills also secure access to essential medications, contraceptive accessibility on college campuses, and put an end to the deceptive practices of some limited-service pregnancy centers.

Bolstering Health Care Accessibility

Our health care system is grappling with a significant shortage of health care professionals. To address this, the legislature has passed four bills that enable many providers to join interstate licensure compacts. This enables health care providers to practice in other states within the compact and vice versa, thereby addressing patient waiting times and boosting healthcare accessibility. These include H.62 (mental health counselors), H.77 (physical therapists), H.86 (speech-language pathologists and audiologists), and H.282 (psychologists). These new initiatives are intended to enhance our healthcare system, safeguard our professionals, and address pressing public health concerns. We look forward to seeing their positive impacts on our community.

Human Services

Child Care & Early Childhood Education

Access to affordable, high-quality early childhood care has been a challenge for many Vermont families. To address this, H.217 is making significant investments in our children and communities. It increases state-funded assistance for children in child care, expands full-time pre-K for all 4-year-olds, boosts reimbursement rates for community and home-based child care programs by 35%, and ensures better oversight of early childhood education. Furthermore, it makes child care more affordable for families by extending financial assistance to a wider range of income levels. Funded by a payroll tax, H.217 has gained bipartisan support and is now awaiting the Governor's approval.

Reducing Overdoses

Fatal overdoses remain a grave concern in Vermont. H.222 and H.72 are crucial bipartisan bills aimed at reversing the growing overdose trend. H.222 increases access to recovery housing, eliminates treatment barriers for Vermonters on Medicaid, enhances access to Naloxone (Narcan), and implements drug-checking systems. H.72, on the other hand, funds pilot overdose prevention sites that offer supervised drug use to prevent fatal overdoses. Both bills represent significant strides towards enhancing life-saving services in our communities.

Requirements for Medical Aid in Dying

Since Vermont first legalized medical aid in dying in 2013, it required that patients must be state residents. H.190, signed by Governor Scott on May 2, 2023, removed this residency requirement. While the patients still need to have a terminal condition, make an informed decision, and voluntarily request medication, they no longer need to be Vermont residents. This bill reflects our commitment to providing compassionate care, regardless of a patient's location, and makes Vermont the first state to extend end-of-life laws to out-of-state terminally ill residents.

Judiciary

Addressing Domestic & Sexual Violence

Efforts to address domestic and sexual violence were a central focus this session. H.45 aims to prevent "abusive litigation" by convicted abusers, curtailing their ability to harm survivors further through the court system. Bolstered by powerful victim testimonies, the bill passed in both the House and Senate, now awaiting the governor's approval. H.41 empowers Community Justice Centers (CJCs) to handle domestic and sexual violence cases under specific conditions, providing a restorative justice approach that could encourage more victims to report abuse. Act 8, now law, prohibits child marriage, offering protection against potential abuse and other mental and physical health risks for those married under 18.

Health Care Provider & Patient Protection

H.89, the Shield Law, offers robust legal protection for Vermont-based providers and patients of reproductive and gender-affirming health care. The law also covers anyone assisting or facilitating these health services within Vermont. While existing Vermont laws and constitution offer protections, they fall short in cases like tele-health services or for Vermont students temporarily residing outside the state. With other states passing restrictive laws affecting both patients and providers, the Shield Law ensures that health care decisions made in Vermont remain protected. Governor signed H.89 into law on May 10, 2023. S.36 protects health care workers from physical harm. This legislation responds to the increasing assaults on hospital workers by allowing law enforcement to make arrests without warrants for assault or criminal threats against healthcare workers. Now it awaits the Governor's signature.

Criminal Justice Reform & Reinvestment

The House Judiciary Committee focused heavily on criminal justice reform and justice reinvestment. S.4 initiates the Community Violence Prevention Program, which grants funding to community programs addressing the rise in drug-related violence. The bill S.6 prohibits the use of deception during custodial interrogations of juveniles, acknowledging the high risk of false confessions. The Vermont Criminal Justice Council will develop a model interrogation policy under this bill. Lastly, S.14 directs the Vermont Statistical Analysis Group (SAC) to collaborate with various agencies and entities to assess the impacts of criminal justice-related investments. This bill also establishes the Coordinated Justice Reform Advisory Council. All three bills now await the Governor's signature.

Transportation

Our recent legislative session bore witness to significant efforts in combating climate change, primarily targeting our transportation sector. The transportation sector accounts for about 40% of Vermont's total emissions, leading our fight against greenhouse gases. In November 2022, Vermont took a significant step forward, adopting California's Advanced Clean Cars II Act. This legislation aims for 100 percent electric vehicle sales by 2035, which aligns with the mandates of our Global Warming Solutions Act of 2020. The Advanced Clean Cars II Act is anticipated to contribute to a third of our emission reduction goal. The FY24 transportation budget, approximated at \$870M, comprises several incentive-based programs. These initiatives help Vermonters transition to more efficient transportation options like new electric vehicles, e-bikes, and public transportation. The budget also supports rail infrastructure and the development of safer biking and pedestrian options on new and updated roadways. Vermont's Agency of Transportation (AOT) partnered with Cambridge Systematics to create a comprehensive climate reduction plan. The plan scrutinizes AOT's capital program and outlines the most cost-effective greenhouse gas reduction projects.

Key facts highlighting Vermont's progress in the transportation sector include:

- Vermont ranking 4th in the nation in EV adoption in 2022
- Having the highest number of chargers per capita in the U.S.

- The registration of 777,000 vehicles by the Vermont Department of Motor Vehicles

Investments linking housing and transportation reflect our commitment to our state values. Our legislature's endeavors to create more affordable housing stock in downtowns and village centers have led to improved community life. This integration has also resulted in increased health and social equity, revitalized local economies, and helped address the critical state housing shortage. Driving an electric vehicle (EV) equates to paying about \$1.50 per gallon for gas at the pump. There are several incentives available to Vermonters to promote EV adoption, including federal tax credits, electric utility programs, and state incentives. For example, the Drive Electric Vermont website offers a handy calculator tool to help Vermonters understand their eligibility for these incentives. Together, we are making strides toward reducing our carbon footprint and progressing towards a sustainable, efficient, and cleaner future.

Ways & Means

Modernizing Vermont's Property Tax System

Our House Ways & Means Committee has been focusing on improving the predictability and understandability of the property tax system. H.480 is a significant step forward, standardizing property valuation and reappraisal practices across Vermont, thereby establishing a more equitable property valuation system suited to a modern tax framework. We plan to continue refining property taxes and property valuation in the upcoming legislative year.

Supporting School Budgets with the Yield Bill

The Yield Bill, a key piece of legislation, annually sets the property tax rate based on the cumulative school budgets passed throughout the state. This year, we saw an uptick in budget approvals due to the increased needs post-pandemic. Fortunately, revenues have risen to support these budgets. Looking forward, we anticipate further increases in education spending, but non-property tax revenues may not match this growth. To mitigate this, we've allocated some of the current revenue to offset next year's taxes, adhering to the Commissioner of Taxes' forecast.

Prioritizing Vermont's Interests

This session, the Ways & Means Committee worked diligently to support state government priorities, ensuring the strength of Vermont amidst an unpredictable national and global landscape. The

committee scrutinized present resources and future possibilities for growth or reallocation. Our focus is on regularly adjusting fees to keep pace with inflation, developing a progressive, equitable tax system, and maintaining a diverse mix of revenue sources for resilience through changing times. The substantial influx of federal COVID-era grants resulted in a one-time budget increase. As these funds dwindle, they have helped Vermont's economy to such an extent that we are financially healthier than before the pandemic. While one-time spending opportunities may decrease, we expect our revenue base to remain robust. The booming economy has also benefited corporations, leading to increased revenues. By restructuring Vermont's corporate tax structures to minimize profit concealment and misattribution, we've ensured that the beneficial effects of massive federal and state spending continue to stimulate the economy.