

# Journal of the House

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**Tuesday, March 25, 2014**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rep. Douglas Gage of Rutland City.

## **Pledge of Allegiance**

**Page James Tedesco of Woodbury** led the House in the Pledge of Allegiance.

## **House Bills Introduced**

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

### **H. 883**

By the committee on Education,

An act relating to expanded prekindergarten–grade 12 school districts;

Affecting the revenue of the state, under the Rule, the bill was referred to the committee on Ways and Means.

### **H. 884**

By the committee on Ways and Means,

An act relating to miscellaneous tax changes;

Under the rule, placed on the Calendar for notice.

### **H. 885**

By the committee on Appropriations,

An act relating to making appropriations for the support of government;

Under the rule, placed on the Calendar for notice.

## **Senate Bills Referred**

### **S. 100**

Senate bill, entitled

An act relating to forest integrity;

To the committee on Natural Resources and Energy.

**S. 234**

Senate bill, entitled

An act relating to Medicaid coverage for home telemonitoring services;

To the committee on Health Care.

**Bill Referred to Committee on Ways and Means****H. 586**

House bill, entitled

An act relating to improving the quality of State waters

Appearing on the Calendar, affecting the revenue of the state, under the rule, was referred to the committee on Ways and Means.

**Bill Referred to Committee on Appropriations****H. 882**

House bill, entitled

An act relating to compensation for certain State employees

Appearing on the Calendar, carrying an appropriation, under rule 35a, was referred to the committee on Appropriations.

**House Resolution Referred to Committee****H.R. 17**

House resolution, entitled

House resolution relating to the submission of a financing proposal for Green Mountain Care to the General Assembly

Offered by: Representatives Browning of Arlington, Batchelor of Derby, Beyor of Highgate, Bouchard of Colchester, Donaghy of Poultney, Fagan of Rutland City, Gage of Rutland City, Higley of Lowell, Hubert of Milton, Morrissey of Bennington, Quimby of Concord, Strong of Albany, Terenzini of Rutland Town, and Van Wyck of Ferrisburgh

Whereas, 2011 Acts and Resolves No. 48, Sec. 4 added 33 V.S.A. chapter 18, subchapter 2, establishing Green Mountain Care to serve, upon the meeting of certain conditions, as a publicly financed universal health care system, and

Whereas, Sec. 9 of No. 48 required the Secretary of Administration to submit a plan that would “recommend the amounts and necessary mechanisms

to finance Green Mountain Care” to the House Committees on Health Care and on Ways and Means and the Senate Committees on Health and Welfare and on Finance “no later than January 15, 2013,” and

Whereas, the Secretary of Administration failed to submit any financing plan by January 15, 2013, and

Whereas, on January 24, 2013, the Secretary of Administration submitted to the committees of jurisdiction a report that discussed possible financing mechanisms but failed to make any recommendations or set forth any proposals for financing Green Mountain Care, and

Whereas, more than a year has passed since the deadline for a Green Mountain Care financing plan and the Secretary of Administration has still failed to comply with the law, and

Whereas, it is past time for the Administration to submit its Green Mountain Care financing proposal to the General Assembly, and

Whereas, Vermonters in general, and members of the General Assembly in particular, need to understand how this new health care system will be financed, and

Whereas, the Administration should produce one or more financing plans by March 31, 2014, and

Whereas, if a fully developed financing plan or plans have not been finalized by this date, the Administration should submit any drafts, reports, or memos related to financing Green Mountain Care, and

Whereas, the House Committee on Ways and Means has jurisdiction over matters related to the revenues of the State and is the appropriate Committee to serve as the recipient of the Green Mountain Care financing materials, now therefore be it

Resolved by the House of Representatives:

That this legislative body directs the House Committee on Ways and Means to request the Secretary of Administration to submit to the Committee, on or before March 31, 2014, one or more financing proposals for Green Mountain Care, or alternatively if a proposal has not been developed by this date, that the House Committee on Ways and Means request that the Administration submit any drafts, reports, or memos related to financing Green Mountain Care, and be it further

Resolved: That in the event the Administration does not submit one or more financing proposals, or alternatively any drafts, reports, or memos related

to financing Green Mountain Care, on or before March 31, 2014, this body authorizes the House Committee on Ways and Means to issue a subpoena to the Secretary of Administration for the requested documents, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the Secretary of Administration.

Which was read and referred to the committee on Ways and Means.

### **Third Reading; Bills Passed**

House bills of the following titles were severally taken up, read the third time and passed:

#### **H. 448**

House bill, entitled

An act relating to Act 250 and primary agricultural soils;

#### **H. 585**

House bill, entitled

An act relating to prohibiting the creation and renewal of State Police contracts with municipalities to provide police services;

#### **H. 790**

House bill, entitled

An act relating to Reach Up eligibility;

### **Bill Amended; Third Reading Ordered**

#### **H. 239**

**Rep. Weed of Enosburgh**, for the committee on General, Housing and Military Affairs, to which had been referred House bill, entitled

An act relating to information regarding the rights of landlords and tenants

Reported in favor of its passage when amended as follows:

In Sec. 2, the effective date, by striking out "2013" and inserting in lieu thereof 2014

**Rep. Keenan of St. Albans City** for the committee on Appropriations, recommended that the bill ought to pass when amended as follows:

In Sec. 2, by striking the section in its entirety and inserting in lieu thereof the following:

## Sec. 2. APPROPRIATION

Up to \$32,000.00 in General Funds is appropriated to the Department of Housing and Community Development to fund the outreach and information program created in Sec. 1 of this act.

## Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committees on General, Housing and Military Affairs and Appropriations agreed to and third reading ordered.

**Bill Amended; Third Reading Ordered****H. 880**

**Rep. Krowinski of Burlington** spoke for the committee.

**Rep. Keenan of St. Albans City**, for the committee on Appropriations, to which had been referred House bill, entitled

An act relating to universal college savings accounts

Reported in favor of its passage when amended as follows:

In Sec. 1, in subdivision (c)(2), by inserting a new subdivision (F) after the existing subdivision (E) to read as follows:

(F) the Vermont Student Assistance Corporation;

and by renumbering the remaining subdivisions to be alphabetically correct.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Appropriations agreed to and third reading ordered.

**Recess**

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

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

**Bill Read Second Time; Consideration Interrupted by Recess****H. 876**

**Rep. Rachelson of Burlington** spoke for the committee on Education.

House bill entitled

An act relating to making miscellaneous amendments and technical corrections to education laws

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 the third time? **Rep. Wright of Burlington** moved to amend the bill as follows:

After Sec. 34 and before the reader assistance heading “\* \* \* Repeals \* \* \*”, by inserting a reader assistance heading and four new sections to be Secs. 35–38 to read:

\* \* \* Mandatory Binding Arbitration; Strikes; Imposed Contracts; Teachers and Administrators \* \* \*

Sec. 35. 16 V.S.A. § 2011 is added to read:

§ 2011. MANDATORY DETERMINATION BY THE VERMONT LABOR RELATIONS BOARD

(a) If the parties’ dispute remains unresolved as to any issue on the 15th day after delivery of the fact-finding commission’s report under section 2007 of this title or if the parties otherwise agree that they have reached an impasse, each party shall submit to the Vermont Labor Relations Board its last best offer on all undisputed issues, which shall be reviewed and decided upon as a single package. The Labor Relations Board may hold hearings and may consider the recommendations of the fact-finding committee, if one has been activated.

(b) In reaching a decision, the Labor Relations Board shall give weight to all relevant evidence presented by the parties, including:

(1) the lawful authority of the school board;

(2) stipulations of the parties;

(3) the interest and welfare of the public and the financial ability of the school board to pay for increased costs of public services, including the cost of labor;

(4) comparisons of the wages, hours, and conditions of employment of the employees involved in the dispute with the wages, hours, and conditions of employment of other employees performing similar services in public schools in comparable communities or in private employment in comparable communities;

(5) the average consumer prices for goods and services commonly known as the cost of living;

(6) the overall compensation currently received by the employees, including direct wages, benefits, continuity conditions and stability of employment, and all other benefits received; and

(7) the prior negotiations and existing conditions of other school and municipal employees.

(c) Within 30 days of receiving the last best offers of the parties, the Labor Relations Board shall select between the offers, considered in their entirety without amendment, and shall determine the cost of its selection. The Labor Relations Board shall not issue an order under this subsection that is in conflict with any law or rule or that relates to an issue that is not bargainable. The Labor Relations Board shall file one copy of the decision with the relevant municipal clerk or clerks and the negotiations councils. Except as provided in subsection (d) of this section, the decision of the Labor Relations Board shall be final and binding on the parties.

(d) The parties shall share equally all mutually incurred costs incidental to this section.

(e) Upon application of a party, a Superior Court shall vacate an award on the same grounds as set forth in 21 V.S.A. § 1733(d) and according to the same procedures as set forth in 21 V.S.A. § 1733(e).

(f) Upon application by either party, a Superior Court may issue a temporary restraining order or other injunctive relief and may award costs, including reasonable attorney's fees in connection with any action taken by a representative organization, its officials, or its members or by a school board or its representative in violation of this section, including engaging in a strike, which shall have the same meaning as in 21 V.S.A. § 1722, and the imposition of contractual terms.

Sec. 36. 3 V.S.A. § 924(e) is amended to read:

(e) In addition to its responsibilities under this chapter, the ~~board~~ Board shall carry out the responsibilities given to it under 16 V.S.A. chapter 57, 21 V.S.A. chapters 19 and 22, and chapter 28 of this title and when so doing shall exercise the powers and follow the procedures set out in that chapter.

Sec. 37. REPEAL

The following sections of Title 16 are repealed:

(1) § 2008 (finality of school board decisions);

(2) § 2010 (injunctions granted only if action poses clear and present danger);

- (3) § 2021 (negotiated binding interest arbitration);
- (4) § 2022 (selection and decision of arbitrator);
- (5) § 2023 (jurisdiction of arbitrator);
- (6) § 2024 (judicial appeal);
- (7) § 2025 (factors to be considered by the arbitrator);
- (8) § 2026 (notice of award); and
- (9) § 2027 (fees and expenses of arbitration).

Sec. 38. IMPLEMENTATION

Secs. 35–37 of this act shall apply to negotiations beginning on or after that date for collective bargaining agreements for fiscal year 2016 and after.

and by renumbering the remaining sections to be numerically correct.

Thereupon, **Rep. Deen of Westminster** raised a Point of Order that the amendment was not germane to the bill, which the Speaker ruled well taken.

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

After Sec. 34 and before the reader assistance heading “\* \* \* Repeals \* \* \*”, by inserting a reader assistance heading and a new section to be Sec. 35 to read:

\* \* \* Dual Enrollment \* \* \*

Sec. 35. 16 V.S.A. § 944 is amended to read:

§ 944. DUAL ENROLLMENT PROGRAM

\* \* \*

(b) Students.

(1) A Vermont resident who has completed grade 10 but has not received a high school diploma is eligible to participate in the Program if:

(A) the student:

(i) is enrolled in:

(I) a Vermont public school, including a Vermont career technical center;



(II) a public school in another state or an approved independent school that is designated as the public secondary school for the student's district of residence; or

(III) ~~an~~ a nonsectarian approved or recognized independent school in Vermont ~~to which the student's district of residence pays publicly funded tuition on behalf of the student;~~

(ii) is assigned to a public school through the High School Completion Program; or

(iii) is a home study student;

(B) dual enrollment is an element included within the student's personalized learning plan; and

(C) the secondary school and the postsecondary institution have determined that the student is sufficiently prepared to succeed in a dual enrollment course, which can be determined in part by the assessment tool or tools identified by the participating postsecondary institution.

(2) An eligible student may enroll in up to two dual enrollment courses prior to completion of secondary school for which neither the student nor the student's parent or guardian shall be required to pay tuition. A student may enroll in courses offered while secondary school is in session and during the summer.

\* \* \*

(f) Tuition and funding.

\* \* \*

(4) Notwithstanding any other provision of this subsection (f), a district of residence shall not be responsible for payments under this subsection on behalf of a student enrolled in an approved or recognized independent school for whom tuition is privately paid; rather, if the approved or recognized independent school chooses to participate in the Dual Enrollment Program, then the independent school shall pay the portion of a student's dual enrollment tuition not paid by the State pursuant to subdivision (2) of this subsection.

\* \* \*

and by renumbering the remaining sections to be numerically correct.

### Recess

At eleven o'clock and forty-four minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

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

### Consideration Resumed; Bill Amended and Third Reading Ordered

#### H. 876

Consideration resumed on House bill entitled

An act relating to making miscellaneous amendments and technical corrections to education laws

Pending the question, Shall the bill be read the third time?

**Rep. Branagan of Georgia** moved to substitute an amendment for the amendment offered by Rep. Greshin of Warren by moving that the bill be amended after Sec. 34 and before the reader assistance heading “\* \* \* Repeals \* \* \*”, by inserting a reader assistance heading and a new section to be Sec. 35 to read:

\* \* \* Dual Enrollment \* \* \*

Sec. 35. 16 V.S.A. § 944 is amended to read:

§ 944. DUAL ENROLLMENT PROGRAM

\* \* \*

(b) Students.

(1) A Vermont resident who has completed grade 10 but has not received a high school diploma is eligible to participate in the Program if:

(A) the student:

(i) is enrolled in:

(I) a Vermont public school, including a Vermont career technical center;

(II) a public school in another state or an approved independent school that is designated as the public secondary school for the student's district of residence; or

(III) ~~an~~ a nonsectarian or sectarian approved or recognized independent school in Vermont to which the student's district of residence pays publicly funded tuition on behalf of the student;

(ii) is assigned to a public school through the High School Completion Program; or

(iii) is a home study student;

(B) dual enrollment is an element included within the student's personalized learning plan; and

(C) the secondary school and the postsecondary institution have determined that the student is sufficiently prepared to succeed in a dual enrollment course, which can be determined in part by the assessment tool or tools identified by the participating postsecondary institution.

(2) An eligible student may enroll in up to two dual enrollment courses prior to completion of secondary school for which neither the student nor the student's parent or guardian shall be required to pay tuition. A student may enroll in courses offered while secondary school is in session and during the summer.

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(f) Tuition and funding.

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(4) Notwithstanding any other provision of this subsection (f), a district of residence shall not be responsible for payments under this subsection on behalf of a student enrolled in an approved or recognized independent school for whom tuition is privately paid; rather, if the approved or recognized independent school chooses to participate in the Dual Enrollment Program, then the independent school shall pay the portion of a student's dual enrollment tuition not paid by the State pursuant to subdivision (2) of this subsection.

\* \* \*

and by renumbering the remaining sections to be numerically correct.

Pending the question, Shall the amendment offered by Representative Branagan of Georgia be substituted for the amendment offered by Representative Greshin of Warren? **Rep. Branagan of Georgia** 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 amendment offered by Representative Branagan of Georgia be substituted for the amendment offered by Representative Greshin of Warren? was decided in the negative. Yeas, 65. Nays, 76.

## Those who voted in the affirmative are:

Bartholomew of Hartland	Feltus of Lyndon	Myers of Essex
Batchelor of Derby	Gage of Rutland City	O'Sullivan of Burlington
Beyor of Highgate	Gallivan of Chittenden	Pearce of Richford
Bissonnette of Winooski	Goodwin of Weston	Poirier of Barre City
Bouchard of Colchester	Greshin of Warren	Quimby of Concord
Branagan of Georgia	Hebert of Vernon *	Russell of Rutland City
Brennan of Colchester	Helm of Fair Haven	Savage of Swanton
Browning of Arlington	Higley of Lowell	Scheuermann of Stowe
Burditt of West Rutland	Hubert of Milton	Shaw of Pittsford
Canfield of Fair Haven	Huntley of Cavendish	Smith of New Haven
Condon of Colchester	Johnson of Canaan	Spengler of Colchester
Connor of Fairfield	Juskiewicz of Cambridge	Stevens of Shoreham
Conquest of Newbury	Kilmartin of Newport City	Terenzini of Rutland Town
Consejo of Sheldon	Koch of Barre Town	Townsend of South
Cross of Winooski	Komline of Dorset	Burlington
Cupoli of Rutland City	Krebs of South Hero	Turner of Milton
Dakin of Chester	Larocque of Barnet	Van Wyck of Ferrisburgh
Devereux of Mount Holly	Lawrence of Lyndon	Winters of Williamstown
Dickinson of St. Albans	Lewis of Berlin	Wright of Burlington
Town	Marcotte of Coventry	Yantachka of Charlotte
Donaghy of Poultney	McFaun of Barre Town	Zagar of Barnard
Donahue of Northfield *	Mitchell of Fairfax	
Fagan of Rutland City	Morrissey of Bennington	

## Those who voted in the negative are:

Ancel of Calais	Grad of Moretown	Masland of Thetford
Botzow of Pownal	Haas of Rochester	McCarthy of St. Albans City
Burke of Brattleboro	Heath of Westford	McCormack of Burlington
Buxton of Tunbridge *	Hooper of Montpelier	McCullough of Williston
Campion of Bennington	Hoyt of Norwich	Michelsen of Hardwick
Carr of Brandon	Jerman of Essex	Miller of Shaftsbury
Christie of Hartford	Jewett of Ripton	Mook of Bennington
Clarkson of Woodstock	Johnson of South Hero	Moran of Wardsboro
Cole of Burlington	Kitzmiller of Montpelier	Mrowicki of Putney
Copeland-Hanzas of	Klein of East Montpelier	Nuovo of Middlebury
Bradford	Krowinski of Burlington	O'Brien of Richmond
Corcoran of Bennington	Kupersmith of South	Partridge of Windham
Davis of Washington	Burlington	Pearson of Burlington
Deen of Westminster	Lanpher of Vergennes	Peltz of Woodbury
Donovan of Burlington	Lenes of Shelburne	Potter of Clarendon
Ellis of Waterbury	Lippert of Hinesburg	Pugh of South Burlington
Emmons of Springfield	Macaig of Williston	Rachelson of Burlington
Evans of Essex	Malcolm of Pawlet	Ram of Burlington
Fay of St. Johnsbury	Manwaring of Wilmington	Ryerson of Randolph
Fisher of Lincoln	Marek of Newfane	Sharpe of Bristol
Frank of Underhill	Martin of Springfield	South of St. Johnsbury
French of Randolph	Martin of Wolcott	Stevens of Waterbury

Stuart of Brattleboro	Toll of Danville	Webb of Shelburne
Sweeney of Windsor	Trieber of Rockingham	Weed of Enosburgh
Till of Jericho	Vowinkel of Hartford	Wilson of Manchester
Toleno of Brattleboro	Waite-Simpson of Essex	Young of Glover

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

Head of South Burlington	Shaw of Derby	Woodward of Johnson
Keenan of St. Albans City	Strong of Albany	
Ralston of Middlebury	Wizowaty of Burlington	

**Rep. Buxton of Tunbridge** explained her vote as follows:

“Mr. Speaker:

I voted against this bill because I believe it is irresponsible to commit taxpayer dollars when questions of constitutionality and fiscal impact have not been reviewed – let alone answered.”

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

“Mr. Speaker:

I find it ironic that by the defeat of this amendment we will not allow students from sectarian schools to have equal access to the Dual Enrollment program, yet under another committee’s bill on our desks, we will allow the state general fund dollars for that program to flow to sectarian post-secondary institutions.”

**Rep. Hebert of Vernon** explained his vote as follows:

“Mr. Speaker:

It is a shame that we allow equity only for those we allow to be equal.”

Pending the question, Shall the bill be amended as proposed by Representative Greshin of Warren? **Rep. Savage of Swanton** 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 proposed by Representative Greshin of Warren? was decided in the negative. Yeas, 67. Nays, 74.

Those who voted in the affirmative are:

Bartholomew of Hartland	Branagan of Georgia	Condon of Colchester
Batchelor of Derby	Brennan of Colchester	Connor of Fairfield
Beyor of Highgate	Browning of Arlington	Conquest of Newbury
Bissonnette of Winooski	Burditt of West Rutland	Consejo of Sheldon
Bouchard of Colchester	Canfield of Fair Haven	Corcoran of Bennington

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Cross of Winooski	Higley of Lowell	Quimby of Concord
Cupoli of Rutland City	Hubert of Milton	Russell of Rutland City
Dakin of Chester	Johnson of Canaan	Savage of Swanton
Devereux of Mount Holly	Juskiewicz of Cambridge	Scheuermann of Stowe
Dickinson of St. Albans Town	Kilmartin of Newport City	Shaw of Pittsford
Donaghy of Poultney	Koch of Barre Town	Smith of New Haven
Donahue of Northfield	Komline of Dorset	Stevens of Shoreham
Fagan of Rutland City	Krebs of South Hero	Terenzini of Rutland Town
Fay of St. Johnsbury	Larocque of Barnet	Turner of Milton
Feltus of Lyndon	Lawrence of Lyndon	Van Wyck of Ferrisburgh
Gage of Rutland City	Lewis of Berlin	Waite-Simpson of Essex
Gallivan of Chittenden	Marcotte of Coventry	Wilson of Manchester
Goodwin of Weston	McFaun of Barre Town	Winters of Williamstown
Grad of Moretown	Mitchell of Fairfax	Wright of Burlington
Greshin of Warren	Morrissey of Bennington	Yantachka of Charlotte
Hebert of Vernon	Myers of Essex	Young of Glover
Helm of Fair Haven	Pearce of Richford	Zagar of Barnard
	Poirier of Barre City	

Those who voted in the negative are:

Ancel of Calais	Jerman of Essex	Mrowicki of Putney
Botzow of Pownal	Jewett of Ripton	Nuovo of Middlebury
Burke of Brattleboro	Johnson of South Hero	O'Sullivan of Burlington
Buxton of Tunbridge	Keenan of St. Albans City	Partridge of Windham
Campion of Bennington	Kitzmiller of Montpelier	Pearson of Burlington
Carr of Brandon	Klein of East Montpelier	Peltz of Woodbury
Christie of Hartford	Krowinski of Burlington	Potter of Clarendon
Clarkson of Woodstock	Kupersmith of South Burlington	Pugh of South Burlington
Cole of Burlington	Lanpher of Vergennes	Rachelson of Burlington
Copeland-Hanzas of Bradford	Lenes of Shelburne	Ram of Burlington
Davis of Washington	Lippert of Hinesburg	Ryerson of Randolph
Deen of Westminster	Macaig of Williston	Sharpe of Bristol
Donovan of Burlington	Malcolm of Pawlet	South of St. Johnsbury
Ellis of Waterbury	Manwaring of Wilmington	Spengler of Colchester
Emmons of Springfield	Marek of Newfane *	Stevens of Waterbury
Evans of Essex	Martin of Springfield	Stuart of Brattleboro
Fisher of Lincoln	Martin of Wolcott	Sweaney of Windsor
Frank of Underhill	Masland of Thetford	Till of Jericho
French of Randolph	McCarthy of St. Albans City	Toleno of Brattleboro
Haas of Rochester	McCormack of Burlington	Toll of Danville
Head of South Burlington	McCullough of Williston	Trieber of Rockingham
Heath of Westford	Michelsen of Hardwick	Vowinkel of Hartford
Hooper of Montpelier	Miller of Shaftsbury	Webb of Shelburne
Hoyt of Norwich	Mook of Bennington	Weed of Enosburgh
Huntley of Cavendish	Moran of Wardsboro	

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

O'Brien of Richmond	Strong of Albany	Wizowaty of Burlington
Ralston of Middlebury	Townsend of South	Woodward of Johnson
Shaw of Derby	Burlington	

**Rep. Marek of Newfane** explained his vote as follows:

“Mr. Speaker:

Our Vermont Constitution guarantees everyone the equal protection of our Common Benefits Clause including the right to attend our public schools. It does not provide the right to choose a different mode of education and to then tell the state to provide the same benefits that the public system would have given.”

Pending the question, Shall the bill be read the third time? **Reps. Cross of Winooski, Botzow of Pownal, Bouchard of Colchester, Carr of Brandon, Dickinson of St. Albans Town, Kitzmiller of Montpelier, Kupersmith of South Burlington, Marcotte of Coventry, Ralston of Middlebury, Scheuermann of Stowe, and Young of Glover** moved that the bill be amended as follows:

By striking Sec. 17 in its entirety and inserting in lieu thereof a new Sec. 17 to read:

Sec. 17. 16 V.S.A. § 1534 is amended to read:

§ 1534. ~~COURSE OF STUDY PROGRAM~~ EVALUATION

(a) At least once in each period of five years, ~~and in coordination with the Vermont Advisory Council on Technical Education,~~ the Secretary shall evaluate the effectiveness of each ~~course of study~~ program offered by any ~~technical~~ CTE center in the State. The State Board by rule shall prescribe the method for conducting these evaluations.

(b) Evaluations of ~~courses of study~~ programs shall consider at least the following areas as they apply in every center offering that ~~course~~ program:

(1) the content, ~~size, scope,~~ and quality of the program, including the ~~scope of instruction and the academic and practical competencies~~ technical proficiencies required for completion;

(2) the length of the ~~course~~ program;

(3) the adequacy of equipment used in the ~~course~~ program, including instructional technology;

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- (4) the appropriateness of the program and its content in light of later career and ~~higher~~ postsecondary education choices made by recent graduates;
  - (5) the usefulness of the program to recent graduates;
  - (6) coordination with other ~~state~~ State programs, especially licensing, job training, and apprenticeship programs;
  - (7) possibilities for decentralization of the program;
  - (8) participation and completion rates in the program;
  - (9) compliance with State Board rules; and
  - (10) compatibility with the then-current long-term and short-term occupational projections published by the Vermont Department of Labor.

(c) [Repealed.]

Which was agreed to.

Thereupon, third reading of the bill was ordered.

#### **Message from the Senate No. 35**

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 passed Senate bills of the following titles:

**S. 175.** An act relating to permitting a student to remain enrolled in a Vermont public school after moving to a new school district.

**S. 261.** An act relating to electrical installations.

**S. 293.** An act relating to reporting on population-level outcomes and indicators and on program-level performance measures.

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

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

**H. 718.** An act relating to approval of amendments to the charter of the Village of Derby Line.

And has passed the same in concurrence.

The Senate has on its part adopted joint resolutions of the following titles:



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**J.R.S. 27.** Joint resolution relating to an application of the General Assembly for Congress to call a convention for proposing amendments to the U.S. Constitution.

**J.R.S. 50.** Joint resolution relating to weekend adjournment.

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

### **Adjournment**

At four o'clock and fifty-seven minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at one o'clock in the afternoon.