Journal of the House

Wednesday, June 21, 2017

VETO SESSION

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Speaker.

House Bills Introduced

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

H. 541

By Rep. Sibilia of Dover,

House bill, entitled

An act relating to the creation of the Massachusetts–Vermont Interstate School Compact to facilitate the formation of interstate school districts between the Commonwealth of Massachusetts and the State of Vermont;

To the committee on Education.

H. 542

By the committee on Appropriations,

An act relating to making appropriations for the support of government;

Pursuant to House rule 48, bill placed on the Calendar for notice.

Rules Suspended; Governor's Veto Sustained

H. 509

On motion of Rep. Turner of Milton, the rules were suspended and House bill, entitled

An act relating to calculating statewide education tax rates

Appearing on the notice calendar, was taken up for immediate consideration.

Pursuant to Chapter 2, Section 11, of the Vermont Constitution the Clerk proceeded to call the roll and the question, Shall the bill pass, the failure of the Governor to approve not withstanding? was decided in the negative.

2764
Yeas, 83. Nays, 56. A two-thirds vote of 93 required.

Those who voted in the affirmative are:

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<th>Yeas</th>
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Those who voted in the negative are:

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<th>Nays</th>
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<td>Parent of St. Albans Town</td>
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<td>Turner of Milton</td>
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<td>Van Wyck of Ferrisburgh</td>
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Those members absent with leave of the House and not voting are:

- Buckholz of Hartford
- Kimbell of Woodstock
- LaClair of Barre Town
- Lalonde of South Burlington
- Lewis of Berlin
- Macaig of Williston
- Martel of Waterford
- Mrowicki of Putney
- Pugh of South Burlington
- Stuart of Brattleboro
- Townsend of South Burlington

**Rules Suspended; Governor's Veto Sustained**

**H. 518**

On motion of **Rep. Turner of Milton**, the rules were suspended and House bill, entitled

An act relating to making appropriations for the support of government

Appearing on the Calendar for notice, was taken up for immediate consideration.

Pursuant to Chapter 2, Section 11, of the Vermont Constitution the Clerk proceeded to call the roll and the question, **Shall the bill pass, the failure of the Governor to approve not withstanding?** was decided in the negative. Yeas, 84. Nays, 55. A two-thirds vote of 93 required.

Those who voted in the affirmative are:

- Ancel of Calais
- Bartholomew of Hartland
- Belaski of Windsor
- Bissonnette of Winooski
- Bock of Chester
- Botzow of Pownal
- Brigin of Thetford
- Brownng of Arlington
- Brumsted of Shelburne
- Burke of Brattleboro
- Carr of Brandon
- Chesnut-Tangerman of
- Middletown Springs
- Christensen of Weathersfield
- Christie of Hartford
- Cina of Burlington
- Colburn of Burlington
- Condon of Colchester
- Conlon of Cornwall
- Connor of Fairfield
- Conquest of Newbury
- Copeland-Hanzas of

- Fields of Bennington
- Forguites of Springfield
- Gannon of Wilmington
- Gardner of Richmond
- Giambatista of Essex
- Gonzalez of Winooski
- Grad of Moretown
- Haas of Rochester
- Head of South Burlington
- Hill of Wolcott
- Hooper of Montpelier
- Hooper of Brookfield
- Houghton of Essex
- Howard of Rutland City
- Jessup of Middlesex
- Jickling of Brookfield
- Johnson of South Hero
- Joseph of North Hero
- Keenan of St. Albans City
- Kitzmiller of Montpelier
- Krowinski of Burlington
- Lanpher of Vergennes

- Morris of Bennington
- Noyes of Wolcott
- Ode of Burlington
- Olsen of Londonderry
- O'Sullivan of Burlington
- Partridge of Windham
- Potter of Clarendon
- Rachelson of Burlington
- Scheu of Middlebury
- Sharpe of Bristol *
- Sheldon of Middlebury
- Squirrel of Underhill
- Stevens of Waterbury
- Sullivan of Dorset
- Sullivan of Burlington
- Taylor of Colchester
- Till of Jericho
- Toleno of Brattleboro
- Toll of Danville
- Trieber of Rockingham
- Troiano of Stannard
- Walz of Barre City
Bradford        Lippert of Hinesburg   Webb of Shelburne  
Corcoran of Bennington  Long of Newfane    Weed of Enosburgh  
Dakin of Colchester  Lucke of Hartford   Wood of Waterbury  
Deen of Westminster  Masland of Thetford  Yacovone of Morristown  
Donovan of Burlington  McCormack of Burlington  Yantachka of Charlotte  
Dunn of Essex   McCullough of Williston   Young of Glover   
Emmons of Springfield Miller of Shaftsbury

Those who voted in the negative are:

Ainsworth of Royalton  Graham of Williamstown   Parent of St. Albans Town  
Bancroft of Westford  Greshin of Warren   Pearce of Richford  
Baser of Bristol  Harrison of Chittenden   Poirier of Barre City  
Batchelor of Derby  Hebert of Vernon   Quimby of Concord  
Beck of St. Johnsbury  Helm of Fair Haven   Rosenquist of Georgia  
Beyor of Highgate   Higley of Lowell   Savage of Swanton  
Brennan of Colchester  Hubert of Milton   Scheuermann of Stowe  
Burditt of West Rutland  Juskiewicz of Cambridge   Shaw of Pittsford  
Canfield of Fair Haven  Keefe of Manchester   Sibilia of Dover  
Cupoli of Rutland City  Lawrence of Lyndon   Smith of Derby  
Devereux of Mount Holly  Lefebvre of Newark   Smith of New Haven  
Dickinson of St. Albans  Marcotte of Coventry   Strong of Albany  
Town  McCoy of Poultney   Terenzini of Rutland Town  
Donahue of Northfield  McFaun of Barre Town   Turner of Milton *  
Fagan of Rutland City  Morrissey of Bennington   Van Wyck of Ferrisburgh  
Feltus of Lyndon  Murphy of Fairfax   Viens of Newport City  
Frenier of Chelsea  Myers of Essex   Willhoit of St. Johnsbury  
Gage of Rutland City  Nolan of Morristown   Wright of Burlington  
Gamache of Swanton  Nolan of Shoreham

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

Buckholz of Hartford  Lewis of Berlin   Pugh of South Burlington  
Kimbell of Woodstock  Macaig of Williston   Stuart of Brattleboro  
LaClair of Barre Town  Martel of Waterford   Townsend of South  
Lalonde of South Burlington  Mrowicki of Putney   Burlington

**Rep. Sharpe of Bristol** explained his vote as follows:

“Madam Speaker:

I voted yes to pass this budget. A vote to sustain this veto is a vote to shut down our state government D.C. style.”

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

“Madam Speaker:

If the Governor had not vetoed this budget we would not be having this conversation or making these steps to take advantage of this monumental once in a lifetime opportunity for savings with the transition in VEHI healthcare plans. We would not be providing all property tax payer groups with
decreased or level rates and we would not be pursuing further research into a statewide healthcare benefit. Cost containment and fiscal responsibility are our Republican core principles. We are proud to stand with the Governor. We are grateful for the Governor’s persistence and leadership on this issue. Thank you.”

**Recess**

At eleven o'clock and two minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At two o'clock and thirty one minutes in the afternoon, the Speaker called the House to order.

**Message from the Senate No. 87**

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

Madam Speaker:

I am directed to inform the House that:

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

**H. 511.** An act relating to highway safety.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the House is requested.

**Rules Suspended; Second Reading; Consideration Interrupted**

**H. 542**

On motion of Rep. Turner of Milton, the rules were suspended and House bill, entitled

An act relating to making appropriations for the support of government

Pending entry on the Calendar for notice, was taken up for immediate consideration.

Thereupon, the bill was read a second time.

Pending the question, Shall the bill be read a third time? Rep. Ancel of Calais and others, moved to amend the bill as follows:

By striking out Sec. H.1 in its entirety and inserting in lieu thereof nine new sections to be Secs. H.1 – H.9 to read as follows:

**Yields and Nonresidential Tax Rate**
Sec. H.1. PROPERTY DOLLAR EQUIVALENT YIELD AND INCOME
DOLLAR EQUIVALENT YIELD FOR FISCAL YEAR 2018

(a) Pursuant to 32 V.S.A. § 5402b(b), for fiscal year 2018 only:

(1) the property dollar equivalent yield is $10,160.00; and

(2) the income dollar equivalent yield is $11,990.00.

Sec. H.2. NONRESIDENTIAL PROPERTY TAX RATE FOR FISCAL
YEAR 2018

(a) For fiscal year 2018 only, the nonresidential education property tax
imposed under 32 V.S.A. § 5402(a)(1) shall be reduced from the rate of $1.59
and instead be $1.535 per $100.00.

*** Education Fund Allocation; Sales and Use Tax ***

Sec. H.3. 16 V.S.A. § 4025 is amended to read:

§ 4025. EDUCATION FUND

(a) An The Education Fund is established to comprise the following:

***

(6) Thirty-five Thirty-six percent of the revenues raised from the sales
and use tax imposed by 32 V.S.A. chapter 233.

***

Sec. H.4. 32 V.S.A. § 435(b) is amended to read:

(b) The General Fund shall be composed of revenues from the following
sources:

***

(11) 64 64 percent of the revenue from sales and use taxes levied
pursuant to chapter 233 of this title;

***

*** Health Care Transition ***

Sec. H.5. SAVINGS FROM HEALTH CARE TRANSITION

(a) As a result of the Affordable Care Act, as of January 1, 2018, all school
employees will be on new health care plans. The new health plans cover
similar health care services and networks, but they have lower premium costs.
The new plans also create higher out-of-pocket exposure through deductibles
and co-payment requirements. However, because the premiums for these plans
are markedly lower, there are opportunities to keep employees’ out-of-pocket
costs at current levels while also realizing substantial savings, including savings for the second half of fiscal year 2018.

(b) All supervisory unions and school districts should be able to achieve savings to their budgets as a result of the transition to the new health care plans.

(c) This act establishes a mechanism to return savings to property taxpayers.

Sec. H.6. RECAPTURING SAVINGS FROM HEALTH CARE TRANSITION

(a)(1) On or before August 15, 2017, the Agency of Education, in consultation with the Department of Taxes and the Vermont Education Health Initiative (VEHI), shall determine the amount by which each supervisory union’s or school district’s education payment shall be reduced. These reductions shall be made during the second half of fiscal year 2018 and during fiscal year 2019 based on the difference between:

(A) the supervisory union’s or school district’s actual total fiscal year 2017 health care expenditure; and

(B) a calculation of the supervisory union’s or school district’s projected fiscal year 2018 health care expenditure for individual, two-person, and family plans for all covered school employees based on the assumptions described in subdivision (2) of this subsection (a) plus five percent.

(2) The calculation of a supervisory union’s or school district’s projected fiscal year 2018 health care expenditure shall be based on the supervisory union’s or school district’s 2017 plan tier distribution for all covered school employees as of April 1, 2017 and on the following assumptions for the second half of fiscal year 2018:

(A) a premium contribution by the supervisory union or school district in an amount equal to 80 percent of the premium for the VEHI Gold Consumer-Driven Health Plan (CDHP), with school employees responsible for the balance of the premium for the VEHI plan they select;

(B) contributions by the supervisory union or school district toward the school employees’ out-of-pocket expenses in the amounts of $2,100.00 per individual plan, $4,200.00 per two-person or parent-child plan, and $3,800.00 per family plan in a health reimbursement arrangement (HRA) or health savings account (HSA);

(C) approximately 75 percent of collective bargaining agreements using an HRA and 25 percent using an HSA; and
(D) if using an HRA, school employees bearing first-dollar responsibility for the full amount of the out-of-pocket expenses for which they are responsible.

(b)(1) Notwithstanding any other provision of law to the contrary, the State shall reduce the amount of the education payment authorized by 16 V.S.A. chapter 133 to each supervisory union and school district for the second half of fiscal year 2018 by subtracting from the final fiscal year 2018 payment due to each supervisory union or school district 65 percent of the amount attributed to that supervisory union or school district pursuant to subsection (a) of this section.

(2) Notwithstanding any other provision of law to the contrary, the State shall reduce the amount of education payments authorized by 16 V.S.A. chapter 133 to supervisory unions and school districts for fiscal year 2019 by subtracting from the total amount of the fiscal year 2019 payments due to each supervisory union or school district 35 percent of the amount attributed to that supervisory union or school district pursuant to subsection (a) of this section.

(c) The health care benefit and coverage provisions of a collective bargaining agreement between a supervisory union or school district and school employees shall expire between July 1, 2019 and September 1, 2019; provided, however, that this subsection (c) shall not apply to collective bargaining agreements that were, prior to the effective date of this section, either executed by a school board negotiations council and employee organization negotiations council or tentatively agreed to by these councils pending final ratification by the school board and by the bargaining unit or members of the employee organization.

(d) As used in this section:

(1) “School employees” means all employees of supervisory unions and school districts who are permitted to collectively bargain under 16 V.S.A. chapter 57 or 21 V.S.A. chapter 22.

(2) “Supervisory union” and “school district” shall have the same meanings as set forth in 16 V.S.A. § 11.
(b) The Commission shall comprise the following nine members:

(1) the Commissioner of Financial Regulation or designee;
(2) the Commissioner of Taxes or designee;
(3) the Executive Director of the Vermont-NEA or designee;
(4) one representative of all other labor organizations representing school employees for purposes of collective bargaining pursuant to 16 V.S.A. chapter 57 or 21 V.S.A. chapter 22, or both, jointly appointed by their membership;
(5) the Executive Director of the Vermont School Boards Association or designee;
(6) the Executive Director of the Vermont Superintendents Association or designee;
(7) one non-legislator member appointed by the Speaker of the House of Representatives;
(8) one non-legislator member appointed by the Senate Committee on Committees; and
(9) one member appointed by the Governor, which member shall serve as the Commission’s Chair.

c) The Commission shall determine the advantages and disadvantages of establishing a single statewide health benefit plan for all teachers, administrators, and other employees of supervisory unions and school districts, including considering:

(1) transition issues;
(2) potential savings from avoided negotiation expenses;
(3) whether to use income-sensitized premiums;
(4) ways to address benefit disparities among bargaining units;
(5) ways to address disparities among districts, including examining the role of and potential changes to fact finding standards;
(6) property tax implications;
(7) issues related to uninsured school employees; and
(8) the structure and composition of the Vermont Education Health Initiative’s (VEHI) governing board.

d)(1) The Commission shall consult with the Secretary of Education and VEHI as necessary.
The Commission shall be attached to the Department of Financial Regulation for administrative support.

(e) On or before November 15, 2017, the Commission shall provide its findings and recommendations, along with any necessary proposed legislation regarding the establishment of a statewide health benefit plan for all teachers, administrators, and other employees of supervisory unions and school districts, to the House Committees on Education, on General, Housing and Military Affairs, and on Ways and Means and the Senate Committees on Education, on Economic Development, Housing and General Affairs, and on Finance.

(f) As used in this section, the terms “supervisory union” and “school district” shall have the same meanings as in 16 V.S.A. § 11.

*** Collective Bargaining Negotiations ***

Sec. H.8. REOPENING OF NEGOTIATIONS AT IMPASSE

(a)(1) For contract negotiations that are engaged in impasse resolution pursuant to 16 V.S.A. § 2006 or 2007 or 21 V.S.A. § 1731 or 1732 on the date of passage of this act, if employees’ health care benefits are an issue that remains in dispute between the parties, then either the negotiations council for the school board or for the school employees may, within 30 days of the date of passage of this act, request that the parties discontinue the impasse resolution process and reopen negotiations to permit the parties to engage in bargaining in light of the provisions of Sec. H.6 of this act. The parties shall reopen negotiations within 10 days of the request.

(2) If, following the reopened contract negotiations, the parties continue to be unable to reach agreement on specific negotiable items, the parties may engage in impasse resolution as provided pursuant to 16 V.S.A. chapter 57 or 21 V.S.A. chapter 22, as appropriate.

(b) Notwithstanding any provision of law to the contrary, it shall not constitute an unfair labor practice or a failure to bargain in good faith if, pursuant to this section, a party requests to discontinue the impasse resolution process or during reopened negotiations revises a prior bargaining position related to employees’ health care benefits in light of the provisions of Sec. H.6 of this act.

*** Effective Dates for Secs. H.1 – H.9 ***

Sec. H.9. EFFECTIVE DATES

(a) This section and Secs. H.5 – H.6 (health care transition) and H.8 (reopening negotiations) shall take effect on passage.

(b) Sec. H.7 (health benefits commission) shall take effect on July 1, 2017.
(c) Secs. H.1 (yields) and H.2 (nonresidential rate) shall take effect on July 1, 2017 and apply to fiscal year 2018.

(d) Secs. H.3 and H.4 (sales tax allocation) shall take effect on July 1, 2018 and apply to fiscal year 2019 and after.

Recess

At three o'clock and seven minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

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

Consideration Resumed; Bill Amended; Third Reading Ordered; Rules Suspended and Bill Placed in All Remaining Stages of Passage; Third Reading; Bill Passed; Rules Suspended; Action on Bill Messaged to Senate Forthwith

H. 542

Pending the question, Shall the bill be amended as offered by Rep. Ancel of Calais and others? Rep. Donahue of Northfield moved to amend the amendment as follows:

First: By inserting a new Sec. H.9 to read as follows:

Sec. H.9. REQUIREMENTS FOR HEALTH BENEFITS AND COVERAGE DURING FISCAL YEARS 2018 AND 2019

(a)(1) On or before July 15, 2017 the Agency of Education, in collaboration with the Vermont Education Health Initiative (VEHI), shall provide to each supervisory union or school district:

(A) a calculation of the target total health care expenditure for the second half of fiscal year 2018 and for fiscal year 2019 for individual, two-person, parent-child, and family plans for school employees to establish a benchmark amount for each plan tier based on the following assumptions:

(i) a premium contribution by the supervisory union or school district in an amount equal to 80 percent of the premium for the VEHI Gold Consumer-Driven Health Plan (CDHP), with school employees responsible for the balance of the premium for the VEHI plan they select;

(ii) contributions by the supervisory union or school district toward school employees’ out-of-pocket expenses in the amounts of $2,100.00 per individual plan, $4,200.00 per two-person or parent-child plan, and $3,800.00 per family plan in a health reimbursement account (HRA) or health savings account (HSA); and
(iii) if using an HRA, first-dollar responsibility for the full amount of out-of-pocket expenses for which each school employee is responsible is borne by the school employee; and

(B) an adjustable calculator to enable the supervisory union or school district and the applicable labor organizations to modify the assumptions and to identify the options available for negotiation for health care benefits and coverage for the second half of fiscal year 2018 and fiscal year 2019 without exceeding the benchmark amount by five percent or more across all plan tiers.

(2) Notwithstanding any provision of law to the contrary, the health care benefit and coverage provisions of a collective bargaining agreement between a supervisory union or school district and school employees for the second half of fiscal year 2018 and fiscal year 2019 shall not exceed the benchmark amount by five percent or more across all plan tiers.

(b) Within 30 calendar days following execution of a collective bargaining agreement that includes health care benefits and coverage for the second half of fiscal year 2018 or fiscal year 2019, or both, each supervisory union or school district shall submit to the Secretary of Education and the Commissioner of Finance and Management the health care benefit and coverage terms of each such agreement for the applicable fiscal period, including:

(1) the amount of the premium to be contributed by the supervisory union or school district and by school employees;

(2) the amount of the supervisory union’s or school district’s contribution to a school employee’s HRA or HSA at each plan tier;

(3) if using an HRA, whether the school employee bears first-dollar responsibility for the full amount of out-of-pocket expenses for which each school employee is responsible; and

(4) the difference, if any, between the amount of the supervisory union’s or school district’s projected aggregate health care expenditures across all plan tiers under the collective bargaining agreement and the estimated amount of the supervisory union’s or school district’s aggregate health care expenditures using the benchmark amounts described in subdivision (a)(1) of this section, expressed as both a dollar figure and as a percentage of the aggregate benchmark amounts.

(c) The health care benefit and coverage provisions of a collective bargaining agreement between a supervisory union or school district and its school employees shall expire between July 1, 2019 and September 1, 2019; provided, however, that this section shall not apply to collective bargaining agreements that were, prior the effective date of this section, either executed
by a school board negotiations council and employee organization negotiations council or tentatively agreed to by these councils pending final ratification by the school board and by the bargaining unit or members of the employee organization.

(d) As used in this section:

(1) “School employees” means all employees of supervisory unions and school districts who are permitted to collectively bargain under 16 V.S.A. chapter 57 or 21 V.S.A. chapter 22.

(2) “Supervisory union” and “school district” shall have the same meanings as set forth in 16 V.S.A. § 11.

and by renumbering the remaining section to be numerically correct

Second: In the reader’s assistance before the new Sec. H.10, by striking “H.1–H.9” and inserting in lieu thereof H.1–H.10

Third: In the new Sec. H.10, in subsection (a), after “(health care transition)” by striking out “and” and adding a comma, and after “(reopening negotiations)” by inserting “, and H.9 (health care agreements for FY18 and FY19)”

Which was disagreed to.

Pending the question, Shall the bill be amended as offered by Rep. Ancel of Calais and others? Rep. Poirier of Barre City moved to amend the amendment as follows:

First: In Sec. H.1, Property Dollar Equivalent Yield and Income Dollar Equivalent Yield for Fiscal Year 2018, in subdivision (a)(1), by striking out “$10,160.00” and inserting in lieu thereof “$10,230.00” and in subdivision (a)(2), by striking out “$11,990.00” and inserting in lieu thereof “$12,070.00”

Second: In Sec. H.2, Nonresidential Property Tax Rate for Fiscal Year 2018, by striking out “$1.535” and inserting in lieu thereof “$1.545”


Those who voted in the affirmative are:

Ainsworth of Royalton   Devereux of Mount Holly   Pearce of Richford
Beyor of Highgate       Donahue of Northfield   Poirier of Barre City
Those who voted in the negative are:

Ancel of Calais  Gardner of Richmond  Nolan of Morristown
Bancroft of Westford  Giambatista of Essex  Norris of Shoreham
Bartholomew of Hartland  Gonzalez of Winooski  Noyes of Wolcott
Baser of Bristol  Grad of Moretown  Ode of Burlington
Batchelor of Derby  Graham of Williamstown  Olsen of Londonderry
Beck of St. Johnsbury  Greshin of Warren  Parent of St. Albans Town
Belaski of Windsor  Haas of Rochester  Partridge of Windham
Bissonnette of Winooski  Harrison of Chittenden  Potter of Clarendon
Bock of Chester  Head of South Burlington  Pugh of South Burlington
Botzow of Pownal  Hebert of Vernon  Quimby of Concord
Brennan of Colchester  Helm of Fair Haven  Rachelson of Burlington
Briglin of Thetford  Higley of Lowell  Rosenquist of Georgia
Browning of Arlington  Hill of Wolcott  Savage of Swanton
Brumsted of Shelburne  Hooper of Montpelier  Scheu of Middlebury
Burdiott of West Rutland  Hooper of Brookfield  Scheuermann of Stowe
Burke of Brattleboro  Houghton of Essex  Sharpe of Bristol
Canfield of Fair Haven  Howard of Rutland City  Shaw of Pittsfld
Carr of Brandon  Hubert of Milton  Sheldon of Middlebury
Christensen of Weathersfield  Jickling of Brookfield  Sibilia of Dover
Christie of Hartford  Joseph of North Hero  Smith of Derby
Colburn of Burlington  Juskiewicz of Cambridge  Smith of New Haven
Condon of Colchester  Keefe of Manchester  Squirrel of Underhill
Conlon of Cornwall  Keenan of St. Albans City  Stevens of Waterbury
Connor of Fairfield  Kitzmiller of Montpelier  Strong of Albany
Conquest of Newbury  Krowinski of Burlington  Stuart of Brattleboro
Copeland-Hanzas of  Lanpher of Vergennes  Sullivan of Dorset
Bradford  Lawrence of Lyndon  Sullivan of Burlington
Corcoran of Bennington  Lefebvre of Newark  Taylor of Colchester
Cupoli of Rutland City  Lippert of Hinesburg  Terenzini of Rutland Town
Dakin of Colchester  Long of Newfane  Till of Jericho
Deen of Westminster  Lucke of Hartford  Tolo of Brattleboro
Dickinson of St. Albans  Marcotte of Coventry  Toll of Danville
Town  Masland of Thetford  Triebof of Rockingham
Donovan of Burlington  McCormack of Burlington  Troiano of Stannard
Dunn of Essex  McCoy of Poulney  Van Wyk of Ferrisburgh
Emmons of Springfield  McCullough of Williston  Viens of Newport City
Fagan of Rutland City  McFaun of Barre Town  Walz of Barre City
Feltus of Lyndon  Miller of Shaftsbury  Webb of Shelburne
Fields of Bennington  Morris of Bennington  Willhoit of St. Johnsbury
Forguities of Springfield  Morrissey of Bennington  Wood of Waterbury
Gage of Rutland City  Mrowicki of Putney  Yacovone of Morristown
Gamaache of Swanton  Murphy of Fairfax  Yantachka of Charlotte
Gannon of Wilmington  Myers of Essex  Young of Glover

Those members absent with leave of the House and not voting are:
Thereupon the Amendment as offered by Rep. Ancel of Calais and others was agreed to and third reading was ordered.

On motion of Rep. Turner of Milton, the rules were suspended and the bill placed on all remaining stages of passage. The bill was read the third time and passed.

Thereupon, on motion of Rep. Turner of Milton, the rules were suspended and the bill was ordered messaged to the Senate forthwith.

Rules Suspended; Concurrent Resolutions Adopted
On motion of Rep. Turner of Milton, the rules were suspended and the following House and Senate concurrent resolutions were taken up and adopted on the part of the House.

H.C.R. 192

House concurrent resolution congratulating the Champlain Valley Union High School girls’ tennis team on winning its third consecutive Division I championship;

H.C.R. 193

House concurrent resolution congratulating the Champlain Valley Union High School Redhawks five-time consecutive championship boys’ lacrosse team;

H.C.R. 194

House concurrent resolution congratulating the Hartford Fire Department on being named Vermont’s 2017 Ambulance Service of the Year;

H.C.R. 195

House concurrent resolution thanking the employees of the U.S. Environmental Protection Agency for their role in safeguarding our State’s and nation’s environmental quality;

H.C.R. 196

House concurrent resolution congratulating the 2017 St. Johnsbury Academy Hilltoppers three-time Division I championship girls’ outdoor track and field team;

H.C.R. 197

House concurrent resolution congratulating the 2017 St. Johnsbury Academy Hilltoppers Division I championship boys’ outdoor track and field team;
Senate concurrent resolution congratulating Ken D. Squier of Stowe on his induction into the NASCAR Hall of Fame;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2017, seventy-fourth Biennial session.]

Rules Not Suspended to Take up Bill for Immediate Consideration

H. 511

Pending entrance of the bill on the Calendar for notice, Rep Krowinski of Burlington moved that the rules be suspended and House bill, entitled

An act relating to highway safety

Be taken up for immediate consideration.

Pending the question, Shall the House suspend its rules to take the bill up for immediate consideration pending its entrance on the notice calendar? Rep. Krowinski 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 House suspend its rules to take the bill up for immediate consideration pending its entrance on the notice calendar? was decided in the negative. Yeas, 78. Nays, 63. A three-fourths vote of 106 needed to suspend the rules.

Those who voted in the affirmative are:

Ancel of Calais  Gardner of Richmond  O'Sullivan of Burlington
Bartholomew of Hartland  Giambatista of Essex  Parent of St. Albans Town
Beck of St. Johnsbury  Gonzalez of Winooski  Partridge of Windham
Belaski of Windsor  Grad of Moretown  Pugh of South Burlington
Botzow of Pownal  Greshin of Warren  Rachelson of Burlington
Briglin of Thetford  Haas of Rochester  Scheu of Middlebury
Brumsted of Shelburne  Head of South Burlington  Scheuermann of Stowe
Burditt of West Rutland  Hill of Wolcott  Sharpe of Bristol
Burke of Brattleboro  Hooper of Montpelier  Sheldon of Middlebury
Carr of Brandon  Hooper of Brookfield  Sibilia of Dover
Chesnut-Tangeman of Middletown Springs  Houghton of Essex  Squirrell of Underhill
Christensen of Weathersfield  Jessup of Middlesex  Stevens of Waterbury
Cina of Burlington  Jickling of Brookfield  Stuart of Brattleboro
Colburn of Burlington  Kitzmiller of Montpelier  Sullivan of Dorset
Conlon of Cornwall  Krowinski of Burlington  Sullivan of Burlington
Connor of Fairfield  Lanpher of Vergennes  Toleno of Brattleboro
Conquest of Newbury  Lippert of Hinesburg  Trieber of Rockingham
Copeland-Hanzas of Long of Newfane  Troiano of Stannard
Walcott of Barre City
Those who voted in the negative are:

Ainsworth of Royalton, Bancroft of Westford, Baser of Bristol, Batchelor of Derby, Beyor of Highgate, Bissonnette of Winooski, Bock of Chester, Brennan of Colchester, Browning of Arlington, Canfield of Fair Haven, Christie of Hartford, Condon of Colchester, Cupoli of Rutland City, Dakin of Colchester, Devereux of Mount Holly, Dickinson of St. Albans, Town, Donahue of Northfield, Fagan of Rutland City, Feltus of Lyndon, Forguites of Rutland City, Frenier of Chelsea

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

Buckholz of Hartford, Kimbell of Woodstock, LaClair of Barre Town

House Resolution Amended and Adopted

H.R. 15

House resolution, entitled

House resolution strongly opposing the announced U.S. withdrawal from the Paris Climate Agreement of the United Nations Framework Convention on Climate Change and recognizing Governor Philip Scott’s enrolling Vermont in the U.S. Climate Alliance

Offered by: Representatives Sullivan of Burlington, Deen of Westminster,

Whereas, according to the National Aeronautics and Space Administration (NASA) and multiple research studies, “scientific evidence for warming of the climate system is unequivocal,” and that “ninety-seven percent of climate scientists agree that climate warming trends over the past century are very likely due to human activities,” and

Whereas, according to NASA and the National Oceanic and Atmospheric Administration (NOAA), 2016 was the warmest year since modern meteorological record keeping began in 1880, and that 16 of the 17 warmest years on record have occurred since 2001, and

Whereas, in December 2015, the United Nations Framework Convention on Climate Change established the Paris Climate Agreement (the Agreement) that was entered into force in October 2016 and that as of June 8, 2017 consists of 148 countries, including the United States, and

Whereas, the central purpose of the Agreement is to limit the 21st century air temperature increase to less than two degrees Celsius above preindustrial levels while working to keep the increase to less than 1.5 degrees Celsius, and

Whereas, as part of its participation in the Agreement, the United States pledged to reduce its greenhouse gas emissions 26–28 percent below 2005 levels by 2025 and to contribute $3 billion to climate change assistance to poorer nations by 2020, and
Whereas, on June 1, 2017, President Trump announced that the United States would invoke the Agreement’s withdrawal process, and

Whereas, the withdrawal of the United States from the Agreement will create a serious impediment to the international effort to address the planet’s projected increase in temperature, and

Whereas, Governor Philip Scott, U.S. Senators Patrick Leahy and Bernard Sanders, and U.S. Representative Peter Welch each strongly criticized the withdrawal decision, and

Whereas, Attorney General Thomas J. Donovan is among the state attorneys general who have publicly committed to the implementation of the Agreement, and

Whereas, Governors Jay Inslee of Washington State, Edmund G. (Jerry) Brown of California, and Andrew M. Cuomo of New York organized a bipartisan group of governors, known as the U.S. Climate Alliance (the Alliance), committed to the implementation of the Agreement, and other governors, including Governor Philip Scott, have since joined, and

Whereas, in 1990, Vermont emitted a total of 8.11 million metric tons of greenhouse gases, and although this amount rose to 9.4 million metric tons in 2004, by 2012 it had dropped to 8.27 metric tons, and

Whereas, 10 V.S.A. § 578 establishes a goal for Vermont to reduce greenhouse gas emissions 50 percent below the 1990 level on or before January 1, 2028, and the Comprehensive Energy Plan, as required in accordance with 30 V.S.A. § 202b, establishes a further goal of an 80 to 95 percent reduction by 2050, now therefore be it

Resolved by the House of Representatives:

That this legislative body strongly opposes the announced withdrawal of the United States from the Paris Climate Agreement of the United Nations Framework Convention on Climate Change, and be it further

Resolved: That this legislative body recognizes Governor Philip Scott’s enrolling Vermont in the Alliance and urges him to support State funding and policies to enable Vermont’s commitment to the greenhouse gas emissions reduction provisions of the Agreement to be realized, and be it further

Resolved: That it is imperative that Vermont uphold its commitment to the newly formed Alliance by reducing the State’s reliance on fossil fuels and by meeting the greenhouse gas reduction goals established in statute for 2028 and in the Comprehensive Energy Plan for 2050, and be it further

Resolved: That this legislative body is prepared to work with the Governor,
diverse stakeholders, and all Vermonters to identify and implement the policies, programs, and approaches annually required to achieve the State’s greenhouse gas reduction commitments, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to President Donald Trump, to U.S. Environmental Protection Agency Administrator Scott Pruitt, to Governor Jay Inslee of Washington State, to Governor Jerry Brown of California, to Governor Andrew Cuomo of New York, to Governor Philip Scott, to Attorney General Thomas J. Donovan Jr., and to the Vermont Congressional Delegation

Pending the question, Shall the Resolution be adopted? Rep. Scheuermann of Stowe moved to amend the resolution by striking the words "funding and" in the first resolved clause.

Which was agreed to.

Pending the question, Shall the House adopt the resolution, as amended? Rep. Sibilia of Dover demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

Pending the call of the roll, Rep. Dickinson of St. Albans Town moved to commit the resolution to the committee on Energy and Technology which disagreed to.

Thereupon, the Clerk proceeded to call the roll and the question, Shall the House adopt the resolution, as amended? was decided in the affirmative. Yeas, 105. Nays, 31.

Those who voted in the affirmative are:

Ainsworth of Royalton       Gannon of Wilmington       Noyes of Wolcott
Ancel of Calais             Gardner of Richmond       Ode of Burlington
Bancroft of Westford        Giambatista of Essex       Olsen of Londonderry
Bartolomew of Hartland      Gonzalez of Winooski       O'Sullivan of Burlington
Baser of Bristol            Grad of Moretown           Parent of St. Albans Town
Beck of St. Johnsbury       Greshin of Warren         Partridge of Windham
Belski of Windsor           Haas of Rochester         Potter of Clarendon
Bissonnette of Winooski     Harrison of Chittenden    Pugh of South Burlington
Bock of Chester             Head of South Burlington  Rachelson of Burlington
Botzow of Pownal            Hill of Wolcott            Scheu of Middlebury
Briglin of Thetford         Hooper of Montpelier       Scheuermann of Stowe
Browning of Arlington       Hooper of Brookfield      Sharpe of Bristol
Brumsted of Shelburne       Houghton of Essex          Sheldon of Middlebury
Burke of Brattleboro        Howard of Rutland City   Sibilia of Dover
Carr of Brandon             Jessup of Middlesex        Smith of New Haven
Chesnut-Tangerman of        Jickling of Brookfield      Squirrel of Underhill
Middletown Springs          Joseph of North Hero       Stevens of Waterbury
Christensen of Weathersfield Keenan of St. Albans City  Stuart of Brattleboro
Christie of Hartford        Kitzmiller of Montpelier  Sullivan of Dorset
Rep. Keefe of Manchester explained his vote as follows:

"Madam Speaker:

I support Governor Scott working with the other Governor’s within the U.S. Climate Alliance.

This resolution goes much further, declaring it imperative that we get 90% of our energy from renewables by date certain.

This is the first time this issue has come up this year. No committees. No discussion. No cost estimates."
We were just told we will need to stop using single occupancy vehicles powered by gasoline.

I suggest we ponder that as we drive ourselves home tonight.”

**Joint Resolution Adopted in Concurrence**

**J.R.S. 35**

By Senator Ashe,

**J.R.S. 35.** Joint resolution relating to final adjournment of the General Assembly 2017.

Resolved by the Senate and House of Representatives

That when the President of the Senate and the Speaker of the House of Representatives adjourn their respective houses on the twenty-first or twenty-second day of June, 2017 they shall do so to reconvene on the twenty-third day of October, 2017, at ten o’clock in the forenoon on the joint call of the President pro tempore of the Senate and the Speaker of the House, or on the third day of January, 2018, at ten o’clock in the forenoon, if not so jointly called.

Was taken up, read and adopted in concurrence.

**Adjournment**

At seven o’clock and forty-eight minutes in the evening, on motion of Rep. Turner of Milton, the House adjourned pursuant to J.R.S. 35.