

Journal of the House

Thursday, February 12, 2015

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

Devotional Exercises

Devotional exercises were conducted by Jim Dooley, Alzheimer's Association Advocate of Fairfax, Vt.

Rules Suspended; House Bills Introduced

Pending first reading of the bills, on motion of **Rep. Savage of Swanton**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

H. 200

By Reps. Head of South Burlington, Lalonde of South Burlington, Lucke of Hartford, O'Sullivan of Burlington, Pugh of South Burlington, Townsend of South Burlington and Walz of Barre City,

House bill, entitled

An act relating to prohibiting public funding of independent schools;

To the committee on Education.

H. 201

By Reps. Botzow of Pownal, Baser of Bristol, Bissonnette of Winooski, Carr of Brandon, Hooper of Montpelier, Johnson of South Hero, Kitzmiller of Montpelier, Krowinski of Burlington, Lenes of Shelburne, Marcotte of Coventry, Martin of Wolcott, O'Sullivan of Burlington, Parent of St. Albans City, Sibilias of Dover, Stuart of Brattleboro, Sullivan of Burlington, Troiano of Stannard and Walz of Barre City,

House bill, entitled

An act relating to farm brewers' licenses;

To the committee on General, Housing & Military Affairs.

H. 202

By Rep. Zagar of Barnard,

House bill, entitled

An act relating to an annual permit for overdimension logging and forestry equipment;

To the committee on Agriculture & Forest Products.

H. 203

By Rep. Lippert of Hinesburg,

House bill, entitled

An act relating to advancing Vermont's health care reform initiatives;

To the committee on Health Care.

H. 204

By Reps. Zagar of Barnard, Eastman of Orwell, Komline of Dorset and Pearson of Burlington,

House bill, entitled

An act relating to prohibiting the State from using and participating in the collection of electronic data and metadata obtained by the federal government without a warrant;

To the committee on Judiciary.

H. 205

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to unemployment compensation;

To the committee on Commerce & Economic Development.

H. 206

By the committee on Government Operations,

An act relating to regulating notaries public;

Under the rule, placed on the Calendar for notice.

H. 207

By Reps. Dakin of Chester, Berry of Manchester, Bissonnette of Winooski, Clarkson of Woodstock, Donahue of Northfield, Haas of Rochester, Huntley of Cavendish, Kitzmiller of Montpelier, Krowinski of Burlington, Patt of Worcester, Sullivan of Burlington, Till of Jericho, Troiano of Stannard and Woodward of Johnson,

House bill, entitled

An act relating to establishing the framework for publicly financed primary care;

To the committee on Health Care.

H. 208

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to surrogate decision making for DNR/COLST;

To the committee on Human Services.

H. 209

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to physicians' duties under the patient's bill of rights for palliative care and pain management;

To the committee on Human Services.

H. 210

By Reps. Brennan of Colchester, Beyor of Highgate, Bissonnette of Winooski, Devereux of Mount Holly, Fiske of Enosburgh, Hebert of Vernon, Morrissey of Bennington and Myers of Essex,

House bill, entitled

An act relating to prohibiting the use of a gun silencer while hunting;

To the committee on Fish, Wildlife & Water Resources.

Message from the Senate No. 17

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. 10. An act relating to approval of amendments to the charter of the Town of Barre.

And has passed the same in concurrence.

Third Reading; Bill Passed

H. 86

House bill, entitled

An act relating to the Uniform Interstate Family Support Act

Was taken up, read the third time and passed.

Bill Read Second Time; Consideration Interrupted by Recess

H. 184

Rep. Branagan of Georgia spoke for the committee on Ways & Means.

House bill entitled

An act relating to Executive Branch fees

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. Branagan of Georgia** moved to amend the bill as follows:

First: By striking Sec. 22 (Payment of State Agency Fees) and inserting in lieu thereof a new Sec. 22 to read as follows:

Sec. 22. [Deleted.]

Second: In Sec. 9, 18 V.S.A. § 4353, in subdivision (a)(1) (Restaurant I), by striking out “\$175.00” and inserting in lieu thereof “\$150.00”

Pending the question, Shall the bill be amended as recommended by Rep. Branagan of Georgia?

Recess

At two o'clock and ten minutes in the afternoon, the Speaker declared a recess until two o'clock and thirty minutes in the afternoon.

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

Consideration Resumed; Bill Amended and Third Reading Ordered

H. 184

Consideration resumed on House bill entitled

An act relating to Executive Branch fees

Thereupon, the recommendation of amendment offered by Rep. Branagan of Georgia was agreed to.

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, 88. Nays, 57.

Those who voted in the affirmative are:

Ancel of Calais	French of Randolph	Olsen of Londonderry
Bartholomew of Hartland	Gonzalez of Winooski	O'Sullivan of Burlington
Berry of Manchester	Grad of Moretown	Partridge of Windham
Bissonnette of Winooski	Haas of Rochester	Patt of Worcester
Botzow of Pownal	Head of South Burlington	Pearson of Burlington
Branagan of Georgia *	Hooper of Montpelier	Poirier of Barre City
Briglin of Thetford	Huntley of Cavendish *	Potter of Clarendon
Burke of Brattleboro	Jerman of Essex	Pugh of South Burlington
Buxton of Tunbridge	Jewett of Ripton	Rachelson of Burlington
Carr of Brandon	Johnson of South Hero	Russell of Rutland City
Chesnut-Tangerman of Middletown Springs	Keenan of St. Albans City	Sharpe of Bristol
Christie of Hartford	Kitzmiller of Montpelier	Sheldon of Middlebury
Clarkson of Woodstock	Klein of East Montpelier	Sibilia of Dover
Cole of Burlington	Krowinski of Burlington	Stevens of Waterbury
Condon of Colchester	Lalonde of South Burlington	Stuart of Brattleboro
Connor of Fairfield	Lanpher of Vergennes	Sullivan of Burlington
Conquest of Newbury	Lenes of Shelburne	Sweaney of Windsor
Copeland-Hanzas of Bradford	Lippert of Hinesburg	Till of Jericho
Corcoran of Bennington	Long of Newfane	Toll of Danville
Dakin of Chester	Lucke of Hartford	Townsend of South Burlington
Davis of Washington	Macaig of Williston	Trieber of Rockingham
Deen of Westminster	Manwaring of Wilmington	Troiano of Stannard
Donovan of Burlington	Martin of Wolcott	Walz of Barre City
Ellis of Waterbury	Masland of Thetford	Webb of Shelburne
Emmons of Springfield	McCormack of Burlington	Woodward of Johnson
Evans of Essex	McCullough of Williston	Yantachka of Charlotte
Fields of Bennington	Miller of Shaftsbury	Young of Glover
Forguites of Springfield	Morris of Bennington	Zagar of Barnard
Frank of Underhill	Mrowicki of Putney	
	Nuovo of Middlebury	
	O'Brien of Richmond	

Those who voted in the negative are:

Bancroft of Westford	Beyor of Highgate	Canfield of Fair Haven
Baser of Bristol	Brennan of Colchester	Cupoli of Rutland City
Batchelor of Derby	Browning of Arlington	Dakin of Colchester *
Beck of St. Johnsbury	Burditt of West Rutland	Dame of Essex

Devereux of Mount Holly	Komline of Dorset	Quimby of Concord
Dickinson of St. Albans Town	Krebs of South Hero	Savage of Swanton
Donahue of Northfield	LaClair of Barre Town	Scheuermann of Stowe
Fagan of Rutland City	Lawrence of Lyndon	Shaw of Pittsford
Feltus of Lyndon	Lefebvre of Newark	Shaw of Derby
Fiske of Enosburgh	Lewis of Berlin	Smith of New Haven
Gage of Rutland City	Marcotte of Coventry	Strong of Albany
Gamache of Swanton	Martel of Waterford	Tate of Mendon
Graham of Williamstown	McCoy of Poultney	Terenzini of Rutland Town
Greshin of Warren	McFaun of Barre Town	Turner of Milton
Hebert of Vernon	Morrissey of Bennington	Van Wyck of Ferrisburgh
Helm of Fair Haven	Murphy of Fairfax	Viens of Newport City
Higley of Lowell	Myers of Essex	Willhoit of St. Johnsbury
Hubert of Milton	Parent of St. Albans City	Wright of Burlington
Juskiewicz of Cambridge	Pearce of Richford	
	Purvis of Colchester	

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

Eastman of Orwell	Ryerson of Randolph
Ram of Burlington	Toleno of Brattleboro

Rep. Branagan of Georgia explained her vote as follows:

“Mr. Speaker:

Taxes are not fees. There are several examples of programs supported largely by the general fund in this bill. Vermonters can no longer support these services through the general fund.

When users are required to pick up the cost of the services they demand, the financial burden becomes fairer for all. The days of getting it for free are over.”

Rep. Dakin of Colchester explained her vote as follows:

“Mr. Speaker:

I voted ‘no’, Mr. Speaker, because the message I continue to hear is the cost of living and doing business in Vermont is increasingly unaffordable. This bill while accomplishing several positive goals, adds burdens in many instances to Vermonters’ ability to live, work and recreate.”

Rep. Huntley of Cavendish explained his vote as follows:

“Mr. Speaker:

Politics...I voted yes to support the hard, detailed work of the committee. I could have voted no, feeling it would still pass. And I could probably look

good (to some) at town meeting, but as a 30 year investment analyst/advisor, I know that inflation regarding goods and services is inevitable and I feel they have provided prudent stewardship.”

Adjournment

At three o'clock and five minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.