

# Journal of the House

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Friday, March 28, 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 Rep. Kevin Christie of Hartford, Vt.

## Joint Resolution Placed on Calendar

### J.R.S. 51

By Senator Campbell,

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

Whereas, the recent resignation of Representative Sarah E. Buxton of Tunbridge has created a vacancy on the Trustees of the University of Vermont and State Agricultural College, and

Whereas, the term of office for this vacant position commenced on February 20, 2014 and will expire on February 28, 2019, and

Whereas, this General Assembly has an obligation to fill this vacant position as prescribed by statute, now therefore be it

### RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES:

That the two Houses meet in Joint Assembly on Thursday, April 10, 2014, at ten o'clock and thirty minutes in the forenoon to elect a successor legislative Trustee of the University of Vermont and State Agricultural College to fill the unexpired term of Representative Sarah E. Buxton, which term commenced on March 1, 2013 and will expire on February 28, 2019, such vacancy having resulted from the resignation of Representative Sarah E. Buxton. In case election of this successor Trustee shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election until this successor Trustee is elected.

Which was read and, in the Speaker's discretion, placed on the Calendar for action on the next legislative day under Rule 52.

**Joint Resolution Placed on Calendar**

**J.R.S. 52**

By Senator Campbell,

**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.

*Whereas*, in 2001 and subsequent bienniums the elections of one trustees of the University of Vermont and State Agricultural College were decided by plurality vote, each of which required one ballot only, and

*Whereas*, if an election for a vacancy is decided by a plurality vote, then a great savings of time may be effectuated, *now therefore be it*

***Resolved by the Senate and House of Representatives:***

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of a replacement trustee of the University of Vermont and State Agricultural College at a Joint Assembly to be held on April 10, 2014, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be one.

(2) The candidate receiving the most votes shall be declared elected to fill the vacancy.

(3) In the event that the first balloting for the Trustee vacancy results in a tie vote, then voting shall continue on successive ballots until the vacancy has been filled, again by election declared of the candidate receiving the most votes.

Which was read and, in the Speaker's discretion, placed on the Calendar for action on the next legislative day under Rule 52.

**Remarks Journalized**

On motion of **Rep. Russell of Rutland City**, the following remarks by **Rep. Strong of Albany** were ordered printed in the Journal:

“Mr. Speaker:

Thank you, Mr. Speaker. It is an honor and privilege to have so many of our Vietnam Veterans joining us here today to share in this special occasion to recognize and to say thank you for their service and sacrifice for our country. I will never forget the phrase that was spoken to me and my family nine years ago when a tall Marine in dress blues bent down and handed me the perfectly folded American flag at our son's memorial service, and then again at his gravesite. The first words that he spoke were, "On behalf of a grateful nation." That simple phrase, "a grateful nation," gave us comfort and assurance knowing that our loss was not taken for granted, that our son, Jesse's, sacrifice was not in vain, and that our nation and our state were grateful for that most precious sacrifice. It is a powerful phrase and one that all of our servicemen and women need to hear. We are grateful that our veterans served on our behalf, and we won't take their sacrifices and hardships for granted as we enjoy the blessings of freedom as a result of their efforts.

Today, we want to say loud and clear that we are grateful for your service to our country and our state, and we are proud of your courage to defend freedom, and to defend those who couldn't defend themselves. Our thanks feel simple and inadequate, but it is from sincere hearts of gratitude that we say it to each of you personally. I can only say that I am sorry that it has taken so long. You all have deserved so much better. We are also saddened that there are many Vietnam Vets who did not live long enough to see a day like today, where their service and sacrifices are acknowledged and appreciated by a grateful state and nation.

On behalf of all of us in the Legislature I would like to take this opportunity to introduce all of the Vietnam Veterans who are here this morning and to give them our heartfelt thanks for their service.

Mr. Speaker, please join me today in saying welcome home to our Vietnam Veterans, we are so grateful for your service.

Mr. Speaker, I would also like to take a moment to say thank you to, and acknowledge our own Legislators who served our country during the Vietnam War. We owe them a special recognition, and our deepest gratitude, as well, for their service to our country."

**Consideration Resumed; Third Reading Ordered; Rules Suspended; Bill  
Read the Third Time and Passed**

**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?

### Recess

At ten o'clock in the forenoon, the Speaker declared a recess until ten o'clock and twenty minutes in the forenoon.

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

Pending the question, Shall the bill be amended as proposed by Rep. Consejo of Sheldon and others? **Rep. Devereux of Mount Holly** 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. Consejo of Sheldon and others? was decided in the negative. Yeas, 52. Nays, 89.

Those who voted in the affirmative are:

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

Those who voted in the negative are:

Ancel of Calais	Christie of Hartford	Copeland-Hanzas of Bradford
Bartholomew of Hartland	Clarkson of Woodstock	Corcoran of Bennington
Bissonnette of Winooski	Cole of Burlington	Cross of Winooski
Botzow of Pownal	Condon of Colchester	Dakin of Chester
Burke of Brattleboro	Connor of Fairfield	Davis of Washington
Buxton of Tunbridge	Conquest of Newbury	Deen of Westminster
Campion of Bennington		

Donovan of Burlington	Lippert of Hinesburg	Ralston of Middlebury
Ellis of Waterbury *	Macaig of Williston	Ram of Burlington
Emmons of Springfield	Malcolm of Pawlet	Russell of Rutland City
Evans of Essex	Manwaring of Wilmington	Ryerson of Randolph
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	Stuart of Brattleboro
Gallivan of Chittenden	McCarthy of St. Albans City	Sweaney of Windsor
Haas of Rochester	McCormack of Burlington	Till of Jericho
Heath of Westford	McCullough of Williston	Toleno of Brattleboro
Hooper of Montpelier	Michelsen of Hardwick	Toll of Danville
Hoyt of Norwich	Miller of Shaftsbury	Townsend of South Burlington
Jerman of Essex	Mook of Bennington	Vowinkel of Hartford
Jewett of Ripton	Moran of Wardsboro	Waite-Simpson of Essex *
Johnson of South Hero	Nuovo of Middlebury	Webb of Shelburne
Keenan of St. Albans City	O'Brien of Richmond	Weed of Enosburgh
Kitzmiller of Montpelier	O'Sullivan of Burlington	Wilson of Manchester
Klein of East Montpelier	Partridge of Windham	Wizowaty of Burlington
Krebs of South Hero	Pearson of Burlington	Woodward of Johnson
Krowinski of Burlington	Peltz of Woodbury	Yantachka of Charlotte
Kupersmith of South Burlington	Poirier of Barre City	Young of Glover
Lanpher of Vergennes	Potter of Clarendon	Zagar of Barnard
	Pugh of South Burlington	

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

Batchelor of Derby	Lenes of Shelburne	South of St. Johnsbury
Grad of Moretown	Mrowicki of Putney	
Head of South Burlington	Shaw of Derby	

**Rep. Carr of Brandon** explained his vote as follows:

“Mr. Speaker:

I vote for this amendment fully appreciating the hard work and dedication of all those affected, but the employer involved in this case is not some member of the one percent with deep pockets but rather an employer that has as its funding source folks that in the economic downturn also have gone without raises or gotten raises of less than two percent. I was voting for the underlying bill before this amendment and I will vote for it after the amendment, but I also vote ‘yes’ on the amendment.”

**Rep. Ellis of Waterbury** explained her vote as follows:

“Mr. Speaker:

I oppose this amendment because the state's 700 exempt employees deserve the same pay raise as classified employees. This amendment treats those two categories differently and is unfair to hard-working, dedicated state employees who are exempt from union membership."

**Rep. Waite-Simpson of Esse** explained her vote as follows:

"Mr. Speaker:

I vote 'no' on this amendment. I do support increasing the base salaries of the employees here who have no discretion in what they earn. We set their salaries in statute. But there is a distinctly different group of employees here who not only receive this COLA but are also eligible for an additional increase of up to 50% of their base. This is a benefit not enjoyed by all and it cries out for a less blunt solution."

**Rep. Wright of Burlington** explained his vote as follows:

"Mr. Speaker:

Everyone deserves a raise in pay. This compromise amendment merely calls for a smaller increase in pay. At a time when the cost of living in Vermont is becoming more difficult by the day, we need to listen and set an example. The problem here is taxpayers, who often are not getting these kinds of pay increases, have to pick up the costs of these increases."

Pending the question, Shall the bill be read the third time? **Rep. Canfield of Fair Haven** 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

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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.

Pending the question, Shall the bill be amended as proposed by Rep. Canfield of Fair Haven? **Rep. Canfield 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 proposed by Rep. Canfield of Fair Haven? was decided in the negative. Yeas, 37. Nays, 104.

Those who voted in the affirmative are:

Beyor of Highgate	Gage of Rutland City	Marcotte of Coventry
Bouchard of Colchester	Goodwin of Weston	Myers of Essex
Branagan of Georgia	Hebert of Vernon	Quimby of Concord
Brennan of Colchester	Helm of Fair Haven	Savage of Swanton
Browning of Arlington	Higley of Lowell	Shaw of Pittsford
Burditt of West Rutland	Hubert of Milton	Smith of New Haven
Canfield of Fair Haven	Johnson of Canaan	Strong of Albany
Cupoli of Rutland City	Juskiewicz of Cambridge	Terenzini of Rutland Town
Devereux of Mount Holly	Kilmartin of Newport City	Turner of Milton
Donaghy of Poultney	Koch of Barre Town	Van Wyck of Ferrisburgh
Donahue of Northfield *	Larocque of Barnet	Winters of Williamstown
Fagan of Rutland City	Lawrence of Lyndon	
Feltus of Lyndon	Lewis of Berlin	

Those who voted in the negative are:

Ancel of Calais	Copeland-Hanzas of	Frank of Underhill
Bartholomew of Hartland	Bradford	French of Randolph
Bissonnette of Winooski	Corcoran of Bennington	Gallivan of Chittenden
Botzow of Pownal	Cross of Winooski	Greshin of Warren
Burke of Brattleboro	Dakin of Chester	Haas of Rochester
Buxton of Tunbridge	Davis of Washington	Heath of Westford
Campion of Bennington	Deen of Westminster	Hooper of Montpelier
Carr of Brandon	Dickinson of St. Albans	Hoyt of Norwich
Christie of Hartford	Town	Huntley of Cavendish
Clarkson of Woodstock	Donovan of Burlington	Jerman of Essex
Cole of Burlington	Ellis of Waterbury	Jewett of Ripton
Condon of Colchester	Emmons of Springfield	Johnson of South Hero
Connor of Fairfield	Evans of Essex	Keenan of St. Albans City
Conquest of Newbury	Fay of St. Johnsbury	Kitzmiller of Montpelier
Consejo of Sheldon	Fisher of Lincoln	Klein of East Montpelier

Komline of Dorset	Moran of Wardsboro	Stevens of Waterbury
Krebs of South Hero	Morrissey of Bennington	Stevens of Shoreham
Krowinski of Burlington	Mrowicki of Putney	Stuart of Brattleboro
Kupersmith of South Burlington	Nuovo of Middlebury	Sweaney of Windsor
Lanpher of Vergennes	O'Brien of Richmond	Till of Jericho
Lippert of Hinesburg	O'Sullivan of Burlington	Toleno of Brattleboro
Macaig of Williston	Partridge of Windham	Toll of Danville
Malcolm of Pawlet	Pearce of Richford	Townsend of South Burlington
Manwaring of Wilmington	Pearson of Burlington	Trieber of Rockingham
Marek of Newfane *	Peltz of Woodbury	Vowinkel of Hartford
Martin of Springfield	Poirier of Barre City	Waite-Simpson of Essex
Martin of Wolcott	Potter of Clarendon	Webb of Shelburne
Masland of Thetford	Pugh of South Burlington	Weed of Enosburgh
McCarthy of St. Albans City	Rachelson of Burlington *	Wilson of Manchester
McCormack of Burlington	Ralston of Middlebury	Wizowaty of Burlington
McCullough of Williston	Ram of Burlington	Woodward of Johnson
McFaun of Barre Town	Russell of Rutland City	Wright of Burlington
Michelsen of Hardwick	Ryerson of Randolph	Yantachka of Charlotte
Miller of Shaftsbury	Scheuermann of Stowe	Young of Glover
Mook of Bennington	Sharpe of Bristol	Zagar of Barnard
	Spengler of Colchester	

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

Batchelor of Derby	Lenes of Shelburne	South of St. Johnsbury
Grad of Moretown	Mitchell of Fairfax	
Head of South Burlington	Shaw of Derby	

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

“Mr. Speaker:

Our budget pressures forced us to limit the increase to all of our hardworking Medicaid funded providers to .75 percent for a half year. Those pressures include the 3.3 percent increase in the underlying bill before us. We must consider equity in our actions.”

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

“Mr. Speaker:

Part of attracting and retaining great employees is having the flexibility to properly compensate those who perform well. Every successful private business understands that and we have only followed their good example by defeating this amendment.”

**Rep. Rachelson of Burlington** explained her vote as follows:

“Mr. Speaker:

I voted ‘no’ because it isn’t right for us to only give raises to those who get them through collective bargaining. I remain concerned about the same inequities playing out in our appropriations bill.”

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, 95. Nays, 47.

Those who voted in the affirmative are:

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

Those who voted in the negative are:

Beyor of Highgate	Bouchard of Colchester *	Branagan of Georgia
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Brennan of Colchester	Greshin of Warren	Morrissey of Bennington
Browning of Arlington	Hebert of Vernon	Myers of Essex
Burditt of West Rutland	Helm of Fair Haven	Pearce of Richford
Canfield of Fair Haven	Higley of Lowell	Quimby of Concord
Consejo of Sheldon	Hubert of Milton	Savage of Swanton *
Cupoli of Rutland City	Huntley of Cavendish	Scheuermann of Stowe
Devereux of Mount Holly	Johnson of Canaan	Shaw of Pittsford *
Dickinson of St. Albans Town	Juskiewicz of Cambridge	Smith of New Haven
Donaghy of Poultney	Kilmartin of Newport City	Strong of Albany
Donahue of Northfield	Koch of Barre Town *	Terenzini of Rutland Town
Fagan of Rutland City	Komline of Dorset	Trieber of Rockingham
Feltus of Lyndon	Larocque of Barnet	Turner of Milton *
Gage of Rutland City	Lawrence of Lyndon	Van Wyck of Ferrisburgh
Goodwin of Weston	Lewis of Berlin *	Winters of Williamstown
	Marcotte of Coventry	Wright of Burlington

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

Batchelor of Derby	Lenes of Shelburne	Shaw of Derby
Grad of Moretown	Mitchell of Fairfax	South of St. Johnsbury

**Rep. Bouchard of Colchester** explained his vote as follows:

“Mr. Speaker:

I voted ‘no’. I think the process we use to pay our state employees is flawed.”

**Rep. Cross of Winooski** explained his vote as follows:

“Mr. Speaker:

I support our hard working and dedicated state employees; thus, I voted ‘yes’ on this bill.”

**Rep. Donovan of Burlington** explained her vote as follows:

“Mr. Speaker:

I voted ‘yes’ for a small increase in the salaries of our state work force because I know these dollars will be invested in towns and villages across the state. A true economic development tool!”

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

“Mr. Speaker:

I have many constituents who are state employees and I have many friends in Barre Town and elsewhere who are state employees. I value and appreciate their work and they deserve a pay increase.

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It is the magnitude of the proposed increase that is the problem. I also have retirees in Barre Town who get only a 1.5 percent increase in their Social Security and no increase at all in their pensions. And I have other employees in Barre Town whose raises are not as large as these increases.

I don't know anyone else in these times who is getting a 4.1 percent raise this year and a 4.1 percent raise next year. This agreement was poorly negotiated; it is not in line with private sector raises and it should be rejected. As for the exempt employees, the raises are simply excessive. I am compelled by the concept of equity to vote 'no'."

**Rep. Lewis of Berlin** explained her vote as follows:

"Mr. Speaker:

My 'no' vote is in no way a reflection on how I view state employees, many of whom are my friends and neighbors. I truly respect and appreciate all that they do."

**Rep. Savage of Swanton** explained his vote as follows:

"Mr. Speaker:

My vote on this year's Pay Act is not a reflection of my feelings toward hard working state employees. I support their efforts and hard work and always have. Rather, I voted 'no' out of concern for my constituents and their limited financial resources."

**Rep. Shaw of Pittsford** explained his vote as follows:

"Mr. Speaker:

I do support our hard working state employees. I support the compromise amendment that would have honored the agreement negotiated for classified employees and given a modest increase to our non-classified employees. But I cannot support an increase that puts further burden on the taxpayers I represent, many of whom have not had a comparable increase in their wages for a long time. Therefore my 'no' vote."

**Rep. Stevens of Waterbury** explained his vote as follows:

"Mr. Speaker:

No matter what work we do, what any working Vermonter does, it is reasonable to expect just compensation. It is difficult to contemplate in such an open and transparent way the salaries for the work we do and for what many hundreds of people do on behalf of this state. My appreciation goes out to the Gov't Ops Committee for addressing pay fairness in this most public of ways."

**Rep. Turner of Milton** explained his vote as follows:

“Mr. Speaker:

I recognize and appreciate the hard work of our dedicated state employees. However, we are also obligated to our constituents. Many of them have been deeply affected by the recession and are still struggling to pay their bills. H.882 provides for annual pay raises greater than 4% over the next two years which equates to more than \$10 million this year and \$11 million next year. From our perspective, this bill does not strike the right balance between rewarding employees’ efforts and adding additional burden to our constituents. There, I cannot support it. Thank you.”

On motion of **Rep. Turner of Milton**, the rules were suspended and the bill placed on all remaining stages of passage. The bill was read the third time and passed.

### **Bill Read Third Time and Passed**

#### **H. 884**

House bill, entitled

An act relating to miscellaneous tax changes

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

First: By adding a Sec. 32a to read:

Sec. 32a FINANCING PROPOSAL FOR GREEN MOUNTAIN CARE

(a) The House Committee on Ways and Means and the Senate Committee on Finance shall request that the Secretary of Administration submit on or before April 30, 2014:

(1) one or more financing proposals for Green Mountain Care; or

(2) if a financing proposal has not been developed by April 30, 2014, all drafts, reports, and other documents related to financing Green Mountain Care.

(b) If the Secretary of Administration does not submit the financing proposal, or the drafts, reports, and documents requested pursuant to subsection (a) of this section, the House Committee on Ways and Means and the Senate Committee on Finance shall issue a subpoena to the Secretary of Administration for the financing proposal, drafts, reports, and documents.

Second: In Sec. 33, by inserting a subdivision (11) to read:

(11) Sec. 32a (financing proposal for Green Mountain Care) shall take effect on passage.

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

Thereupon, **Rep. Wright of Burlington** moved to suspend the rules to permit consideration of a non-germane issue.

Pending the question, Shall the house suspend rules to permit consideration of a non-germane amendment? **Rep. Wright of Burlington** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the house suspend rules to permit consideration of a non-germane amendment? was decided in the negative. Yeas, 39. Nays, 102. A three-quarter vote of 106 needed.

Those who voted in the affirmative are:

Bouchard of Colchester	Hebert of Vernon	Pearce of Richford
Branagan of Georgia	Helm of Fair Haven	Poirier of Barre City
Brennan of Colchester	Higley of Lowell	Quimby of Concord
Browning of Arlington *	Hubert of Milton	Savage of Swanton
Burditt of West Rutland	Kilmartin of Newport City	Scheuermann of Stowe
Canfield of Fair Haven	Koch of Barre Town	Smith of New Haven
Cupoli of Rutland City	Komline of Dorset *	Strong of Albany
Devereux of Mount Holly	Larocque of Barnet	Terenzini of Rutland Town
Dickinson of St. Albans Town	Lawrence of Lyndon	Turner of Milton
Donahue of Northfield	Lewis of Berlin	Van Wyck of Ferrisburgh
Fagan of Rutland City	Marcotte of Coventry	Winters of Williamstown
Feltus of Lyndon	McFaun of Barre Town	Wright of Burlington
Gage of Rutland City	Morrissey of Bennington	
	Myers of Essex	

Those who voted in the negative are:

Ancel of Calais	Conquest of Newbury	Evans of Essex
Bartholomew of Hartland	Consejo of Sheldon	Fay of St. Johnsbury
Beyor of Highgate	Copeland-Hanzas of Bradford	Fisher of Lincoln
Botzow of Pownal	Corcoran of Bennington	Frank of Underhill
Burke of Brattleboro	Cross of Winooski	French of Randolph
Buxton of Tunbridge	Dakin of Chester	Gallivan of Chittenden
Campion of Bennington	Davis of Washington	Goodwin of Weston
Carr of Brandon	Deen of Westminster	Grad of Moretown
Christie of Hartford	Donaghy of Poultney	Greshin of Warren
Clarkson of Woodstock	Donovan of Burlington	Haas of Rochester
Cole of Burlington	Ellis of Waterbury	Head of South Burlington
Condon of Colchester	Emmons of Springfield	Heath of Westford
Connor of Fairfield		Hooper of Montpelier

Hoyt of Norwich	Masland of Thetford	Sharpe of Bristol
Huntley of Cavendish	McCarthy of St. Albans City	Shaw of Pittsford
Jerman of Essex	McCormack of Burlington	Spengler of Colchester
Jewett of Ripton	McCullough of Williston	Stevens of Waterbury
Johnson of South Hero	Michelsen of Hardwick	Stuart of Brattleboro
Johnson of Canaan	Miller of Shaftsbury	Sweaney of Windsor
Juskiewicz of Cambridge	Mook of Bennington	Till of Jericho
Keenan of St. Albans City	Moran of Wardsboro	Toleno of Brattleboro
Kitzmiller of Montpelier	Mrowicki of Putney	Toll of Danville
Klein of East Montpelier	Nuovo of Middlebury	Townsend of South Burlington
Krebs of South Hero	O'Brien of Richmond	Trieber of Rockingham
Krowinski of Burlington	O'Sullivan of Burlington	Vowinkel of Hartford
Kupersmith of South Burlington	Partridge of Windham	Waite-Simpson of Essex
Lanpher of Vergennes	Pearson of Burlington	Webb of Shelburne
Lippert of Hinesburg	Peltz of Woodbury	Weed of Enosburgh
Macaig of Williston	Potter of Clarendon	Wilson of Manchester
Malcolm of Pawlet	Pugh of South Burlington	Wizowaty of Burlington
Manwaring of Wilmington	Rachelson of Burlington	Woodward of Johnson
Marek of Newfane	Ralston of Middlebury	Yantachka of Charlotte
Martin of Springfield	Ram of Burlington	Young of Glover
Martin of Wolcott	Russell of Rutland City	Zagar of Barnard
	Ryerson of Randolph	

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

Batchelor of Derby	Mitchell of Fairfax	Stevens of Shoreham
Bissonnette of Winooski	Shaw of Derby	
Lenes of Shelburne	South of St. Johnsbury	

**Rep. Browning of Arlington** explained her vote as follows:

“Mr. Speaker:

I vote yes to at least discuss obtaining the materials about how health insurance for Vermonters may be financed in the future. If Green Mountain Care is not financially and politically viable we need to continue to work on alternative approaches.

I greatly regret that this House will not even CONSIDER asking this Administration to live up to the legal requirement to deliver a GMC financing plan contained in ACT 48.”

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

“Mr. Speaker:

I am disappointed with this vote. We need to be transparent about the way we finance our health care if the government runs it. So far neither this body nor the administration will tell us how to pay for what was 20% of our



economy, even though it is required by law and we are currently in violation of our own law.”

**Rep. Komline of Dorset** explained her vote as follows:

“Mr. Speaker:

It is concerning to see the increasing use of parliamentary procedure to stifle debate posed by the minority opinion. Our constituents’ interests are equally deserving of a voice.”

Pending third reading of the bill, **Reps. Michelsen of Hardwick, Batchelor of Derby, Beyor of Highgate, Burditt of West Rutland, Burke of Brattleboro, Champion of Bennington, Carr of Brandon, Christie of Hartford, Connor of Fairfield, Cross of Winooski, Davis of Washington, Donovan of Burlington, Fagan of Rutland City, Fay of St. Johnsbury, Frank of Underhill, Gallivan of Chittenden, Goodwin of Weston, Hebert of Vernon, Hooper of Montpelier, Huntley of Cavendish, Kitzmiller of Montpelier, Krowinski of Burlington, Macaig of Williston, Martin of Springfield, Martin of Wolcott, McCarthy of St. Albans City, McCormack of Burlington, McCullough of Williston, McFaun of Barre Town, Miller of Shaftsbury, Mitchell of Fairfax, Nuovo of Middlebury, O’Sullivan of Burlington, Pearson of Burlington, Rachelson of Burlington, Ralston of Middlebury, Ryerson of Randolph, Spengler of Colchester, Stevens of Waterbury, Stevens of Shoreham, Stuart of Brattleboro, Till of Jericho, Toleno of Brattleboro, Trieber of Rockingham, Vowinkel of Hartford, Waite-Simpson of Essex, Weed of Enosburgh, Wizowaty of Burlington, Woodward of Johnson, Young of Glover, and Zagar of Barnard** moved to amend the bill as follows:

By inserting after Sec. 31 (uniform dispatch fees):

\* \* \* Joint Fiscal Office Report \* \* \*

#### Sec. 31a. JOINT FISCAL OFFICE REPORT

On or before January 15, 2015, the Joint Fiscal Office shall report to the General Assembly regarding the projected revenue and cost impacts of the taxation and regulation of marijuana.

Thereupon, **Rep. Koch of Barre Town** raised a Point of Order in that the amendment was not germane to the bill, which Point of Order the Speaker ruled well taken.

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

**Message from the Senate No. 38**

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. 208.** An act relating to solid waste management.

**S. 218.** An act relating to temporary employees.

**S. 220.** An act relating to furthering economic development.

**S. 225.** An act relating to a report on recommended changes in the structure of Vermont State employment in order to reduce employment-related stress.

**S. 239.** An act relating to the regulation of toxic substances.

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

The Senate has considered bills originating in the House of the following titles:

**H. 441.** An act relating to changing provisions within the Vermont Common Interest Ownership Act related to owners of time-shares.

**H. 609.** An act relating to terminating propane service.

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

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

**S.C.R. 52.** Senate concurrent resolution expressing appreciation and gratitude to the Agency of Transportation Maintenance Section's employees for their 2013–2014 winter highway work.

**S.C.R. 53.** Senate concurrent resolution honoring Air Pollution Control Division Director Richard Valentinetti.

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

**H.C.R. 274.** House concurrent resolution congratulating Devin Logan on winning the silver medal at the first Olympic slopestyle skiing women's competition.

**H.C.R. 275.** House concurrent resolution designating April 9, 2014 as the Battle of Cedar Creek Remembrance Day.

**H.C.R. 276.** House concurrent resolution congratulating the 2014 Williamstown High School Blue Devils Division III championship boys' basketball team.

**H.C.R. 277.** House concurrent resolution honoring the Vermont State Grange.

**H.C.R. 278.** House concurrent resolution honoring Joyce Pedone for her municipal public service in the town of Clarendon.

**H.C.R. 279.** House concurrent resolution recognizing Project VISION for its role in addressing opiate addiction in Rutland City.

**H.C.R. 280.** House concurrent resolution honoring cancer survivors and their caregivers.

**H.C.R. 281.** House concurrent resolution congratulating the 2014 and ninth consecutive Essex High School State championship gymnastics team.

**H.C.R. 282.** House concurrent resolution congratulating the 2014 Essex High School Division I championship girls' indoor track team.

**H.C.R. 283.** House concurrent resolution designating April 15, 2014 as MS Awareness Day in Vermont.

**H.C.R. 284.** House concurrent resolution congratulating Lida Croteau Surridge on her 100th birthday.

**H.C.R. 285.** House concurrent resolution congratulating Rochester High School 2014 valedictorian Pavin Parrish on his academic and basketball accomplishments.

**Bill Amended; Consideration Interrupted by Recess**

**H. 885**

House bill, entitled

An act relating to making appropriations for the support of government

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

First: By adding a new section to be numbered Sec. C.107 to read as follows:

Sec. C.107 SUSTAINABLE INCREASE FOR GENERAL FUND TRANSFER TO EDUCATION FUND

(a) Of the amount transferred to the Education Fund at the close of fiscal year 2014 in accordance with 2013 Acts and Resolves No. 50, Sec. B.1104, an equivalent amount not to exceed to one-quarter of the increase in the forecasted available General Fund projected for the 2015 fiscal year made at the July 2014 Emergency Board meeting shall be added to the base amount used to calculate the General Fund transfer under 16 V.S.A. § 4025(a)(2) beginning in fiscal year 2016. For the purposes of this calculation, any increase in the forecasted available General Fund shall be reduced by the total of any legislative action projected to increase General Fund revenue that result in additional forecasted revenue in excess of \$1,000,000 over the revenue raised without legislative action in the current fiscal year.

and in Sec. F.100, subsection (a), after “C.106 (fiscal year 2014 supplemental one-time appropriations),” by inserting the following:

“C.107 (sustainable increase for General Fund transfer to Education Fund),”

Second: In Sec. E.314.1, in subsection (a), preceding the word “present”, by inserting the following: “, in their budget proposals for fiscal year 2016,”

Third: In Sec. E.321.1, subsection (a) subdivision (1), by striking out the word “and” and inserting in lieu thereof the word “or”

Fourth: In Sec. E.325, subsection (a), by striking out the figure “\$792,000” and inserting in lieu thereof the figure “\$1,092,000” and by striking out the words “McKinney Emergency Shelter” and inserting in lieu thereof the words “Emergency Solutions Grants”

Fifth: In Sec. E.701, in subsection (c), preceding the words “a report”, by inserting the following: “, the House Committee on Ways and Means, and the Senate Committee on Finance,”

Which was agreed to.

Pending third reading of the bill, **Rep. Koch of Barre Town** moved to amend the bill as follows:

By adding a Sec. E.346 to read as follows:

Sec. E.346 GREEN MOUNTAIN CARE; FINANCING PLAN

No portion of the funds appropriated in Secs. B.100 and B.345 of this act related to the implementation of Green Mountain Care shall be expended until the Secretary of Administration submits to the General Assembly a plan

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recommending the specific amounts and necessary mechanisms to finance Green Mountain Care as required by 2011 Acts and Resolves No. 48, Sec. 9.

### **Recess**

At twelve o'clock and twenty-five minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

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

### **Consideration Resumed; Bill Amended; Read Third Time and Passed**

#### **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 amended as recommended by Rep. Koch of Barre Town? **Rep. Kilmartin of Newport City** moved to substitute an amendment for the amendment offered by Rep. Koch of Barre Town as follows:

By adding a Sec. E.345.1 to read as follows:

Sec. E.345.1 GREEN MOUNTAIN CARE; FINANCING PLAN

No portion of the funds appropriated in Secs. B.100 and B.345 of this act related to the implementation of Green Mountain Care shall be expended until the Secretary of Administration submits to the General Assembly a plan recommending the specific amounts and necessary mechanisms to finance Green Mountain Care as required by 2011 Acts and Resolves No. 48, Sec. 9, except that up to \$250,000.00 of the funds appropriated to the Agency of Administration pursuant to Sec. B.100 of this act may be used for the sole purpose of producing the plan.

Pending the question, Shall the amendment offered by Rep. Kilmartin of Newport City be substituted for the amendment offered by Rep. Koch of Barre Town? **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 amendment offered by Rep. Kilmartin of Newport City be substituted for the amendment offered by Rep. Koch of Barre Town? was decided in the negative. Yeas, 51. Nays, 85.

## Those who voted in the affirmative are:

Beyor of Highgate	Gage of Rutland City	Pearce of Richford
Bouchard of Colchester	Goodwin of Weston	Poirier of Barre City
Branagan of Georgia	Greshin of Warren	Quimby of Concord
Brennan of Colchester	Hebert of Vernon	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	Johnson of Canaan	Smith of New Haven
Condon of Colchester	Juskiewicz of Cambridge	Strong of Albany
Consejo of Sheldon	Kilmartin of Newport City *	Terenzini of Rutland Town
Corcoran of Bennington	Koch of Barre Town	Till of Jericho
Cupoli of Rutland City	Komline of Dorset *	Turner of Milton *
Davis of Washington	Krebs of South Hero	Van Wyck of Ferrisburgh
Devereux of Mount Holly	Lawrence of Lyndon	Wilson of Manchester
Dickinson of St. Albans Town	Lewis of Berlin	Winters of Williamstown
Donahue of Northfield	Marcotte of Coventry	Wright of Burlington *
Fagan of Rutland City	McFaun of Barre Town	Yantachka of Charlotte
Feltus of Lyndon	Morrissey of Bennington	
	Myers of Essex	

## Those who voted in the negative are:

Ancel of Calais	Head of South Burlington	Miller of Shaftsbury
Bartholomew of Hartland	Heath of Westford	Mook of Bennington
Bissonnette of Winooski	Helm of Fair Haven	Moran of Wardsboro
Botzow of Pownal	Hooper of Montpelier	Mrowicki of Putney *
Burke of Brattleboro	Hoyt of Norwich	Nuovo of Middlebury
Buxton of Tunbridge	Huntley of Cavendish	O'Brien of Richmond
Campion of Bennington	Jerman of Essex	O'Sullivan of Burlington
Carr of Brandon	Jewett of Ripton	Pearson of Burlington
Christie of Hartford	Johnson of South Hero	Peltz of Woodbury
Clarkson of Woodstock	Keenan of St. Albans City	Potter of Clarendon
Cole of Burlington	Kitzmiller of Montpelier	Pugh of South Burlington
Connor of Fairfield	Klein of East Montpelier	Rachelson of Burlington
Conquest of Newbury	Kupersmith of South Burlington	Ralston of Middlebury
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Ram of Burlington
Dakin of Chester	Lippert of Hinesburg	Russell of Rutland City
Deen of Westminster	Macaig of Williston	Ryerson of Randolph
Ellis of Waterbury	Malcolm of Pawlet	Sharpe of Bristol
Emmons of Springfield	Manwaring of Wilmington	Spengler of Colchester
Evans of Essex	Marek of Newfane	Stevens of Waterbury
Fay of St. Johnsbury	Martin of Springfield	Stuart of Brattleboro
Fisher of Lincoln	Martin of Wolcott	Sweaney of Windsor
Frank of Underhill	Masland of Thetford	Toleno of Brattleboro
French of Randolph	McCarthy of St. Albans City	Toll of Danville
Gallivan of Chittenden	McCormack of Burlington	Townsend of South Burlington
Grad of Moretown	McCullough of Williston	Trieber of Rockingham
Haas of Rochester	Michelsen of Hardwick	Vowinkel of Hartford

Waite-Simpson of Essex	Wizowaty of Burlington	Zagar of Barnard
Webb of Shelburne	Woodward of Johnson	
Weed of Enosburgh	Young of Glover	

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

Batchelor of Derby	Krowinski of Burlington	Partridge of Windham
Cross of Winooski	Larocque of Barnet	Shaw of Derby
Donaghy of Poultney	Lenes of Shelburne	South of St. Johnsbury
Donovan of Burlington	Mitchell of Fairfax	Stevens of Shoreham

**Rep. Browning of Arlington** explained her vote as follows:

“Mr. Speaker:

I vote yes to require again that the Administration provide possible financing plans for GMC as already required by law. The more that someone believes in Green Mountain Care, the more they want it to come into effect, the more I would think they should want to see the financing plan. Without a fiscally sustainable and politically viable financing plan, there will be no Green Mountain Care.”

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

“Mr. Speaker:

A legislature that has no respect for the laws it passes has no respect for those it serves. The chaos and uncertainty this vote creates imperils the people’s trust in us. The right to control one’s health choices is fundamental to constitutionally guaranteed personal liberty. This vote says “We don’t care about your health and well-being, or your need for certainty and your ability to plan. We only care about our power over you and your choices. When we get good and ready, we will tell you what we have planned for you!”

**Rep. Komline of Dorset** explained her vote as follows:

“Mr. Speaker:

It is significant that, in a tri-partisan committee vote, a majority of your Ways and Means committee supports a financing plan from the Administration.”

**Rep. Mrowicki of Putney** explained his vote as follows:

“Mr. Speaker:

I voted no to move past this distraction so we could get on with the real business at hand, voting for the budget.”

**Rep. Scheuermann of Stowe** explained her vote as follows:

“Mr. Speaker:

This body just voted, yet again, to allow the Governor to remain in violation of the law we passed 3 years ago. But more importantly, it voted to allow the Governor to hide from Vermonters his financing plan for a \$2.2 billion taxpayer-financed program. Vermonters expect, and frankly deserve, better.”

**Rep. Turner of Milton** explained his vote as follows:

“Mr. Speaker:

This amendment would freeze the appropriations associated with Green Mountain Care until which time the Governor complies with the law. He is obligated to provide answers and a plan to Vermonters. What is Green Mountain Care going to cost? How is it going to be paid? Who is going to pay? Questions we all deserve to know prior to the 2014 election, which will be Vermonters’ only opportunity to weigh in on this plan. Thank you.”

**Rep. Wright of Burlington** explained his vote as follows:

“Mr. Speaker:

If we are not going to require the Administration, after missing the deadline by 14 1/2 months, to comply with statutory language on a single payer finance plan, then we may as well remove the language because it is meaningless. Today, we failed Vermonters.”

Pending the recurring question, Shall the bill be amended as recommended by Rep. Koch of Barre Town? **Rep. Johnson of South Hero** moved to substitute an amendment for that offered by Rep. Koch of Barre Town as follows:

By adding a Sec. E.345.1 to read as follows:

Sec. E.345.1 GREEN MOUNTAIN CARE; FINANCING PLAN

No portion of the funds appropriated in Secs. B.100 and B.345 of this act may be used to operationalize Green Mountain Care until the Secretary of Administration submits to the General Assembly a plan recommending the specific amounts and necessary mechanisms to finance Green Mountain Care as required by 2011 Acts and Resolves No. 48, Sec. 9.

Thereupon, **Rep. Wright of Burlington** moved that the bill be committed to the committee on Health Care.

Thereupon, **Rep. Wright of Burlington** asked and was granted leave of the House to withdraw his motion.



Pending the question, Shall the amendment offered by Rep. Johnson of South Hero be substituted for the amendment offered by Rep. Koch of Barre Town? **Rep. Kilmartin of Newport 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 amendment offered by Rep. Johnson of South Hero be substituted for the amendment offered by Rep. Koch of Barre Town? was decided in the affirmative. Yeas, 86. Nays, 47.

Those who voted in the affirmative are:

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

Those who voted in the negative are:

Beyor of Highgate	Canfield of Fair Haven	Donahue of Northfield *
Bouchard of Colchester	Corcoran of Bennington	Fagan of Rutland City
Branagan of Georgia	Davis of Washington	Feltus of Lyndon
Brennan of Colchester	Devereux of Mount Holly	Gage of Rutland City
Browning of Arlington	Dickinson of St. Albans Town	Goodwin of Weston
Burditt of West Rutland		Greshin of Warren

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Hebert of Vernon	Marcotte of Coventry	Smith of New Haven
Higley of Lowell	McFaun of Barre Town	Strong of Albany
Hubert of Milton	Morrissey of Bennington	Terenzini of Rutland Town
Huntley of Cavendish	Myers of Essex	Till of Jericho
Juskiewicz of Cambridge	Pearce of Richford	Turner of Milton *
Kilmartin of Newport City	Poirier of Barre City	Van Wyck of Ferrisburgh
Koch of Barre Town	Quimby of Concord	Wilson of Manchester
Komline of Dorset	Savage of Swanton	Winters of Williamstown
Lawrence of Lyndon	Scheuermann of Stowe	Wright of Burlington *
Lewis of Berlin	Shaw of Pittsford	Zagar of Barnard

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

Batchelor of Derby	Krowinski of Burlington	Pearson of Burlington
Cross of Winooski	Larocque of Barnet	Shaw of Derby
Donaghy of Poultney	Lenes of Shelburne	South of St. Johnsbury
Donovan of Burlington	Mitchell of Fairfax	Spengler of Colchester
Johnson of Canaan	Partridge of Windham	Stevens of Shoreham

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

“Mr. Speaker:

It would be better to do nothing, than to do nothing under the guise of doing something.”

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

“Mr. Speaker:

We now have affirmed that the legislature must receive a more detailed plan before Green Mountain Care can become a reality. That, despite the often arcane details of our debate, is a requirement that I believe unites all thoughtful Vermonters.”

**Rep. Turner of Milton** explained his vote as follows:

“Mr. Speaker:

This amendment does nothing more than dispel a legitimate amendment with a re-statement of what is already in law. The very same law that the Governor has chosen to ignore for well over a year. Thank you.”

**Rep. Wright of Burlington** explained his vote as follows:

“Mr. Speaker:

The word ‘operationized’ shall now forever live in infamy, of how to replace an amendment with one that accomplishes nothing.”

Thereupon, the substitute amendment offered by **Rep. Johnson of South Hero** to Rep. Koch of Barre Town's amendment was agreed to.

Pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the bill as follows:

By inserting Sec. E.314.5 after Sec. E.314.4 to read as follows:

Sec. E.314.5. MENTAL HEALTH SPECIALISTS; SUNSET

Twenty Mental Health Specialists (job code 469400) in the Department of Mental Health shall be abolished on June 30, 2016.

Which was disagreed to.

Pending third reading of the bill, **Rep. Burditt of West Rutland** moved to amend the bill as follows:

By adding a Sec. E.306.3 to read as follows:

Sec. E.306.3 VERMONT HEALTH BENEFIT EXCHANGE;  
LEGISLATIVE OVERSIGHT

(a) In order to ensure legislative oversight of the operation of the Vermont Health Benefit Exchange during 2014 when the General Assembly is not in session, the Commissioner of Vermont Health Access shall provide updates to the Health Care Oversight Committee twice each month. The bimonthly updates shall be posted on the website of the General Assembly and the Department of Vermont Health Access and shall include information regarding Vermont Health Benefit Exchange operations, enrollment data, coverage status, customer support, and the functionality of the Exchange website.

(b) The bimonthly updates required by this section shall continue until the General Assembly convenes for the 2015 legislative session.

Which was agreed to.

Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? **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 pass? was decided in the affirmative. Yeas, 89. Nays, 36.

Those who voted in the affirmative are:

Ancel of Calais	Brennan of Colchester	Christie of Hartford
Bartholomew of Hartland	Burke of Brattleboro	Clarkson of Woodstock
Bissonnette of Winooski	Buxton of Tunbridge	Cole of Burlington
Botzow of Pownal	Campion of Bennington	Condon of Colchester

Connor of Fairfield	Kitzmiller of Montpelier	Potter of Clarendon
Conquest of Newbury	Klein of East Montpelier	Pugh of South Burlington
Consejo of Sheldon	Krebs of South Hero	Rachelson of Burlington
Copeland-Hanzas of Bradford	Kupersmith of South Burlington	Ralston of Middlebury
Corcoran of Bennington	Lanpher of Vergennes	Ram of Burlington
Dakin of Chester	Lippert of Hinesburg	Russell of Rutland City
Deen of Westminster	Macaig of Williston	Ryerson of Randolph
Ellis of Waterbury	Malcolm of Pawlet	Sharpe of Bristol
Emmons of Springfield	Manwaring of Wilmington	Spengler of Colchester
Evans of Essex	Marek of Newfane	Stevens of Waterbury
Fay of St. Johnsbury	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 *
Gallivan of Chittenden	McCormack of Burlington	Toll of Danville
Grad of Moretown	McCullough of Williston	Trieber of Rockingham
Haas of Rochester	Michelsen of Hardwick	Vowinkel of Hartford
Head of South Burlington	Miller of Shaftsbury	Waite-Simpson of Essex
Heath of Westford	Mook of Bennington	Webb of Shelburne
Hoopar of Montpelier	Moran of Wardsboro	Weed of Enosburgh
Hoyt of Norwich	Mrowicki of Putney	Wilson of Manchester
Huntley of Cavendish	Nuovo of Middlebury	Wizowaty of Burlington
Jerman of Essex	O'Brien of Richmond	Woodward of Johnson
Jewett of Ripton	O'Sullivan of Burlington	Young of Glover
Johnson of South Hero	Peltz of Woodbury	Zagar of Barnard *
Keenan of St. Albans City	Poirier of Barre City	

Those who voted in the negative are:

Beyor of Highgate	Goodwin of Weston	Quimby of Concord
Bouchard of Colchester	Greshin of Warren	Savage of Swanton *
Branagan of Georgia	Hebert of Vernon	Scheuermann of Stowe
Burditt of West Rutland	Higley of Lowell	Shaw of Pittsford
Canfield of Fair Haven	Hubert of Milton	Smith of New Haven
Cupoli of Rutland City	Juskiewicz of Cambridge	Strong of Albany
Davis of Washington	Koch of Barre Town	Terenzini of Rutland Town
Dickinson of St. Albans Town	Lawrence of Lyndon	Turner of Milton
Donahue of Northfield	Lewis of Berlin	Van Wyck of Ferrisburgh
Fagan of Rutland City	Marcotte of Coventry	Winters of Williamstown
Feltus of Lyndon	McFaun of Barre Town	Wright of Burlington
Gage of Rutland City	Myers of Essex	
	Pearce of Richford	

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

Batchelor of Derby	Devereux of Mount Holly	Johnson of Canaan
Browning of Arlington	Donaghy of Poultney	Kilmartin of Newport City
Carr of Brandon	Donovan of Burlington	Komline of Dorset
Cross of Winooski	Helm of Fair Haven	Krowinski of Burlington

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Larocque of Barnet	Partridge of Windham	Stevens of Shoreham
Lenes of Shelburne	Pearson of Burlington	Townsend of South
Mitchell of Fairfax	Shaw of Derby	Burlington
Morrissey of Bennington	South of St. Johnsbury	Yantachka of Charlotte

**Rep. Savage of Swanton** 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 onetime money to balance the budget, does not adequately address the retired teachers healthcare pension issue, does not set aside an adequate amount of reserves, nor does it include adequate provisions to expand economic opportunity for our constituents and businesses.”

**Rep. Toleno of Brattleboro** explained his vote as follows:

“Mr. Speaker:

I supported this budget because it represents the good work of dedicated Vermonters who care deeply that our spending decisions are responsible, thoughtful and driven by the need to improve the lives of all Vermonters.”

**Rep. Zagar of Barnard** explained his vote as follows:

“Mr. Speaker:

A YES vote on this bill is a vote of confidence in our legacy industries – agriculture and forest products.

They are both expanding and growing jobs, and with this continued support for the Working Lands Enterprise Initiative and Farm to Plate, will have an even brighter future, as will Vermont.”

### Adjournment

At six o'clock and five minutes in the evening, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, April 1, 2014, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 50.

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**Concurrent Resolutions Adopted**

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

**H.C.R. 274**

House concurrent resolution congratulating Devin Logan on winning the silver medal at the first Olympic slopestyle skiing women's competition;

**H.C.R. 275**

House concurrent resolution designating April 9, 2014 as the Battle of Cedar Creek Remembrance Day;

**H.C.R. 276**

House concurrent resolution congratulating the 2014 Williamstown High School Blue Devils Division III championship boys' basketball team;

**H.C.R. 277**

House concurrent resolution honoring the Vermont State Grange;

**H.C.R. 278**

House concurrent resolution honoring Joyce Pedone for her municipal public service in the town of Clarendon;

**H.C.R. 279**

House concurrent resolution recognizing Project VISION for its role in addressing opiate addiction in Rutland City;

**H.C.R. 280**

House concurrent resolution honoring cancer survivors and their caregivers;

**H.C.R. 281**

House concurrent resolution congratulating the 2014 and ninth consecutive Essex High School State championship gymnastics team;

**H.C.R. 282**

House concurrent resolution congratulating the 2014 Essex High School Division I championship girls' indoor track team;

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**H.C.R. 283**

House concurrent resolution designating April 15, 2014 as MS Awareness Day in Vermont;

**H.C.R. 284**

House concurrent resolution congratulating Lida Croteau Surridge on her 100th birthday;

**H.C.R. 285**

House concurrent resolution congratulating Rochester High School 2014 valedictorian Pavin Parrish on his academic and basketball accomplishments;

**S.C.R. 52**

Senate concurrent resolution expressing appreciation and gratitude to the Agency of Transportation Maintenance Section's employees for their 2013–2014 winter highway work;

**S.C.R. 53**

Senate concurrent resolution honoring Air Pollution Control Division Director Richard Valentinetti;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2014, seventy-second Adjourned session.]