

# Journal of the House

Wednesday, April 22, 2015

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

## Devotional Exercises

Devotional exercises were conducted by Rep. Teo Zagar of Barnard, Vt.

## Joint Resolution Referred to Committee

### J.R.H. 15

Joint resolution requesting the U.S. Food and Drug Administration and the federal Office of Disease Prevention and Health Promotion to establish new sugar consumption recommendations

Offered by: Representatives Zagar of Barnard, Pearson of Burlington, Bartholomew of Hartland, Ryerson of Randolph, Till of Jericho, and Toleno of Brattleboro

Whereas, health conditions associated with the overconsumption of sugar are a leading cause of disease in the United States and contribute to substantial health care costs and associated productivity-related expenses, and

Whereas, excessive sugar in the American diet is a significant contributing factor in the development of adverse health conditions, such as type II diabetes, heart disease, obesity, tooth decay, cancer, hypertension, and liver toxicity, among others, and

Whereas, the total cost of diabetes in the United States rose from \$174 billion in 2007 to \$245 billion in 2012, a 41 percent increase over the five-year period, and

Whereas, nearly 10 percent of Americans have diabetes, and the numbers continue to rise, and

Whereas, in approximately 1980, there were no documented cases of children with type II diabetes, but now more than 50,000 children in America have been diagnosed with the disease, and the number of adults developing type II diabetes has risen substantially, and

Whereas, the Centers for Disease Control and Prevention predicts that by the year 2050 the number of teen diabetics will increase by nearly 50 percent to more than 84,000, and

---

Whereas, obesity may surpass tobacco addiction as the leading preventable public health problem facing Vermonters, and

Whereas, according to the Vermont Department of Health, 62 percent of adults in Vermont and 29 percent of children are either overweight or obese, and

Whereas, the State of Vermont spends an estimated \$615 million each year treating obesity-related health conditions and associated productivity-related expenses, and

Whereas, health care spending in Vermont, as a percentage of its gross domestic product, rose from over 10 percent in 1992 to almost 20 percent in 2012, and

Whereas, approximately 80 percent of processed foods contain added sugar that, in its various forms, appear on package ingredient lists using many different names, and sugar is often added to processed foods where it would not be expected, and a discerning consumer may be totally unaware of the presence or amount of sugar in a processed food item, and

Whereas, the per capita daily consumption of sugar in the United States greatly exceeds the amount that public health authorities at the World Health Organization, the U.S. Department of Agriculture (USDA), the American Heart Association, and the U.S. Department of Health and Human Services (HHS) recommend, and

Whereas, the U.S. Food and Drug Administration (FDA) is proposing to update the Nutrition Facts labeling information printed on food products' packaging, but is not currently proposing that the recommended amount of daily sugar consumption be listed, and

Whereas, in 2015, the USDA in coordination with HHS' Office of Disease Prevention and Health Promotion (ODPHP) are issuing a revision of their Dietary Guidelines for Americans, and

Whereas, this revision offers an opportunity for updating the Guidelines' sugar consumption recommendations, based in part on the latest information from the World Health Organization, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges the FDA to initiate administrative proceedings to include recommended daily sugar consumption as part of its Nutrition Facts, and be it further

Resolved: That the General Assembly urges the USDA and HHS through the ODPHP to include updated sugar consumption recommendations in the 2015 Dietary Guidelines for Americans, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the FDA and to the ODPHP, the Vermont Congressional Delegation, Governor Peter Shumlin, the Department of Agriculture, Food and Markets, and the Department of Health.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Human Services.

### **Joint Resolution Placed on Calendar**

#### **J.R.H. 16**

Joint resolution relating to the approval of State land transactions

Offered by: Committee on Corrections and Institutions

Whereas, 10 V.S.A. § 2606(b) authorizes the Commissioner of Forests, Parks and Recreation to exchange or lease certain lands with the approval of the General Assembly, and

Whereas, the General Assembly considers the following actions to be in the best interest of the State, now therefore be it

Resolved by the Senate and House of Representatives:

That the Commissioner of Forests, Parks and Recreation is authorized to convey a nonexclusive easement along a road known locally as the "Swift Road" in the Proctor-Piper State Forest in Cavendish to the owners of lots designated as lots 16, 17, 18, 19, and 20 on the 2009 town of Cavendish tax map. The easement granted to these five lots shall be limited to forestry uses and to access not more than one seasonal recreational camp on each lot. All costs related to repairing, maintaining, and reconstructing the segment of Swift Road within the easement, and any associated structures within the easement, shall be the sole responsibility of the five lot owners; provided, however, that the five lot owners shall not construct any utilities within the easement. In consideration of the public benefits associated with this action, the easement conveyed to the five lot owners shall be at no cost. The Commissioner's conveying of this easement is conditioned on the owner of lot 20 conveying to the owners of lots 16, 17, 18, and 19 a separate easement allowing permanent vehicular access across lot 20, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Commissioner of Forests, Parks and Recreation

---

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

**Joint Resolution Adopted in Concurrence**

**J.R.S. 25**

By Senators Baruth and Benning,

**J.R.S. 25.** Joint resolution relating to weekend adjournment.

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

That when the two Houses adjourn on Friday, April 24, 2015, it be to meet again no later than Tuesday, April 28, 2015.

Was taken up read and adopted in concurrence.

**Senate Proposal of Amendment to House Proposal of Amendment  
Concurred in with a Further Amendment Thereto**

**S. 13**

The Senate proposed to the House to amend House bill, entitled

An act relating to the Vermont Sex Offender Registry

The Senate concurs in the House proposal of amendment with the following proposal of amendment thereto:

In Sec. 9, (Effective Dates), subsection (b), by striking out subdivision (3) in its entirety.

**Rep. Jewett of Ripton** moved to concur in the Senate proposal of amendment to the House proposal of amendment with a further amendment thereto as follows:

In Sec. 9 (Effective Dates), subsection (b), by adding a new subdivision (3) to read as follows:

(3) The certification and reporting requirements of subdivisions (b)(1) and (2) of this section shall not be deemed satisfied until the Departments of Public Safety and of Corrections present testimony on the certification and report to the House and Senate Committees on Judiciary.

Which was agreed to.

**Third Readings; Bills Passed in Concurrence  
With Proposals of Amendment**

Bills of the following titles were taken up, read the third time and passed in concurrence with proposals of amendment.

**S. 72**

Senate bill, entitled

An act relating to binding arbitration for State employees

**S. 122**

Senate bill, entitled

An act relating to miscellaneous changes to laws related to motor vehicles, motorboats, and other vehicles.

**Bill Amended; Third Reading Ordered****H. 8**

**Rep. Hubert of Milton**, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to the oversight of the transfer of military equipment to law enforcement agencies

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

Sec. 1. 24 V.S.A. § 1943 is added to read:

§ 1943. TRANSFERS OF FEDERAL MILITARY PROPERTY TO LAW ENFORCEMENT AGENCIES

(a) Any municipal police department that applies to receive from the federal government a dangerous or deadly weapon as defined in 13 V.S.A. § 4016(a)(2) or any armored or mine-protected vehicle shall notify each legislative body of a municipality for which it provides law enforcement services within 15 days of the application.

(b) Within 7 days of receiving notification from the federal government of an award of a dangerous or deadly weapon as defined in 13 V.S.A. § 4016(a)(2) or any armored or mine-protected vehicle, a sheriff's department shall notify each legislative body of a municipality within the department's designated county of the award.

Sec. 2. 32 V.S.A. § 810 is added to read:

§ 810. AUDITING OF FEDERAL MILITARY PROPERTY TRANSFERS TO LAW ENFORCEMENT AGENCIES

Annually, the Commissioner of Public Safety shall examine the records of all property acquired by a State or local law enforcement agency transferred through the U.S. Department of Defense excess personal property program

established in 10 U.S.C. § 2576a, and shall send a copy of the results to the Office of the Attorney General.

and that after passage the title of the bill be amended to read: “An act relating to the oversight of the transfer of federal military property to law enforcement agencies”

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Government Operations agreed to and third reading ordered.

### **Bill Amended; Third Reading Ordered**

#### **H. 187**

**Rep. Head of South Burlington**, for the committee on General, Housing & Military Affairs, to which had been referred House bill, entitled

An act relating to absence from work for health care and safety

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

#### Sec. 1. FINDINGS

The General Assembly finds:

(1) According to the Vermont Department of Labor’s 2013 Fringe Benefits Study, roughly one-half of all private sector employers provide some form of paid leave to their employees.

(2) Based on information provided by the 2013 Fringe Benefits Study, it is estimated that slightly less than 50 percent of private sector workers employed by companies with fewer than 20 workers have access to paid leave, while approximately 78 percent of workers employed by larger companies have access to paid leave time.

(3) Based on information provided by the 2013 Fringe Benefits Study, it is estimated that more than 60,000 working Vermonters lack access to paid leave.

#### Sec. 2. PURPOSE

The purpose of this act is to promote a healthier environment at work, school, and in public by ensuring that employees are provided with paid leave time for purposes of health care and safety.

Sec. 3. 21 V.S.A. § 384 is amended to read:

§ 384. EMPLOYMENT; WAGES

\* \* \*

(d) For the purposes of earned sick time, an employer shall comply with the provisions required under subchapter 4B of this chapter.

Sec. 4. 21 V.S.A. chapter 5, subchapter 4B is added to read:

Subchapter 4B. Earned Sick Time

§ 481. DEFINITIONS

As used in this subchapter:

(1) “Combined time off” means a policy wherein the employer provides time off from work for vacation, sickness, or personal reasons, and the employee has the option to use all of the leave for whatever purpose he or she chooses.

(2) “Commissioner” means the Commissioner of Labor.

(3) “Differential” means compensation paid in addition to the usual compensation paid to an employee of a health care facility as defined in 18 V.S.A. § 9432(8) who does not work on a regular schedule and who works only when he or she indicates that he or she is available to work and has no obligation to work when he or she does not indicate availability.

(4) “Earned sick time” means discretionary time earned and accrued under the provisions of this subchapter and used by an employee to take time off from work for the purposes listed in subdivisions 483(a)(1)–(5) of this subchapter.

(5) “Employee” has the same meaning as set forth in section 341 of this title. However, the term “employee” shall not include:

(A) An individual who is employed by the federal government.

(B) An individual who is employed by an employer:

(i) for 20 weeks or fewer in a calendar year;

(ii) in a job scheduled to last 20 weeks or fewer; and

(iii) for the purpose of supporting or supplementing the employer’s workforce in certain situations, including employee absences, temporary skill shortages, seasonal workloads, and special assignments and projects.

(C) An individual who is employed by the State and is exempt or excluded from the State classified service pursuant to 3 V.S.A § 311.

(D) An employee of a health care facility as defined in 18 V.S.A. § 9432(8) if the employee:

(i) is under no obligation to work a regular schedule;

(ii) works only when he or she indicates that he or she is available to work and has no obligation to work when he or she does not indicate availability; and

(iii) receives higher pay in the form of a differential as defined in subdivision (3) of this section, or some other increased compensation than that paid to an employee of a health care facility performing the same job on a regular schedule.

(E) An employee of a school district, supervisory district, or supervisory union as defined in 16 V.S.A. § 11 that:

(i) is employed pursuant to a school district or supervisory union policy on substitute educators as required by the Vermont Standards Board for Professional Educators Rule 5381;

(ii) is under no obligation to work a regular schedule; and

(iii) is not under contract or written agreement to provide at least one period of long-term substitute coverage which is defined as 30 or more consecutive calendar days in the same assignment.

(6) “Employer” means an individual, organization, or governmental body, partnership, association, corporation, legal representative, trustee, receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, air, or express company doing business in or operating within this State.

(7) “Paid time off policy” means any policy under which the employer provides paid time off from work to the employee that includes a combination of one or more of the following:

(A) annual leave;

(B) combined time off;

(C) vacation leave;

(D) personal leave;

(E) sick leave; or

(F) any similar type of leave.

#### § 482. EARNED SICK TIME

(a) An employee shall accrue not less than one hour of earned sick time for every 40 hours worked.

(b) An employer may require a waiting period for new hires. During this waiting period, an employee shall accrue earned sick time pursuant to this



section but cannot use the earned sick time until after he or she has worked for the employer for one year or 1,400 hours, whichever occurs first.

(c) An employer may:

(1) limit the amount of earned sick time accrued pursuant to this section to:

(A) from January 1, 2016, until December 31, 2017, a maximum of 24 hours in a 12-month period; and

(B) after December 31, 2017, a maximum of 40 hours in a 12-month period; or

(2) limit to 40 hours the number of hours in each workweek for which full-time employees not subject to the overtime provisions of the Federal Fair Labor Standards Act, 29 U.S.C. § 213(a)(1), may accrue earned sick time pursuant to this section.

(d)(1) Earned sick time shall be compensated at a rate that is equal to the greater of either:

(A) the normal hourly wage rate of the employee; or

(B) the minimum wage rate for an employee pursuant to section 384 of this title.

(2) Employment benefits shall continue during an employee's use of earned sick time at the same level and conditions that coverage would be provided as for normal work hours. The employer may require that the employee contribute to the cost of the benefits during the use of earned sick time at the existing rate of employee contribution.

(e) Except as otherwise provided by subsection 484(a) of this subchapter, an employer shall calculate the amount of earned sick time that an employee has accrued pursuant to this section:

(1) as it accrues during each pay period; or

(2) on a quarterly basis, provided that an employee may use earned sick time as he or she accrues it during each quarter.

#### § 483. USE OF EARNED SICK TIME

(a) An employee may use earned sick time accrued pursuant to section 482 of this subchapter for any of the following reasons:

(1) The employee is ill or injured.

(2) The employee obtains professional diagnostic, preventive, routine, or therapeutic health care.

(3) The employee cares for a sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, foster child, person residing with the employee, or family member for whom the employee is primarily responsible to arrange or provide care for, including helping that individual obtain diagnostic, preventive, routine, or therapeutic health treatment.

(4) The employee is arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, foster child, person residing with the employee, or family member for whom the employee is primarily responsible to arrange or provide care for, who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking. As used in this section, "domestic violence," "sexual assault," and "stalking" shall have the same meaning as in 15 V.S.A. § 1151.

(5) The employee cares for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, foster child, person residing with the employee, or family member for whom the employee is primarily responsible to arrange or provide care for, because the school or business where that individual is normally located during the employee's workday is closed for public health or safety reasons.

(b) If an employee's absence is shorter than a normal workday, the employee shall use earned sick time accrued pursuant to section 482 of this subchapter in the smallest time increments that the employer's payroll system uses to account for other absences.

(c) An employer may limit the amount of earned sick time accrued pursuant to section 482 of this subchapter that an employee may use to:

(1) from January 1, 2016, until December 31, 2017, no more than 24 hours of earned sick time accrued pursuant to section 482 of this subchapter in a 12-month period; and

(2) after December 31, 2017, no more than 40 hours of earned sick time accrued pursuant to section 482 of this subchapter in a 12-month period.

(d)(1) Except as otherwise provided in subsection 484(a) of this subchapter, earned sick time that remains unused at the end of an annual period shall be carried over to the next annual period and the employee has the right to earn the balance between the unused portion and the maximum allowed.

(2) If, at an employer's discretion, an employer pays an employee for unused earned sick time accrued pursuant to section 482 of this subchapter at the end of an annual period, then the amount for which the employee was compensated does not carry over to the next annual period.

(e) Upon separation from employment, an employee shall not be entitled to payment for unused earned sick time accrued pursuant to section 482 of this subchapter unless agreed upon by the employer.

(f) An employee who is rehired by the same employer within 12 months after separation from employment shall begin to accrue and may use earned sick time without any waiting period, but shall not be entitled to retain any unused earned sick time that had accrued pursuant to section 482 of this subchapter before the time of separation unless agreed upon by the employer.

(g) An employer shall not require an employee to find a replacement for absences, including absences for professional diagnostic, preventive, routine, or therapeutic health care.

(h) An employer may require an employee planning to take earned sick time accrued pursuant to section 482 of this subchapter to:

(1) make reasonable efforts to avoid scheduling routine or preventive health care during regular work hours; or

(2) notify the employer as soon as practicable of the intent to take earned sick time accrued pursuant to section 482 of this subchapter and the expected duration of the employee's absence.

(i) If an employee is absent from work for one of the reasons listed in subsection (a) of this section, the employee shall not be required to use earned sick time accrued pursuant to section 482 of this subchapter and the employer will not be required to pay for the time that the employee was absent if the employer and the employee mutually agree that either:

(1) the employee will work an equivalent number of hours as the number of hours for which the employee is absent during the same pay period; or

(2) the employee will trade hours with a second employee so that the second employee works during the hours for which the employee is absent and the employee works an equivalent number of hours in place of the second employee during the same pay period.

(j) An employer shall post notice of the provisions of this section in a form provided by the Commissioner in a place conspicuous to employees at the employer's place of business. An employer shall also notify an employee of the provisions of this section at the time of the employee's hiring.

(k) An employee who uses earned sick time accrued pursuant to section 482 of this subchapter shall not diminish his or her rights under sections 472 and 472a of this title.

(l) The provisions against retaliation set forth in section 397 of this title shall apply to this subchapter.

(m) An employer who violates this section shall be subject to the penalty provisions of section 345 of this title.

(n) The Commissioner shall enforce this section in accordance with the procedures established in section 342a of this title.

#### § 484. COMPLIANCE WITH EARNED SICK TIME REQUIREMENT

(a) An employer shall be in compliance with this subchapter if either of the following occurs:

(1) The employer offers a paid time off policy or is a party to a collective bargaining agreement that provides the employee with paid time off from work that:

(A) he or she may use for all of the reasons set forth in subsection 483(a) of this subchapter; and

(B) accrues and may be used at a rate that is equal to or greater than the rate set forth in sections 482 and 483 of this subchapter.

(2) The employer offers a paid time off policy or is a party to a collective bargaining agreement that provides the employee with at least the full amount of paid time off from work required pursuant to sections 482 and 483 of this subchapter at the beginning of each annual period and the employee may use it at any time during the annual period for the reasons set forth in subsection 483(a) of this subchapter. If the employer provides an employee with the full amount of paid time off at the beginning of each annual period, the paid time off shall not carry over from one annual period to the next as provided in subdivision 483(d)(1) of this subchapter.

(b) Nothing in this subchapter shall be construed to prevent an employer from providing a paid time off policy or agreeing to a collective bargaining agreement that provides a paid time off policy that is more generous than the earned sick time provided by this subchapter.

(c) Nothing in this subchapter shall be construed to diminish an employer's obligation to comply with any collective bargaining agreement or paid time off policy that provides greater earned sick time rights than the rights provided by this subchapter.

(d) A collective bargaining agreement or paid time off policy may not diminish the rights provided by this subchapter.

#### § 485. SEVERABILITY OF PROVISIONS

If any provision of this subchapter or the application of such provision to any person or circumstances shall be held invalid, the remainder of the subchapter and the application of such provisions to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Sec. 5. 21 V.S.A. § 345 is amended to read:

§ 345. NONPAYMENT OF WAGES AND BENEFITS

(a) Each employer who violates sections ~~342 and 343~~ 342, 343, 482, and 483 of this title shall be fined not more than \$5,000.00. Where the employer is a corporation, the president or other officers who have control of the payment operations of the corporation shall be considered employers and liable to the employee for actual wages due when the officer has willfully and without good cause participated in knowing violations of this chapter.

\* \* \*

Sec. 6. DEPARTMENT OF LABOR REPORT

The Department of Labor shall, on or before January 15, 2017, report to the House Committee on General, Housing and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding the number of inquiries and complaints submitted to the Department in relation to this act and the number of investigations and enforcement actions undertaken by the Department in relation to this act during the first year after its effective date.

Sec. 7. EFFECTIVE DATE

This act shall take effect on January 1, 2016.

The bill, having appeared on the Calendar one day for notice, was taken up and read the second time.

Pending the question, Shall the House amend the bill as recommended by the committee on General, Housing and Military Affairs? **Rep Head of South Burlington** moved to amend the recommendation of amendment offered by the committee on General, Housing and Military Affairs, as follows:

First: In Sec. 4, in 21 V.S.A. § 483(a)(3), by striking out the following: “person residing with the employee, or family member for whom the employee is primarily responsible to arrange or provide care for” and inserting in lieu thereof the following: “or a person for whom the employee is primarily responsible to arrange or provide care for who is either a family member of the employee or resides with the employee”

Second: In Sec. 4, in 21 V.S.A. § 483(a)(4), by striking out the following: “person residing with the employee, or family member for whom the employee

is primarily responsible to arrange or provide care for” and inserting in lieu thereof the following: “or a person for whom the employee is primarily responsible to arrange or provide care for who is either a family member of the employee or resides with the employee”

Third: In Sec. 4, in 21 V.S.A. § 483(a)(5), by striking out the following: “person residing with the employee, or family member for whom the employee is primarily responsible to arrange or provide care for” and inserting in lieu thereof the following: “or a person for whom the employee is primarily responsible to arrange or provide care for who is either a family member of the employee or resides with the employee”

Which was agreed to.

Pending the question, Shall the House amend the bill as recommended by the committee on General, Housing and Military Affairs, as amended? **Rep. Turner of Milton** moved to commit the bill to the committee on Commerce and Economic Development.

Pending the question, Shall the bill be committed to the committee on Commerce and Economic Development? **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 committed to the committee on Commerce and Economic Development? was decided in the negative. Yeas, 57. Nays, 86.

Those who voted in the affirmative are:

Bancroft of Westford  
Baser of Bristol  
Batchelor of Derby  
Beck of St. Johnsbury  
Beyor of Highgate  
Branagan of Georgia  
Brennan of Colchester  
Browning of Arlington  
Burditt of West Rutland  
Canfield of Fair Haven  
Cupoli of Rutland City  
Dame of Essex  
Devereux of Mount Holly  
Dickinson of St. Albans  
Town  
Donahue of Northfield  
Eastman of Orwell  
Fagan of Rutland City  
Feltus of Lyndon  
Fiske of Enosburgh

Gage of Rutland City  
Gamache of Swanton  
Graham of Williamstown  
Hebert of Vernon  
Helm of Fair Haven  
Higley of Lowell  
Hubert of Milton  
Juskiewicz of Cambridge  
Komline of Dorset  
Krebs of South Hero  
LaClair of Barre Town  
Lawrence of Lyndon  
Lefebvre of Newark  
Lewis of Berlin  
Marcotte of Coventry  
Martel of Waterford  
McCoy of Poultney  
McFaun of Barre Town  
Morrisey of Bennington  
Myers of Essex

Parent of St. Albans City  
Pearce of Richford  
Potter of Clarendon  
Purvis of Colchester  
Quimby of Concord  
Savage of Swanton  
Scheuermann of Stowe  
Shaw of Pittsford  
Sibilia of Dover  
Smith of New Haven  
Strong of Albany  
Tate of Mendon  
Terenzini of Rutland Town  
Turner of Milton \*  
Van Wyck of Ferrisburgh  
Viens of Newport City  
Willhoit of St. Johnsbury  
Wright of Burlington

Those who voted in the negative are:

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

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

Ancel of Calais	Grad of Moretown	Olsen of Londonderry
Donovan of Burlington	O'Brien of Richmond	Shaw of Derby

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

“Mr. Speaker:

Committees of jurisdiction should be allowed to thoroughly review and offer formal input on all bills. When the economy is struggling we should be extremely sensitive to what are essentially ‘unfunded mandates’ to business; we choose to ignore the legislative process and bypass the most critical committee. What is being hidden from Vermonters? Thank you.”

Pending the question, Shall the bill be amended as recommended by the committee on General, Housing and Military Affairs, as amended? **Rep.**

**Hebert of Vernon** moved to commit the bill to the committee on Transportation, which was disagreed to.

Pending the question, Shall the bill be amended as recommended by the committee on General, Housing and Military Affairs, as amended, **Rep. Turner of Milton** moved to commit the bill to the committee on Health Care.

Pending the question, Shall the bill be committed to the committee on Health Care? **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 committed to the committee on Health Care? was decided in the negative. Yeas, 52. Nays, 91.

Those who voted in the affirmative are:

Bancroft of Westford	Fiske of Enosburgh	Parent of St. Albans City
Batchelor of Derby	Gage of Rutland City	Pearce of Richford
Beck of St. Johnsbury	Gamache of Swanton	Purvis of Colchester
Beyor of Highgate	Graham of Williamstown	Quimby of Concord
Branagan of Georgia	Hebert of Vernon	Savage of Swanton
Browning of Arlington	Helm of Fair Haven	Scheuermann of Stowe
Burditt of West Rutland	Higley of Lowell	Shaw of Pittsford
Canfield of Fair Haven	Hubert of Milton	Sibilia of Dover
Condon of Colchester	Juskiewicz of Cambridge	Smith of New Haven
Corcoran of Bennington	Komline of Dorset	Strong of Albany
Cupoli of Rutland City	LaClair of Barre Town	Tate of Mendon
Devereux of Mount Holly	Lawrence of Lyndon	Terenzini of Rutland Town
Dickinson of St. Albans Town	Lewis of Berlin	Turner of Milton *
Donahue of Northfield	Marcotte of Coventry	Van Wyck of Ferrisburgh
Eastman of Orwell	Martel of Waterford	Viens of Newport City
Fagan of Rutland City	McCoy of Poultney	Willhoit of St. Johnsbury
Feltus of Lyndon	Morrissey of Bennington	Wright of Burlington
	Myers of Essex	

Those who voted in the negative are:

Bartholomew of Hartland	Connor of Fairfield	French of Randolph
Baser of Bristol	Conquest of Newbury	Gonzalez of Winooski
Berry of Manchester	Copeland-Hanzas of Bradford	Greshin of Warren
Bissonnette of Winooski	Dakin of Chester	Haas of Rochester
Botzow of Pownal	Dakin of Colchester	Head of South Burlington
Brennan of Colchester	Dame of Essex *	Hooper of Montpelier
Briglin of Thetford	Davis of Washington	Huntley of Cavendish
Burke of Brattleboro	Deen of Westminster	Jerman of Essex
Buxton of Tunbridge	Ellis of Waterbury	Jewett of Ripton
Carr of Brandon	Emmons of Springfield	Johnson of South Hero
Chesnut-Tangerman of Middletown Springs	Evans of Essex	Keenan of St. Albans City
Christie of Hartford	Fields of Bennington	Kitzmilller of Montpelier
Clarkson of Woodstock	Forguites of Springfield	Klein of East Montpelier
Cole of Burlington	Frank of Underhill	Krebs of South Hero
		Krowinski of Burlington



---

Lalonde of South Burlington	Murphy of Fairfax	Sullivan of Burlington
Lanpher of Vergennes	Nuovo of Middlebury	Sweaney of Windsor
Lefebvre of Newark	O'Sullivan of Burlington	Till of Jericho
Lenes of Shelburne	Partridge of Windham	Toleno of Brattleboro
Lippert of Hinesburg	Patt of Worcester	Toll of Danville
Long of Newfane	Pearson of Burlington *	Townsend of South
Lucke of Hartford	Poirier of Barre City	Burlington
Macaig of Williston	Potter of Clarendon	Trieber of Rockingham
Manwaring of Wilmington	Pugh of South Burlington	Troiano of Stannard
Martin of Wolcott	Rachelson of Burlington	Walz of Barre City
Masland of Thetford	Ram of Burlington	Webb of Shelburne
McCormack of Burlington	Russell of Rutland City	Woodward of Johnson
McCullough of Williston	Ryerson of Randolph	Yantachka of Charlotte
McFaun of Barre Town	Sharpe of Bristol	Young of Glover
Miller of Shaftsbury	Sheldon of Middlebury	Zagar of Barnard
Morris of Bennington	Stevens of Waterbury	
Mrowicki of Putney	Stuart of Brattleboro	

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

Ancel of Calais	Grad of Moretown	Olsen of Londonderry
Donovan of Burlington	O'Brien of Richmond	Shaw of Derby

**Rep. Dame of Essex** explained his vote as follows:

“Mr. Speaker:

I voted NO because matters of Public Health are usually dealt within the Human Services Committee.”

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

“Mr. Speaker:

Sometimes we debate bills that impact businesses which may contain public health questions. This is appropriate and needs to be debated today.”

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

“Mr. Speaker:

You just said this was a healthcare bill. If so, why wasn't it sent to the healthcare committee? What are we hiding from Vermonters? What has happened to Government transparency? Thank you.”

Pending the question, Shall the House amend the bill as recommended by the committee on General, Housing and Military Affairs, as amended? **Rep. Brennan of Colchester** moved to postpone action for one legislative day, which was disagreed to.

Pending the question, Shall the report of the committee on General, Housing, and Military Affairs, as amended, be adopted? **Rep. Brennan of Colchester** 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 General, Housing, and Military Affairs, as amended, be adopted? was decided in the affirmative. Yeas, 76. Nays, 66.

Those who voted in the affirmative are:

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

Those who voted in the negative are:

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

---

Krebs of South Hero	Myers of Essex	Tate of Mendon
LaClair of Barre Town	Parent of St. Albans City	Terenzini of Rutland Town
Lawrence of Lyndon	Pearce of Richford	Toll of Danville
Lefebvre of Newark	Potter of Clarendon	Trieber of Rockingham
Lewis of Berlin	Purvis of Colchester *	Turner of Milton
Marcotte of Coventry	Quimby of Concord	Van Wyck of Ferrisburgh *
Martel of Waterford	Savage of Swanton	Viens of Newport City
McCoy of Poultney	Scheuermann of Stowe	Willhoit of St. Johnsbury
McFaun of Barre Town	Shaw of Pittsford	Wright of Burlington
Morrissey of Bennington	Sibilia of Dover	
Murphy of Fairfax	Smith of New Haven	

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

Ancel of Calais	O'Brien of Richmond	Strong of Albany
Donovan of Burlington	Olsen of Londonderry	
Grad of Moretown	Shaw of Derby	

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

“Mr. Speaker:

May I explain my vote: #Hashtag, another Nanny State mandate that will hurt small business and result in job loss.”

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

“Mr. Speaker:

We are not an island nation. No matter how beneficial an initiative may be, it must be considered in terms of the cumulative impact of requirements we place on our businesses, contrasted with those of other states. We already struggle to compete. I do not want to jeopardize jobs by reducing the flexibility that our small businesses need.”

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

“Mr. Speaker:

Although I have not supported earlier versions, due to concerns over statewide economic vitality and pressures on small businesses, I vote yes on H.187. I was fortunate for years at American Airlines, having won the right to flexibly use my personal days as I saw fit. So many of my neighbors and constituents in Rutland do not have this flexibility for themselves or their loved ones. These individuals are working Vermonters not asking for a hand out, simply a lift in quality of life.

Our Vermont economy is on the mend and will only become stronger as we strengthen the fabric of our families. As one of my hard working young constituents expressed to me recently, ‘Make Vermont Strong.’”

**Rep. Van Wyck of Ferrisburgh** explained his vote as follows:

“Mr. Speaker:

I voted ‘No’. The bill is another nail in Vermont’s economy’s coffin.”

Thereupon, third reading was ordered.

**Favorable Report; Third Reading Ordered**

**H. 280**

**Rep. Christie of Hartford**, for the committee on Education, to which had been referred House bill, entitled

An act relating to amending the State Board of Education rules on school lighting requirements

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.

**Favorable Report; Third Reading Ordered**

**H. 494**

**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 Weybridge

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.

**Favorable Report; Third Reading Ordered**

**H. 496**

**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 West Fairlee

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.

**Favorable Report; Third Reading Ordered****H. 499**

**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 Salisbury

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.

**Senate Proposal of Amendment Concurred in****H. 141**

The Senate proposed to the House to amend House bill, entitled

An act relating to the Organ and Tissue Donation Working Group

In Sec. 1, subsection (f), by striking out “2017” and inserting in lieu thereof 2020.

Which proposal of amendment was considered and concurred in.

**Joint Resolutions Adopted**

Joint resolutions of the following titles were severally taken up and adopted on the part of the House;

**J.R.H. 13**

Joint resolution, entitled

Joint resolution authorizing the Green Mountain Boys State educational program to use the State House

**J.R.H. 14**

Joint resolution, entitled

Joint resolution authorizing the Green Mountain Girls State educational program to use the State House

**Message from Governor**

A message was received from His Excellency, the Governor, by Ms. Susan Allen, Secretary of Civil and Military Affairs, as follows:

Mr. Speaker:

I am directed by the Governor to inform the House that on the sixteenth day of April, 2015, he approved and signed bills originating in the House of the following titles:

**H. 23** An act relating to the Uniform Transfers to Minors Act

**H. 123** An act relating to mobile home parks, habitability standards, and compliance

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

**Message from the Senate No. 50**

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Mr. Speaker:

I am directed to inform the House that:

The Senate has considered a bill originating in the House of the following title:

**H. 483.** An act relating to home improvement fraud.

And has passed the same in concurrence.

**Adjournment**

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