

Journal of the House

Thursday, March 27, 2014

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

Devotional Exercises

Devotional exercises were conducted by the Speaker.

Message from the Senate No. 36

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 considered a bill originating in the House of the following title:

H. 559. An act relating to membership on the Building Bright Futures Council.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the House is requested.

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

J.R.S. 51. Joint resolution providing for a Joint Assembly for the election of a successor legislative Trustees of the University of Vermont and State Agricultural College to fill the vacancy created by the resignation of Representative Sarah E. Buxton of Tunbridge.

J.R.S. 52. Joint resolution establishing a procedure for the conduct of the election of a UVM trustee by plurality vote by the General Assembly in 2014.

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

The Governor has informed the Senate that on the twenty-first day of March, 2014, he approved and signed a bill originating in the Senate of the following title:

S. 27. An act relating to respectful language in the Vermont Statutes Annotated.

The Governor has informed the Senate that on the twenty-fourth day of March, 2014, he approved and signed a bill originating in the Senate of the following title:

S. 317. An act relating to repealing the unconstitutional Vermont statutes related to the performance of abortions.

House Bill Referred to Committee

H. 889

By the committee on Ways and Means,

An act relating to setting the statewide education tax base rates and base education amount for fiscal year 2015 and making several changes to Vermont's education financing laws;

Was read the first time and under the rule, referred to the committee on Appropriations.

Bill Amended, Read Third Time and Passed

H. 555

House bill, entitled

An act relating to the commitment of a criminal defendant who is incompetent to stand trial because of a traumatic brain injury

Was taken up and pending third reading of the bill, **Reps. Donahue of Northfield, Batchelor of Derby, Burditt of West Rutland, Frank of Underhill, French of Randolph, Haas of Rochester, Krowinski of Burlington, McFaun of Barre Town, Mrowicki of Putney, Pugh of South Burlington, and Trieber of Rockingham** moved to amend the bill as follows:

First: In Sec. 13, in subsection (a), after the word "Judiciary" by inserting , the House Committee on Human Services, and the Senate Committee on Health and Welfare

Second: In Sec. 13, by striking out subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c) On or before October 1, 2014 and on or before February 1, 2015, the Department of Disabilities, Aging, and Independent Living shall report to the House and Senate Committees on Judiciary, the House Committee on Human Services, and the Senate Committee on Health and Welfare on the status of the Department's progress toward implementation of this act. The status reports shall include updates on the Department's progress in evaluating best practices for treatment of persons with traumatic brain injuries who are unable to conform their behavior to the requirements of the law, and in identifying

appropriate programs and services to provide treatment to enable those persons to be fully reintegrated into the community consistent with public safety. The status reports shall also include updates on the Department's progress developing the programs and services needed to treat persons with traumatic brain injuries who have been found not guilty by reason of insanity or incompetent to stand trial as required by this act.

Which was agreed to. Thereupon, the bill was read the third time and passed.

Third Reading; Bill Passed

H. 695

House bill, entitled

An act relating to establishing a product stewardship program for primary batteries

Was taken up, read the third time and passed.

Bill Read Third Time and Passed

H. 590

House bill, entitled

An act relating to the safety and regulation of dams

Was taken up and pending third reading of the bill, **Rep. Higley of Lowell** moved to amend the bill as follows:

By striking Sec. 4 in its entirety and inserting in lieu thereof a new Sec. 4 to read:

Sec. 4. 3 V.S.A. § 2822(j)(12) is amended to read:

(12)(A) For dam permits issued under 10 V.S.A. chapter 43: 0.525 percent of construction costs, minimum fee of \$200.00.

(B) For the dam registration under 10 V.S.A. § 1104(b)(1), a person registering a dam shall pay a registration fee based on the hazard classification of the dam as follows:

<u>(i) Low hazard dam</u>	<u>\$200.00;</u>
<u>(ii) Significant hazard dam</u>	<u>\$350.00;</u>
<u>(iii) High hazard dam</u>	<u>\$1,000.00.</u>

(C) The annual dam safety program operation fee submitted under 10 V.S.A. § 1104(b)(2) shall be based on the hazard classification of the dam as follows:

<u>(i) Low hazard dam</u>	<u>\$50.00;</u>
<u>(ii) Significant hazard dam</u>	<u>\$50.00;</u>
<u>(iii) High hazard dam</u>	<u>\$50.00.</u>

Pending the question, Shall the bill be amended as proposed by Rep. Higley of Lowell? **Rep. Turner of Milton** demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

Pending the call of the roll, **Rep. Hubert of Milton** moved to postpone action one legislative day, which was disagreed to.

The Clerk proceeded to call the roll and the question, Shall the bill be amended as proposed by Rep. Higley of Lowell? was decided in the negative. Yeas, 56. Nays, 89.

Those who voted in the affirmative are:

Batchelor of Derby	Goodwin of Weston	Mook of Bennington
Beyor of Highgate	Greshin of Warren	Morrissey of Bennington
Bouchard of Colchester	Hebert of Vernon	Myers of Essex
Brennan of Colchester	Helm of Fair Haven	Pearce of Richford
Burditt of West Rutland	Higley of Lowell	Peltz of Woodbury
Canfield of Fair Haven	Hubert of Milton	Quimby of Concord
Carr of Brandon	Johnson of Canaan	Ralston of Middlebury
Conquest of Newbury	Juskiewicz of Cambridge	Savage of Swanton
Cross of Winooski	Kilmartin of Newport City	Scheuermann of Stowe
Cupoli of Rutland City	Koch of Barre Town *	Shaw of Pittsford
Dakin of Chester	Komline of Dorset	Smith of New Haven
Devereux of Mount Holly	Larocque of Barnet	South of St. Johnsbury
Dickinson of St. Albans Town	Lawrence of Lyndon	Stevens of Shoreham
Donaghy of Poultney	Lewis of Berlin	Strong of Albany
Donahue of Northfield	Malcolm of Pawlet	Terenzini of Rutland Town
Fagan of Rutland City	Manwaring of Wilmington	Turner of Milton
Feltus of Lyndon	Marcotte of Coventry	Van Wyck of Ferrisburgh
Gage of Rutland City	McFaun of Barre Town	Winters of Williamstown
	Mitchell of Fairfax	Wright of Burlington

Those who voted in the negative are:

Ancel of Calais	Christie of Hartford	Davis of Washington
Bartholomew of Hartland	Clarkson of Woodstock	Deen of Westminster
Bissonnette of Winooski	Cole of Burlington	Donovan of Burlington
Botzow of Pownal	Condon of Colchester	Ellis of Waterbury
Branagan of Georgia	Connor of Fairfield	Emmons of Springfield
Browning of Arlington	Consejo of Sheldon	Evans of Essex
Burke of Brattleboro	Copeland-Hanzas of	Fay of St. Johnsbury
Buxton of Tunbridge	Bradford	Fisher of Lincoln
Campion of Bennington	Corcoran of Bennington	Frank of Underhill

French of Randolph	Marek of Newfane *	Ryerson of Randolph
Gallivan of Chittenden	Martin of Springfield	Sharpe of Bristol
Grad of Moretown	Martin of Wolcott	Stevens of Waterbury
Haas of Rochester	Masland of Thetford	Stuart of Brattleboro
Head of South Burlington	McCarthy of St. Albans City	Sweaney of Windsor
Heath of Westford	McCormack of Burlington	Till of Jericho
Hooper of Montpelier	McCullough of Williston	Toleno of Brattleboro
Hoyt of Norwich	Michelsen of Hardwick	Toll of Danville
Huntley of Cavendish	Miller of Shaftsbury	Townsend of South Burlington
Jerman of Essex	Moran of Wardsboro	Trieber of Rockingham
Jewett of Ripton	Mrowicki of Putney	Vowinkel of Hartford
Johnson of South Hero	Nuovo of Middlebury	Waite-Simpson of Essex
Keenan of St. Albans City	O'Brien of Richmond	Webb of Shelburne
Kitzmiller of Montpelier	O'Sullivan of Burlington	Weed of Enosburgh
Klein of East Montpelier	Partridge of Windham	Wilson of Manchester
Krowinski of Burlington	Pearson of Burlington	Wizowaty of Burlington
Kupersmith of South Burlington	Poirier of Barre City	Woodward of Johnson
Lanpher of Vergennes	Potter of Clarendon	Yantachka of Charlotte
Lenes of Shelburne	Pugh of South Burlington	Young of Glover
Lippert of Hinesburg	Rachelson of Burlington	Zagar of Barnard
Macaig of Williston	Ram of Burlington	
	Russell of Rutland City	

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

Krebs of South Hero	Shaw of Derby	Spengler of Colchester
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Rep. Koch of Barre explained his vote as follows:

“Mr. Speaker:

I support this bill, but my support for this amendment echoes the member from Warren’s concern about ‘death by a thousand fees.’ Our habit of imposing regulations upon our citizens and then paying for it by charging them fees, as if they had purchased a service, is poor policy.

As the member from Warren suggested in debate, if a new position is important enough to the people of the state, put it in the budget, and let everyone share the cost.”

Rep. Marek of Newfane explained his vote as follows:

“Mr. Speaker:

This bill is remarkably simple – the owner of a dam and those who benefit from it should bear the cost of ensuring that it is safe. If the recent coal ash disaster in North Carolina teaches us nothing else about the dangers of failing dams it should at least teach us that.”

Pending third reading of the bill, **Reps. Deen of Westminster and**

McCullough of Williston moved to amend the bill as follows:

In Sec. 1, in 10 V.S.A. § 1080, in subdivision (7), by inserting a new subdivision (7)(B) to read:

(B) barriers, impoundments, or structures created by beaver or any other wild animal as that term is defined in 10 V.S.A. § 4001;

and by relettering the remaining subdivisions to be alphabetically correct.

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Bill Read Second Time; Third Reading Ordered

H. 884

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

House bill entitled

An act relating to miscellaneous tax changes

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. Poirier of Barre City** moved that the bill be amended as follows:

First: By adding a reader assistance heading and Sec. 18a to read as follows:

* * * Income taxes * * *

Sec. 18a. TAX RATES

(a) For tax years 2014 and 2015, the tax rates for the two highest income tax brackets in 32 V.S.A. § 5822(a)(1)–(5) are raised from tax year 2013 rates of 8.80 percent and 8.95 percent to 9.5 percent and 9.95 percent respectively. The tax rates for the three lowest brackets shall remain the same as they were in tax year 2013: 3.55 percent, 6.80 percent, and 7.80 percent. The Office of Legislative Council is authorized to alter the statutory chart in 32 V.S.A. § 5822(a)(1)–(5) to reflect these changes.

(b) For tax year 2016 and after, the tax rates for all five income tax brackets in 32 V.S.A. § 5822(a)(1)–(5) shall return to the same as they were in tax year 2013, in order from lowest bracket to highest bracket: 3.55 percent, 6.80 percent, 7.80 percent, 8.80 percent, and 8.95 percent. The Office of Legislative Council is authorized to alter the statutory chart in 32 V.S.A. § 5822(a)(1)–(5) to reflect these changes.

Second: By adding a Sec. 32(c) to read as follows:

(c) 2009 Spec. Sess. Acts and Resolves No. 2, Sec. 20 is repealed.

Third: In Sec. 33(1), "2 (consolidated returns)," by striking out the word "and" and after "3 (VEGI)" by inserting ", and 18a (income tax rates)"

Pending the question, Shall the bill be amended as proposed by Rep. Poirier of Barre City? **Rep. Hebert of Vernon** demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

Recess

At eleven o'clock and fifty-seven 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; Third Reading Ordered

H. 884

Consideration resumed on House bill entitled

An act relating to miscellaneous tax changes

Thereupon, the Clerk proceeded to call the roll and the question, Shall the bill be amended as proposed by Rep. Poirier of Barre City? was decided in the negative. Yeas, 28. Nays, 115.

Those who voted in the affirmative are:

Burke of Brattleboro	McCormack of Burlington	Stevens of Waterbury
Cross of Winooski	McCullough of Williston *	Till of Jericho
Dakin of Chester	McFaun of Barre Town	Toleno of Brattleboro
Davis of Washington	Michelsen of Hardwick	Townsend of South
Fay of St. Johnsbury	Moran of Wardsboro	Burlington
French of Randolph	O'Sullivan of Burlington	Weed of Enosburgh
Haas of Rochester	Pearson of Burlington	Wizowaty of Burlington
Hoopar of Montpelier *	Poirier of Barre City	Woodward of Johnson
Krowinski of Burlington	Ryerson of Randolph	Zagar of Barnard
Martin of Wolcott	South of St. Johnsbury	

Those who voted in the negative are:

Ancel of Calais	Branagan of Georgia	Carr of Brandon
Bartholomew of Hartland	Brennan of Colchester	Christie of Hartford
Batchelor of Derby	Browning of Arlington	Clarkson of Woodstock
Beyor of Highgate	Burditt of West Rutland	Cole of Burlington
Bissonnette of Winooski	Buxton of Tunbridge	Condon of Colchester
Botzow of Pownal	Campion of Bennington	Connor of Fairfield
Bouchard of Colchester	Canfield of Fair Haven	Conquest of Newbury

Consejo of Sheldon	Jewett of Ripton	Partridge of Windham
Copeland-Hanzas of Bradford	Johnson of South Hero	Pearce of Richford
Corcoran of Bennington	Johnson of Canaan	Peltz of Woodbury
Cupoli of Rutland City	Juskiewicz of Cambridge	Potter of Clarendon
Deen of Westminster	Keenan of St. Albans City	Pugh of South Burlington
Devereux of Mount Holly	Kitzmiller of Montpelier	Quimby of Concord
Dickinson of St. Albans Town	Koch of Barre Town	Rachelson of Burlington
Donaghy of Poultney	Komline of Dorset	Ralston of Middlebury
Donahue of Northfield	Krebs of South Hero	Ram of Burlington
Donovan of Burlington	Kupersmith of South Burlington	Russell of Rutland City
Ellis of Waterbury	Lanpher of Vergennes	Savage of Swanton
Emmons of Springfield	Larocque of Barnet	Scheuermann of Stowe
Evans of Essex	Lawrence of Lyndon	Sharpe of Bristol
Fagan of Rutland City	Lenes of Shelburne	Shaw of Pittsford
Feltus of Lyndon *	Lewis of Berlin	Smith of New Haven
Fisher of Lincoln	Lippert of Hinesburg	Stevens of Shoreham
Frank of Underhill	Macaig of Williston	Strong of Albany
Gage of Rutland City	Malcolm of Pawlet	Stuart of Brattleboro
Gallivan of Chittenden	Manwaring of Wilmington	Sweaney of Windsor
Goodwin of Weston	Marcotte of Coventry	Terenzini of Rutland Town
Grad of Moretown	Marek of Newfane	Toll of Danville
Greshin of Warren	Martin of Springfield	Trieber of Rockingham
Head of South Burlington	Masland of Thetford	Turner of Milton
Heath of Westford	McCarthy of St. Albans City	Van Wyck of Ferrisburgh
Hebert of Vernon	Miller of Shaftsbury	Vowinkel of Hartford
Helm of Fair Haven	Mitchell of Fairfax	Waite-Simpson of Essex
Higley of Lowell	Mook of Bennington	Webb of Shelburne
Hoyt of Norwich	Morrissey of Bennington	Wilson of Manchester
Hubert of Milton	Mrowicki of Putney	Winters of Williamstown
Huntley of Cavendish	Myers of Essex	Yantachka of Charlotte *
Jerman of Essex	Nuovo of Middlebury	Young of Glover
	O'Brien of Richmond	

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

Kilmartin of Newport City	Shaw of Derby	Wright of Burlington
Klein of East Montpelier	Spengler of Colchester	

Rep. Feltus of Lyndon explained her vote as follows:

“Mr. Speaker:

I voted no on this specific proposal because I favor a longer term and more comprehensive package of tax reforms.”

Rep. Hooper of Montpelier explained her vote as follows:

“Mr. Speaker:

I had said I would vote against this amendment, but upon reflection I decided I had to put my vote where my mouth was.”

Rep. McCullough of Williston explained his vote as follows:

“Mr. Speaker:

‘Some hae meat and canna eat,
And some wad eat that want it,
But we hae meat and we can eat,
And sae the Lord be thankit.’

I quote the immortal bard Robert Burns as I supported the amendment for those who ‘wad eat that want it.’

This amendment will reduce hunger in Vermont.”

Rep. Yantachka of Charlotte explained his vote as follows:

“Mr. Speaker:

I voted against this amendment not because I disagree with what it is trying to accomplish. I do agree with it. But I know that the committees have worked mightily to present us with a bill that threads the needle balancing needs with costs. There are a lot of things we need to do that we don’t have enough money to accomplish; and this concerns me very much. But until we change the way we collect income taxes, from basing it on taxable income to basing it on Adjusted Gross income as most other states do, our tax rates will continue to compare unfavorably in the public perception. Instead, I look forward to voting to raise the minimum wage to help those earning the least in our economy.”

Pending the question, Shall the bill be read a third time? **Rep. Jewett of Ripton** 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, 104. Nays, 41.

Those who voted in the affirmative are:

Ancel of Calais	Carr of Brandon	Copeland-Hanzas of Bradford
Bartholomew of Hartland	Christie of Hartford	Corcoran of Bennington
Batchelor of Derby	Clarkson of Woodstock	Cross of Winooski
Bissonnette of Winooski	Cole of Burlington	Dakin of Chester
Botzow of Pownal	Condon of Colchester	Deen of Westminster
Branagan of Georgia	Connor of Fairfield	Donovan of Burlington
Burke of Brattleboro	Conquest of Newbury	Ellis of Waterbury
Buxton of Tunbridge	Consejo of Sheldon	Emmons of Springfield
Campion of Bennington		

Evans of Essex	Lenes of Shelburne	Ralston of Middlebury
Fagan of Rutland City	Lippert of Hinesburg	Ram of Burlington
Fay of St. Johnsbury	Macaig of Williston	Russell of Rutland City
Fisher of Lincoln	Malcolm of Pawlet	Ryerson of Randolph
Frank of Underhill	Manwaring of Wilmington	Sharpe of Bristol
French of Randolph	Marcotte of Coventry	Shaw of Pittsford
Gallivan of Chittenden	Marek of Newfane	South of St. Johnsbury
Grad of Moretown	Martin of Springfield	Stevens of Waterbury
Haas of Rochester	Martin of Wolcott	Strong of Albany
Head of South Burlington	Masland of Thetford	Stuart of Brattleboro
Heath of Westford	McCarthy of St. Albans City	Sweaney of Windsor
Hooper of Montpelier	McCormack of Burlington	Terenzini of Rutland Town
Hoyt of Norwich	McCullough of Williston	Till of Jericho
Huntley of Cavendish	Michelsen of Hardwick	Toleno of Brattleboro
Jerman of Essex	Miller of Shaftsbury	Toll of Danville
Jewett of Ripton	Mook of Bennington	Townsend of South Burlington
Johnson of South Hero	Moran of Wardsboro	Vowinkel of Hartford
Johnson of Canaan	Mrowicki of Putney	Waite-Simpson of Essex
Keenan of St. Albans City	Nuovo of Middlebury	Webb of Shelburne
Kilmartin of Newport City	O'Brien of Richmond	Wilson of Manchester
Kitzmiller of Montpelier	O'Sullivan of Burlington	Wizowaty of Burlington
Klein of East Montpelier	Partridge of Windham	Woodward of Johnson
Krebs of South Hero	Peltz of Woodbury	Wright of Burlington
Krowinski of Burlington	Poirier of Barre City	Yantachka of Charlotte
Kupersmith of South Burlington	Potter of Clarendon	Young of Glover
Lanpher of Vergennes	Pugh of South Burlington	Zagar of Barnard
	Rachelson of Burlington	

Those who voted in the negative are:

Beyor of Highgate	Gage of Rutland City	Mitchell of Fairfax
Bouchard of Colchester	Goodwin of Weston	Morrissey of Bennington
Brennan of Colchester	Greshin of Warren	Myers of Essex
Browning of Arlington *	Hebert of Vernon	Pearce of Richford
Burditt of West Rutland	Helm of Fair Haven	Pearson of Burlington
Canfield of Fair Haven	Higley of Lowell	Quimby of Concord
Cupoli of Rutland City	Hubert of Milton	Savage of Swanton
Davis of Washington	Juskiewicz of Cambridge	Scheuermann of Stowe
Devereux of Mount Holly	Koch of Barre Town	Smith of New Haven
Dickinson of St. Albans Town	Komline of Dorset	Trieber of Rockingham
Donaghy of Poultney	Larocque of Barnet	Turner of Milton
Donahue of Northfield	Lawrence of Lyndon	Van Wyck of Ferrisburgh
Feltus of Lyndon	Lewis of Berlin	Weed of Enosburgh
	McFaun of Barre Town	Winters of Williamstown

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

Shaw of Derby	Spengler of Colchester
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Those members who abstained are:

Stevens of Shoreham

Rep. Browning of Arlington explained her vote as follows:

“Mr. Speaker:

I vote no not because of what is in this bill but because of what is NOT in it. We need comprehensive tax reform to ensure that all pay a reasonable share and we can reduce tax rates for all.”

Message from the Senate No. 37

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 considered a bill originating in the House of the following title:

H. 577. An act relating to ski tramways.

And has passed the same in concurrence.

**Bill Read Second Time and Amended;
Consideration Interrupted by Recess**

H. 885

Rep. Heath of Westford spoke for the committee on Appropriations.

House bill entitled

An act relating to making appropriations for the support of government

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. Heath of Westford** moved to amend the bill as follows:

First: In Sec. B.238, by striking out the figure “2,132,261” and inserting in lieu thereof the figure “2,280,210” and by striking out the figure “636,252” and inserting in lieu thereof the figure “488,303”

Second: In Sec. B.326, on the Special Funds line, by striking out the figure “10,936,994” and inserting in lieu thereof the figure “9,936,994” and after the Special funds line by inserting a new line to read as follows:

Federal funds

1,000,000

Third: In Sec. C.106, in subdivision (a)(1), after the words “Retirement System” by inserting the following:

“ . These funds shall be carried forward to fiscal year 2015 and be considered part of the base funding for the cost of retired teachers health care in the system as reform efforts continue to stabilize the long-term fiscal health of the system”

Fourth: After Sec. E.105 by striking out Sec. E.100.3 in its entirety

Fifth: By adding a new section to be numbered Sec. E.106 to read as follows:

Sec. E.106 FINANCE AND MANAGEMENT REPORT

(a) The Commissioner of Finance and Management in consultation with the Legislative Joint Fiscal Office shall develop a report that includes reporting of tax expenditures, capital appropriations, and budgeted expenditures on an agency basis for two agencies: the Agency of Commerce and Community Development and the Agency of Agriculture, Food and Markets. This report shall cover the prior, current and proposed fiscal year budgeted amounts and shall be submitted as a companion document to the fiscal year 2016 budget in January 2015.

Which was agreed to.

Recess

At five o'clock and forty-four minutes in the evening, the Speaker declared a recess until seven o'clock in the evening.

At seven o'clock in the evening, the Speaker called the House to order.

Consideration Resumed; and Third Reading Ordered

H. 885

Consideration resumed on House bill entitled

An act relating to making appropriations for the support of government

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

First: By inserting a new Sec. B. 322.1 to read as follows:

Sec. B.322.1 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;
FUNDING

(a) In both federal fiscal years 2015 and 2016, the sum of \$10,000,000.00 is appropriated to the Department for Children and Families from the General Fund to offset federal reductions in the Supplemental Nutrition Assistance Program.

(b) In order to effect the restoration of funds established by this section, the Commissioner for Children and Families shall adopt emergency rules on or before July 1, 2014 pursuant to 3 V.S.A. § 844 to authorize the Department to:

(1) calculate a monthly adjustment to 3SquaresVT benefits that equitably distributes funds appropriated to offset federal reductions in the Supplemental Nutrition Assistance Program to 3SquaresVT participants, which may be adjusted downward based on projected distribution costs;

(2) apply the adjustment described in subdivision (1) of this subsection to all 3SquaresVT benefits after need and benefit determinations are calculated; and

(3) distribute the adjustment to 3SquaresVT participants on a monthly basis in an efficient and cost-effective manner.

Second: In Sec. F.100 (effective dates), subsection (a), by inserting “B.322.1(b) (Supplemental Nutrition Assistance Program; funding),” after “Secs.”

Pending the question, Shall the bill be amended as proposed by Rep. Poirier of Barre City? **Rep. Poirier of Barre City** 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 Rep. Poirier of Barre City? was decided in the negative. Yeas, 15. Nays, 120.

Those who voted in the affirmative are:

Burke of Brattleboro	McFaun of Barre Town	Stuart of Brattleboro
Davis of Washington	Moran of Wardsboro	Till of Jericho
Haas of Rochester	Pearson of Burlington	Weed of Enosburgh
Kilmartin of Newport City *	Poirier of Barre City	Wizowaty of Burlington
Larocque of Barnet	Spengler of Colchester *	Woodward of Johnson

Those who voted in the negative are:

Ancel of Calais	Branagan of Georgia	Canfield of Fair Haven
Bartholomew of Hartland	Brennan of Colchester	Carr of Brandon
Beyor of Highgate	Browning of Arlington	Christie of Hartford
Bissonnette of Winooski	Burditt of West Rutland	Clarkson of Woodstock
Botzow of Pownal	Buxton of Tunbridge	Cole of Burlington
Bouchard of Colchester	Campion of Bennington	Connor of Fairfield

Conquest of Newbury	Jewett of Ripton	O'Brien of Richmond
Consejo of Sheldon	Johnson of South Hero	O'Sullivan of Burlington
Corcoran of Bennington	Johnson of Canaan	Partridge of Windham
Cupoli of Rutland City	Juskiewicz of Cambridge	Pearce of Richford
Dakin of Chester	Keenan of St. Albans City	Peltz of Woodbury
Deen of Westminster	Kitzmiller of Montpelier	Potter of Clarendon
Devereux of Mount Holly	Klein of East Montpelier	Pugh of South Burlington
Dickinson of St. Albans Town	Koch of Barre Town	Quimby of Concord
Donahue of Northfield	Krebs of South Hero	Rachelson of Burlington *
Donovan of Burlington	Krowinski of Burlington	Russell of Rutland City
Ellis of Waterbury	Kupersmith of South Burlington	Savage of Swanton
Emmons of Springfield	Lanpher of Vergennes	Sharpe of Bristol
Evans of Essex	Lawrence of Lyndon	Shaw of Pittsford
Fagan of Rutland City	Lewis of Berlin	Smith of New Haven
Fay of St. Johnsbury	Lippert of Hinesburg	South of St. Johnsbury
Feltus of Lyndon	Macaig of Williston	Stevens of Waterbury
Fisher of Lincoln	Malcolm of Pawlet	Stevens of Shoreham
Frank of Underhill	Manwaring of Wilmington	Strong of Albany
French of Randolph	Marcotte of Coventry	Sweaney of Windsor
Gage of Rutland City	Marek of Newfane	Terenzini of Rutland Town
Gallivan of Chittenden	Martin of Springfield	Toleno of Brattleboro
Goodwin of Weston	Martin of Wolcott	Toll of Danville
Grad of Moretown	Masland of Thetford	Townsend of South Burlington
Greshin of Warren	McCarthy of St. Albans City	Trieber of Rockingham
Head of South Burlington	McCormack of Burlington	Turner of Milton
Heath of Westford	McCullough of Williston	Van Wyck of Ferrisburgh
Hebert of Vernon	Michelsen of Hardwick	Vowinkel of Hartford
Helm of Fair Haven	Miller of Shaftsbury	Waite-Simpson of Essex
Higley of Lowell	Mitchell of Fairfax	Webb of Shelburne
Hooper of Montpelier	Mook of Bennington	Wilson of Manchester
Hoyt of Norwich	Morrissey of Bennington	Winters of Williamstown
Hubert of Milton	Mrowicki of Putney	Wright of Burlington
Huntley of Cavendish	Myers of Essex	Yantachka of Charlotte
Jerman of Essex	Nuovo of Middlebury	Zagar of Barnard

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

Batchelor of Derby	Donaghy of Poultney	Ryerson of Randolph
Condon of Colchester	Komline of Dorset	Scheuermann of Stowe
Copeland-Hanzas of Bradford	Lenes of Shelburne	Shaw of Derby
Cross of Winooski	Ralston of Middlebury	Young of Glover
	Ram of Burlington	

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

“Mr. Speaker:

I vote 'yes' because this is truly for the family and our children. Too often we give lip service to the family and children. This amendment puts our money where our mouth is so often."

Rep. Rachelson of Burlington explained her vote as follows:

"Mr. Speaker:

While I don't envy the Appropriations Committee and the hard decisions they had to make, I find it deeply painful to vote no on this amendment knowing it impacts so many children and families. The poverty level in Vermont is on par with many third world countries. We can and must do better for those Vermonters who are struggling financially. I hope we can commit to eradicating poverty in our state."

Rep. Spengler of Colchester explained her vote as follows:

"Mr. Speaker:

As many Vermonters' wages continue to erode, we must do what we can to keep food on the table."

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

First: By adding a Sec. E.150 to read:

Sec. E.150 32 V.S.A. § 306 is amended to read:

§ 306. BUDGET REPORT

(a) The Governor shall submit to the General Assembly, not later than the third Tuesday of every annual session, a unified budget which shall embody his or her estimates, requests, ~~and~~ recommendations for appropriations or other authorizations for expenditures from the State Treasury, the cost of all current and recommended tax expenditures, and the capital bill allocations of bonded dollars. In the first year of the biennium, the budget shall relate to the two succeeding fiscal years. In the second year of the biennium, it shall relate to the succeeding fiscal year. The unified budget shall clearly list by agency:

(1) all requests and recommendations for appropriations and other expenditures relating to each agency;

(2) all current and recommended tax expenditures relating to each agency's activities;

(3) all requests and recommendations for allocations of capital bill bonded dollars allocated to each agency; and

(4) in a miscellaneous category, all tax expenditures and capital bill allocations that do not relate to any agency.

* * *

Second: In Sec. F.100, by inserting a new subsection (d) to read:

(d) Sec. 150 (unified budget) shall take effect on July 1, 2014, and shall apply to the budget for fiscal year 2016.

and by relettering the remaining subsection to be alphabetically correct.

Thereupon, **Rep. Browning of Arlington** asked and was granted leave of the House to withdraw her amendment.

Pending the question, Shall the bill be read a third time? **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 read a third time? was decided in the affirmative. Yeas, 91. Nays, 46.

Those who voted in the affirmative are:

Ancel of Calais	Hoyt of Norwich	O'Sullivan of Burlington
Bartholomew of Hartland	Huntley of Cavendish	Partridge of Windham
Bissonnette of Winooski	Jerman of Essex	Peltz of Woodbury
Botzow of Pownal	Jewett of Ripton	Poirier of Barre City *
Brennan of Colchester	Johnson of South Hero	Potter of Clarendon
Burke of Brattleboro	Keenan of St. Albans City	Pugh of South Burlington
Buxton of Tunbridge	Kitzmiller of Montpelier	Rachelson of Burlington
Campion of Bennington	Klein of East Montpelier	Ram of Burlington
Carr of Brandon	Krebs of South Hero	Russell of Rutland City
Christie of Hartford	Krowinski of Burlington	Sharpe of Bristol
Clarkson of Woodstock	Kupersmith of South Burlington	South of St. Johnsbury
Cole of Burlington	Lanpher of Vergennes	Spengler of Colchester
Connor of Fairfield	Lippert of Hinesburg	Stevens of Waterbury
Conquest of Newbury	Macaig of Williston	Stevens of Shoreham
Consejo of Sheldon	Malcolm of Pawlet	Stuart of Brattleboro
Corcoran of Bennington	Manwaring of Wilmington	Sweaney of Windsor
Dakin of Chester	Marek of Newfane *	Till of Jericho
Deen of Westminster	Martin of Springfield	Toleno of Brattleboro
Donovan of Burlington	Martin of Wolcott	Toll of Danville
Ellis of Waterbury	Masland of Thetford	Townsend of South Burlington
Emmons of Springfield	McCarthy of St. Albans City	Trieber of Rockingham
Evans of Essex	McCormack of Burlington	Vowinkel of Hartford
Fay of St. Johnsbury	McCullough of Williston	Waite-Simpson of Essex
Fisher of Lincoln	Michelsen of Hardwick	Webb of Shelburne
Frank of Underhill	Miller of Shaftsbury	Wilson of Manchester
French of Randolph	Mook of Bennington	Wizowaty of Burlington
Gallivan of Chittenden	Moran of Wardsboro	Woodward of Johnstone
Grad of Moretown	Mrowicki of Putney	Yantachka of Charlotte
Head of South Burlington	Nuovo of Middlebury	Young of Glover
Heath of Westford	O'Brien of Richmond	Zagar of Barnard

Those who voted in the negative are:

Beyor of Highgate	Greshin of Warren	Morrissey of Bennington
Bouchard of Colchester	Haas of Rochester	Myers of Essex
Branagan of Georgia	Hebert of Vernon	Pearce of Richford
Browning of Arlington *	Helm of Fair Haven	Pearson of Burlington
Burditt of West Rutland	Higley of Lowell	Quimby of Concord
Canfield of Fair Haven	Hubert of Milton	Savage of Swanton
Cupoli of Rutland City	Johnson of Canaan	Shaw of Pittsford
Davis of Washington	Juskiewicz of Cambridge	Smith of New Haven
Devereux of Mount Holly	Kilmartin of Newport City	Strong of Albany
Dickinson of St. Albans Town	Koch of Barre Town	Terenzini of Rutland Town
Donahue of Northfield	Larocque of Barnet	Turner of Milton *
Fagan of Rutland City	Lawrence of Lyndon	Van Wyck of Ferrisburgh
Feltus of Lyndon	Lewis of Berlin	Weed of Enosburgh
Gage of Rutland City	Marcotte of Coventry	Winters of Williamstown
Goodwin of Weston	McFaun of Barre Town	Wright of Burlington
	Mitchell of Fairfax	

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

Batchelor of Derby	Cross of Winooski	Ralston of Middlebury
Condon of Colchester	Donaghy of Poultney	Ryerson of Randolph
Copeland-Hanzas of Bradford	Komline of Dorset	Scheuermann of Stowe
	Lenes of Shelburne	Shaw of Derby

Rep. Browning of Arlington explained her vote as follows:

“Mr. Speaker:

The Appropriations Committee has my undying gratitude for incorporating a pilot project to create a unified budget of spending, tax expenditures and capital bill allocations in their bill. However, it is not easy to get my vote. This budget and the tax bill with which it is linked make little progress in properly managing the ‘shadow budget’ of tax expenditures or in properly addressing our long-term structural budget imbalances. I must vote ‘no’.”

Rep. Marek of Newfane explained his vote as follows:

“Mr. Speaker:

This is a budget which moves Vermont forward in so many ways. In a year when we have focused real attention on the human and economic costs of opiates in all our communities it makes a new investment of \$10 million in opiate treatment and \$600,000 for crime victims. It will help not only those it directly assists; it ultimately will help every Vermonter.”

Rep. Poirier of Barre City explained his vote as follows:

“Mr. Speaker:

I voted ‘yes’ because the main minor party did not give this independent any alternative. It is easy to just say no. I hope this body will look favorably toward income equality with the minimum wage bill.”

Rep. Turner of Milton explained his vote as follows:

“Mr. Speaker:

The Governor encouraged our schools to limit their growth in spending to 3%, yet his and this House proposal far exceeds that benchmark. I cannot support passage of this bill that spends an additional \$52.35 million in general fund, and a total of \$213.31 million in all funds in FY15 over FY14. The proposed rate of growth in spending is not sustainable and sets us up for large projected budget gaps in FY16/FY17. Further, the bill does not significantly reduce the state’s reliance upon using one-time money to balance the budget, does not adequately address the retired teachers’ healthcare pension issue, does not set aside an adequate amount of reserve, nor does it include adequate provisions to expand economic opportunity for our constituents and businesses. Thank you.”

Bill Amended; Consideration Interrupted by Adjournment

H. 882

Rep. Townsend of South Burlington spoke for the committee on Government Operations.

Rep. Johnson of South Hero, for the committee on Appropriations, to which had been referred House bill, entitled

An act relating to compensation for certain State employees

Reported in favor of its passage when amended as follows:

First: In Sec. 9 (Pay Act appropriations), in subsection (a) (Executive Branch), near the end of the introductory paragraph, after “June 30, 2016; and salary increases for” by inserting “classified employees not in a bargaining unit and”

Second: In Sec. 9, in subdivision (a)(1)(A), after “The amount of” by striking out “\$7,152,319.00” and inserting in lieu thereof “\$7,150,580.00”

Third: In Sec. 9, in subsection (b) (Judicial Branch), in subdivision (2)(A), after “The amount of” by striking out “\$877,897.00” and inserting in lieu thereof “\$1,004,585.00”

Fourth: In Sec. 9, in subsection (b), in subdivision (2)(B), after “The amount of” by striking out “\$1,112,090.00” and inserting in lieu thereof “\$1,044,179.00”

Fifth: In Sec. 9, in subsection (c) (Legislative Branch), in subdivision (2), after “The amount of” by striking out “\$406,904.00” and inserting in lieu thereof “\$283,000.00”

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.

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

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

* * * Executive Branch * * *

Sec. 1. COST OF LIVING ADJUSTMENTS; PROHIBITION

Exempt employees in the Executive Branch shall not receive a cost of living increase in fiscal years 2015 or 2016.

Sec. 2. RATE OF ADJUSTMENT; PROHIBITION

Notwithstanding the provisions of 32 V.S.A. §§ 1003(b) and 1020(b), the employees to which those subsections are applicable shall not receive any annual salary adjustments, special salary increases, or bonuses under those subsections in fiscal years 2015 or 2016.

* * * Judicial Branch * * *

Sec. 3. COST OF LIVING ADJUSTMENTS; PROHIBITION

Exempt employees in the Judicial Branch shall not receive a cost of living increase in fiscal years 2015 or 2016.

* * * Legislative Branch * * *

Sec. 4. COST OF LIVING ADJUSTMENTS; PROHIBITION

(a) Notwithstanding the provisions of 32 V.S.A. § 1051(a) that provide that the Speaker of the House and the President Pro Tempore of the Senate shall receive annual compensation that is adjusted annually by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, in fiscal years 2015 and 2016, the Speaker and the President Pro Tempore shall not receive a cost of living increase.

(b) Notwithstanding the provisions of 32 V.S.A. § 1052(a) that provide that each member of the General Assembly shall receive weekly compensation that is adjusted annually by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement, in fiscal years 2015 and 2016, the members of the General Assembly shall not receive a cost of living increase.

(c) Exempt employees in the Legislative Branch shall not receive a cost of living increase in fiscal years 2015 or 2016.

* * * Appropriations * * *

Sec. 5. PAY ACT APPROPRIATIONS

(a) Executive Branch. The two-year agreements between the State of Vermont and the Vermont State Employees' Association for the Defender General, nonmanagement, supervisory, and corrections bargaining units for the period July 1, 2014 through June 30, 2016 and for the collective bargaining agreement with the Vermont Troopers' Association for the period of July 1, 2015 through June 30, 2016 shall be funded as follows:

(1) Fiscal Year 2015.

(A) General Fund. The amount of \$6,571,373.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2015 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,000,000.00 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2015 collective bargaining agreements and the requirements of this act.

(C) Other funds. The administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2015 collective bargaining agreements and the requirements of this act. The estimated amounts are \$11,591,844.00 from special fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2015, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(2) Fiscal Year 2016.

(A) General Fund. The amount of \$7,900,794.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2016 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,000,000.00 is appropriated from the Transportation Fund to the Secretary of Administration

for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2016 collective bargaining agreements and the requirements of this act.

(C) Other funds. The administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2016 collective bargaining agreements and the requirements of this act. The estimated amounts are \$13,594,459.00 from special fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2016, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(b) Judicial Branch. The two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period July 1, 2014 through June 30, 2016 shall be funded as follows:

(1) Fiscal Year 2015. The amount of \$551,683.00 is appropriated from the General Fund to the Judiciary to fund the fiscal year 2015 collective bargaining agreement and the requirements of this act.

(2) Fiscal Year 2016. The amount of \$551,683.00 is appropriated from the General Fund to the Judiciary to fund the fiscal year 2016 collective bargaining agreement and the requirements of this act.

* * * Effective Date * * *

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

Thereupon, **Rep Canfield 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? **Reps. Consejo of Sheldon and Devereux of Mount Holly** moved to amend the bill as follows:

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

* * * Executive Branch * * *

Sec. 1. COST-OF-LIVING ADJUSTMENTS

Exempt employees in the Executive Branch may receive a cost-of-living increase in fiscal years 2015 and 2016 not to exceed 2.0 percent.

Sec. 2. RATE OF ADJUSTMENT

For purposes of determining annual salary adjustments, special salary increases, and bonuses under 32 V.S.A. §§ 1003(b) and 1020(b), “the total rate of adjustment available to classified employees under the collective bargaining agreement” shall be deemed to be 2.0 percent in fiscal years 2015 and 2016.

Sec. 3. 32 V.S.A. § 1003 is amended to read:

§ 1003. STATE OFFICERS

(a) Each elective officer of the Executive Department is entitled to an annual salary as follows:

	<u>Annual Salary</u> as of <u>July 8, 2007</u>	<u>Annual Salary</u> as of <u>July 13, 2014</u>	<u>Annual Salary</u> as of <u>July 12, 2015</u>
Governor	\$150,067	<u>\$153,068</u>	<u>\$156,130</u>
Lieutenant Governor	63,701	<u>64,975</u>	<u>66,275</u>
Secretary of State	95,156	<u>97,059</u>	<u>99,000</u>
State Treasurer	95,156	<u>97,059</u>	<u>99,000</u>
Auditor of Accounts	95,156	<u>97,059</u>	<u>99,000</u>
Attorney General	113,915	<u>116,193</u>	<u>118,517</u>

(b) The Governor may appoint each officer of the Executive Branch listed in this subsection at a starting salary ranging from the base salary stated for that position to a salary which does not exceed the maximum salary unless otherwise authorized by this subsection. The maximum salary for each appointive officer shall be 50 percent above the base salary. Annually, the Governor may grant to each of those officers an annual salary adjustment subject to the maximum salary. The annual salary adjustment granted to officers under this subsection shall not exceed the average of the total rate of adjustment available to classified employees under the collective bargaining agreement then in effect. In addition to the annual salary adjustment specified in this subsection, the Governor may grant a special salary increase subject to the maximum salary, or a bonus, to any officer listed in this subsection whose job duties have significantly increased, or whose contributions to the State in the preceding year are deemed especially significant. Special salary increases or bonuses granted to any individual shall not exceed the average of the total

rate of adjustment available to classified employees under the collective bargaining agreement then in effect.

(1) Heads of the following Departments and Agencies:

	<u>Base Salary</u> as of July 1, 2012	<u>Base Salary</u> as of July 13, 2014	<u>Base Salary</u> as of July 12, 2015
(A) Administration	\$90,745	<u>\$92,560</u>	<u>\$94,411</u>
(B) Agriculture, Food and Markets	90,745	<u>92,560</u>	<u>94,411</u>
(C) Financial Regulation	84,834	<u>86,531</u>	<u>88,261</u>
(D) Buildings and General Services	84,834	<u>86,531</u>	<u>88,261</u>
(E) Children and Families	84,834	<u>86,531</u>	<u>88,261</u>
(F) Commerce and Community Development	90,745	<u>92,560</u>	<u>94,411</u>
(G) Corrections	84,834	<u>86,531</u>	<u>88,261</u>
(H) Defender General	84,834	<u>86,531</u>	<u>88,261</u>
(I) Disabilities, Aging, and Independent Living	84,834	<u>86,531</u>	<u>88,261</u>
(J) Economic Development	76,953	<u>78,492</u>	<u>80,062</u>
(K) Education	90,745	<u>92,560</u>	<u>94,411</u>
(L) Environmental Conservation	84,834	<u>86,531</u>	<u>88,261</u>
(M) Finance and Management	84,834	<u>86,531</u>	<u>88,261</u>
(N) Fish and Wildlife	76,953	<u>78,492</u>	<u>80,062</u>
(O) Forests, Parks and Recreation	76,953	<u>78,492</u>	<u>80,062</u>
(P) Health	84,834	<u>86,531</u>	<u>88,261</u>
(Q) Housing and Community			

Development	76,953	<u>78,492</u>	<u>80,062</u>
(R) Human Resources	84,834	<u>86,531</u>	<u>88,261</u>
(S) Human Services	90,745	<u>92,560</u>	<u>94,411</u>
(T) Information and Innovation	84,834	<u>86,531</u>	<u>88,261</u>
(U) Labor	84,834	<u>86,531</u>	<u>88,261</u>
(V) Libraries	76,953	<u>78,492</u>	<u>80,062</u>
(W) Liquor Control	76,953	<u>78,492</u>	<u>80,062</u>
(X) Lottery	76,953	<u>78,492</u>	<u>80,062</u>
(Y) Mental Health	84,834	<u>86,531</u>	<u>88,261</u>
(Z) Military	84,834	<u>86,531</u>	<u>88,261</u>
(AA) Motor Vehicles	76,953	<u>78,492</u>	<u>80,062</u>
(BB) Natural Resources	90,745	<u>92,560</u>	<u>94,411</u>
(CC) Natural Resources Board Chairperson	76,953	<u>78,492</u>	<u>80,062</u>
(DD) Public Safety	84,834	<u>86,531</u>	<u>88,261</u>
(EE) Public Service	84,834	<u>86,531</u>	<u>88,261</u>
(FF) Taxes	84,834	<u>86,531</u>	<u>88,261</u>
(GG) Tourism and Marketing	76,953	<u>78,492</u>	<u>80,062</u>
(HH) Transportation	90,745	<u>92,560</u>	<u>94,411</u>
(II) Vermont Health Access	84,834	<u>86,531</u>	<u>88,261</u>
(JJ) Veterans Home	84,834	<u>86,531</u>	<u>88,261</u>

(2) The Secretary of Administration may include the Director of the Office of Professional Regulation in any pay plans which may be established under the authority of subsection 1020(c) of this title, provided the minimum hiring rate does not fall below a base salary, as of ~~July 8, 2007~~ July 13, 2014, of ~~\$65,239.00~~ \$66,544.00 and as of July 12, 2015, of \$67,875.00.

* * *

* * * Judicial Branch * * *

Sec. 4. 32 V.S.A. § 1003(c) is amended to read:

(c) The annual salaries of the officers of the Judicial Branch named below shall be as follows:

	Annual Salary as of July 1, 2012	Annual Salary as of July 14, 2013	<u>Annual</u> Salary as of July 13, 2014	<u>Annual</u> Salary as of July 12, 2015
(1) Chief justice <u>Justice</u> of Supreme Court	\$139,280	\$144,434	\$147,323	\$150,269
(2) Each associate justice <u>Associate Justice</u>	132,928	137,847	140,604	143,416
(3) Administrative judge	132,928	137,847	140,604	143,416
(4) Each superior <u>Superior judge</u>	126,369	131,045	133,666	136,339
(5) Each district judge	Repealed			
(6) Each magistrate	95,281	98,807	100,783	102,799
(7) Each judicial bureau <u>Judicial Bureau</u> hearing officer	95,281	98,807	100,783	102,799

Sec. 5. 32 V.S.A. § 1141 is amended to read:

§ 1141. ASSISTANT JUDGES

(a)(1) The compensation of each assistant judge of the Superior Court shall be ~~\$146.09 a day as of July 1, 2012 and \$151.49 a day as of July 14, 2013~~ \$154.52 a day as of July 13, 2014 and \$157.61 a day as of July 12, 2015 for time spent in the performance of official duties and necessary expenses as allowed to classified State employees. Compensation under this section shall be based on a two-hour minimum and hourly thereafter.

* * *

Sec. 6. 32 V.S.A. § 1142 is amended to read:

§ 1142. PROBATE JUDGES

(a) The annual salaries of the Probate judges in the several Probate Districts, which shall be paid by the State in lieu of all fees or other compensation, shall be as follows:

	Annual Salary as of July 1, 2012	Annual Salary as of July 14, 2013	<u>Annual</u> Salary as of July 13, 2014	<u>Annual</u> Salary as of July 12, 2015
(1) Addison	\$49,820	\$51,663	\$52,696	\$53,750
(2) Bennington	62,980	65,310	66,616	67,949
(3) Caledonia	44,180	45,815	46,731	47,666
(4) Chittenden	105,104	108,993	111,173	113,396
(5) Essex	12,342	12,799	13,055	13,316
(6) Franklin	49,820	51,663	52,696	53,750
(7) Grand Isle	12,342	12,799	13,055	13,316
(8) Lamoille	34,780	36,067	36,788	37,524
(9) Orange	41,360	42,890	43,748	44,623
(10) Orleans	40,420	41,916	42,754	43,609
(11) Rutland	89,300	92,604	94,456	96,345
(12) Washington	68,619	71,158	72,581	74,033
(13) Windham	55,460	57,512	58,662	59,835
(14) Windsor	75,200	77,982	79,542	81,132

* * *

* * * Sheriffs * * *

Sec. 7. 32 V.S.A. § 1182 is amended to read:

§ 1182. SHERIFFS

(a) The annual salaries of the sheriffs of all counties except Chittenden shall be ~~\$67,688.00 as of July 1, 2012 and \$70,192.00 as of July 14, 2013~~ \$71,596.00 as of July 13, 2014 and \$73,028.00 as of July 12, 2015. The annual salary of the sheriff of Chittenden County shall be ~~\$71,631.00 as of July~~

~~1, 2012 and \$74,281.00 as of July 14, 2013~~ \$75,767.00 as of July 13, 2014 and \$77,282.00 as of July 12, 2015.

* * *

* * * State's Attorneys * * *

Sec. 8. 32 V.S.A. § 1183 is amended to read:

§ 1183. STATE'S ATTORNEYS

(a) The annual salaries of State's Attorneys shall be:

	Annual	Annual	<u>Annual</u>	<u>Annual</u>
	Salary	Salary	<u>Salary</u>	<u>Salary</u>
	as of	as of	<u>as of</u>	<u>as of</u>
	July 1,	July 14,	<u>July 13,</u>	<u>July 12,</u>
	2012	2013	<u>2014</u>	<u>2015</u>
(1) Addison County	\$91,557	\$94,945	<u>\$96,844</u>	<u>98,781</u>
(2) Bennington County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(3) Caledonia County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(4) Chittenden County	95,721	99,263	<u>101,248</u>	<u>103,273</u>
(5) Essex County	68,669	71,210	<u>72,634</u>	<u>74,087</u>
(6) Franklin County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(7) Grand Isle County	68,669	71,210	<u>72,634</u>	<u>74,087</u>
(8) Lamoille County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(9) Orange County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(10) Orleans County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(11) Rutland County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(12) Washington County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(13) Windham County	91,557	94,945	<u>96,844</u>	<u>98,781</u>
(14) Windsor County	91,557	94,945	<u>96,844</u>	<u>98,781</u>

* * *

* * * Legislative Branch * * *

Sec. 9. RATE OF ADJUSTMENT

For purposes of determining the annual compensation adjustments for the Speaker of the House and the President Pro Tempore of the Senate under 32 V.S.A. § 1051(a) and the annual adjustments to the weekly compensation of all other legislators under 32 V.S.A. § 1052(a), the “cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement” shall be deemed to be 2.0 percent in fiscal years 2015 and 2016.

* * * Appropriations * * *

Sec. 10. PAY ACT APPROPRIATIONS

(a) Executive Branch. The two-year agreements between the State of Vermont and the Vermont State Employees’ Association for the Defender General, nonmanagement, supervisory, and corrections bargaining units for the period July 1, 2014 through June 30, 2016; the collective bargaining agreement with the Vermont Troopers’ Association for the period of July 1, 2015 through June 30, 2016; and salary increases for classified employees not in a bargaining unit and exempt employees shall be funded as follows:

(1) Fiscal Year 2015.

(A) General Fund. The amount of \$6,922,407.00 is appropriated from the General Fund to the Secretary of Administration for distribution to departments to fund the fiscal year 2015 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,000,000.00 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2015 collective bargaining agreements and the requirements of this act.

(C) Other funds. The administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2015 collective bargaining agreements and the requirements of this act. The estimated amounts are \$11,591,844.00 from Special Fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2015, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(2) Fiscal Year 2016.

(A) General Fund. The amount of \$8,251,828.00 is appropriated from the General Fund to the Secretary of Administration for distribution to

departments to fund the fiscal year 2016 collective bargaining agreements and the requirements of this act.

(B) Transportation Fund. The amount of \$2,000,000.00 is appropriated from the Transportation Fund to the Secretary of Administration for distribution to the Agency of Transportation and the Department of Public Safety to fund the fiscal year 2016 collective bargaining agreements and the requirements of this act.

(C) Other funds. The administration shall provide additional spending authority to departments through the existing process of excess receipts to fund the fiscal year 2016 collective bargaining agreements and the requirements of this act. The estimated amounts are \$13,594,459.00 from Special Fund, federal, and other sources.

(D) With due regard to the possible availability of other funds, for fiscal year 2016, the Secretary of Administration may transfer from the various appropriations and various funds and from the receipts of the Liquor Control Board such sums as the Secretary may determine to be necessary to carry out the purposes of this act to the various agencies supported by State funds.

(3) This section shall include sufficient funding to ensure administration of exempt pay plans authorized by 32 V.S.A. § 1020(c).

(b) Judicial Branch.

(1) The Chief Justice of the Vermont Supreme Court may extend the provisions of the Judiciary's collective bargaining agreement to Judiciary employees who are not covered by the bargaining agreement.

(2) The two-year agreements between the State of Vermont and the Vermont State Employees' Association for the judicial bargaining unit for the period July 1, 2014 through June 30, 2016 and salary increases for exempt employees shall be funded as follows:

(A) Fiscal Year 2015. The amount of \$906,313.00 is appropriated from the General Fund to the Judiciary to fund the fiscal year 2015 collective bargaining agreement and the requirements of this act.

(B) Fiscal Year 2016. The amount of \$945,907.00 is appropriated from the General Fund to the Judiciary to fund the fiscal year 2016 collective bargaining agreement and the requirements of this act.

(c) Legislative Branch. For the period July 1, 2014 through June 30, 2016, the Legislature shall be funded as follows:

(1) Fiscal Year 2015. The amount of \$104,663.00 is appropriated from the General Fund to the Legislative Branch.

(2) Fiscal Year 2016. The amount of \$207,663.00 is appropriated from the General Fund to the Legislative Branch.

* * * Effective Date * * *

Sec. 11. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

Recess

At nine o'clock and four minutes in the evening, the Speaker declared a recess until the fall of the gavel.

At ten o'clock and eleven minutes in the evening, the Speaker called the House to order.

Consideration Interrupted by Adjournment

H. 882

Consideration resumed on House bill, entitled

An act relating to compensation for certain State employees

Pending the question, Shall the bill be amended as recommended by Reps. Consejo of Sheldon and Devereux of Mount Holly?

Adjournment

At ten o'clock and twelve 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.