

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. Sabilia 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 notwithstanding?** was decided in the negative.

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

Those who voted in the affirmative are:

Ancel of Calais	Fields of Bennington	Noyes of Wolcott
Bartholomew of Hartland	Forguites of Springfield	Ode of Burlington
Belaski of Windsor	Gannon of Wilmington	Olsen of Londonderry
Bissonnette of Winooski	Gardner of Richmond	O'Sullivan of Burlington
Bock of Chester	Giambatista of Essex	Partridge of Windham
Botzow of Pownal	Gonzalez of Winooski	Potter of Clarendon
Briglin of Thetford	Grad of Moretown	Rachelson of Burlington
Browning of Arlington	Haas of Rochester	Scheu of Middlebury
Brumsted of Shelburne	Head of South Burlington	Sharpe of Bristol
Burke of Brattleboro	Hill of Wolcott	Sheldon of Middlebury
Carr of Brandon	Hooper of Montpelier	Squirrell of Underhill
Chesnut-Tangerman of Middletown Springs	Hooper of Brookfield	Stevens of Waterbury
Christensen of Weathersfield	Houghton of Essex	Sullivan of Dorset
Christie of Hartford	Howard of Rutland City	Sullivan of Burlington
Cina of Burlington	Jessup of Middlesex	Taylor of Colchester
Colburn of Burlington	Johnson of South Hero	Till of Jericho
Condon of Colchester	Joseph of North Hero	Toleno of Brattleboro
Conlon of Cornwall	Keenan of St. Albans City	Toll of Danville
Connor of Fairfield	Kitzmiller of Montpelier	Trieber of Rockingham
Conquest of Newbury	Krowinski of Burlington	Troiano of Stannard
Copeland-Hanzas of Bradford	Lanpher of Vergennes	Walz of Barre City
Corcoran of Bennington	Lippert of Hinesburg	Webb of Shelburne
Dakin of Colchester	Long of Newfane	Weed of Enosburgh
Deen of Westminster	Lucke of Hartford	Wood of Waterbury
Donovan of Burlington	Masland of Thetford	Yacovone of Morristown
Dunn of Essex	McCormack of Burlington	Yantachka of Charlotte
Emmons of Springfield	McCullough of Williston	Young of Glover
	Miller of Shaftsbury	
	Morris of Bennington	

Those who voted in the negative are:

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

Frenier of Chelsea	Murphy of Fairfax	Viens of Newport City
Gage of Rutland City	Myers of Essex	Willhoit of St. Johnsbury
Gamache of Swanton	Nolan of Morristown	Wright of Burlington

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 Burlington
Lalonde of South Burlington	Mrowicki of Putney	

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 notwithstanding?** 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	Fields of Bennington	Morris of Bennington
Bartholomew of Hartland	Forguites of Springfield	Noyes of Wolcott
Belaski of Windsor	Gannon of Wilmington	Ode of Burlington
Bissonnette of Winooski	Gardner of Richmond	Olsen of Londonderry
Bock of Chester	Giambatista of Essex	O'Sullivan of Burlington
Botzow of Pownal	Gonzalez of Winooski	Partridge of Windham
Briglin of Thetford	Grad of Moretown	Potter of Clarendon
Browning of Arlington	Haas of Rochester	Rachelson of Burlington
Brumsted of Shelburne	Head of South Burlington	Scheu of Middlebury
Burke of Brattleboro	Hill of Wolcott	Sharpe of Bristol *
Carr of Brandon	Hooper of Montpelier	Sheldon of Middlebury
Chesnut-Tangerman of Middletown Springs	Hooper of Brookfield	Squirrell of Underhill
Christensen of Weathersfield	Houghton of Essex	Stevens of Waterbury
Christie of Hartford	Howard of Rutland City	Sullivan of Dorset
Cina of Burlington	Jessup of Middlesex	Sullivan of Burlington
Colburn of Burlington	Jickling of Brookfield	Taylor of Colchester
Condon of Colchester	Johnson of South Hero	Till of Jericho
Conlon of Cornwall	Joseph of North Hero	Toleno of Brattleboro
Connor of Fairfield	Keenan of St. Albans City	Toll of Danville
Conquest of Newbury	Kitzmillier of Montpelier	Trieber of Rockingham
Copeland-Hanzas of	Krowinski of Burlington	Troiano of Stannard
	Lanpher of Vergennes	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 Town	Marcotte of Coventry	Strong of Albany
Donahue of Northfield	McCoy of Poultney	Terenzini of Rutland Town
Fagan of Rutland City	McFaun of Barre Town	Turner of Milton *
Feltus of Lyndon	Morrissey of Bennington	Van Wyck of Ferrisburgh
Frenier of Chelsea	Murphy of Fairfax	Viens of Newport City
Gage of Rutland City	Myers of Essex	Willhoit of St. Johnsbury
Gamache of Swanton	Nolan of Morristown	Wright of Burlington
	Norris 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 Burlington
Lalonde of South Burlington	Mrowicki of Putney	

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) ~~65~~ 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.

* * * Health Benefits Commission * * *

Sec. H.7. VERMONT EDUCATIONAL HEALTH BENEFITS COMMISSION

(a) The Vermont Educational Health Benefits Commission is created to determine whether and how to establish a single statewide health benefit plan for all teachers, administrators, and other employees of supervisory unions and school districts.

(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.

(2) 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”

Pending the question, Shall the amendment offered by Rep. Ancel of Calais be amended as offered by Rep. Poirier of Barre City? **Rep. Poirier of Barre City** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the amendment offered by Rep. Ancel of Calais be amended as offered by Rep. Poirier of Barre City? was decided in the negative. Yeas, 14. Nays, 127.

Those who voted in the affirmative are:

Ainsworth of Royalton
Beyor of Highgate

Devereux of Mount Holly
Donahue of Northfield

Pearce of Richford
Poirier of Barre City

Chesnut-Tangerman of Middletown Springs Cina of Burlington	Frenier of Chelsea Jessup of Middlesex O'Sullivan of Burlington	Turner of Milton Weed of Enosburgh Wright of Burlington
--	---	---

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
Burditt 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 Pittsford
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	Squirrell 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 Bradford	Lanpher of Vergennes	Sullivan of Dorset
Corcoran of Bennington	Lawrence of Lyndon	Sullivan of Burlington
Cupoli of Rutland City	Lefebvre of Newark	Taylor of Colchester
Dakin of Colchester	Lippert of Hinesburg	Terenzini of Rutland Town
Deen of Westminster	Long of Newfane	Till of Jericho
Dickinson of St. Albans Town	Lucke of Hartford	Toleno of Brattleboro
Donovan of Burlington	Marcotte of Coventry	Toll of Danville
Dunn of Essex	Masland of Thetford	Trieber of Rockingham
Emmons of Springfield	McCormack of Burlington	Troiano of Stannard
Fagan of Rutland City	McCoy of Poultney	Van Wyck of Ferrisburgh
Feltus of Lyndon	McCullough of Williston	Viens of Newport City
Fields of Bennington	McFaun of Barre Town	Walz of Barre City
Forguites of Springfield	Miller of Shaftsbury	Webb of Shelburne
Gage of Rutland City	Morris of Bennington	Willhoit of St. Johnsbury
Gamache of Swanton	Morrissey of Bennington	Wood of Waterbury
Gannon of Wilmington	Mrowicki of Putney	Yacovone of Morristown
	Murphy of Fairfax	Yantachka of Charlotte
	Myers of Essex	Young of Glover

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
 Townsend of South
 Burlington

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;

S.C.R. 18

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-Tangerman 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
	Lucke of Hartford	Walz of Barre City

Bradford	Masland of Thetford	Webb of Shelburne
Corcoran of Bennington	McCormack of Burlington	Weed of Enosburgh
Deen of Westminster	McCullough of Williston	Willhoit of St. Johnsbury
Donovan of Burlington	Miller of Shaftsbury	Wood of Waterbury
Dunn of Essex	Morris of Bennington	Yacovone of Morristown
Emmons of Springfield	Mrowicki of Putney	Yantachka of Charlotte
Fields of Bennington	Noyes of Wolcott	Young of Glover
Gannon of Wilmington	Olsen of Londonderry	

Those who voted in the negative are:

Ainsworth of Royalton	Gage of Rutland City	Norris of Shoreham
Bancroft of Westford	Gamache of Swanton	Ode of Burlington
Baser of Bristol	Graham of Williamstown	Pearce of Richford
Batchelor of Derby	Harrison of Chittenden	Poirier of Barre City
Beyor of Highgate	Hebert of Vernon	Potter of Clarendon
Bissonnette of Winooski	Helm of Fair Haven	Quimby of Concord
Bock of Chester	Higley of Lowell	Rosenquist of Georgia
Brennan of Colchester	Howard of Rutland City	Savage of Swanton
Browning of Arlington	Hubert of Milton	Shaw of Pittsford
Canfield of Fair Haven	Joseph of North Hero	Smith of Derby
Christie of Hartford	Juskiewicz of Cambridge	Smith of New Haven
Condon of Colchester	Keefe of Manchester	Strong of Albany
Cupoli of Rutland City	Keenan of St. Albans City	Taylor of Colchester
Dakin of Colchester	Lawrence of Lyndon	Terenzini of Rutland Town
Devereux of Mount Holly	Lefebvre of Newark	Till of Jericho
Dickinson of St. Albans Town	Marcotte of Coventry	Toll of Danville
Donahue of Northfield	McCoy of Poultney	Turner of Milton
Fagan of Rutland City	McFaun of Barre Town	Van Wyck of Ferrisburgh
Feltus of Lyndon	Morrissey of Bennington	Viens of Newport City
Forguites of Springfield	Murphy of Fairfax	Wright of Burlington
Frenier of Chelsea	Myers of Essex	
	Nolan of Morristown	

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

Buckholz of Hartford	Lalonde of South Burlington	Martel of Waterford
Kimbell of Woodstock	Lewis of Berlin	Townsend of South Burlington
LaClair of Barre Town	Macaig of Williston	

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,

Ancel of Calais, Bartholomew of Hartland, Botzow of Pownal, Briglin of Thetford, Browning of Arlington, Buckholz of Hartford, Burke of Brattleboro, Chesnut-Tangerman of Middletown Springs, Christensen of Weathersfield, Cina of Burlington, Colburn of Burlington, Conlon of Cornwall, Connor of Fairfield, Copeland-Hanzas of Bradford, Donahue of Northfield, Donovan of Burlington, Dunn of Essex, Emmons of Springfield, Feltus of Lyndon, Forguites of Springfield, Gannon of Wilmington, Gardner of Richmond, Giambatista of Essex, Gonzalez of Winooski, Grad of Moretown, Greshin of Warren, Haas of Rochester, Head of South Burlington, Hill of Wolcott, Hooper of Montpelier, Hooper of Brookfield, Houghton of Essex, Jickling of Brookfield, Keenan of St. Albans City, Krowinski of Burlington, LaLonde of South Burlington, Lanpher of Vergennes, Long of Newfane, Lucke of Hartford, Masland of Thetford, McCormack of Burlington, McCullough of Williston, Miller of Shaftsbury, Mrowicki of Putney, Murphy of Fairfax, Ode of Burlington, Partridge of Windham, Pugh of South Burlington, Rachelson of Burlington, Scheu of Middlebury, Sharpe of Bristol, Sheldon of Middlebury, Squirrell of Underhill, Stevens of Waterbury, Stuart of Brattleboro, Sullivan of Dorset, Till of Jericho, Townsend of South Burlington, Trieber of Rockingham, Webb of Shelburne, Weed of Enosburgh, Wood of Waterbury, Yacovone of Morristown, Yantachka of Charlotte, and Young of Glover

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. Sibiliala 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
Bartholomew 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
Belaski 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	Sibiliala of Dover
Carr of Brandon	Jessup of Middlesex	Smith of New Haven
Chesnut-Tangerman of Middletown Springs	Jickling of Brookfield	Squirrell of Underhill
Christensen of Weathersfield	Joseph of North Hero	Stevens of Waterbury
Christie of Hartford	Keenan of St. Albans City	Stuart of Brattleboro
	Kitzmiller of Montpelier	Sullivan of Dorset

Cina of Burlington	Krowinski of Burlington	Sullivan of Burlington
Colburn of Burlington	Lanpher of Vergennes	Taylor of Colchester
Conlon of Cornwall	Lefebvre of Newark	Till of Jericho
Connor of Fairfield	Lippert of Hinesburg	Toleno of Brattleboro
Conquest of Newbury	Long of Newfane	Toll of Danville
Copeland-Hanzas of Bradford	Lucke of Hartford	Trieber of Rockingham
Corcoran of Bennington	Marcotte of Coventry	Troiano of Stannard
Dakin of Colchester	Masland of Thetford	Turner of Milton
Deen of Westminster	McCormack of Burlington	Walz of Barre City
Donahue of Northfield	McCoy of Poultney	Webb of Shelburne
Donovan of Burlington	McCullough of Williston	Weed of Enosburgh
Dunn of Essex	McFaun of Barre Town	Willhoit of St. Johnsbury
Emmons of Springfield	Miller of Shaftsbury	Wood of Waterbury
Feltus of Lyndon	Morris of Bennington	Wright of Burlington
Fields of Bennington	Mrowicki of Putney	Yacovone of Morristown
Forguites of Springfield	Murphy of Fairfax	Yantachka of Charlotte
	Myers of Essex	

Those who voted in the negative are:

Batchelor of Derby	Graham of Williamstown	Pearce of Richford
Beyor of Highgate	Hebert of Vernon	Quimby of Concord
Brennan of Colchester	Helm of Fair Haven	Rosenquist of Georgia
Canfield of Fair Haven	Higley of Lowell	Savage of Swanton
Cupoli of Rutland City	Hubert of Milton	Shaw of Pittsford
Dickinson of St. Albans Town	Juskiewicz of Cambridge	Smith of Derby
Fagan of Rutland City	Keefe of Manchester *	Strong of Albany
Frenier of Chelsea	Lawrence of Lyndon	Terenzini of Rutland Town
Gage of Rutland City	Morrissey of Bennington	Van Wyck of Ferrisburgh
Gamache of Swanton	Nolan of Morristown	Viens of Newport City
	Norris of Shoreham	

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

Buckholz of Hartford	LaClair of Barre Town	Poirier of Barre City
Burditt of West Rutland	Lalonde of South Burlington	Townsend of South Burlington
Condon of Colchester	Lewis of Berlin	Young of Glover
Devereux of Mount Holly	Macaig of Williston	
Kimbell of Woodstock	Martel of Waterford	

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.