

Journal of the House

Friday, March 27, 2015

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

Devotional Exercises

Devotional exercises were conducted by Alex Aldrich, Executive Director, Vermont Arts Council, Montpelier, Vt.

Memorial Service

The Speaker placed before the House the following name of member of past sessions of the Vermont General Assembly who had passed away recently:

F. Ray Keyser, Jr.	Sessions of 1955, 1959, Speaker
Member from Chelsea	1959, Governor 1961-1962

Thereupon, the members of the House rose for a moment of prayer in memory of the deceased member. The Clerk was thereupon directed to send a copy of the House Journal to the bereaved family

House Bills Introduced

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

H. 493

By Reps. Quimby of Concord, Batchelor of Derby, Eastman of Orwell, Higley of Lowell, Lefebvre of Newark, Murphy of Fairfax, Sibilias of Dover, Strong of Albany and Young of Glover,

House bill, entitled

An act relating to solid waste management;

To the committee on Natural Resources & Energy.

H. 494

By Rep. Smith of New Haven,

House bill, entitled

An act relating to approval of the adoption and codification of the charter of the Town of Weybridge;

To the committee on Government Operations.

Senate Bill Referred**S. 60**

Senate bill, entitled

An act relating to payment for medical examinations for victims of sexual assault

Was read and referred to the committee on Human Services.

Joint Resolution Referred to Committee**J.R.H. 12**

Joint resolution supporting the Vermont citizens who filed the federal law suit related to the basing of F-35A military jets at the Burlington International Airport and the majority of the voters of the city of Winooski who voted on March 3, 2015 for the city to join the lawsuit

Offered by: Representatives Bissonnette of Winooski and Gonzalez of Winooski

Whereas, the U.S. Air Force's decision to base F-35A military jets at Burlington International Airport (BTV), as a successor to the currently-based F-16 military jets, raises serious environmental and health issues, and

Whereas, half of Winooski, including all of the downtown area would be located in either the 65 decibel day-night average sound level contour zone, which is described as "generally not considered suitable for residential use," or the crash zone area at the end of runways, and

Whereas, in September 2013, the U.S. Air Force distributed the final version of the Environmental Impact Statement (EIS) it drafted in preparation for a decision on where to base F-35A military jets, and

Whereas, in December 2013, the U.S. Air Force announced that BTV was selected as an F-35A basing site, and

Whereas, on June 30, 2014, seven residents of either South Burlington or Winooski and the Stop the F-35 Coalition filed a federal lawsuit (Civil Action No. 514-cv-132) against U.S. Air Force Secretary Deborah Lee James, seeking to set aside the BTV basing decision and requiring the preparation of a new and more thorough EIS that meets all of the NEPA requirements, and

Whereas, on March 3, 2015, the Winooski electorate, on a 627-408 majority vote, approved an advisory article on the city meeting's ballot supporting the city's joining the lawsuit, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly supports the Vermont citizens who filed the federal law suit concerning the basing of F-35A military jets at the Burlington International Airport and the majority of the voters of the city of Winooski who voted on March 3, 2015, for the city to join the lawsuit, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Winooski City Clerk.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on General, Housing & Military Affairs.

Proposal of Amendment Agreed to; Third Reading Ordered

S. 98

Rep. Kitzmiller of Montpelier, for the committee on Commerce & Economic Development, to which had been referred Senate bill, entitled

An act relating to captive insurance companies

Reported in favor of its passage in concurrence with proposal of amendment as follows:

First: In Sec. 2, 8 V.S.A. § 6004, subsection (c), after the first sentence, by inserting the following: “The Commissioner shall issue a bulletin defining “marketable securities” for the purpose of this subsection.”

Second: By adding Sec. 6 to read as follows:

Sec. 6. 8 V.S.A. § 6036(d) is amended to read:

(d) A participant shall ~~insure only its own risks through a sponsored captive insurance company~~ not insure any risks other than its own and the risks of affiliated entities or of controlled unaffiliated entities.

Third: By striking out Sec. 8 in its entirety and by inserting in lieu thereof a new Sec. 8 (to be renumbered as Sec. 9) to read as follows:

Sec. 9. 8 V.S.A. § 6052(g) is added to read:

(g) This subsection establishes governance standards for a risk retention group.

(1) As used in this subsection:

(A) “Board of directors” or “board” means the governing body of a risk retention group elected by risk retention group members to establish policy, elect or appoint officers and committees, and make other governing decisions.

(B) “Director” means a natural person designated in the articles of the risk retention group or designated, elected, or appointed by any other manner, name, or title to act as a director.

(C) “Independent director” means a director who does not have a material relationship with the risk retention group. A person that is a direct or indirect owner of or subscriber in the risk retention group – or is an officer, director, or employee of such an owner and insured, unless some other position of such officer, director, or employee constitutes a “material relationship” – as contemplated under subdivision 3901(a)(4)(E)(ii) of the federal Liability Risk Retention Act, is considered to be “independent.” A director has a material relationship with a risk retention group if he or she, or a member of his or her immediate family:

(i) In any 12-month period, receives from the risk retention group, or from a consultant or service provider to the risk retention group, compensation or other item of value in an amount equal to or greater than five percent of the risk retention group’s gross written premium or two percent of the risk retention group’s surplus, as measured at the end of any fiscal quarter falling in such 12-month period, whichever is greater. This provision also applies to compensation or items of value received by any business with which the director is affiliated. Such material relationship shall continue for one year after the item of value is received or the compensation ceases or falls below the threshold established in this subdivision, as applicable.

(ii) Has a relationship with an auditor as follows: Is affiliated with or employed in a professional capacity by a current or former internal or external auditor of the risk retention group. Such material relationship shall continue for one year after the affiliation or employment ends.

(iii) Has a relationship with a related entity as follows: Is employed as an executive officer of another company whose board of directors includes executive officers of the risk retention group, unless a majority of the membership of such other company’s board of directors is the same as the membership of the board of directors of the risk retention group. Such material relationship shall continue until the employment or service ends.

(D) “Material service provider” includes a captive manager, auditor, accountant, actuary, investment advisor, attorney, managing general underwriter, or other person responsible for underwriting, determination of rates, premium collection, claims adjustment or settlement, or preparation of financial statements, whose aggregate annual contract fees are equal to or greater than five percent of the risk retention group’s annual gross written premium or two percent of its surplus, whichever is greater. It does not mean defense counsel retained by a risk retention group, unless his or her annual fees

are equal to or greater than five percent of a risk retention group's annual gross premium or two percent of its surplus, whichever is greater.

(2) The board of directors shall determine whether a director is independent; review such determinations annually; and maintain a record of the determinations, which shall be provided to the Commissioner promptly, upon request. The board shall have a majority of independent directors. If the risk retention group is reciprocal, then the attorney-in-fact is required to adhere to the same standards regarding independence as imposed on the risk retention group's board of directors.

(3) The term of any material service provider contract entered into with a risk retention group shall not exceed five years. The contract, or its renewal, requires approval of a majority of the risk retention group's independent directors. The board of directors has the right to terminate a contract at any time for cause after providing adequate notice, as defined in the terms of the contract.

(4) A risk retention group shall not enter into a material service provider contract without the prior written approval of the Commissioner.

(5) A risk retention group's plan of operation shall include written policies approved by its board of directors requiring the board to:

(A) provide evidence of ownership interest to each risk retention group member;

(B) develop governance standards applicable to the risk retention group;

(C) oversee the evaluation of the risk retention group's management, including the performance of its captive manager, managing general underwriter, or other person or persons responsible for underwriting, rate determination, premium collection, claims adjustment and settlement, or preparation of financial statements;

(D) review and approve the amount to be paid under a material service provider contract; and

(E) at least annually, review and approve:

(i) the risk retention group's goals and objectives relevant to the compensation of officers and service providers;

(ii) the performance of officers and service providers as measured against the risk retention group's goals and objectives;

(iii) the continued engagement of officers and material service providers.

(6) A risk retention group shall have an audit committee composed of at least three independent board members. A nonindependent board member may participate in the committee's activities, if invited to do so by the audit committee, but he or she shall not serve as a committee member. The Commissioner may waive the requirement of an audit committee if the risk retention group demonstrates to the Commissioner's satisfaction that having such committee is impracticable and the board of directors is able to perform sufficiently the committee's responsibilities. The audit committee shall have a written charter defining its responsibilities, which shall include:

(A) assisting board oversight of the integrity of financial statements, compliance with legal and regulatory requirements, and qualifications, independence, and performance of the independent auditor or actuary;

(B) reviewing annual and quarterly audited financial statements with management;

(C) reviewing annual audited financial statements with its independent auditor and, if it deems advisable, the risk retention group's quarterly financial statements as well;

(D) reviewing risk assessment and risk management policies;

(E) meeting with management, either directly or through a designated representative of the committee;

(F) meeting with independent auditors, either directly or through a designated representative of the committee;

(G) reviewing with the independent auditor any audit problems and management's response;

(H) establishing clear hiring policies applicable to the hiring of employees or former employees of the independent auditor by the risk retention group;

(I) requiring the independent auditor to rotate the lead audit partner having primary responsibility for the risk retention group's audit, as well as the audit partner responsible for reviewing that audit, so that neither individual performs audit services for the risk retention group for more than five consecutive fiscal years; and

(J) reporting regularly to the board of directors.

(7) The board of directors shall adopt governance standards, which shall be available to risk retention group members through electronic or other means, and provided to risk retention group members, upon request. The governance standards shall include:

- (A) a process by which risk retention group members elect directors.
- (B) director qualifications, responsibilities, and compensation;
- (C) director orientation and continuing education requirements;
- (D) a process allowing the board access to management and, as necessary and appropriate, independent advisors;
- (E) policies and procedures for management succession; and
- (F) policies and procedures providing for an annual performance evaluation of the board.

(8) The board of directors shall adopt a code of business conduct and ethics applicable to directors, officers, and employees of the risk retention group and criteria for waivers of code provisions, which shall be available to risk retention group members through electronic or other means, and provided to risk retention group members, upon request. Provisions of the code shall address:

- (A) conflicts of interest;
- (B) matters covered under the Vermont corporate opportunities doctrine;
- (C) confidentiality;
- (D) fair dealing;
- (E) protection and proper use of risk retention group assets;
- (F) standards for complying with applicable laws, rules, and regulations; and
- (G) mandatory reporting of illegal or unethical behavior affecting operation of the risk retention group.

(9) The president or chief executive officer of a risk retention group shall promptly notify the Commissioner in writing of any known material noncompliance with the governance standards established in this subsection.

Fourth: By striking out Sec. 9 (effective date) in its entirety and by inserting in lieu thereof a new Sec. 9 (renumbered as Sec. 10) to read as follows:

Sec. 10. EFFECTIVE DATE; APPLICATION

This act shall take effect on passage. Sec. 9 (governance standards applicable to risk retention groups) shall apply to risk retention groups first licensed on or after the effective date of this act, and shall apply to all other risk retention groups one year after the effective date of this act.

and by renumbering the remaining sections to be numerically correct.

and that after passage the title of the bill be amended to read: "An act relating to captive insurance companies and risk retention groups"

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

Consideration Interrupted by Recess

H. 489

House bill, entitled

An act relating to revenue

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

In Sec. 1, in § 5811(21)(A)(iii), before the words "the amount", by inserting the following: "for taxpayers with federal adjusted income over \$59,336.00,", and in (21)(A)(iv), before the words "the amount" by inserting the following: "for taxpayers with federal adjusted income over \$59,336.00,"

Recess

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

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

Consideration Resumed; Read Third Time and Passed

H. 489

Consideration resumed on House bill, entitled

An act relating to revenue

Pending the question, Shall the bill be amended, as recommended by Rep. Dame of Essex? **Rep. Wright of Burlington** moved to amend the recommendation of amendment offered by Rep. Dame of Essex as follows:

By striking out \$59,336.00 where it appears and inserting in lieu thereof \$90,000.00

Pending the question, Shall the amendment proposed by Rep. Dame of Essex be amended as proposed by Rep. Wright of Burlington et. al.? **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 proposed by Rep. Dame of Essex be

amended as proposed by Rep. Wright of Burlington et. al.? was decided in the negative. Yeas, 41. Nays, 99.

Those who voted in the affirmative are:

Bancroft of Westford	Graham of Williamstown	Purvis of Colchester
Batchelor of Derby	Hebert of Vernon	Quimby of Concord
Beyor of Highgate	Higley of Lowell	Savage of Swanton
Brennan of Colchester	Hubert of Milton	Scheuermann of Stowe
Burditt of West Rutland	LaClair of Barre Town	Shaw of Pittsford
Cupoli of Rutland City	Lefebvre of Newark	Smith of New Haven
Dame of Essex	Lewis of Berlin	Strong of Albany
Devereux of Mount Holly	Marcotte of Coventry	Tate of Mendon
Dickinson of St. Albans Town	Martel of Waterford	Terenzini of Rutland Town
Donahue of Northfield	McFaun of Barre Town	Turner of Milton
Fiske of Enosburgh	Morrissey of Bennington	Van Wyck of Ferrisburgh
Gage of Rutland City	Myers of Essex	Viens of Newport City
Gamache of Swanton	Parent of St. Albans City	Willhoit of St. Johnsbury
	Poirier of Barre City	Wright of Burlington *

Those who voted in the negative are:

Ancel of Calais	Ellis of Waterbury	Lippert of Hinesburg
Bartholomew of Hartland	Emmons of Springfield	Long of Newfane
Beck of St. Johnsbury	Fagan of Rutland City	Lucke of Hartford
Berry of Manchester	Feltus of Lyndon	Macaig of Williston
Bissonnette of Winooski	Fields of Bennington	Manwaring of Wilmington
Botzow of Pownal	Forguites of Springfield	Martin of Wolcott
Branagan of Georgia	Frank of Underhill	Masland of Thetford
Briglin of Thetford	French of Randolph	McCormack of Burlington
Browning of Arlington	Gonzalez of Winooski	McCullough of Williston
Burke of Brattleboro	Grad of Moretown	Miller of Shaftsbury
Buxton of Tunbridge	Greshin of Warren	Mrowicki of Putney
Canfield of Fair Haven	Haas of Rochester	Murphy of Fairfax
Carr of Brandon	Head of South Burlington	Nuovo of Middlebury
Chesnut-Tangerman of Middletown Springs	Helm of Fair Haven	Olsen of Londonderry
Christie of Hartford	Hooper of Montpelier	O'Sullivan of Burlington
Clarkson of Woodstock	Huntley of Cavendish	Partridge of Windham
Cole of Burlington	Jerman of Essex	Patt of Worcester
Condon of Colchester	Jewett of Ripton	Pearce of Richford
Connor of Fairfield	Johnson of South Hero	Pearson of Burlington
Conquest of Newbury	Juskiewicz of Cambridge	Potter of Clarendon
Copeland-Hanzas of Bradford	Keenan of St. Albans City	Pugh of South Burlington
Corcoran of Bennington	Kitzmiller of Montpelier	Rachelson of Burlington
Dakin of Chester	Klein of East Montpelier	Russell of Rutland City
Dakin of Colchester	Krebs of South Hero	Ryerson of Randolph
Davis of Washington	Krowinski of Burlington	Sharpe of Bristol
Deen of Westminster	Lalonde of South Burlington	Sheldon of Middlebury
Eastman of Orwell	Lanpher of Vergennes	Sibilia of Dover
	Lawrence of Lyndon	Stevens of Waterbury
	Lenes of Shelburne	Stuart of Brattleboro

Sullivan of Burlington	Townsend of South	Webb of Shelburne
Sweaney of Windsor	Burlington	Woodward of Johnson
Till of Jericho	Trieber of Rockingham	Yantachka of Charlotte
Toleno of Brattleboro	Troiano of Stannard	Young of Glover
Toll of Danville	Walz of Barre City	Zagar of Barnard

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

Baser of Bristol	Komline of Dorset	O'Brien of Richmond
Donovan of Burlington	McCoy of Poultney	Ram of Burlington
Evans of Essex	Morris of Bennington	Shaw of Derby

Rep. Wright of Burlington explained his vote as follows:

“Mr. Speaker:

This provision in the underlying bill raises 33 million dollars in new revenue. The amendment would have returned 5.9 million of tax increase to middle class Vermonters, and would have decreased the tax increase.”

Pending the question, Shall the bill be amended as recommended by Rep. Dame of Essex? **Rep. Dame of Essex** 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 recommended by Rep. Dame of Essex? was decided in the negative. Yeas, 43. Nays, 98.

Those who voted in the affirmative are:

Bancroft of Westford	Graham of Williamstown	Quimby of Concord
Batchelor of Derby	Hebert of Vernon	Savage of Swanton
Beyor of Highgate	Higley of Lowell	Scheuermann of Stowe
Brennan of Colchester	Hubert of Milton	Shaw of Pittsford
Browning of Arlington	LaClair of Barre Town	Shaw of Derby
Burditt of West Rutland	Lawrence of Lyndon	Smith of New Haven
Canfield of Fair Haven	Lefebvre of Newark	Strong of Albany
Dame of Essex *	Lewis of Berlin	Tate of Mendon
Devereux of Mount Holly	Marcotte of Coventry	Terenzini of Rutland Town
Dickinson of St. Albans Town	Martel of Waterford	Turner of Milton
Donahue of Northfield	McFaun of Barre Town	Van Wyck of Ferrisburgh
Fiske of Enosburgh	Morrissey of Bennington	Viens of Newport City
Gage of Rutland City	Myers of Essex	Willhoit of St. Johnsbury *
Gamache of Swanton	Parent of St. Albans City	Wright of Burlington
	Purvis of Colchester	

Those who voted in the negative are:

Ancel of Calais	Botzow of Pownal	Carr of Brandon
Bartholomew of Hartland	Branagan of Georgia	Chesnut-Tangerman of
Beck of St. Johnsbury	Briglin of Thetford	Middletown Springs
Berry of Manchester	Burke of Brattleboro	Christie of Hartford
Bissonnette of Winooski	Buxton of Tunbridge	Clarkson of Woodstock

Cole of Burlington	Jerman of Essex	Patt of Worcester
Condon of Colchester	Jewett of Ripton	Pearce of Richford
Connor of Fairfield	Johnson of South Hero	Pearson of Burlington
Conquest of Newbury	Juskiewicz of Cambridge	Potter of Clarendon
Copeland-Hanzas of Bradford	Keenan of St. Albans City	Pugh of South Burlington
Corcoran of Bennington	Kitzmiller of Montpelier	Rachelson of Burlington
Cupoli of Rutland City	Klein of East Montpelier	Russell of Rutland City
Dakin of Chester	Krebs of South Hero	Ryerson of Randolph
Dakin of Colchester	Krowinski of Burlington	Sharpe of Bristol
Davis of Washington	Lalonde of South Burlington	Sheldon of Middlebury
Deen of Westminster	Lanpher of Vergennes	Sibilia of Dover
Eastman of Orwell	Lenes of Shelburne	Stevens of Waterbury
Ellis of Waterbury	Lippert of Hinesburg	Stuart of Brattleboro
Emmons of Springfield	Long of Newfane	Sullivan of Burlington
Fagan of Rutland City	Lucke of Hartford	Sweaney of Windsor
Feltus of Lyndon	Macaig of Williston	Till of Jericho
Fields of Bennington	Manwaring of Wilmington	Toleno of Brattleboro
Forguites of Springfield	Martin of Wolcott	Toll of Danville
Frank of Underhill	Masland of Thetford	Townsend of South Burlington
French of Randolph	McCormack of Burlington	Trieber of Rockingham
Gonzalez of Winooski	McCullough of Williston	Troiano of Stannard
Grad of Moretown	Miller of Shaftsbury	Walz of Barre City
Greshin of Warren	Morris of Bennington	Webb of Shelburne
Haas of Rochester	Mrowicki of Putney	Woodward of Johnson
Head of South Burlington	Murphy of Fairfax	Yantachka of Charlotte
Helm of Fair Haven	Nuovo of Middlebury	Young of Glover
Hooper of Montpelier	Olsen of Londonderry	Zagar of Barnard
Huntley of Cavendish	O'Sullivan of Burlington	
	Partridge of Windham	

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

Baser of Bristol	Komline of Dorset	Poirier of Barre City
Donovan of Burlington	McCoy of Poultney	Ram of Burlington
Evans of Essex	O'Brien of Richmond	

Rep. Dame of Essex explained his vote as follows:

“Mr. Speaker:

“I guess that helping the poor only matters when we talk about state-run spending programs, but not when it comes to allowing some of the poorest Vermonters keep what they have rightfully earned.”

Rep. Willhoit of St. Johnsbury explained his vote as follows:

“Mr. Speaker:

I voted for this amendment because I, like many Vermonters, grew up in poverty. Taxing our working poor further is not the formula for financial sustainability. We must control spending.”

Pending third reading of the bill, **Rep. Willhoit of St. Johnsbury** moved to amend the bill as follows:

In Sec. 1, 32 V.S.A. § 5811(21) (itemized deductions), in subdivision (A)(iv), after “other than State and local income taxes.” by inserting “and other than charitable contributions.”

Pending the question, Shall the bill be amended as recommended by Rep. Willhoit of St. Johnsbury? **Rep. Savage of Swanton** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as recommended by Rep. Willhoit of St. Johnsbury? was decided in the negative. Yeas, 46. Nays, 95.

Those who voted in the affirmative are:

Bancroft of Westford	Graham of Williamstown	Purvis of Colchester
Batchelor of Derby	Hebert of Vernon	Quimby of Concord
Beck of St. Johnsbury	Higley of Lowell	Savage of Swanton
Beyor of Highgate	Juskiewicz of Cambridge	Scheuermann of Stowe
Brennan of Colchester	LaClair of Barre Town	Shaw of Pittsford
Burditt of West Rutland	Lefebvre of Newark	Shaw of Derby
Cupoli of Rutland City	Lewis of Berlin	Smith of New Haven
Dame of Essex	Lucke of Hartford	Strong of Albany
Devereux of Mount Holly	Marcotte of Coventry	Tate of Mendon
Dickinson of St. Albans	Martel of Waterford	Terenzini of Rutland Town
Town	McFaun of Barre Town	Turner of Milton
Donahue of Northfield	Morrissey of Bennington	Van Wyck of Ferrisburgh
Fagan of Rutland City	Murphy of Fairfax	Viens of Newport City
Fiske of Enosburgh	Parent of St. Albans City	Willhoit of St. Johnsbury *
Gage of Rutland City	Pearce of Richford	Wright of Burlington
Gamache of Swanton	Poirier of Barre City	

Those who voted in the negative are:

Ancel of Calais	Cole of Burlington	Forguites of Springfield
Bartholomew of Hartland	Condon of Colchester	Frank of Underhill
Berry of Manchester	Connor of Fairfield	French of Randolph
Bissonnette of Winooski	Conquest of Newbury	Gonzalez of Winooski
Botzow of Pownal	Copeland-Hanzas of	Grad of Moretown
Branagan of Georgia	Bradford	Greshin of Warren
Briglin of Thetford	Corcoran of Bennington	Haas of Rochester
Browning of Arlington	Dakin of Chester	Head of South Burlington
Burke of Brattleboro	Dakin of Colchester	Helm of Fair Haven
Buxton of Tunbridge	Davis of Washington	Hooper of Montpelier
Canfield of Fair Haven	Deen of Westminster	Hubert of Milton
Carr of Brandon	Eastman of Orwell	Huntley of Cavendish
Chesnut-Tangerman of	Ellis of Waterbury	Jerman of Essex
Middletown Springs	Emmons of Springfield	Jewett of Ripton
Christie of Hartford	Feltus of Lyndon	Johnson of South Hero
Clarkson of Woodstock	Fields of Bennington	Keenan of St. Albans City

Kitzmiller of Montpelier	Morris of Bennington	Stevens of Waterbury
Klein of East Montpelier	Mrowicki of Putney	Stuart of Brattleboro
Krebs of South Hero	Myers of Essex	Sullivan of Burlington
Krowinski of Burlington	Nuovo of Middlebury	Sweaney of Windsor
Lalonde of South Burlington	Olsen of Londonderry	Till of Jericho
Lanpher of Vergennes	O'Sullivan of Burlington	Toleno of Brattleboro
Lawrence of Lyndon	Partridge of Windham	Toll of Danville
Lenes of Shelburne	Patt of Worcester	Townsend of South Burlington
Lippert of Hinesburg	Pearson of Burlington	Trieber of Rockingham
Long of Newfane	Potter of Clarendon	Troiano of Stannard
Macaig of Williston	Pugh of South Burlington	Walz of Barre City
Manwaring of Wilmington	Rachelson of Burlington	Woodward of Johnson
Martin of Wolcott	Russell of Rutland City	Yantachka of Charlotte
Masland of Thetford	Ryerson of Randolph	Young of Glover
McCormack of Burlington	Sharpe of Bristol	Zagar of Barnard
McCullough of Williston	Sheldon of Middlebury	
Miller of Shaftsbury	Sibilia of Dover	

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

Baser of Bristol	Komline of Dorset	Ram of Burlington
Donovan of Burlington	McCoy of Poultney	Smith of Morristown
Evans of Essex	O'Brien of Richmond	

Rep. Willhoit of St. Johnsbury explained his vote as follows:

“Mr. Speaker:

I voted yes because, like fellow members of this body, I support the amazing work that VT non-profits do on the behalf of Vermonters. As we ask them to become more self-sufficient, however, we must not impact the gifts they need to survive.”

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, 90. Nays, 53.

Those who voted in the affirmative are:

Ancel of Calais *	Carr of Brandon	Copeland-Hanzas of Bradford
Bartholomew of Hartland	Chesnut-Tangerman of Middletown Springs	Corcoran of Bennington
Berry of Manchester	Christie of Hartford	Dakin of Chester
Bissonnette of Winooski	Clarkson of Woodstock	Dakin of Colchester
Botzow of Pownal	Cole of Burlington	Deen of Westminster
Branagan of Georgia	Condon of Colchester	Ellis of Waterbury
Briglin of Thetford	Connor of Fairfield	Emmons of Springfield
Burke of Brattleboro	Conquest of Newbury	Fagan of Rutland City
Buxton of Tunbridge		

Feltus of Lyndon	Lenes of Shelburne	Rachelson of Burlington
Fields of Bennington	Lippert of Hinesburg	Russell of Rutland City
Forguites of Springfield	Long of Newfane	Ryerson of Randolph
Frank of Underhill	Lucke of Hartford	Sharpe of Bristol
French of Randolph	Macaig of Williston	Sheldon of Middlebury
Gonzalez of Winooski	Manwaring of Wilmington	Sibilia of Dover
Grad of Moretown	Martin of Wolcott	Stevens of Waterbury
Haas of Rochester	Masland of Thetford	Stuart of Brattleboro
Head of South Burlington	McCormack of Burlington	Sullivan of Burlington
Helm of Fair Haven	McCullough of Williston	Sweaney of Windsor
Hooper of Montpelier	Miller of Shaftsbury	Till of Jericho
Huntley of Cavendish	Morris of Bennington	Toleno of Brattleboro
Jerman of Essex	Mrowicki of Putney	Toll of Danville
Jewett of Ripton	Murphy of Fairfax	Townsend of South Burlington
Johnson of South Hero	Nuovo of Middlebury	Trieber of Rockingham
Keenan of St. Albans City	O'Brien of Richmond	Troiano of Stannard
Kitzmiller of Montpelier	Olsen of Londonderry	Walz of Barre City
Klein of East Montpelier	O'Sullivan of Burlington	Webb of Shelburne
Krebs of South Hero	Partridge of Windham	Yantachka of Charlotte
Krowinski of Burlington	Patt of Worcester	Young of Glover
Lalonde of South Burlington	Potter of Clarendon	Zagar of Barnard
Lanpher of Vergennes	Pugh of South Burlington	

Those who voted in the negative are:

Bancroft of Westford	Gamache of Swanton	Pearson of Burlington
Batchelor of Derby	Graham of Williamstown	Poirier of Barre City
Beck of St. Johnsbury	Greshin of Warren	Purvis of Colchester
Beyor of Highgate	Hebert of Vernon	Quimby of Concord
Brennan of Colchester	Higley of Lowell	Savage of Swanton
Browning of Arlington	Hubert of Milton	Scheuermann of Stowe
Burditt of West Rutland	Juskiewicz of Cambridge	Shaw of Pittsford
Canfield of Fair Haven	LaClair of Barre Town	Shaw of Derby
Cupoli of Rutland City	Lawrence of Lyndon	Smith of New Haven
Dame of Essex	Lefebvre of Newark	Strong of Albany
Davis of Washington	Lewis of Berlin	Tate of Mendon
Devereux of Mount Holly	Marcotte of Coventry	Terenzini of Rutland Town
Dickinson of St. Albans Town	Martel of Waterford	Turner of Milton *
Donahue of Northfield	McFaun of Barre Town	Van Wyck of Ferrisburgh
Eastman of Orwell	Morrissey of Bennington	Viens of Newport City
Fiske of Enosburgh	Myers of Essex	Willhoit of St. Johnsbury
Gage of Rutland City	Parent of St. Albans City	Woodward of Johnson
	Pearce of Richford	Wright of Burlington

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

Baser of Bristol	Evans of Essex	McCoy of Poultney
Donovan of Burlington	Komline of Dorset	Ram of Burlington

Rep. Ancel of Calais explained her vote as follows:

“Mr. Speaker:

Recurring budget gaps tell us that we have structural problems with both revenue and spending. The budget makes real progress in addressing structural spending problems. This bill does its part on the revenue side. It represents significant tax reform. These changes restructure the income tax code to make it more fair and more progressive, recognizing growing income inequality in this state. It is good tax policy that raises necessary revenue and it will position us well for the future.”

Rep. Turner of Milton explained his vote as follows:

“Mr. Speaker:

Raising taxes is not the solution to Vermont’s financial problems. We have a spending problem. Please no more taxes.”

Bill Amended, Read Third Time and Passed

H. 490

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. Poirier of Barre City** moved to amend the bill as follows:

In Sec. B.324 (Department for children and families – home heating fuel assistance/LIHEAP), by striking out the section in its entirety and inserting in lieu thereof a new Sec. B.324 to read:

Sec. B.324 Department for children and families - home heating fuel assistance/LIHEAP

Grants	<u>23,351,664</u>
Total	23,351,664
Source of funds	
General fund	6,000,000
Federal funds	<u>17,351,664</u>
Total	23,351,664

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, 24. Nays, 115.

Those who voted in the affirmative are:

Berry of Manchester	LaClair of Barre Town	Tate of Mendon
Browning of Arlington	Lefebvre of Newark	Turner of Milton
Chesnut-Tangerman of	McFaun of Barre Town	Viens of Newport City
Middletown Springs	Parent of St. Albans City	Walz of Barre City
Cupoli of Rutland City	Pearson of Burlington	Willhoit of St. Johnsbury
Dame of Essex	Poirier of Barre City *	Wright of Burlington
Davis of Washington	Purvis of Colchester	Zagar of Barnard
Donahue of Northfield *	Quimby of Concord	
Gonzalez of Winooski	Scheuermann of Stowe	

Those who voted in the negative are:

Ancel of Calais	Feltus of Lyndon	Long of Newfane
Bancroft of Westford	Fields of Bennington	Lucke of Hartford
Bartholomew of Hartland	Fiske of Enosburgh	Macaig of Williston
Batchelor of Derby	Forguites of Springfield	Manwaring of Wilmington
Beck of St. Johnsbury	Frank of Underhill	Marcotte of Coventry
Beyor of Highgate	French of Randolph	Martel of Waterford
Bissonnette of Winooski	Gage of Rutland City *	Martin of Wolcott
Botzow of Pownal	Gamache of Swanton	Masland of Thetford
Branagan of Georgia	Grad of Moretown	McCormack of Burlington
Brennan of Colchester	Graham of Williamstown	McCullough of Williston
Briglin of Thetford	Greshin of Warren	Miller of Shaftsbury
Burditt of West Rutland	Haas of Rochester	Morris of Bennington
Burke of Brattleboro	Head of South Burlington	Morrissey of Bennington
Buxton of Tunbridge	Hebert of Vernon	Mrowicki of Putney
Canfield of Fair Haven	Helm of Fair Haven	Murphy of Fairfax
Carr of Brandon	Higley of Lowell	Myers of Essex
Christie of Hartford	Hooper of Montpelier	Nuovo of Middlebury
Clarkson of Woodstock	Hubert of Milton	Olsen of Londonderry
Cole of Burlington	Huntley of Cavendish	O'Sullivan of Burlington
Condon of Colchester	Jerman of Essex	Partridge of Windham
Connor of Fairfield	Jewett of Ripton	Patt of Worcester
Copeland-Hanzas of	Johnson of South Hero	Pearce of Richford
Bradford	Juskiewicz of Cambridge	Potter of Clarendon
Corcoran of Bennington	Keenan of St. Albans City	Pugh of South Burlington
Dakin of Chester	Kitzmiller of Montpelier	Rachelson of Burlington *
Dakin of Colchester	Klein of East Montpelier	Russell of Rutland City
Deen of Westminster	Krebs of South Hero	Ryerson of Randolph
Devereux of Mount Holly	Krowinski of Burlington	Savage of Swanton
Dickinson of St. Albans	Lalonde of South Burlington	Sharpe of Bristol
Town	Lanpher of Vergennes	Shaw of Pittsford
Eastman of Orwell	Lawrence of Lyndon	Shaw of Derby
Ellis of Waterbury	Lenes of Shelburne	Sheldon of Middlebury
Emmons of Springfield	Lewis of Berlin	Sibilia of Dover
Fagan of Rutland City	Lippert of Hinesburg	Smith of New Haven

Stevens of Waterbury	Toleno of Brattleboro	Van Wyck of Ferrisburgh
Strong of Albany	Toll of Danville	Webb of Shelburne
Stuart of Brattleboro	Townsend of South	Yantachka of Charlotte
Sullivan of Burlington	Burlington	Young of Glover *
Sweaney of Windsor	Trieber of Rockingham	
Terenzini of Rutland Town	Troiano of Stannard	

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

Baser of Bristol	Komline of Dorset	Till of Jericho
Conquest of Newbury	McCoy of Poultney	Woodward of Johnson
Donovan of Burlington	O'Brien of Richmond	
Evans of Essex	Ram of Burlington	

Rep. Beck of St. Johnsbury explained his vote as follows:

“Mr. Speaker:

While I am sympathetic to families that truly struggle with keeping their homes warm, I am concerned with the use of state and federal heating funds by individuals that are not in need. Before spending more state dollars on this program, we need to have a more careful vetting of those that qualify.”

Rep. Donahue of Northfield explained her vote as follows:

“Mr. Speaker:

We have yet to debate the budget as a whole this afternoon. When it comes to investing in programs that directly help people, balanced against areas of questionable government growth, this money is well spent.”

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

“Mr. Speaker:

This cut in LIHEAP is important to many people. I would love to support it. But we must make tough cuts in order to keep our state solvent. How I wish I could support this initiative.”

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

“Mr. Speaker:

I proudly voted yes. I view this amendment as a small step to correct some injustices that have been made to the elderly Vermonters who have counted on this program. I will be anxiously awaiting the work that you believe the Emergency Board will deliver. We will have another opportunity next January to rectify this injustice when we do the budget adjustment.”

Rep. Rachelson of Burlington explained her vote as follows:

“Mr. Speaker:

I strongly support LIHEAP. It's crucial that we help Vermonters in need stay warm next winter. But, we need to make sure we fund it adequately and that we find a way to pay for it without voting for a deficit budget."

Rep. Young of Glover explained his vote as follows:

"Mr. Speaker:

I thought we had a spending problem. I may be a tax and spend liberal but I find this new brand of don't tax and spend anyway very curious."

Pending third reading of the bill, **Rep. Johnson of South Hero** moved to amend the bill as follows:

First: In Sec. B.316, by striking out the figure "1,322,998" and inserting in lieu thereof the figure "1,342,998" and by striking out the figure "718,986" and inserting in lieu thereof the figure "638,986" and by striking out the figure "57,606,777" where it appears twice and inserting in lieu thereof the figure "57,526,777"

Second: In Sec. B.505, by striking out the figure "1,295,574,706" where it appears four times and inserting in lieu thereof the figure "1,290,500,000"

Third: In Sec. B.702, by striking out the figure "5,132,155" and inserting in lieu thereof the figure "5,162,155" and by striking out the figure "9,321,075" and inserting in lieu thereof the figure "9,291,075"

Fourth: In Sec. B.1100(a)(3), by striking out the figure "\$1,244,500" and inserting in lieu thereof the figure "\$1,269,600"

Fifth: In Sec. D.101(a)(4), by striking out the words "boating safety" and inserting in lieu thereof the words "blood and breath alcohol"

Sixth: In Sec. D.101(b)(2), by striking out the figure "\$92,000" and inserting in lieu thereof the figure "\$41,372"

Seventh: In Sec. D.101(b), by adding a new subdivision (3) to read as follows:

(3) Lumberjack Fund #40900: \$20,000.

Eighth: By striking out Sec. E.208.4(a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) The Commissioner of Public Safety shall meet with regional groups to determine if those groups want to contract for State dispatch services. As used in this subsection, "regional groups" include the State legislators, assistant judges, municipal officials, and emergency service representatives for the areas served by the dispatching functions of the State-operating public safety answering points. The Commissioner shall work with each regional group to

calculate the cost of desired dispatch services, and determine whether each regional group would like to contract for dispatch services with the State.

Ninth: In Sec. E.224(a), by striking out the figure “\$496,136” and inserting in lieu thereof the figure “\$696,136”

Tenth: By inserting a new section to be numbered Sec. E.300.2 to read as follows:

Sec. E.300.2 LEGAL AID; INTENT

(a) The \$47,000 reduction in general funds for Legal Aid shall not be accompanied by a reduction in federal funds.

Eleventh: By adding a new section to be Sec. E.307.3 to read as follows:

Sec. E.307.3 MEDICARE SUPPLEMENTAL PLANS FOR DUAL ELIGIBLE MEDICAID BENEFICIARIES

(a) The Department of Vermont Health Access shall explore the use of State or Global Commitment funds to purchase Medicare supplemental insurance plans for individuals eligible for both Medicare and Medicaid, including the feasibility of federal financial participation, the estimated savings to the State with and without federal financial participation, and the benefits both of providing Medicare supplemental plans to the entire population of dual eligible individuals and of providing the plans to only a subset of the highest utilizers of all or a specific set of services.

(b) If the Department determines that savings can be achieved, then as part of its recommendations for fiscal year 2016 budget adjustment the Department shall propose a plan for implementing the purchase of Medicare supplemental insurance plans for the dual eligibles in a manner that is the most cost-effective to the State and that provides the greatest benefits to the dual eligible population.

Twelfth: By inserting a new section to be numbered Sec. E.342.2 to read as follows:

Sec. E.342.2 WORKING GROUP ON THE VERMONT VETERANS’ HOME GOVERNANCE AND FUNDING

(a) Creation. There is created a Working Group on the Vermont Veterans’ Home Governance and Funding.

(b) Membership. The Working Group shall be composed of the following nine members:

(1) a current member of the House of Representatives who shall be appointed by the Speaker of the House;

(2) a current member of the Senate who shall be appointed by the Committee on Committees;

(3) a member of the Vermont Veterans' Home Board of Trustees;

(4) the Administrator of the Vermont Veterans' Home or designee;

(5) a classified employee of the Vermont Veterans' Home;

(6) the Adjutant and Inspector General or designee;

(7) the Director of the White River Junction VA Medical Center or designee;

(8) a representative of the Bennington County business community to be appointed by the Governor; and

(9) the Attorney General or designee.

(c) Powers and duties. The Working Group shall study solutions to the Vermont Veterans' Home's ongoing governance and funding challenges that will result in the elimination of the ongoing General Fund subsidy for the Home by fiscal year 2018, including the following issues:

(1) the current governance structure of the Home;

(2) alternative governance structures for the Home, including privatization or a public-private partnership, and the potential costs and benefits of adopting each alternative governance structure;

(3) alternatives to the current funding model for the Home that would eliminate the need for ongoing General Fund subsidies by fiscal year 2018;

(4) alternative uses for the Home and its property that would benefit veterans; and

(5) options for repurposing portions of the Home's facilities and property for alternative uses that would benefit veterans.

(d) The Working Group shall consult with the Vermont Congressional delegation, veterans' advocacy groups, and members of the Bennington business community.

(e) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Vermont Veterans' Home and the Vermont Office of Veterans' Affairs as necessary.

(f) Report. On or before January 15, 2016, the Working Group shall submit a report to the House Committees on Appropriations and on General, Housing and Military Affairs and the Senate Committees on Appropriations and on Government Operations with its findings and a plan that will enable the

Vermont Veterans' Home to no longer require a subsidy from the General Fund by fiscal year 2018.

(g) Meetings.

(1) The Administrator of the Vermont Veterans' Home shall call the first meeting of the Working Group to occur on or before July 15, 2015.

(2) The Working Group shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Working Group shall cease to exist on January 30, 2016.

(h) Reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, legislative members of the Working Group shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than six meetings.

(2) Other members of the Working Group who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for no more than six meetings.

Which was agreed to.

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

By striking out Sec. A.100.1 in its entirety and inserting in lieu thereof the following:

Sec. A.100.1 INTENT

(a) This fiscal year 2016 appropriations bill represents the beginning of a multiyear process to bend the trend of State spending and bring revenues and spending into a long-term balance. The fiscal year 2016 appropriations bill contains difficult choices; however, these types of decisions will continue to occur annually without a concerted effort to create a sustainable budget.

(b) The General Assembly shall:

(1) in the fiscal year 2017 appropriations bill, reduce the reliance on one-time funding for base budget needs;

(2) in the fiscal year 2018 appropriations bill, bend the rate of spending growth and bring the expenditure pressures in line with revenue growth to end the cycle of annual budget gaps;

(3) in the fiscal year 2019 appropriations bill, require that Administration and Legislative proposals for budget changes and new programs contain a multiyear analysis of what the changes will cost;

(4) in the fiscal year 2020 appropriations bill, use less than 100 percent of forecasted revenue to build a reserve which can help offset the variability of revenues that comes with a progressive tax system and the risk of reliance on federal funds; and

(5) in the fiscal year 2021 appropriations bill, explore moving to a two-year budgeting cycle where the interim year will be such as to allow time to be spent focusing on program performance, results-based analysis, and evidenced-based program evaluation.

Pending the question, Shall the bill be amended as proposed by Rep. Burditt of West Rutland? **Rep. Burditt of West Rutland** 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. Burditt of West Rutland? was decided in the negative. Yeas, 41. Nays, 95.

Those who voted in the affirmative are:

Bancroft of Westford	Hebert of Vernon	Poirier of Barre City
Beck of St. Johnsbury	Higley of Lowell	Purvis of Colchester
Beyor of Highgate	Hubert of Milton	Quimby of Concord
Browning of Arlington	Juskiewicz of Cambridge	Savage of Swanton
Burditt of West Rutland *	LaClair of Barre Town	Scheuermann of Stowe
Canfield of Fair Haven	Lawrence of Lyndon	Shaw of Pittsford
Cupoli of Rutland City	Lefebvre of Newark	Smith of New Haven
Dame of Essex	Lewis of Berlin	Strong of Albany
Dickinson of St. Albans Town	Marcotte of Coventry	Tate of Mendon
Donahue of Northfield	Martel of Waterford	Terenzini of Rutland Town
Gage of Rutland City	McFaun of Barre Town	Turner of Milton
Gamache of Swanton	Morrissey of Bennington	Viens of Newport City
Graham of Williamstown	Myers of Essex	Willhoit of St. Johnsbury
	Parent of St. Albans City	Wright of Burlington

Those who voted in the negative are:

Ancel of Calais	Carr of Brandon	Copeland-Hanzas of Bradford
Bartholomew of Hartland	Chesnut-Tangerman of Middletown Springs	Corcoran of Bennington
Berry of Manchester	Christie of Hartford	Dakin of Chester
Bissonnette of Winooski	Clarkson of Woodstock	Dakin of Colchester
Botzow of Pownal	Cole of Burlington	Davis of Washington
Branagan of Georgia	Condon of Colchester	Deen of Westminster
Brennan of Colchester	Connor of Fairfield	Eastman of Orwell
Briglin of Thetford	Conquest of Newbury	Ellis of Waterbury
Burke of Brattleboro		Emmons of Springfield
Buxton of Tunbridge		

Fagan of Rutland City	Lanpher of Vergennes	Pugh of South Burlington
Feltus of Lyndon	Lenes of Shelburne	Rachelson of Burlington
Fields of Bennington	Lippert of Hinesburg	Russell of Rutland City
Forguites of Springfield	Long of Newfane	Ryerson of Randolph
Frank of Underhill	Lucke of Hartford	Sharpe of Bristol
French of Randolph	Macaig of Williston	Sheldon of Middlebury
Gonzalez of Winooski	Manwaring of Wilmington	Sibilia of Dover
Grad of Moretown	Martin of Wolcott	Stevens of Waterbury
Greshin of Warren	Masland of Thetford	Stuart of Brattleboro
Haas of Rochester	McCormack of Burlington	Sullivan of Burlington
Head of South Burlington	McCullough of Williston	Sweaney of Windsor
Helm of Fair Haven	Miller of Shaftsbury	Toleno of Brattleboro
Hooper of Montpelier	Morris of Bennington	Toll of Danville
Huntley of Cavendish	Mrowicki of Putney	Townsend of South Burlington
Jerman of Essex	Murphy of Fairfax	Trieber of Rockingham
Jewett of Ripton	Nuovo of Middlebury	Troiano of Stannard
Johnson of South Hero	Olsen of Londonderry	Van Wyck of Ferrisburgh *
Keenan of St. Albans City	O'Sullivan of Burlington	Walz of Barre City
Kitzmiller of Montpelier	Partridge of Windham	Webb of Shelburne
Klein of East Montpelier	Patt of Worcester	Yantachka of Charlotte
Krebs of South Hero	Pearce of Richford	Young of Glover
Krowinski of Burlington	Pearson of Burlington	Zagar of Barnard
Lalonde of South Burlington	Potter of Clarendon	

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

Baser of Bristol	Fiske of Enosburgh	Shaw of Derby
Batchelor of Derby	Komline of Dorset	Till of Jericho
Devereux of Mount Holly	McCoy of Poultney	Woodward of Johnson
Donovan of Burlington	O'Brien of Richmond	
Evans of Essex	Ram of Burlington	

Rep. Burditt of West Rutland explained his vote as follows:

“Mr. Speaker:

If we are truly committed to these 5 items why are we not passing this amendment to give us a harder push down the path we intend to go.”

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

First: In Sec. B.126, Legislature, by striking out the section in its entirety and inserting in lieu thereof the following:

Sec. B.126 Legislature

Personal services	3,543,991
Operating expenses	<u>3,435,835</u>
Total	6,979,826

Source of funds	
General fund	<u>6,979,826</u>
Total	6,979,826

Second: By inserting a new section to be Sec. E. 126.1 to read as follows:

Sec. E.126.1 32 V.S.A. § 1052 is amended to read:

§ 1052. MEMBERS OF THE GENERAL ASSEMBLY

(a) Each member of the General Assembly, other than the Speaker and the President Pro Tempore of the Senate, is entitled to a weekly salary of ~~\$589.00 for the 2005 Biennial Session and thereafter; provided that, \$639.00~~ beginning on ~~January 1, 2007, January 1, 2016; provided that~~ the weekly compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement. The salary of members shall be paid in biweekly installments. During a special session, a member is entitled to \$118.00 a day for each day of a special session which is called at any time following ~~the 2005 biennial session~~ January 1, 2016, for each day on which the House of which he or she is a member shall sit.

* * *

Pending third reading of the bill, **Rep. Olsen of Londonderry** moved to substitute an amendment for the amendment offered by Rep. Tate of Mendon as follows:

By inserting a new section to be Sec. E.126.1 to read as follows:

Sec. E.126.1 32 V.S.A. § 1052 is amended to read:

§ 1052. MEMBERS OF THE GENERAL ASSEMBLY

(a) Each member of the General Assembly, other than the Speaker and the President Pro Tempore of the Senate, is entitled to a weekly salary of \$589.00 for the 2005 Biennial Session and thereafter; provided that, beginning on January 1, 2007, the weekly compensation shall be adjusted annually thereafter by the cost of living adjustment negotiated for State employees under the most recent collective bargaining agreement. The salary of members shall be paid in biweekly installments. During a special session, a member is entitled to \$118.00 a day for each day of a special session which is called at any time following the 2005 biennial session for each day on which the House of which he or she is a member shall sit.

* * *

(e) In each fiscal year, any member of the General Assembly may notify the Commissioner of Finance and Management that all or a portion of the salary provided in subsection (a) of this section shall be appropriated to any function of State government or to a nonprofit organization chosen by the member. Any portion of a member's salary that is appropriated in this manner shall be paid directly to the State government entity or nonprofit organization and shall not be considered as part of the member's compensation.

Which was agreed to on a Division vote: Yeas, 90. Nays, 35.

Thereupon, the amendment, as substituted by Rep. Olsen, was disagreed to.

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

By inserting a new section to be numbered Sec. D.100.1 to read as follows:

Sec. D. 100.1 LIHEAP CONTINGENT FUNDING

(a) At the close of fiscal year 2015, the first five million dollars, after satisfying the requirements of 32 V.S.A. § 308 and 32 V.S.A. § 308c, that would otherwise be deposited in the Rainy Day fund shall be appropriated and held by the Secretary of Administration to meet LIHEAP funding needs.

Which was agreed to.

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

Third Reading; Bill Passed in Concurrence

S. 2

Senate bill, entitled

An act relating to the establishment of a State Latin Motto

Was taken up, read the third time and passed in concurrence.

Favorable Report; Third Reading Ordered

H. 478

Rep. Lewis of Berlin, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to approval of the adoption and codification of the charter of the Town of Royalton

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

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 on its part passed Senate bills of the following titles:

S. 18. An act relating to privacy protection.

S. 141. An act relating to possession of firearms.

In the passage 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. 13. Senate concurrent resolution congratulating Maple Grove Farms on its centennial anniversary.

S.C.R. 14. Senate concurrent resolution congratulating Matt Lorman on his selection as a 2015 Down Under Sports cross country runner.

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

H.C.R. 81. House concurrent resolution congratulating Carol Willey on being named the 2015 Vermont Mother of the Year.

H.C.R. 82. House concurrent resolution congratulating the 2015 Vermont Prudential Spirit of Community Award winners.

H.C.R. 83. House concurrent resolution congratulating the Pownal Historical Society on its 20th anniversary.

H.C.R. 84. House concurrent resolution congratulating the record-breaking 2015 Mt. Anthony Union High School Patriots State and New England championship wrestling team.

H.C.R. 85. House concurrent resolution congratulating Caitlin C. Gregg on winning a bronze medal at the FIS (International Ski Federation) Nordic World Ski Championships 2015.

H.C.R. 86. House concurrent resolution commemorating the 100th anniversary of the start of the Armenian Genocide.

H.C.R. 87. House concurrent resolution congratulating the 2015 Williamstown Blue Devils Division III championship boys' basketball team.

H.C.R. 88. House concurrent resolution honoring Sandy Ware of

Brattleboro for her creative leadership as a nursing home activities director.

Adjournment

At six o'clock and twenty-one minutes in the evening, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, March 31, 2015, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 21.

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. 81

House concurrent resolution congratulating Carol Willey on being named the 2015 Vermont Mother of the Year;

H.C.R. 82

House concurrent resolution congratulating the 2015 Vermont Prudential Spirit of Community Award winners;

H.C.R. 83

House concurrent resolution congratulating the Pownal Historical Society on its 20th anniversary;

H.C.R. 84

House concurrent resolution congratulating the record-breaking 2015 Mt. Anthony Union High School Patriots State and New England championship wrestling team;

H.C.R. 85

House concurrent resolution congratulating Caitlin C. Gregg on winning a bronze medal at the FIS (International Ski Federation) Nordic World Ski Championships 2015;

H.C.R. 86

House concurrent resolution commemorating the 100th anniversary of the start of the Armenian Genocide;

H.C.R. 87

House concurrent resolution congratulating the 2015 Williamstown Blue Devils Division III championship boys' basketball team;

H.C.R. 88

House concurrent resolution honoring Sandy Ware of Brattleboro for her creative leadership as a nursing home activities director;

S.C.R. 13

Senate concurrent resolution congratulating Maple Grove Farms on its centennial anniversary;

S.C.R. 14

Senate concurrent resolution congratulating Matt Lorman on his selection as a 2015 Down Under Sports cross country runner;

[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 2015, seventy-third Biennial session.]