

Journal of the House

Wednesday, April 8, 2015

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

Devotional Exercises

Devotional exercises were conducted by Rev. Bruce Lee-Clark of Southern Vermont Career Development Center, Bennington, Vt.

Message from the Senate No. 41

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 bill of the following title:

S. 20. An act relating to establishing and regulating dental therapists.

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. 86. An act relating to the Uniform Interstate Family Support Act.

H. 256. An act relating to disposal of property following an eviction, and fair housing and public accommodations.

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 joint resolution of the following title:

J.R.S. 23. Joint resolution relating to weekend adjournment.

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

House Bill Introduced

H. 499

Reps. Jewett of Ripton introduced a bill, entitled

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

Which was read the first time and referred to the committee on Government Operations.

Senate Bill Referred

S. 20

Senate bill, entitled

An act relating to establishing and regulating dental therapists;

Was taken up, read the first time and referred to the committee on Rules.

Joint Resolution Adopted in Concurrence

J.R.S. 23

By Senators Baruth and Benning,

J.R.S. 23. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 10, 2015, it be to meet again no later than Tuesday, April 14, 2015.

Was taken up read and adopted in concurrence.

Message from the Senate No. 42

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 bill of the following title:

S. 62. An act relating to surrogate decision making for do-not-resuscitate orders and clinician orders for life-sustaining treatment.

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

The Senate has considered House proposal of amendment to Senate bill of the following title:

S. 98. An act relating to captive insurance companies.

And has concurred therein with a further amendment in the passage of which the concurrence of the House is requested.

Bill Read Second Time; Consideration Interrupted by Recess**H. 76**

Rep. Wright of Burlington, for the committee on Education, to which had been referred House bill, entitled

An act relating to the requirement of mandatory binding arbitration and to the elimination of strikes and imposed contracts in connection with collective bargaining for teachers' and school administrators' contracts

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 16 V.S.A. § 2011 is added to read:

§ 2011. STRIKES AND CONTRACT IMPOSITION PROHIBITED

(a) A strike, which shall have the same meaning as provided in 21 V.S.A. § 1722(16), shall be prohibited.

(b) The imposition of contractual terms by the school board shall be prohibited.

Sec. 2. 16 V.S.A. § 2003 is amended to read:

§ 2003. TIME TO BEGIN

The teacher or administrator organizations holding exclusive negotiating rights shall make a request for commencement of negotiations either to their school board or to the school board negotiations council no later than ~~120~~ 180 days prior to the earliest school district annual meeting conducted within the supervisory union.

Sec. 3. 16 V.S.A. § 2005 is amended to read:

§ 2005. WRITTEN AGREEMENT

(a) The negotiations councils for the school board and the teachers' or administrators' organization shall enter into a written agreement or agreements incorporating therein matters agreed to in negotiation.

(b)(1) In the event the negotiations councils for the school board and the negotiations council for the teachers' or administrators' organization are unable to arrive at an agreement before the expiration date of the existing contract, the existing contract shall remain in force until a new contract is ratified by the parties.

(2) Except as provided in subdivision (c) of this section and in the absence of a provision of the existing contract to the contrary, wages and

benefits shall continue at levels and amounts that are no greater than those in effect on the expiration date of the existing contract and no wage step increases shall occur after the expiration date.

(c) Nothing in this section shall prohibit the parties from agreeing to a modification of certain provisions of the existing contract which, as amended, shall remain in effect until a new contract is ratified by the parties.

(d)(1) In the event the negotiations councils for the school board and the negotiations council for the teachers' or administrators' organization are unable to arrive at an agreement within six months after the expiration date of the existing contract, the parties shall submit any and all unresolved issues to the Vermont Labor Relations Board.

(2) As soon as practicable, the Board shall hold a hearing on the dispute pursuant to rules established by the Board. The Board may issue subpoenas of persons and documents for the hearings. Upon completion of the hearings, the Board shall make and file with both parties written findings and recommend a reasonable basis for the settlement of the dispute.

(3) Nothing in this subsection (d) shall prohibit the Board from endeavoring to mediate the dispute at any time prior to issuing its recommendation for the settlement of the dispute.

(e) In the event the negotiations councils for the school board and the negotiations council for the teachers' or administrators' organization are unable to arrive at an agreement within one year after the expiration date of the existing agreement then the following shall apply:

(1) When the parties enter into an agreement to replace the existing agreement, it shall not include any retroactive wages or benefits at levels and amounts that are greater than those in effect on the expiration date of the existing agreement.

(2) The school district's base statewide education tax rate shall be increased by one cent on all homestead property located within the district. The increase shall apply to the district's statewide education tax rate for the next fiscal year and shall remain in force through the fiscal year in which the parties enter into the new agreement.

Sec. 4. 16 V.S.A. § 2006 is amended as follows:

§ 2006. MEDIATOR

~~If, after negotiation has taken place on all matters properly before them within 90 days after commencing negotiations,~~ the negotiations councils for the school board and teachers' or administrators' organization are unable to

reach agreement on specific negotiable items, they ~~may~~ shall jointly agree upon the services and person of a mediator for the purpose of assisting them in reconciling their differences and resolving the controversy on terms that are mutually acceptable. If agreement cannot be reached upon the person of a mediator within 5 days, ~~either party may~~ the parties shall request mediation upon ~~any and~~ all unresolved issues to be conducted by the American Arbitration Association or its designee. The parties shall meet with the mediator and make ~~such~~ information available to the mediator as required.

Sec. 5. 16 V.S.A. § 2007 is amended as follows:

§ 2007. FACT-FINDING COMMITTEE

(a) ~~If mediation fails to resolve outstanding differences or is not requested the parties are unable to resolve their outstanding differences within 45 days of commencing mediation and a continuing disagreement persists, either party may, after negotiation on all matters properly before them, request that any or the parties shall submit~~ all unresolved issues ~~be submitted~~ to a fact-finding committee ~~by notifying the other party of their intention and setting forth in writing the issues to be submitted to fact finding.~~

(b) The fact-finding committee, which shall be activated as soon as practicable ~~upon request~~, shall be composed of one member selected by the school board negotiations council, one member selected by the negotiations council for the teachers' or administrators' organization, and one member who shall serve as chair, to be chosen by the other two members. In the event that agreement cannot be reached on a third member for the fact-finding committee within five days after the appointment of the other two members, the American Arbitration Association shall be asked to appoint the third member.

(c) The fact-finding committee shall convene as soon as practicable after its appointment, hold informal hearings as necessary, and provide adequate opportunity to all parties to testify fully on, and present evidence regarding, their respective positions. All parties to the dispute shall furnish the fact-finding committee upon its request all records, papers, and information in their possession pertaining to any matter properly in issue before the fact-finding committee. The fact-finding committee shall make a written report and shall deliver it to both parties recommending a reasonable basis for the settlement of the disagreement within 30 days after the appointment of all members of the committee. Upon receipt of the report, the parties shall continue to negotiate on all issues remaining in dispute, and may jointly agree upon the services and person of a mediator to assist them in reaching a settlement of the disagreement.

(d) The report of the fact-finding committee shall be advisory only and shall not be binding on either party. The report shall be made public by the fact-finding committee if the issues in dispute have not been resolved within ten days of the delivery of the report.

(e) All expenses of fact-finding and mediation shall be borne jointly by the parties to the dispute.

Sec. 6. 16 V.S.A. § 2010 is amended to read:

§ 2010. INJUNCTIONS

~~No restraining order or temporary or permanent injunction shall be granted in any case brought with respect to any action taken by a representative organization or an official thereof or by a school board or representative thereof in connection with or relating to pending or future negotiations, except on the basis of findings of fact made by a court of competent jurisdiction after due hearing prior to the issuance of the restraining order or injunction that the commencement or continuance of the action poses a clear and present danger to a sound program of school education that in the light of all relevant circumstances it is in the best public interest to prevent. Any restraining order or injunction issued by a court as herein provided shall prohibit only a specific act or acts expressly determined in the findings of fact to pose a clear and present danger. Upon application by either party, a Superior Court may issue a temporary restraining order or other injunctive relief and may award costs, including reasonable attorney's fees, in connection with any action taken or about to be taken by a representative organization, its officials, or its members or by a school board or its representative in relation to pending or future negotiations that is in violation of this chapter.~~

Sec. 7. 16 V.S.A. § 2008 is amended to read:

§ 2008. ~~FINALITY OF DECISIONS~~

~~All decisions of the school board regarding matters in dispute in negotiations shall, after full compliance with this chapter, be final. [Repealed.]~~

Sec. 8. 16 V.S.A. § 2021 is amended to read:

§ 2021. NEGOTIATED BINDING INTEREST ARBITRATION

* * *

~~(c) A strike, which shall have the same meaning as provided in 21 V.S.A. § 1722(16), shall be prohibited if it occurs after both parties have voluntarily submitted a dispute to final and binding arbitration or after a decision or award has been issued by the arbitrator. A school board may petition for an~~

~~injunction or other appropriate relief from the Superior Court within the county wherein such strike in violation of this section is occurring or is about to occur.~~
[Repealed.]

* * *

Sec. 9. 3 V.S.A. § 924 is amended to read:

§ 924. POWERS AND DUTIES

* * *

(e) In addition to its responsibilities under this chapter, the Board shall carry out the responsibilities given to it under 16 V.S.A. § 2005, 21 V.S.A. chapters 19 and 22, and chapter 28 of this title and when so doing shall exercise the powers and follow the procedures set out in that chapter.

* * *

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2015, and apply to negotiations beginning on or after that date.

and that after passage the title of the bill be amended to read: “An act relating to the prohibition of strikes and contract imposition, and mandatory mediation and fact-finding in connection with collective bargaining for teachers and school administrators”

Rep. Stevens of Waterbury, for the committee on General, Housing and Military Affairs, recommended that the bill ought not to pass.

Thereupon, the bill was read the second time.

Pending the question, Shall the bill be amended as recommended by the committee on Education? **Reps. Lalonde of South Burlington, Wright of Burlington and Christie of Hartford** moved to amend recommendation of amendment offered by the committee on Education as follows:

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

Sec. 1. 16 V.S.A. § 2011 is added to read:

§ 2011. STRIKES AND CONTRACT IMPOSITION PROHIBITED

(a) A strike, which shall have the same meaning as provided in 21 V.S.A. § 1722(16), shall be prohibited.

(b) The imposition of contractual terms by the school board shall be prohibited.

Sec. 2. 16 V.S.A. § 2008 is amended to read:

§ 2008. ~~FINALITY OF DECISIONS~~

~~All decisions of the school board regarding matters in dispute in negotiations shall, after full compliance with this chapter, be final. [Repealed.]~~

Sec. 3. 16 V.S.A. § 2021 is amended to read:

§ 2021. NEGOTIATED BINDING INTEREST ARBITRATION

* * *

~~(c) A strike, which shall have the same meaning as provided in 21 V.S.A. § 1722(16), shall be prohibited if it occurs after both parties have voluntarily submitted a dispute to final and binding arbitration or after a decision or award has been issued by the arbitrator. A school board may petition for an injunction or other appropriate relief from the Superior Court within the county wherein such strike in violation of this section is occurring or is about to occur. [Repealed.]~~

Sec. 4. TASK FORCE ON DISPUTE RESOLUTION IN LABOR RELATIONS FOR TEACHERS AND ADMINISTRATORS; REPORT

(a) Creation. There is created a Task Force on Dispute Resolution in Labor Relations for Teachers and Administrators to study possible statutory changes to improve the process for the resolution of a dispute or impasse during labor negotiations for Vermont school teachers and administrators.

(b) Membership. The Task Force shall be composed of the following seven members:

(1) the President of the Vermont–National Education Association or designee;

(2) the Executive Director of the Vermont School Boards Association or designee;

(3) two individuals with experience in labor relations for school teachers and administrators designated by the Vermont–National Education Association;

(4) two individuals with experience in labor relations for school teachers and administrators designated by the Vermont School Boards Association; and

(5) an individual who shall serve as Chair of the Task Force with experience in labor relations for school teachers and administrators appointed by the Vermont Labor Relations Board.

(c) Powers and duties. The Task Force shall examine possible statutory changes to improve the process for resolving a dispute or impasse during labor negotiations for school teachers and administrators. In particular, the Task Force shall do the following:

(1) evaluate Vermont's existing statutory provisions related to the resolution of a dispute or impasse during labor negotiations for school teachers and administrators;

(2) examine and assess the relative merits of other states' statutory provisions for the resolution of a dispute or impasse during labor negotiations and whether the adoption of similar provisions could improve the existing collective bargaining process for school teachers and administrators in Vermont; and

(3) examine and assess the relative merits of various methods for encouraging parties in labor negotiations to resolve a dispute or impasse promptly if it continues past the expiration date of the existing collective bargaining agreement between the parties.

(d) Consultation. In carrying out its duties pursuant to subsection (c) of this section, the Task Force shall, at a minimum, consult with:

(1) representatives of teachers' and administrators' organizations from other states;

(2) representatives of school boards from other states; and

(3) attorneys, mediators, and arbitrators with experience in labor relations for school teachers and administrators

(e) Report. On or before November 15, 2015, the Task Force shall submit a written report to the House Committees on Education and on General, Housing and Military Affairs and the Senate Committees on Education and on Economic Development, Housing and General Affairs with its findings and a recommendation for legislative action.

(f) Meetings.

(1) The Chair shall call the first meeting of the Task Force to occur on or before August 1, 2015.

(2) Five members of the Task Force shall constitute a quorum.

(3) The Task Force shall meet at least twice per month until the report required by subsection (e) of this section has been submitted as required by that subsection.

(4) The Task Force shall cease to exist on January 15, 2016.

Sec. 5. EFFECTIVE DATES

(a) Secs. 1, 2, and 3 shall take effect on July 1, 2016, and apply to negotiations beginning on or after that date.

(b) This section and Sec. 4 shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to dispute resolution and the prohibition of strikes and contract imposition in collective bargaining for teachers and administrators”

Recess

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

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

Consideration Resumed; Bill Amended and Third Reading Ordered

H. 76

Consideration resumed on House bill, entitled

An act relating to the requirement of mandatory binding arbitration and to the elimination of strikes and imposed contracts in connection with collective bargaining for teachers' and school administrators' contracts;

Pending the question, Shall the report of the Committee on Education be amended as proposed by Rep. Lalonde of South Burlington and others? **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 report of the Committee on Education be amended as proposed by Rep. Lalonde of South Burlington and others? was decided in the negative. Yeas, 70. Nays, 73.

Those who voted in the affirmative are:

Bancroft of Westford	Christie of Hartford	Eastman of Orwell
Baser of Bristol	Condon of Colchester	Fagan of Rutland City
Batchelor of Derby	Conquest of Newbury	Feltus of Lyndon
Beck of St. Johnsbury	Corcoran of Bennington	Fiske of Enosburgh
Beyor of Highgate	Cupoli of Rutland City	Gage of Rutland City
Bissonnette of Winooski	Dakin of Chester	Gamache of Swanton
Branagan of Georgia	Dakin of Colchester	Graham of Williamstown
Brennan of Colchester	Dame of Essex *	Greshin of Warren
Browning of Arlington	Devereux of Mount Holly	Hebert of Vernon
Burditt of West Rutland	Dickinson of St. Albans	Helm of Fair Haven
Buxton of Tunbridge	Town	Higley of Lowell
Canfield of Fair Haven	Donahue of Northfield	Hubert of Milton

Huntley of Cavendish	McCoy of Poultney	Smith of New Haven
Juskiewicz of Cambridge	Morrissey of Bennington	Strong of Albany
Keenan of St. Albans City	Murphy of Fairfax	Tate of Mendon
Krebs of South Hero	Myers of Essex	Toll of Danville
LaClair of Barre Town	Olsen of Londonderry	Trieber of Rockingham
Lalonde of South Burlington	Parent of St. Albans City	Turner of Milton
Lawrence of Lyndon	Purvis of Colchester	Van Wyck of Ferrisburgh
Lefebvre of Newark	Savage of Swanton	Viens of Newport City
Lewis of Berlin	Scheuermann of Stowe	Willhoit of St. Johnsbury
Long of Newfane	Shaw of Pittsford	Wright of Burlington *
Marcotte of Coventry	Shaw of Derby	Young of Glover
Martel of Waterford	Sibilia of Dover	

Those who voted in the negative are:

Ancel of Calais	Haas of Rochester	Patt of Worcester
Bartholomew of Hartland	Head of South Burlington	Pearson of Burlington
Berry of Manchester	Hoooper of Montpelier	Poirier of Barre City
Botzow of Pownal	Jerman of Essex	Potter of Clarendon
Briglin of Thetford	Jewett of Ripton	Pugh of South Burlington
Burke of Brattleboro	Johnson of South Hero	Rachelson of Burlington *
Carr of Brandon	Kitzmiller of Montpelier	Ram of Burlington
Chesnut-Tangerman of Middletown Springs	Klein of East Montpelier	Russell of Rutland City
Clarkson of Woodstock	Komline of Dorset	Sharpe of Bristol
Cole of Burlington	Krowinski of Burlington	Sheldon of Middlebury
Connor of Fairfield	Lanpher of Vergennes	Stevens of Waterbury
Copeland-Hanzas of Bradford	Lenes of Shelburne	Stuart of Brattleboro
Davis of Washington	Lippert of Hinesburg	Sullivan of Burlington
Deen of Westminster	Lucke of Hartford	Sweaney of Windsor
Donovan of Burlington	Macaig of Williston	Terenzini of Rutland Town
Ellis of Waterbury	Manwaring of Wilmington	Till of Jericho
Emmons of Springfield	Masland of Thetford	Toleno of Brattleboro
Evans of Essex	McCormack of Burlington	Townsend of South Burlington
Fields of Bennington	McCullough of Williston	Troiano of Stannard
Forguites of Springfield	McFaun of Barre Town	Walz of Barre City
Frank of Underhill	Miller of Shaftsbury	Webb of Shelburne
French of Randolph	Morris of Bennington	Woodward of Johnson
Gonzalez of Winooski	Mrowicki of Putney	Zagar of Barnard
Grad of Moretown	Nuovo of Middlebury	
	O'Sullivan of Burlington	
	Partridge of Windham	

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

Martin of Wolcott	Pearce of Richford	Ryerson of Randolph
O'Brien of Richmond	Quimby of Concord	Yantachka of Charlotte

Rep. Dame of Essex explained his vote as follows:

“Mr. Speaker:

It was said today that in 40 years we've only had 20 strikes - that's an average of one every two years. With a strike in South Burlington last year, statistically we can expect another one next year. Wherever it happens those who joined me in voting yes can face our communities knowing that we did our best to make sure it didn't happen in ours, or any community in our state.”

Rep. Rachelson of Burlington explained her vote as follows:

“Mr. Speaker:

Ronald Reagan said ‘Where free unions and collective bargaining are forbidden, freedom is lost.’ The right to strike is an essential part of the collective bargaining process; otherwise, it is considered collective begging.”

Rep. Wright of Burlington explained his vote as follows:

“Mr. Speaker:

I support this amendment because it eliminates divisive and disruptive strikes that tear at the fabric of every community. It means neither side can take drastic unilateral action, it removes the ‘nuclear option’ for both sides and that’s fair.”

Pending the question, Shall the bill be amended as recommended by the committee on Education? **Rep. Jewett of Ripton** moved to amend the recommendation of amendment offered by the committee on Education as follows:

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

Sec. 1. TASK FORCE ON DISPUTE RESOLUTION IN LABOR

RELATIONS FOR TEACHERS AND ADMINISTRATORS;

REPORT

(a) Creation. There is created a Task Force on Dispute Resolution in Labor Relations for Teachers and Administrators to study the issue of impasse resolution in labor negotiations for school teachers and administrators.

(b) Membership. The Task Force shall be composed of the following seven members:

(1) the President of the Vermont – National Education Association or designee;

(2) two individuals with experience in labor relations designated by the Vermont – National Education Association;

(3) the Executive Director of the Vermont School Boards Association or designee;

(4) two individuals with experience in labor relations designated by the Vermont School Boards Association; and

(5) an individual with experience in labor relations mutually agreed upon by the other members of the Task Force who shall serve as the Chair of the Task Force. If the other members of the Task Force are unable to mutually agree upon the individual who shall serve as the Chair of the Task Force by July 15, 2015, the Vermont Labor Relations Board shall appoint the individual.

(c) Powers and duties. The Task Force shall evaluate the existing statutes governing labor relations for school teachers and administrators, and shall consider whether legislative changes are necessary to improve the existing process for resolving a dispute or impasse during labor negotiations. In particular, the Task Force shall:

(1) evaluate the existing practices and statutory provisions related to labor negotiations for school teachers and administrators and identify specific barriers to the effective resolution of a dispute or impasse during negotiations;

(2) examine the historic frequency of strikes and contract impositions in Vermont and the resulting impacts on local communities and schools;

(3) examine the historic frequency of labor negotiations continuing past the expiration date of the previous contract and identify any resulting impacts on the parties created by the failure to conclude negotiations prior to the expiration date;

(4) assess the relative merits of various alternative methods for the resolution of a dispute or impasse during labor negotiations and whether such alternatives could improve the collective bargaining process for school teachers and administrators in Vermont; and

(5) assess the relative merits of various methods for encouraging parties in labor negotiations to promptly resolve a dispute or impasse if it continues past the expiration date of the existing collective bargaining agreement.

(d) Report. On or before January 15, 2016, the Task Force shall submit a written report to the House Committees on Education and on General, Housing and Military Affairs and the Senate Committees on Education and on Economic Development, Housing and General Affairs with its findings and any recommendation for legislative action to amend 16 V.S.A. chapter 57

(labor relations for teachers and administrators) to improve the existing process for resolving a dispute or impasse during labor negotiations. If the Task Force recommends legislative action, it shall recommend legislation that would have an effective date of July 1, 2018 and be applicable to negotiations for collective bargaining agreements taking effect on or after July 1, 2019.

(e) Meetings.

(1) The Chair of the Task Force shall call the first meeting of the Task Force to occur on or before August 15, 2015.

(2) Five members of the Task Force membership shall constitute a quorum.

(3) The Task Force shall meet at least once per month until it submits its report to the General Assembly pursuant to subsection (d) of this section.

(4) The Task Force shall cease to exist on January 30, 2016.

(f) Costs. All expenses of the Chair appointed to the Task Force shall be borne jointly by the other six members of the Task Force.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2015.

Pending the question, Shall the report of the Committee on Education be amended as proposed by Rep. Jewett of Ripton? **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 report of the Committee on Education be amended as proposed by Rep. Jewett of Ripton? was decided in the affirmative. Yeas, 79. Nays, 62.

Those who voted in the affirmative are:

Ancel of Calais	Copeland-Hanzas of	Grad of Moretown
Bartholomew of Hartland	Bradford	Haas of Rochester
Berry of Manchester	Dakin of Chester	Head of South Burlington
Bissonnette of Winooski	Davis of Washington	Hooper of Montpelier
Botzow of Pownal	Deen of Westminster	Jerman of Essex
Branagan of Georgia	Donovan of Burlington	Jewett of Ripton
Briglin of Thetford	Ellis of Waterbury	Johnson of South Hero
Burke of Brattleboro	Emmons of Springfield	Keenan of St. Albans City
Carr of Brandon	Evans of Essex	Kitzmiller of Montpelier
Chesnut-Tangerman of	Feltus of Lyndon	Klein of East Montpelier
Middletown Springs	Fields of Bennington	Krebs of South Hero
Clarkson of Woodstock	Forguites of Springfield	Krowinski of Burlington
Cole of Burlington	Frank of Underhill	Lanpher of Vergennes
Connor of Fairfield	French of Randolph	Lefebvre of Newark
Conquest of Newbury *	Gonzalez of Winooski	Lenes of Shelburne

Lippert of Hinesburg	Patt of Worcester	Till of Jericho
Lucke of Hartford	Pearson of Burlington	Toleno of Brattleboro
Macaig of Williston	Potter of Clarendon	Toll of Danville
Manwaring of Wilmington	Pugh of South Burlington	Townsend of South
Masland of Thetford	Rachelson of Burlington	Burlington
McCormack of Burlington	Ram of Burlington	Troiano of Stannard
McCullough of Williston	Russell of Rutland City	Walz of Barre City
Miller of Shaftsbury	Sharpe of Bristol	Webb of Shelburne
Morris of Bennington	Sheldon of Middlebury	Woodward of Johnson
Mrowicki of Putney	Stevens of Waterbury	Young of Glover
Nuovo of Middlebury	Stuart of Brattleboro	Zagar of Barnard
O'Sullivan of Burlington	Sullivan of Burlington	
Partridge of Windham	Sweaney of Windsor	

Those who voted in the negative are:

Bancroft of Westford	Gage of Rutland City	Murphy of Fairfax
Baser of Bristol	Gamache of Swanton	Myers of Essex
Batchelor of Derby	Graham of Williamstown	Olsen of Londonderry
Beck of St. Johnsbury	Greshin of Warren	Parent of St. Albans City
Beyor of Highgate	Hebert of Vernon	Poirier of Barre City *
Brennan of Colchester	Helm of Fair Haven	Purvis of Colchester
Burditt of West Rutland	Higley of Lowell	Savage of Swanton
Buxton of Tunbridge	Hubert of Milton	Scheuermann of Stowe
Canfield of Fair Haven	Huntley of Cavendish	Shaw of Pittsford
Christie of Hartford	Juskiewicz of Cambridge	Shaw of Derby
Condon of Colchester	Komline of Dorset *	Sibilia of Dover
Corcoran of Bennington	LaClair of Barre Town	Smith of New Haven
Cupoli of Rutland City	Lalonde of South Burlington	Strong of Albany
Dakin of Colchester	Lawrence of Lyndon	Tate of Mendon
Dame of Essex	Lewis of Berlin	Terenzini of Rutland Town
Dickinson of St. Albans	Long of Newfane	Trieber of Rockingham
Town	Marcotte of Coventry	Turner of Milton
Donahue of Northfield	Martel of Waterford	Van Wyck of Ferrisburgh
Eastman of Orwell	McCoy of Poultney	Viens of Newport City
Fagan of Rutland City	McFaun of Barre Town *	Willhoit of St. Johnsbury
Fiske of Enosburgh	Morrissey of Bennington	Wright of Burlington

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

Browning of Arlington	O'Brien of Richmond	Ryerson of Randolph
Devereux of Mount Holly	Pearce of Richford	Yantachka of Charlotte
Martin of Wolcott	Quimby of Concord	

Rep. Conquest of Newbury explained his vote as follows:

“Mr. Speaker:

I voted for this amendment to move us forward. I voted for the previous amendment after a full, civil and informative debate. That amendment was

defeated. We ought to honor the vote of the body and move on. Reconsideration, while within the rules, is not a strategy we should make a habit of.”

Rep. Komline of Dorset explained her vote as follows:

“Mr. Speaker:

We hear a lot about the importance of process here. That said, it was disappointing that the Ed Committee never considered this amendment. Disappointing, but mostly concerning.”

Rep. McFaun of Barre Town explained his vote as follows:

“Mr. Speaker:

I vote ‘no’ because I believe we should leave the collective bargaining process as is completely because it works.”

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

“Mr. Speaker:

I voted ‘no’ because this was a bad legislation from the start and no amendment can make this palatable. I hope, Mr. Speaker, that we use the next vote on this bill to defeat it. Period.”

Thereupon, the recommendation of amendment offered by the committee on Education, as amended, was agreed to.

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, 75. Nays, 61.

Those who voted in the affirmative are:

Bancroft of Westford	Copeland-Hanzas of	French of Randolph
Baser of Bristol	Bradford *	Gage of Rutland City
Batchelor of Derby	Corcoran of Bennington	Gamache of Swanton
Beyor of Highgate	Cupoli of Rutland City	Graham of Williamstown
Bissonnette of Winooski	Dakin of Chester	Greshin of Warren
Botzow of Pownal	Dakin of Colchester	Head of South Burlington
Branagan of Georgia	Dickinson of St. Albans	Hebert of Vernon
Burditt of West Rutland	Town	Higley of Lowell
Buxton of Tunbridge	Donahue of Northfield	Hubert of Milton
Canfield of Fair Haven	Ellis of Waterbury	Huntley of Cavendish
Christie of Hartford	Emmons of Springfield	Jerman of Essex
Condon of Colchester	Fagan of Rutland City	Jewett of Ripton
Conquest of Newbury	Fiske of Enosburgh	Juskiewicz of Cambridge

Komline of Dorset	Miller of Shaftsbury	Sibilia of Dover
Krebs of South Hero	Morris of Bennington	Smith of New Haven
LaClair of Barre Town	Morrissey of Bennington	Strong of Albany
Lalonde of South Burlington	Murphy of Fairfax	Stuart of Brattleboro
Lawrence of Lyndon	Myers of Essex	Sweaney of Windsor
Lefebvre of Newark	Nuovo of Middlebury	Tate of Mendon
Lewis of Berlin	Parent of St. Albans City	Turner of Milton
Long of Newfane	Potter of Clarendon	Van Wyck of Ferrisburgh
Lucke of Hartford	Purvis of Colchester	Viens of Newport City
Manwaring of Wilmington	Savage of Swanton	Webb of Shelburne
Marcotte of Coventry	Sharpe of Bristol	Willhoit of St. Johnsbury
Martel of Waterford	Shaw of Pittsford	Young of Glover
McCoy of Poultney	Shaw of Derby	

Those who voted in the negative are:

Ancel of Calais	Haas of Rochester	Pearson of Burlington *
Bartholomew of Hartland	Helm of Fair Haven	Poirier of Barre City
Beck of St. Johnsbury	Hooper of Montpelier	Rachelson of Burlington
Berry of Manchester	Johnson of South Hero	Ram of Burlington
Briglin of Thetford	Keenan of St. Albans City	Russell of Rutland City
Burke of Brattleboro	Kitzmiller of Montpelier	Scheuermann of Stowe
Carr of Brandon	Klein of East Montpelier	Sheldon of Middlebury
Chesnut-Tangerman of Middletown Springs	Krowinski of Burlington	Stevens of Waterbury
Clarkson of Woodstock	Lanpher of Vergennes	Sullivan of Burlington
Cole of Burlington	Lenes of Shelburne	Terenzini of Rutland Town
Connor of Fairfield	Lippert of Hinesburg	Till of Jericho
Davis of Washington	Macaig of Williston	Toleno of Brattleboro
Deen of Westminster	Masland of Thetford	Toll of Danville
Donovan of Burlington	McCormack of Burlington	Townsend of South Burlington
Eastman of Orwell	McCullough of Williston	Trieber of Rockingham
Evans of Essex	McFaun of Barre Town *	Troiano of Stannard
Fields of Bennington	Mrowicki of Putney	Walz of Barre City
Forguites of Springfield	Olsen of Londonderry	Woodward of Johnson
Frank of Underhill	O'Sullivan of Burlington	Wright of Burlington
Gonzalez of Winooski	Partridge of Windham	Zagar of Barnard
	Patt of Worcester	

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

Brennan of Colchester	Grad of Moretown	Quimby of Concord
Browning of Arlington	Martin of Wolcott	Ryerson of Randolph
Dame of Essex	O'Brien of Richmond	Yantachka of Charlotte
Devereux of Mount Holly	Pearce of Richford	
Feltus of Lyndon	Pugh of South Burlington	

Rep. Copeland-Hanzas of Bradford explained her vote as follows:

“Mr. Speaker:

The narrative of our votes here today shows that there is not a clear consensus on whether or how to change the way labor disputes are settled here in VT. It is clear that there is deep respect for our teachers and their right to collectively bargain – as well as for the diligent work done on our behalf by the men and women who serve on our local school boards. I trust they can answer future questions of whether and how to change how they settle disputes.”

Rep. McFaun of Barre Town explained his vote as follows:

“Mr. Speaker:

In a speech on Labor Day in 1980, Ronald Reagan said, when referring to the brave workers in Poland ‘where free unions and collective bargaining are forbidden freedom is lost.’ I vote ‘no’ on this bill to ensure that we leave the collective bargaining process alone to let local people work out their differences. It works now and will work in the future.”

Rep. Pearson of Burlington explained his vote as follows:

“Mr. Speaker:

This vote demonstrates that people working together can quickly digest information and make reasonable decisions. It is an example of reactions to new information and is why this bill is necessary.”

Action on Resolution Postponed

J.R.H. 8

Joint resolution, entitled

Joint resolution relating to military suicides

Was taken up and pending the reading of the report of the committee on General, Housing & Military Affairs, on motion of **Rep. Walz of Barre City**, action on the Resolution was postponed until Friday, April 10, 2015.

Action on Bill Postponed

H. 123

House bill, entitled

An act relating to mobile home parks, habitability standards, and compliance;

Was taken up and on motion of **Rep. Head of South Burlington**, action on the bill was postponed until the next legislative day.

Adjournment

At six o'clock and eleven minutes in the evening, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at one o'clock in the afternoon.