

Journal of the House

Wednesday, March 27, 2013

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

Devotional Exercises

Devotional exercises were conducted by the Speaker.

Joint Assembly

At nine o'clock in the forenoon, the hour for the Joint Assembly having arrived, pursuant to the provisions of Joint resolution, entitled

J.R.S. 22. Joint resolution providing for a Joint Assembly to vote on the retention of seven Superior Judges and one Magistrate;

The Senate appeared in the Hall of the House.

Thereupon, the Joint Assembly having concluded its session, at ten o'clock and forty minutes in the forenoon, the Speaker resumed the Chair.

Message from the Senate No. 32

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

Mr. Speaker:

I am directed to inform the House that:

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

J.R.S. 21. Joint resolution relating to weekend adjournment.

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

Joint Resolution Adopted in Concurrence

J.R.S. 21

By Senators Baruth and Benning,

J.R.S. 21. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 29, 2013, it be to meet again no later than Tuesday, April 2, 2013.

Was taken up read and adopted in concurrence.

Bill Read Second Time; Consideration Interrupted by Recess**H. 526**

Rep. Deen of Westminster spoke for the committee on Fish, Wildlife & Water Resources.

House bill entitled

An act relating to the establishment of lake shoreland protection standards

Having appeared on the Calendar one day for notice, was taken up and read the second time.

Pending the question, Shall the bill be read a third time? **Rep. Deen of Westminster** moved to amend the bill as follows:

First: In Sec. 1, prior to the first sentence in subdivision (6), by inserting the following:

The shorelands of the state owned by private persons remain private property, and this act does not extend the common-law public trust doctrine to private shoreland that is not currently public trust land.

Second: In Sec. 2, 10 V.S.A. § 1442, by adding a new subdivision (11) to read as follows:

(11) "Private road" means a road or street other than a highway, as that term is defined in 19 V.S.A. § 1(12), that is owned by one or more person and that is used as a means of travel from a highway to more than one parcel of land.

and by reordering the subsequent subdivisions to be numerically correct

Third: In Sec. 2, 10 V.S.A. § 1443, by adding subdivision (a)(3) to read:

(3) When the emergency repair, repair, and replacement of a private road or highway, as that term is defined in 19 V.S.A. § 1(2), results in the construction, creation, or expansion of impervious surface or cleared area on a property adjacent to the private road or highway, the impervious surface or cleared area constructed or created on the adjacent property shall not be calculated as square footage of impervious surface or cleared area for purposes of permitting under subdivision (a)(1) of this subsection.

Fourth: In Sec. 2, 10 V.S.A. § 1444, by inserting a new subdivision (b)(5) to read:

(5) for areas of the State where mosquito populations create a public health hazard, as that term is defined in 18 V.S.A. § 2, physical practices or activities that create cleared area or remove vegetative cover in order to reduce

mosquito breeding habitat, provided that any activity authorized under this subdivision shall comply with the Vermont wetlands rules;

and by reordering the subsequent subdivisions to be numerically correct

Fifth: In Sec. 2, 10 V.S.A. § 1445, in subsection (d) after “Historic and urban development.” by striking all until the colon and inserting in lieu thereof the following:

In a municipality that does not qualify for delegation under subsection (a) or (b) of this section, construction, creation, or expansion of impervious surface or cleared area within a protected shoreland area shall not require a permit under this chapter if

Sixth: In Sec. 2, 10 V.S.A. § 1446, by striking subdivision (3) in its entirety and inserting in lieu thereof the following:

(3) Transportation infrastructure and private roads. The maintenance, emergency repair, repair, and replacement of:

(A) transportation infrastructure by the Vermont Agency of Transportation or by a municipality; or

(B) a private road that does not require a permit under section 1264 of this title, provided that emergency repair, repair, and replacement of the private road shall comply with the applicable water quality best management practices within the Vermont Agency of Transportation town road and bridge standards for controlling stormwater runoff and direct discharges to state waters. The requirement to comply with the water quality best management practices shall apply even if the municipality in which the private road is located has not adopted the town road and bridge standards. Under this subdivision, expansion of a private road in order to allow for passage of emergency vehicles shall be considered repair that does not require a permit under section 1443 of this title.

Seventh: In Sec. 2, 10 V.S.A. § 1447, by adding subsection (c) to read:

(c) Agency lands. All lands held by the Agency within a protected shoreland area shall be managed according to the requirements of this chapter when consistent and not in conflict with applicable federal requirements for the management of a parcel of land held by the Agency.

Pending the question, Shall the bill be amended as recommended by Rep. Deen of Westminster?

Recess

At eleven o'clock and forty minutes in the forenoon, the Speaker declared a recess until one o'clock in the afternoon.

At one o'clock in the afternoon, the Speaker called the House to order.

Consideration Resumed; Bill Amended and Third Reading Ordered

H. 526

Consideration resumed on House bill entitled

An act relating to the establishment of lake shoreland protection standards;

The recurring question, Shall the bill be amended as recommended by Rep. Deen of Westminster? Was agreed to.

Pending the question, Shall the bill be read the third time? **Rep. Helm of Fair Haven** moved to amend the bill as follows:

In Sec. 2, 10 V.S.A. § 1443, by striking “500 square feet” in each instance where it appears in subsection (a) and inserting in lieu thereof “1,200 square feet”

Thereupon, **Rep. Helm of Fair Haven** asked and was granted leave of the House to withdraw his amendment.

Pending the question, Shall the bill be read the third time? **Rep. Helm of Fair Haven** moved to amend the bill as follows:

In Sec. 2, 10 V.S.A. § 1442, by striking subdivision (8) in its entirety and inserting in lieu thereof the following:

(8) “Lake” means a body of standing water, including a pond or reservoir, which may have natural or artificial water level control and which is listed by the Agency as an impaired water under the federal Clean Water Act, 33 U.S.C. § 1313(d). Private ponds shall not be considered lakes.

Which was disagreed to on a Division Vote. Yeas, 36. Nays, 61.

Pending the question, Shall the bill be read the third time? **Rep. Helm of Fair Haven** moved to amend the bill as follows:

First: In Sec. 2, 10 V.S.A. § 1442, by adding a new subdivision (11) to read as follows:

(11) “Private road” means a road or street other than a highway, as that term is defined in 19 V.S.A. § 1(12), that is owned by one or more persons and that is used as a means of travel from a highway to more than one parcel of land.

and by reordering the subsequent subdivisions to be numerically correct

Second: In Sec. 2, 10 V.S.A. § 1446, by striking subdivision (3) in its entirety and inserting in lieu thereof the following:

(3) Transportation infrastructure and private roads. The maintenance, emergency repair, repair, and replacement of:

(A) transportation infrastructure by the Vermont Agency of Transportation or by a municipality; or

(B) a private road that does not require a permit under section 1264 of this title.

Thereupon, **Rep. Helm of Fair Haven** asked and was granted leave of the House to withdraw his amendment.

Pending the question, Shall the bill be read the third time? **Rep. Helm of Fair Haven** moved to amend the bill as follows:

By striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. AGENCY OF NATURAL RESOURCES REPORT ON LAKE

SHORELAND PROTECTION

(a) On or before January 15, 2014, the Secretary of Natural Resources shall submit to the House Committee on Fish, Wildlife and Water Resources, the Senate Committee on Natural Resources and Energy, and the House and Senate Committees on Appropriations a report with recommendations for how the shoreland areas adjacent to lakes in the State should be managed or regulated. The report shall include recommendations regarding:

(1) whether and to what extent activities in lake shorelands should be regulated, including whether the construction, creation, or expansion of impervious surface or cleared area in lake shorelands should be regulated;

(2) if the Secretary recommends regulation of activities in shorelands, how regulation would occur, including whether regulation of the relevant activities would be delegated to municipalities in the State;

(3) the activities in a lake shoreland that would be exempt from regulation by the State;

(4) how to fund recommended regulation in lake shorelands, including an estimate of how much regulation would cost and any revenue source, including permit fees, that would be used to pay for the cost of the program.

(b) In developing the recommendations required under subsection (a) of this section, the Secretary of Natural Resources shall consult with lake organizations, owners of property adjacent to lakes, and any other person directly affected by the regulation of lake shorelands.

Pending the question, Shall the bill be amended as recommended by Rep. Helm of Fair Haven? **Rep. Helm of Fair Haven** 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 Rep. Helm of Fair Haven? was decided in the negative. Yeas, 48. Nays, 99.

Those who voted in the affirmative are:

Batchelor of Derby	Hebert of Vernon	Pearce of Richford
Bouchard of Colchester	Helm of Fair Haven	Quimby of Concord
Branagan of Georgia	Higley of Lowell	Savage of Swanton
Brennan of Colchester	Hubert of Milton	Scheuermann of Stowe
Canfield of Fair Haven	Johnson of Canaan	Shaw of Pittsford
Carr of Brandon	Juskiewicz of Cambridge	Shaw of Derby
Condon of Colchester	Kilmartin of Newport City	Smith of New Haven
Cupoli of Rutland City	Koch of Barre Town	Stevens of Shoreham
Devereux of Mount Holly	Komline of Dorset	Strong of Albany
Dickinson of St. Albans Town	Larocque of Barnet	Terenzini of Rutland Town
Donaghy of Poultney	Lawrence of Lyndon	Townsend of Randolph
Donahue of Northfield	Lewis of Berlin	Turner of Milton
Fagan of Rutland City	Marcotte of Coventry	Van Wyck of Ferrisburgh
Feltus of Lyndon	McFaun of Barre Town	Winters of Williamstown
Gage of Rutland City	Mitchell of Fairfax	Wright of Burlington
Goodwin of Weston	Morrissey of Bennington	
	Myers of Essex	

Those who voted in the negative are:

Ancel of Calais	Davis of Washington	Krebs of South Hero
Bartholomew of Hartland	Deen of Westminster	Krowinski of Burlington
Beyor of Highgate	Ellis of Waterbury	Kupersmith of South Burlington
Bissonnette of Winooski	Emmons of Springfield	Lanpher of Vergennes
Botzow of Pownal	Evans of Essex	Lenes of Shelburne
Browning of Arlington	Fay of St. Johnsbury	Lippert of Hinesburg
Burditt of West Rutland	Fisher of Lincoln	Macaig of Williston
Burke of Brattleboro	Frank of Underhill	Malcolm of Pawlet
Buxton of Tunbridge	French of Randolph	Manwaring of Wilmington
Campion of Bennington	Gallivan of Chittenden	Marek of Newfane
Cheney of Norwich	Grad of Moretown	Martin of Springfield
Christie of Hartford	Greshin of Warren	Martin of Wolcott
Clarkson of Woodstock	Haas of Rochester	Masland of Thetford
Cole of Burlington	Head of South Burlington	McCarthy of St. Albans City
Connor of Fairfield	Heath of Westford	McCormack of Burlington
Conquest of Newbury	Hooper of Montpelier	McCullough of Williston
Consejo of Sheldon	Huntley of Cavendish	Michelsen of Hardwick
Copeland-Hanzas of Bradford	Jerman of Essex	Miller of Shaftsbury
Corcoran of Bennington	Jewett of Ripton	Mook of Bennington
Cross of Winooski	Johnson of South Hero	Moran of Wardsboro
Dakin of Chester	Keenan of St. Albans City	Mrowicki of Putney
	Klein of East Montpelier	

Nuovo of Middlebury	Sharpe of Bristol	Vowinkel of Wilder
O'Brien of Richmond	South of St. Johnsbury	Waite-Simpson of Essex
O'Sullivan of Burlington	Spengler of Colchester	Webb of Shelburne *
Partridge of Windham	Stevens of Waterbury	Weed of Enosburgh
Pearson of Burlington	Stuart of Brattleboro	Wilson of Manchester
Peltz of Woodbury	Sweaney of Windsor	Wizowaty of Burlington
Poirier of Barre City	Taylor of Barre City	Woodward of Johnson
Potter of Clarendon	Till of Jericho	Yantachka of Charlotte
Pugh of South Burlington	Toleno of Brattleboro	Young of Glover
Rachelson of Burlington	Toll of Danville	Zagar of Barnard
Ralston of Middlebury	Townsend of South	
Ram of Burlington	Burlington	
Russell of Rutland City	Trieber of Rockingham	

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

Donovan of Burlington Kitzmiller of Montpelier

Rep. Webb of Shelburne explained her vote as follows:

“Mr. Speaker:

The January, 2013 Act 138 report already answers the questions posed by this amendment. In addition, the underlying bill has an extensive process for property owners, municipalities, lake users, lake group's and businesses to participate in shore protective standards. This amendment would simply be a waste of money”

Pending the question, Shall the bill be read the third time? **Rep. Deen of Westminster** demanded the yeas and nays, which demand was sustained by the Constitutional number.

Thereupon, **Rep. Fagan of Rutland City** moved to commit the bill to the committee on Ways and Means, which was disagreed to.

The Clerk proceeded to call the roll and the question, Shall the bill be read a third time? was decided in the affirmative. Yeas, 105. Nays, 42.

Those who voted in the affirmative are:

Ancel of Calais	Cheney of Norwich	Dakin of Chester
Bartholomew of Hartland	Christie of Hartford	Davis of Washington
Beyor of Highgate	Clarkson of Woodstock	Deen of Westminster
Bissonnette of Winooski	Cole of Burlington	Ellis of Waterbury
Botzow of Pownal	Connor of Fairfield	Emmons of Springfield
Branagan of Georgia	Conquest of Newbury	Evans of Essex
Browning of Arlington	Consejo of Sheldon	Fay of St. Johnsbury
Burke of Brattleboro	Copeland-Hanzas of	Feltus of Lyndon
Buxton of Tunbridge	Bradford	Fisher of Lincoln
Campion of Bennington	Corcoran of Bennington	Frank of Underhill
Carr of Brandon	Cross of Winooski	French of Randolph

Gallivan of Chittenden	Marek of Newfane	Ram of Burlington
Grad of Moretown	Martin of Springfield	Russell of Rutland City
Greshin of Warren	Martin of Wolcott	Sharpe of Bristol
Haas of Rochester	Masland of Thetford	South of St. Johnsbury
Head of South Burlington	McCarthy of St. Albans City	Spengler of Colchester
Heath of Westford	McCormack of Burlington	Stevens of Waterbury
Hooper of Montpelier	McCullough of Williston *	Stuart of Brattleboro
Huntley of Cavendish	Michelsen of Hardwick	Sweaney of Windsor
Jerman of Essex	Miller of Shaftsbury	Taylor of Barre City
Jewett of Ripton	Mook of Bennington	Till of Jericho
Johnson of South Hero	Moran of Wardsboro	Toleno of Brattleboro
Keenan of St. Albans City	Mrowicki of Putney	Toll of Danville
Klein of East Montpelier	Myers of Essex	Townsend of South
Komline of Dorset	Nuovo of Middlebury	Burlington
Krebs of South Hero	O'Brien of Richmond	Trieber of Rockingham
Krowinski of Burlington	O'Sullivan of Burlington	Vowinkel of Wilder
Kupersmith of South	Partridge of Windham *	Waite-Simpson of Essex
Burlington	Pearson of Burlington	Webb of Shelburne *
Lanpher of Vergennes	Peltz of Woodbury	Weed of Enosburgh
Lenes of Shelburne *	Poirier of Barre City	Wilson of Manchester
Lippert of Hinesburg	Potter of Clarendon	Wizowaty of Burlington
Macaig of Williston	Pugh of South Burlington	Woodward of Johnson
Malcolm of Pawlet	Quimby of Concord	Wright of Burlington
Manwaring of Wilmington	Rachelson of Burlington	Yantachka of Charlotte
Marcotte of Coventry	Ralston of Middlebury	Zagar of Barnard

Those who voted in the negative are:

Batchelor of Derby	Hebert of Vernon	Savage of Swanton
Bouchard of Colchester	Helm of Fair Haven	Scheuermann of Stowe
Brennan of Colchester	Higley of Lowell	Shaw of Pittsford *
Burditt of West Rutland	Hubert of Milton	Shaw of Derby
Canfield of Fair Haven	Johnson of Canaan	Smith of New Haven
Condon of Colchester	Juskiewicz of Cambridge	Stevens of Shoreham
Cupoli of Rutland City	Kilmartin of Newport City	Strong of Albany
Devereux of Mount Holly	Koch of Barre Town *	Terenzini of Rutland Town
Dickinson of St. Albans	Larocque of Barnet	Townsend of Randolph
Town	Lawrence of Lyndon	Turner of Milton
Donaghy of Poultney *	Lewis of Berlin	Van Wyck of Ferrisburgh
Donahue of Northfield	McFaun of Barre Town	Winters of Williamstown
Fagan of Rutland City	Mitchell of Fairfax	Young of Glover
Gage of Rutland City	Morrissey of Bennington	
Goodwin of Weston	Pearce of Richford	

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

Donovan of Burlington	Kitzmiller of Montpelier
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Rep. Donaghy of Poultney explained his vote as follows:

“Mr. Speaker:

This is no more than eminent domain in camouflage. Lake St. Catherine is tested weekly and has been found to be in great shape, thank you. We don't need this property rights invasion by the state."

Rep. Koch of Barre Town explained his vote as follows:

"Mr. Speaker:

Protecting Vermont's lakes is extremely important, and I would like to support a good bill for that purpose. This bill, however, hands the Agency of Natural Resources a blank check and tells the Agency to fill in the blanks for us by defining "best practices" that will have the force of law. If I vote for this bill, I have no idea what, in fact, I'm voting for. That's no way to legislate."

Rep. Lenes of Shelburne explained her vote as follows:

"Mr. Speaker:

I rise in support of and appreciation for this legislation that establishes lake shoreland protection standards. When we protect our water quality, naturally vegetated shorelines offer economic benefits for shoreline homeowners as well as the community and state."

Rep. McCullough of Williston explained his vote as follows:

"Mr. Speaker:

I vote yes on H.526! I am proud of my committee's long, careful, thoughtful, and quadripartisan hours of work. Further, I am proud of this Body's wise recognition of the need for furthering statewide water quality protections. H.526 requires shoreland protections to be put in place to protect Vermont's lakes and ponds. It honors our Public Trust obligation to protect the waters of the State. It honors the municipalities' desire to manage their own lakeshores, providing they have chosen to do so. Importantly, it honors Vermonters' needs to use their shoreland properties with the mantra of best management practices for minimum water quality degradation."

Rep. Partridge of Windham explained her vote as follows:

"Mr. Speaker:

This is a long overdue first step to protect our lakes. I appreciate that your Fish, Wildlife and Water Resources Committee deferred to the existing Accepted Agricultural Practices and the water quality protection standards that apply to agricultural activities."

Rep. Shaw of Pittsford explained his vote as follows:

"Mr. Speaker:

My constituents have spoken to me very clearly in opposition to H.526. My no vote represents their interests.”

Rep. Webb of Shelburne explained her vote as follows:

“Mr. Speaker:

Through twelve drafts the committee struggled to address the rights of property owners, the desire for local control, and the compelling evidence that we can no longer maintain the status quo. Should this bill become law, we will join New Hampshire, Maine, Massachusetts, Connecticut and Rhode Island to establish standards long overdue to protect these exquisite resources in our state, allowing plenty of time for public participation.”

Message from Governor

A message was received from His Excellency, the Governor, by Mr. Louis Porter, Secretary of Civil and Military Affairs, as follows:

Mr. Speaker:

I am directed by the Governor to inform the House that on the twenty-seventh day of March, 2013, he approved and signed a bill originating in the House of the following title:

H. 63 An act relating to repealing an annual survey of municipalities

Bill Read Second Time; Third Reading Ordered

H. 528

Rep. Ancel of Calais spoke for the committee on Ways and Means.

House bill entitled

An act relating to revenue changes for fiscal year 2014 and fiscal year 2015

Having appeared on the Calendar one day for notice, was taken up and read the second time.

Pending the question, Shall the bill be read a third time? **Rep. Turner of Milton** 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 read a third time? was decided in the affirmative. Yeas, 85. Nays, 55.

Those who voted in the affirmative are:

Ancel of Calais	Burke of Brattleboro	Cole of Burlington
Bartholomew of Hartland	Buxton of Tunbridge	Condon of Colchester
Bissonnette of Winooski	Campion of Bennington	Connor of Fairfield
Botzow of Pownal	Carr of Brandon	Cross of Winooski
Branagan of Georgia	Cheney of Norwich	Dakin of Chester

Deen of Westminster	Lippert of Hinesburg	Rachelson of Burlington
Ellis of Waterbury	Macaig of Williston	Ralston of Middlebury
Emmons of Springfield	Malcolm of Pawlet	Ram of Burlington
Evans of Essex	Manwaring of Wilmington	Russell of Rutland City
Fay of St. Johnsbury	Marek of Newfane	Sharpe of Bristol
Fisher of Lincoln *	Martin of Springfield	Spengler of Colchester
Frank of Underhill	Martin of Wolcott	Stevens of Waterbury *
French of Randolph	Masland of Thetford	Stevens of Shoreham
Grad of Moretown	McCarthy of St. Albans City	Stuart of Brattleboro
Haas of Rochester	McCormack of Burlington	Sweaney of Windsor
Head of South Burlington	McCullough of Williston	Taylor of Barre City
Heath of Westford	Michelsen of Hardwick	Till of Jericho
Hooper of Montpelier	Miller of Shaftsbury	Toleno of Brattleboro
Jerman of Essex	Mook of Bennington	Townsend of South
Jewett of Ripton	Moran of Wardsboro	Burlington
Johnson of South Hero	Mrowicki of Putney	Vowinkel of Wilder
Keenan of St. Albans City	Nuovo of Middlebury	Waite-Simpson of Essex
Klein of East Montpelier	O'Brien of Richmond	Webb of Shelburne
Krebs of South Hero	O'Sullivan of Burlington	Weed of Enosburgh
Krowinski of Burlington	Partridge of Windham	Wilson of Manchester
Kupersmith of South	Pearson of Burlington *	Wizowaty of Burlington
Burlington	Peltz of Woodbury	Woodward of Johnson
Lanpher of Vergennes	Poirier of Barre City	Yantachka of Charlotte
Lenes of Shelburne	Potter of Clarendon	Zagar of Barnard

Those who voted in the negative are:

Batchelor of Derby *	Gage of Rutland City *	Mitchell of Fairfax
Bayor of Highgate	Gallivan of Chittenden	Morrissey of Bennington
Bouchard of Colchester	Goodwin of Weston	Myers of Essex
Brennan of Colchester	Greshin of Warren	Pearce of Richford
Browning of Arlington *	Hebert of Vernon *	Quimby of Concord *
Burditt of West Rutland *	Helm of Fair Haven	Savage of Swanton
Canfield of Fair Haven	Higley of Lowell *	Scheuermann of Stowe *
Conquest of Newbury	Hubert of Milton *	Shaw of Pittsford
Consejo of Sheldon	Huntley of Cavendish	Shaw of Derby
Corcoran of Bennington	Johnson of Canaan	Smith of New Haven *
Cupoli of Rutland City *	Juskiewicz of Cambridge *	South of St. Johnsbury
Davis of Washington	Kilmartin of Newport City *	Terenzini of Rutland Town
Devereux of Mount Holly	Koch of Barre Town	Townsend of Randolph
Dickinson of St. Albans	Komline of Dorset *	Trieber of Rockingham
Town *	Larocque of Barnet *	Turner of Milton *
Donaghy of Poultney	Lawrence of Lyndon *	Van Wyck of Ferrisburgh
Donahue of Northfield	Lewis of Berlin *	Wright of Burlington *
Fagan of Rutland City	Marcotte of Coventry	Young of Glover
Feltus of Lyndon *	McFaun of Barre Town *	

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

Christie of Hartford	Copeland-Hanzas of	Donovan of Burlington
Clarkson of Woodstock	Bradford	Kitzmiller of Montpelier

Pugh of South Burlington
Strong of Albany

Toll of Danville
Winters of Williamstown

Rep. Batchelor of Derby explained her vote as follows:

“Mr. Speaker:

I cannot support raising taxes on working Vermonters. During this session, this body has increased state fees, raising \$3 million in new revenue, increased property taxes by 5 cents, raising \$52.6 million in new revenue, the gas tax by 6.7 cents, raising \$22 million in new revenue, and today a variety of taxes including the income tax, raising a total of \$59.3 million in new revenue over two years. This totals \$136.9 million in new revenue in a single session. Working Vermonters cannot afford these increases! Thank you.”

Rep. Browning of Arlington explained her vote as follows:

“Mr. Speaker:

I vote against this bill because it is a raising revenue raid, it is not the principled tax reform that Vermont desperately needs.”

Rep. Burditt of West Rutland explained his vote as follows:

“Mr. Speaker:

We are a compassionate body to those in need. We need to add a demographic to the list: ‘The working Vermonter and taxpayer who is footing this bill.’ Working Vermonters cannot afford these tax increases.”

Rep. Cupoli of Rutland City explained his vote as follows:

“Mr. Speaker:

I cannot support raising taxes on working Vermonters. The income tax is a broad based tax. Eliminating an income bracket and capping standard deductions places an unfair burden on hard working Vermonters.”

Rep. Dickinson of St. Albans Town explained her vote as follows:

“Mr. Speaker:

The overwhelming response from my constituents is that they do not want any more taxes. The legislature has already approved a 5 cent increase on the Homestead Property tax, a 6 cent increase on the Non-Homestead Property tax, and 6.7 cent per gallon on the gasoline tax. With these new taxes, it will create more of a burden on working Vermont families.”

Rep. Feltus of Lyndon explained her vote as follows:

“Mr. Speaker:

The revenue increases in H.528 are needed to fund projected appropriations. The problem is that the projected appropriations are not reasonable.”

Rep. Fisher of Lincoln explained his vote as follows:

“Mr. Speaker:

H.528 raises revenue in a fair and honest fashion to fund valued services for Vermonters. I particularly appreciate that this bill repeals the Employer assessment, a tax that many small business people advocated for the repeal of.”

Rep. Gage of Rutland City explained his vote as follows:

“Mr. Speaker:

I cannot support raising taxes on working Vermonters. Raising the sales tax on bottled water, dietary supplements, clothing, candy and soft drinks is unnecessary, regressive and will further hinder the ability of Vermont businesses to remain competitive especially along the New Hampshire and Massachusetts borders. Thank you.”

Rep. Goodwin of Weston explained his vote as follows:

“Mr. Speaker:

As I rode up a ski lift Monday a friend asked me how things went up here and if they’re going to have to leave. It’s going to be tough when the whole bill falls to working Vermonters.”

Rep. Hebert of Vernon explained his vote as follows:

“Mr. Speaker:

I voted no because: I represent Guilford and Vernon, Vermont, not Hinsdale, Chesterfield, Keene, or any other town in New Hampshire, the very communities that would benefit most as a result of the passage of this bill. This is an economic development plan for the state of New Hampshire. This bill places a greater burden on our hard working Vermont taxpayers. This bill places greater burden on Vermont businesses and provides their competitors to the east more of an unfair advantage. This bill will harm our citizens and businesses. This bill will hinder Vermont’s economic development.”

Rep. Higley of Lowell explained his vote as follows:

“Mr. Speaker:

This year more than any, I have received many messages from my constituents stating ‘NO NEW TAXES’. If we choose not to implement any new initiatives in the budget, this tax package of \$27 million for FY 2014 and \$38.3 million for FY 2015 will not be needed. I voted ‘NO’ to give

Vermonters the opportunity to continue to recover from this recession without the burden of new taxes.”

Rep. Hubert of Milton explained his vote as follows:

“Mr. Speaker:

I cannot support raising taxes on hard working Vermonters. During this session, this body has increased state fees raising 3 million in new revenue, increased property taxes by 5 cents raising 52.6 million in new revenue, the gas tax by 6.7 cents raising 22 million in new revenue over the objection of 13,000 Vermonters who signed a petition. And now today a variety of taxes including the income tax and expanding the sales tax raising a total of 59.3 million in new revenue over two years. This totals 36.9 million dollars in new revenue in a single session. Hard working Vermonters cannot afford these increases. Thank you.”

Rep. Johnson of South Hero explained her vote as follows:

“Mr. Speaker:

I thank the Ways and Means Committee for eliminating the Catamount Assessment on employers. This will make it easier for our businesses – of all sizes – to grow and create more jobs for Vermonters.”

Rep. Juskiewicz of Cambridge explained his vote as follows:

“Mr. Speaker:

I have not received any emails supporting the bill. I cannot support raising taxes on working Vermonters. The Income Tax is a broad based tax. Eliminating an Income Tax bracket and capping standard deductions places an unfair burden on hard working Vermonters. Also, this will penalize people who want to be charitable and will have a financial impact on nonprofits who are struggling today.”

Rep. Kilmartin of Newport City explained his vote as follows:

“Mr. Speaker:

I vote NO to targeting Vermont taxpayers more because they have high itemized deductions which result from deductions for high state income taxes, high property taxes, home mortgage interest, charitable contributions to churches and hospitals, catastrophic losses (e.g. uninsured losses from flood, fire, wind, etc.), unreimbursed employee expenses. This particular provision is heartless, cruel and destructive. Most of all it is deceitful because its purpose is to partially replace a \$15 million employer assessment from Catamount Health which is being eliminated and provide start up funds for a new liberty

destroying health care system. This provision is irrational theft from citizens who are dedicated to their communities, families, church and children.”

Rep. Komline of Dorset explained her vote as follows:

“Mr. Speaker:

Four weeks ago this House voted to increase property taxes. Last week we voted to increase the gas tax. Today this body voted to increase a myriad of broad base taxes including our clothing, our meals, our income and even our water. I speak for my constituents when I say Enough is Enough.”

Rep. Larocque of Barnet explained his vote as follows:

“Mr. Speaker:

I cannot support raising taxes on working Vermonters. Raising the sales tax on bottled water, dietary supplements, clothing, candy and soft drinks is unnecessary, regressive and will further hinder the ability of Vermont businesses to remain competitive especially along the New Hampshire and Massachusetts borders. Thank you.”

Rep. Lawrence of Lyndon explained his vote as follows:

“Mr. Speaker:

As a former business owner I am well aware of what an increase in taxes will do in my area, it will only encourage people to visit the neighboring state of New Hampshire and will put additional burdens on our local businesses. The message I receive from constituents is very clear – we cannot support additional taxes.”

Rep. Lewis of Berlin explained her vote as follows:

“Mr. Speaker:

I cannot support this tax bill. We cannot keep asking our citizens to dip deeper into their pockets. They know better how to spend their money than we do. We should not be writing checks when there is no money in the bank. I’m sure most members in this body campaigned on “no new taxes”, but certainly this bill goes way beyond!”

Rep. Marek of Newfane explained his vote as follows:

“Mr. Speaker:

No one likes to pay taxes but this bill proposes to both make Vermont taxes fairer while also spreading burdens fairly and with minimum burdens on any one group of Vermonters. Explaining why you oppose taxes always is easy. Paying for good government never is.

Rep. McFaun of Barre Town explained his vote as follows:

“Mr. Speaker:

My constituents are telling me loud and clear, stop taxing me. I can't afford it. That's why I vote no.”

Rep. Morrissey of Bennington explained her vote as follows:

“Mr. Speaker:

I cannot support raising taxes on working Vermonters. Add the taxes from H.528 to the many others taxes to Vermonters' bottom line such as additional property tax and the new gas tax to name a few. No matter what we call it today, a tax, a fee, surcharge or contribution, it all adds up to the bottom line for our hard working Vermont taxpayers. Our tax payers have said 'Enough is enough.'”

Rep. Moran of Wardsboro explained his vote as follows:

“Mr. Speaker:

As one who has the honor to Co-Chair the Working Vermonters Legislative Caucus I speak for myself to praise your Ways and Means Committee for moving us towards a more progressive tax structure in Vermont. “

Rep. Mrowicki of Putney explained his vote as follows:

“Mr. Speaker:

As a hard-working Vermonter, I support the hard work of your Ways and Means Committee. It has resulted in a prudent and fiscally responsible proposal to provide the necessary resources for doing the people's business. I was elected to make tough decisions but the hard, wise work of your committee makes this decision easy and I vote yes to keep Vermont and Vermont values moving forward.”

Rep. Pearson of Burlington explained his vote as follows:

“Mr. Speaker:

The bulk of this proposal asks those who can afford it to pay a little more. It repeals the unpopular employer assessment for health care and allows us to avoid making drastic cuts to anti-poverty programs when poverty is on the rise. It is the right step to take.”

Rep. Quimby of Concord explained her vote as follows:

“Mr. Speaker:

I represent towns along the NH border. I don't need to explain why I cannot support raising more taxes on those people. It is evident why. They have asked that I don't vote to raise taxes, and I won't. "

Rep. Scheuermann of Stowe explained her vote as follows:

"Mr. Speaker:

"The collection of taxes which are not absolutely required is only a series of legalized larceny." Calvin Coolidge said that in his day and he was correct. The fact is, we do not need to raise taxes at all. We can meet the fiscal year 2014 budgetary needs, including a responsible increase in spending, without raising a dime in taxes. We are just choosing not to. Vermonters are urging us to live within our means and it is disappointing that we are ignoring those pleas."

Rep. Smith of New Haven explained his vote as follows:

"Mr. Speaker:

I cannot support raising taxes on working Vermonters. Over the last five years our state budgets have risen about 5% per year at the same time most of my constituents have seen their income remain flat. With cost of inflation around 2-3% resulting in reduced ability to pay these taxes. We need to find ways to control costs. Thank you."

Rep. Stevens of Waterbury explained his vote as follows:

"Mr. Speaker:

I voted for this bill because it addresses a very difficult question – how to support the public good equitably – in a way that acknowledges that we must all share in that responsibility. I appreciate the committee's work. One of the original proposals was to raise \$17 million from 44,000 people working hard to raise themselves out of poverty, who could least afford it, has been replaced by one that is fairer. Fairer does not mean easy. A recent report showed that the total average income change for the bottom 90% of our taxpayers since 1966 is \$59. For the top 10%, it was over \$160,000. I am proud of the work the Ways and Committee did, and look forward to explaining it to my constituents. I'm satisfied that the hard working middleclass Vermonters have been reasonably protected."

Rep. Turner of Milton explained his vote as follows:

"Mr. Speaker:

I cannot support raising taxes on working Vermonters. Raising the sales tax on bottled water, dietary supplements, clothing, candy and soft drinks is unnecessary, regressive and will further hinder the ability of Vermont

businesses to remain competitive, especially along the New Hampshire and Massachusetts borders. The elimination of an income tax bracket, capping standard deductions and limiting contributions is not fair and equitable taxation. During this session, this body has increased state fees raising \$3 million in new revenue, increased property taxes by 5 cents, raising \$52.6 million in new revenue, the gas tax by 6.7 cents, raising \$22 million in new revenue and today a variety of taxes raising a total of \$59.3 million in new revenue over two years. A total \$136.9 million dollars in new revenue in a single session. Working Vermonters, my constituents, cannot afford these increases. Thank you.”

Rep. Wright of Burlington explained his vote as follows:

“Mr. Speaker:

Vermonters expect us to live within our means, just as they do when times are tough. This is not a time for spending increases outside the rate of inflation. I vote no because this bill unnecessarily increases the tax burden on Vermonters in the middle of a still soft economy. I applaud the committee’s hard work but they ultimately raised significantly more than the Speaker called for, and more than was needed, because they could. In the 1960’s the Beatles had a famous song called “The Tax Man”. To many Vermonters, that is what we are becoming.”

Adjournment

At six o'clock and twenty-one minutes in the evening, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.