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, Sibilia 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**

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:


Olsen of Londonderry  O'Sullivan of Burlington  Partridge of Windham  Patt of Worcester  Pearson of Burlington  Poirier of Barre City  Potter of Clarendon  Pugh of South Burlington  Rachelson of Burlington  Russell of Rutland City  Sharpe of Bristol  Sheldon of Middlebury  Sibilia of Dover  Stevens of Waterbury  Stuart of Brattleboro  Sullivan of Burlington  Sweaney of Windsor

Those who voted in the negative are:

Bancroft of Westford  Baser of Bristol  Batchelor of Derby  Beck of St. Johnsbury

Beyor of Highgate  Brennan of Colchester  Browning of Arlington  Burditt of West Rutland

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