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.
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.
§ 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 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, 343, 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
- Morrissey 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  Krowsinski of Burlington  Stevens of Waterbury
Condon of Colchester  Lalonde of South Burlington  Stuart of Brattleboro
Connor of Fairfield  Lapner 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  Trieb 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
- Batchelor of Derby
- Beck of St. Johnsbury
- Beyor of Highgate
- Branagan of Georgia
- Browning of Arlington
- Burditt of West Rutland
- Canfield of Fair Haven
- Condon of Colchester
- Corcoran of Bennington
- Cupoli of Rutland City
- 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
- Koline of Dorset
- LaClair of Barre Town
- Lawrence of Lyndon
- Lewis of Berlin
- Marcotte of Coventry
- Martel of Waterford
- McCoy of Poultney
- Morrissey of Bennington
- Myers of Essex
- Parent of St. Albans City
- Pearce of Richford
- 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
- Baser of Bristol
- Berry of Manchester
- Bissonnette of Winooski
- Botzow of Pownal
- Brennan of Colchester
- Brigin of Thetford
- Burke of Brattleboro
- Buxton of Tunbridge
- Carr of Brandon
- Chesnut-Tangeman of Middletown Springs
- Christie of Hartford
- Clarkson of Woodstock
- Cole of Burlington
- Connor of Fairfield
- Conquest of Newbury
- Copeland-Hanzas of Bradford
- Dakin of Chester
- Dakin of Colchester
- Dame of Essex *
- Davis of Washington
- Deen of Westminster
- Ellis of Waterbury
- Emmons of Springfield
- Evans of Essex
- Fields of Bennington
- Forguites of Springfield
- Frank of Underhill
- French of Randolph
- Gonzalez of Winooski
- Greshin of Warren
- Haas of Rochester
- Head of South Burlington
- Hooper of Montpelier
- Huntley of Cavendish
- Jerman of Essex
- Jewett of Ripton
- Johnson of South Hero
- Keenan of St. Albans City
- Kitzmiller of Montpelier
- Klein of East Montpelier
- Krebs of South Hero
- Krowski 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  Trieb 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:

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<tr>
<th>Affirmative Votes</th>
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<td>Bartholomew of Hartland</td>
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<td>Partridge of Windham</td>
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<td>Corcoran of Bennington</td>
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<td>Batchelor of Derby</td>
<td>Cupoli of Rutland City</td>
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<td>Beck of St. Johnsbury</td>
<td>Dakin of Colchester</td>
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<td>Beyor of Highgate</td>
<td>Dame of Essex</td>
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<td>Branagan of Georgia</td>
<td>Devereux of Mount Holly</td>
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<td>Brennan of Colchester</td>
<td>Dickinson of St. Albans</td>
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<td>Browning of Arlington</td>
<td>Town</td>
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<td>Burditt of West Rutland</td>
<td>Donahue of Northfield</td>
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<td>Canfield of Fair Haven</td>
<td>Eastman of Orwell</td>
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<td>Carr of Brandon</td>
<td>Fagan of Rutland City</td>
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<tr>
<td>Condon of Colchester</td>
<td>Feltus of Lyndon</td>
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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  
Morrissey of Bennington  
Murphy of Fairfax  
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  
Tate of Mendon  
Terenzini of Rutland Town  
Toll of Danville  
Triber of Rockingham  
Turner of Milton  
Van Wyck of Ferrisburgh *  
Viens of Newport City  
Willhoit of St. Johnsbury  
Wright of Burlington

Those members absent with leave of the House and not voting are:
Ancel of Calais  
Donovan of Burlington  
Grad of Moretown  
O'Brien of Richmond  
Olsen of Londonderry  
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.