

Journal of the House

Thursday, March 24, 2011

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

Devotional Exercises

Devotional exercises were conducted by Rep. Michael Yantachka of Charlotte.

Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time and referred as follows:

S. 91

Senate bill, entitled

An act relating to motor vehicle operation and entertainment pictures;

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

S. 92

Senate bill, entitled

An act relating to the protection of students' health by requiring the use of safe cleaning products in schools;

To the committee on Education.

S. 96

Senate bill, entitled

An act relating to technical corrections to the workers' compensation statutes;

To the committee on Commerce and Economic Development.

S. 97

Senate bill, entitled

An act relating to the study of carbon monoxide detectors in school buildings;

To the committee on Education.

Rules Suspended; Bill Committed**H. 258**

House bill, entitled

An act relating to public participation in environmental enforcement proceedings

Rep. Grad of Moretown moved to suspend the rules to take the bill up for immediate consideration, which was agreed to.

Pending second reading of the bill, **Rep. Grad of Moretown** moved to commit the bill to the committee on Judiciary, which was agreed to.

Bill Committed**H. 440**

House bill, entitled

An act relating to creating an agency and secretary of education and amending the membership and purpose of the state board of education

Appearing on the Calendar for action, was taken up and pending second reading of the bill, on motion of **Rep. Donovan of Burlington**, the bill was committed to the committee on Government Operations.

**Bill Amended, Read Third Time;
Consideration Interrupted by Recess****H. 202**

House bill, entitled

An act relating to a single-payer and unified health system

Was taken up and pending third reading of the bill, **Rep. McFaun of Barre Town** moved to amend the bill as follows:

First: In Sec. 4, 33 V.S.A. chapter 18, subchapter 2, by adding § 1830 to read:

§ 1830. COLLECTIVE BARGAINING RIGHTS

Nothing in this subchapter shall be construed to limit the ability of collective bargaining units to negotiate for coverage of health services pursuant to 3 V.S.A. § 904 or any other provision of law.

Second: In Sec. 8, Integration Plan, by adding a subsection (c) to read:

(c) Nothing in this section shall be construed to limit the ability of collective bargaining units to negotiate for coverage of health services pursuant to 3 V.S.A. § 904 or any other provision of law.

Which was agreed to.

Pending third reading of the bill, **Rep. Larson of Burlington** moved to amend the bill as follows:

In Sec. 10, Health Information Technology Plan, in subsection (a), by striking “single payer health system” following “public-private” and inserting in lieu thereof universal health care system

Which was agreed to.

Pending third reading of the bill, **Rep. Kilmartin of Newport City** moved to amend. as follows:

First: In Sec. 3, 18 V.S.A. chapter 220, subchapter 1, in § 9374, Board Membership; Authority, by striking subsections (a) and (b) in their entirety and inserting in lieu thereof the following:

(a)(1) The Green Mountain Care board is created and shall consist of 16 members. The supreme court shall, by rule, divide the state into 16 districts of equal population, each of which shall elect a member to serve on the Green Mountain Care board.

(2) The members of the Green Mountain Care board shall be elected directly by the registered voters in their district at the time of every second general election, beginning with the 2014 general election. The members of the initial Green Mountain Care board shall be elected directly by the registered voters in their district at a special election and shall serve three-year terms, to begin on January 1, 2012 and end on December 31, 2014.

(3) Except as otherwise provided in subdivision (2) of this subsection, members shall serve four-year terms, to begin January 1 of the odd-numbered year following the general election in which they are elected. Members shall be eligible for reelection.

(b) Candidates for the Green Mountain Care board shall be nominated in the manner of a state senator pursuant to 17 V.S.A. chapter 49. In the event of a vacancy on the board, the governor shall appoint a person from the district in which the vacancy occurs to fill the unexpired term.

(c) A quorum of the Green Mountain Care board shall consist of 12 members. The affirmative vote of 10 or more members of the board shall be required for all board actions in furtherance of the duties described in section 9375 of this title.

(d) The Green Mountain Care board shall elect a chair from among its members. The chair shall be a full-time state employee and the other members

shall be part-time state employees. The chair and all of the members shall be exempt from the state classified system.

and by redesignating the remaining subsections to be alphabetically correct

Second: Sec. 19 is added to read:

Sec. 19. SPECIAL ELECTION

There shall be held on November 8, 2011, a special election for the purpose of electing the members of the Green Mountain Care board as provided in 18 V.S.A. § 9374.

Third: Sec. 20 is added to read:

Sec. 20. 17 V.S.A. § 2471 is amended to read:

§ 2471. GENERAL ELECTION BALLOT

(a) A consolidated ballot shall be used at a general election, which shall list the several candidates for the offices to be voted upon. The offices of president and vice-president of the United States, United States senator, United States representative, governor, lieutenant governor, state treasurer, secretary of state, auditor of accounts, attorney general, state senator, representative to the general assembly, judge of probate, assistant judge, state's attorney, member of the Green Mountain Care board, sheriff, and high bailiff shall be listed in that order. Any statewide public question shall also be listed on the ballot, before the listing of all offices to be filled. The ballot shall be prepared at state expense under the direction of the secretary of state. The color of the ballot shall be determined by the secretary of state. The printing shall be black.

* * *

Fourth: In Sec. 3, 18 V.S.A. chapter 220, by striking the designation of subchapter 1 and by striking subchapter 2 in its entirety

Fifth: In Sec. 3b, Green Mountain Care Board and Exchange Positions, in subsection (a), by striking "five" and inserting in lieu thereof "16" and in subdivision (a)(2), by striking "four" and inserting in lieu thereof "15"

Pending the question, Shall the bill be amended as recommended by Rep. Kilmartin of Newport City? **Rep. Kilmartin of Newport 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 bill be amended as recommended by Rep. Kilmartin of Newport City? was decided in the negative. Yeas, 42. Nays, 99.

Those who voted in the affirmative are:

Batchelor of Derby	Hebert of Vernon	Myers of Essex
Bouchard of Colchester	Helm of Fair Haven	Pearce of Richford
Branagan of Georgia	Higley of Lowell	Peaslee of Guildhall
Brennan of Colchester	Hubert of Milton	Perley of Enosburgh
Burditt of West Rutland	Johnson of Canaan	Reis of St. Johnsbury
Canfield of Fair Haven	Kilmartin of Newport City	Savage of Swanton
Clark of Vergennes	Koch of Barre Town	Scheuermann of Stowe
Crawford of Burke	Larocque of Barnet	Shaw of Pittsford
Degree of St. Albans City	Lawrence of Lyndon	Smith of New Haven
Devereux of Mount Holly	Lewis of Berlin	South of St. Johnsbury
Dickinson of St. Albans Town	Lewis of Derby	Strong of Albany
Donaghy of Poultney	Marcotte of Coventry	Turner of Milton
Donahue of Northfield	McAllister of Highgate	Wright of Burlington
Fagan of Rutland City	McFaun of Barre Town	
	McNeil of Rutland Town	

Those who voted in the negative are:

Ancel of Calais	Fisher of Lincoln	Martin of Wolcott
Andrews of Rutland City	Font-Russell of Rutland City	Masland of Thetford
Aswad of Burlington	Frank of Underhill	McCullough of Williston
Atkins of Winooski	French of Shrewsbury	Miller of Shaftsbury
Bartholomew of Hartland	French of Randolph	Mitchell of Barnard
Bissonnette of Winooski	Gilbert of Fairfax	Mook of Bennington
Bohi of Hartford	Grad of Moretown	Moran of Wardsboro
Botzow of Pownall	Greshin of Warren	Morrissey of Bennington
Browning of Arlington	Haas of Rochester	Mrowicki of Putney
Burke of Brattleboro	Head of South Burlington	Munger of South Burlington
Buxton of Royalton	Heath of Westford	Nuovo of Middlebury
Campion of Bennington	Howrigan of Fairfield	O'Brien of Richmond
Cheney of Norwich	Jerman of Essex	Olsen of Jamaica
Christie of Hartford	Jewett of Ripton	Pearson of Burlington
Clarkson of Woodstock	Johnson of South Hero	Peltz of Woodbury
Condon of Colchester	Keenan of St. Albans City	Poirier of Barre City
Conquest of Newbury	Kitzmiller of Montpelier	Potter of Clarendon
Consejo of Sheldon	Klein of East Montpelier	Pugh of South Burlington
Copeland-Hanzas of Bradford	Krebs of South Hero	Ralston of Middlebury
Corcoran of Bennington	Kupersmith of South Burlington	Shand of Weathersfield
Courcelle of Rutland City	Lanpher of Vergennes	Sharpe of Bristol
Dakin of Chester	Larson of Burlington	Spengler of Colchester
Davis of Washington	Lenes of Shelburne	Stevens of Waterbury
Deen of Westminster	Leriche of Hardwick	Stevens of Shoreham
Donovan of Burlington	Lorber of Burlington	Stuart of Brattleboro
Eckhardt of Chittenden	Macaig of Williston	Sweaney of Windsor
Edwards of Brattleboro	Malcolm of Pawlet	Taylor of Barre City
Ellis of Waterbury	Manwaring of Wilmington	Till of Jericho
Emmons of Springfield	Marek of Newfane	Toll of Danville
Evans of Essex	Martin of Springfield	Townsend of Randolph
		Trieber of Rockingham

Waite-Simpson of Essex
Webb of Shelburne
Weston of Burlington

Wilson of Manchester
Wizowaty of Burlington
Woodward of Johnson

Yantachka of Charlotte
Young of Albany

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

Acinapura of Brandon
Hooper of Montpelier
Howard of Cambridge

Komline of Dorset
Lippert of Hinesburg
Partridge of Windham

Ram of Burlington
Winters of Williamstown

Thereupon, the bill was read a third time.

Rep. Wright of Burlington asked leave of the House to offer an amendment after third reading of the bill, which was agreed to.

Recess

At twelve o'clock and twenty minutes in the afternoon, the Speaker declared a recess until one o'clock in the afternoon.

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

Consideration Resumed; Bill Passed

H. 202

Consideration resumed on House bill, entitled

An act relating to a single-payer and unified health system

Pending the question, Shall the bill pass? **Rep. Wright of Burlington** moved to amend the bill. as follows:

First: In Sec. 3, 18 V.S.A. chapter 220, subchapter 1, in § 9374, Board Membership; Authority, by striking subsections (a) and (b) in their entirety and inserting in lieu thereof the following:

(a)(1) The Green Mountain Care board shall consist of 13 members who shall be selected as follows:

(A) One member appointed by the governor.

(B) Two members appointed by the senate committee on committees.

(C) Two members appointed by the speaker of the house of representatives.

(D) One member representing health care professionals, to be appointed by the Vermont Medical Society.

(E) One member representing hospitals, to be appointed by the Vermont Association of Hospitals and Health Systems in consultation with each Vermont hospital that is not a member of such association.

(F) One member representing home health services, to be appointed by the Vermont Assembly of Home Health and Hospice Agencies.

(G) One member representing nurses, to be appointed by the Vermont State Nurses Association.

(H) Two members appointed by the Vermont Coalition for Employment and Prosperity.

(I) One member appointed by the Vermont Public Interest Research Group.

(J) The state health care ombudsman.

(2) The member of the board appointed by the governor shall serve for terms of two years and may serve for no more than three terms. The members of the board appointed by the house and senate shall serve for terms of two years and may serve for no more than three consecutive terms. The remaining members of the board shall serve for terms of two years and may serve for no more than three consecutive terms. All appointments or elections shall be between January 1 and February 1 of each odd-numbered year, except to fill a vacancy. Members shall serve until their successors are elected or appointed.

(b) The member appointed by the governor shall serve as the chair of the board. The chair shall be a full-time state employee and the other members shall be part-time state employees. The chair and all of the members shall be exempt from the state classified system.

(c) A quorum of the Green Mountain Care board shall consist of seven members.

and by redesignating the remaining subsections to be alphabetically correct

Second: In Sec. 3, 18 V.S.A. chapter 220, by striking the designation of subchapter 1 and by striking subchapter 2 in its entirety

Third: In Sec. 3b, Green Mountain Care Board and Exchange Positions, in subsection (a), by striking “five” and inserting in lieu thereof “13” and in subdivision (a)(2), by striking “four” and inserting in lieu thereof “12”

Pending the question, Shall the bill be amended as recommended by Rep. Wright of Burlington? **Rep. Wright of Burlington** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as

recommended by Rep. Wright of Burlington? was decided in the negative. Yeas, 36. Nays, 104.

Those who voted in the affirmative are:

Acinapura of Brandon	Donahue of Northfield	McNeil of Rutland Town
Batchelor of Derby	Eckhardt of Chittenden	Morrissey of Bennington
Branagan of Georgia	Hebert of Vernon	Myers of Essex
Brennan of Colchester	Helm of Fair Haven	Olsen of Jamaica
Burditt of West Rutland	Howrigan of Fairfield	Peaslee of Guildhall
Canfield of Fair Haven	Koch of Barre Town	Perley of Enosburgh
Clark of Vergennes	Komline of Dorset	Reis of St. Johnsbury
Crawford of Burke	Larocque of Barnet	Scheuermann of Stowe
Degree of St. Albans City	Lawrence of Lyndon	Shaw of Pittsford
Devereux of Mount Holly	Lewis of Berlin	Turner of Milton
Dickinson of St. Albans Town	Marcotte of Coventry	Wright of Burlington
Donaghy of Poultney	McAllister of Highgate	
	McFaun of Barre Town	

Those who voted in the negative are:

Ancel of Calais	Fisher of Lincoln	Macaig of Williston
Aswad of Burlington	Font-Russell of Rutland City	Malcolm of Pawlet
Atkins of Winooski	Frank of Underhill	Manwaring of Wilmington
Bartholomew of Hartland	French of Shrewsbury	Marek of Newfane
Bissonnette of Winooski	French of Randolph	Martin of Springfield
Bohi of Hartford	Gilbert of Fairfax	Martin of Wolcott
Bouchard of Colchester	Grad of Moretown	Masland of Thetford
Browning of Arlington	Greshin of Warren	McCullough of Williston
Burke of Brattleboro	Haas of Rochester	Miller of Shaftsbury
Buxton of Royalton	Head of South Burlington	Mitchell of Barnard
Campion of Bennington	Heath of Westford	Mook of Bennington
Cheney of Norwich	Higley of Lowell	Moran of Wardsboro
Christie of Hartford	Hooper of Montpelier	Mrowicki of Putney
Clarkson of Woodstock	Hubert of Milton	Munger of South Burlington
Condon of Colchester	Jerman of Essex	Nuovo of Middlebury
Conquest of Newbury	Jewett of Ripton	O'Brien of Richmond
Consejo of Sheldon	Johnson of South Hero	Pearce of Richford
Copeland-Hanzas of Bradford	Johnson of Canaan	Pearson of Burlington
Corcoran of Bennington	Keenan of St. Albans City	Peltz of Woodbury
Courcelle of Rutland City	Kitzmiller of Montpelier	Poirier of Barre City
Dakin of Chester	Klein of East Montpelier	Potter of Clarendon
Davis of Washington	Krebs of South Hero	Pugh of South Burlington
Deen of Westminster	Kupersmith of South Burlington	Ralston of Middlebury
Donovan of Burlington	Lanpher of Vergennes	Ram of Burlington
Edwards of Brattleboro	Larson of Burlington	Savage of Swanton
Ellis of Waterbury	Lenes of Shelburne	Shand of Weathersfield
Emmons of Springfield	Leriche of Hardwick	Sharpe of Bristol
Evans of Essex	Lewis of Derby	Smith of New Haven
Fagan of Rutland City	Lorber of Burlington	South of St. Johnsbury
		Spengler of Colchester

Stevens of Waterbury	Townsend of Randolph	Wizowaty of Burlington
Stevens of Shoreham	Trieber of Rockingham	Woodward of Johnson
Stuart of Brattleboro	Waite-Simpson of Essex	Yantachka of Charlotte
Sweaney of Windsor	Webb of Shelburne	Young of Albany
Till of Jericho	Weston of Burlington	
Toll of Danville	Wilson of Manchester	

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

Andrews of Rutland City	Kilmartin of Newport City	Strong of Albany
Botzow of Pownal	Lippert of Hinesburg	Taylor of Barre City
Howard of Cambridge	Partridge of Windham	Winters of Williamstown

Pending the question, Shall the bill pass? **Rep. Eckhardt of Chittenden** 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 pass? was decided in the affirmative. Yeas, 92. Nays, 49.

Those who voted in the affirmative are:

Ancel of Calais	Grad of Moretown	Mitchell of Barnard
Atkins of Winooski	Greshin of Warren	Mook of Bennington
Bartholomew of Hartland	Haas of Rochester	Moran of Wardsboro
Bohi of Hartford	Head of South Burlington	Mrowicki of Putney
Botzow of Pownal	Heath of Westford	Munger of South Burlington
Burke of Brattleboro	Hooper of Montpelier	Nuovo of Middlebury
Buxton of Royalton	Howrigan of Fairfield	O'Brien of Richmond
Campion of Bennington	Jerman of Essex	Pearson of Burlington
Cheney of Norwich	Jewett of Ripton	Peltz of Woodbury
Christie of Hartford	Johnson of South Hero	Poirier of Barre City
Clarkson of Woodstock	Keenan of St. Albans City	Potter of Clarendon
Conquest of Newbury	Kitzmiller of Montpelier	Pugh of South Burlington
Consejo of Sheldon	Klein of East Montpelier	Ralston of Middlebury
Copeland-Hanzas of Bradford	Krebs of South Hero	Ram of Burlington
Courcelle of Rutland City	Kupersmith of South Burlington	Shand of Weathersfield
Dakin of Chester	Lanpher of Vergennes	Sharpe of Bristol
Davis of Washington	Larson of Burlington	South of St. Johnsbury
Deen of Westminster	Lenes of Shelburne	Spengler of Colchester
Donovan of Burlington	Leriche of Hardwick	Stevens of Waterbury
Edwards of Brattleboro	Lorber of Burlington	Stuart of Brattleboro
Ellis of Waterbury	Macaig of Williston	Sweaney of Windsor
Emmons of Springfield	Malcolm of Pawlet	Taylor of Barre City
Evans of Essex	Manwaring of Wilmington	Till of Jericho
Fisher of Lincoln	Marek of Newfane	Toll of Danville
Font-Russell of Rutland City	Martin of Springfield	Townsend of Randolph
Frank of Underhill	Martin of Wolcott	Trieber of Rockingham
French of Shrewsbury	Masland of Thetford	Waite-Simpson of Essex
French of Randolph	McCullough of Williston	Webb of Shelburne
Gilbert of Fairfax	Miller of Shaftsbury	Weston of Burlington
		Wilson of Manchester

Wizowaty of Burlington	Yantachka of Charlotte
Woodward of Johnson	Young of Albany

Those who voted in the negative are:

Acinapura of Brandon	Donahue of Northfield	McFaun of Barre Town
Batchelor of Derby	Eckhardt of Chittenden	McNeil of Rutland Town
Bouchard of Colchester	Fagan of Rutland City	Morrissey of Bennington
Branagan of Georgia	Hebert of Vernon	Myers of Essex
Brennan of Colchester	Helm of Fair Haven	Olsen of Jamaica
Browning of Arlington	Higley of Lowell	Pearce of Richford
Burditt of West Rutland	Hubert of Milton	Peaslee of Guildhall
Canfield of Fair Haven	Johnson of Canaan	Perley of Enosburgh
Clark of Vergennes	Kilmartin of Newport City	Reis of St. Johnsbury
Condon of Colchester	Koch of Barre Town	Savage of Swanton
Corcoran of Bennington	Komline of Dorset	Scheuermann of Stowe
Crawford of Burke	Larocque of Barnet	Shaw of Pittsford
Degree of St. Albans City	Lawrence of Lyndon	Smith of New Haven
Devereux of Mount Holly	Lewis of Berlin	Stevens of Shoreham
Dickinson of St. Albans Town	Lewis of Derby	Turner of Milton
Donaghy of Poultney	Marcotte of Coventry	Wright of Burlington
	McAllister of Highgate	

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

Andrews of Rutland City	Howard of Cambridge	Strong of Albany
Aswad of Burlington	Lippert of Hinesburg	Winters of Williamstown
Bissonnette of Winooski	Partridge of Windham	

Thereupon, pursuant to Rule 41, the title of the bill was amended to read as follows:

An act relating to a universal and unified health system

Rep. Batchelor of Derby explained her vote as follows:

“Mr. Speaker:

I believe this Health Care bill, H.202, as written is not good for all Vermonters.”

Rep. Branagan of Georgia explained her vote as follows:

“Mr. Speaker:

I’ve listened to debate on this question for most of the last 2 days. We’re giving up tremendous power and authority to an unelected board accountable to on one. A complete fiscal note is missing.

This is our health care system. These changes effect every Vermonter. Hopefully the Senate will correct our errors.”

Rep. Champion of Bennington explained his vote as follows:

“Mr. Speaker:

I believe this is the first step in long-range strategic economic planning for Vermont. This bill, I hope, ends the short-term thinking that has dictated so much of our economic policy.”

Rep. Canfield of Fair Haven explained his vote as follows:

“Mr. Speaker:

We need all our available tools to make quality healthcare accessible to all. The Hsaio report identified the risks and benefits of creating a statewide single payer system. This bill makes a commitment to a universal system, but ignores risks identified in the Hsaio report and creates a new infrastructure without identifying how to pay for it.

Rep. Clarkson of Woodstock explained her vote as follows:

“Mr. Speaker:

This bill is like an architect’s plan to fix a house badly in need of renovation. Our next step will be to review the bids for the cost of the work which lies ahead.”

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

“Mr. Speaker:

I vote yes today with a clear understanding of the hard work we have ahead. I voted today to trade in certain crippling cost increases and unfair distribution of health care. I know we trade that certainty for a number of uncertainties and some years of very hard work. I have confidence in the strength of Vermonters who will come together to sort through these changes to create a health care system that works for all of Vermont.”

Rep. Dakin of Chester explained her vote as follows:

“Mr. Speaker:

When I arrived in Montpelier in January and learned I would work on the Health Care Committee, I felt I had taken a large step in the direction of continuing my life’s work. I have spent the last 40 years working with all sectors as a nurse, in the hospital, as a VNA and Hospice Nurse and most recently as a school nurse. I am proud that we now have a path. Now we can live better and live healthier.

I look forward to the work ahead. I hope you will stand with me as we move forward. Help us to continue the work we have done. I am very proud to work

for all of you and thank every one of us on the Committee for the work we have done and still have to do as we move forward.

Thank you.”

Rep. Degree of St. Albans City explained his vote as follows:

As a young Vermonter who has watched my generation disappear from our home state in search of a more competitive job market and more affordable costs of living, I cannot blindly follow those members of this body who assure me that, even without answers to many important questions, or any evidence to support their claim, that his bill will somehow improve our health care system.

We need to make Vermont more affordable and support our businesses. This bill does neither.”

Rep. Dickinson of St. Albans City explained her vote as follows:

“Mr. Speaker:

This is a bill that will affect every family, every business and every business and every provider in the state.

There are too many unanswered questions and the process for this bill has not been thoughtful and complete enough to answer these important questions.”

Rep. Donahue of Northfield explained her vote as follows:

“Mr. Speaker:

My jaw dropped when I heard our governor say that we must “resist the temptation to talk about how we pay for it, because I think if we make that mistake, we lose sight of the prize.” To not talk about how we pay for it, and yet to burn our bridges for other alternatives to our current system, is the height of irresponsibility. We lose sight of the prize when we lose sight of the needs of Vermonters for a sustainable system through placing all out eggs in one basket.

A no vote on a bill that locks us in to one path alone, this early in a process, is the only vote I can consider to be responsible.”

Rep. Fagan of Rutland City explained his vote as follows:

“Mr. Speaker:

Change is un-nerving and full of angst. The people of Vermont have questions that if answered would ease those uncertain feelings. Last night we tried to answer all those questions, we did not. Not having answers to all of our questions thus leaving unanswered the concerns of Vermonters is not what I had envisioned for the most important bill to perhaps ever to pass this body.

I would have liked to support this bill but I am unable to support it because we do not have the entire process, relevant methodologies, costs and taxes that this bill will use to affect Vermonters which would enable Vermonter's questions to have been answered.

Rep. French of Shrewsbury explained his vote as follows:

"Mr. Speaker:

I would like to personally thank the committee on Health Care for their tremendous thoughtful work on this important legislation. I would particularly thank the chair for his remarkable, informative, measured responses to many questions. We have been told this bill goes too fast, too slow, it does too much or not enough. Sounds like it might be close to the mark. What it does do is lay a groundwork to replace what is clearly an unsustainable system."

Rep. Gilbert of Fairfax explained his vote as follows:

"Mr. Speaker:

I vote yes. This bill is a cautious step in the attempt to reduce health care costs. The multi-year process will be very transparent to the public. There are multiple check points and legislative action would be required before each succeeding step could be taken. It is this body that will ask and answer the necessary questions before a next step could be possible. I trust this body."

Rep. Hebert of Vernon explained his vote as follows:

"Mr. Speaker:

I do acknowledge the need to reform the financing of health care. However, I voted no because I was asked to vote on a health care bill that will impact the lives of every man, woman, and child in Vermont.

Without knowing what it will cost. Without knowing how it will be paid for. Without knowing how it will work. Who will or will not be covered. To much uncertainty.

The passage of this bill bring to mind those scary words: I'm from the government and I'm here to help."

Rep. Hubert of Milton explained his vote as follows:

"Mr. Speaker:

I vote no. The 5-person Health Reform Board would be appointed by the Governor and would control the entire \$5 billion health care system. The system of this group is beyond anything VT has seen because it is essentially in command of 20% of the states economy."

Rep. Kitzmiller of Montpelier explained his vote as follows:

“Mr. Speaker:

Today I vote my hopes, not my fears.”

Rep. Lanpher of Vergennes explained her vote as follows:

“Mr. Speaker:

Vermont businesses deserve a more predictable system of making sure their employees have good quality health care. I am proud to vote for H. 202 to provide that predictability.”

Rep. Lawrence of Lyndon explained his vote as follows:

“Mr. Speaker:

Why should this body pass a bill with such huge implications without a funding mechanism in place? Many of our large employers are already on record saying they would not jump in the pool, thus one of the foundations of the house of cards is already threatened.”

Rep. Lewis of Derby explained his vote as follows:

“Mr. Speaker:

I vote no! I have a number of unanswered questions and to many concerns with this bill.

If I want to gamble, I’ll go to Vegas.”

Rep. Marek of Newfane explained his vote as follows:

“Mr. Speaker:

There always will be those who, when standing on the railroad track with a train bearing down on them, will worry more about the danger of jumping off the track than about the train. With approval of this health care bill we have made the prudent decision to get off the current track before health care costs run us over. When completed it will save all Vermonters the billions they otherwise would be condemned to pay and protect every one of them.”

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

“Mr. Speaker:

I don’t have major problem with the principles set for in this bill; but I vote no because I feel the bill falls short in the area of cost containment. The residents and employers of Vermont asked for relief now from the escalating costs of health care – and in fact have been asking that for years.

Employers “last time I checked” wanted to get out of the health care business.

What we have done with this bill is (1) set up another bureaucratic structure with five highly paid executives, something we have found fault with, in Insurance companies and hospitals. (2) Set up a road map to get somewhere in health care reform to be determined by this five member board, (that will hopefully contain costs, among other things). We didn’t do much for residents and employers that were asking for relief now.

We have studied this subject for decades, we know if we take certain steps we can, in fact, provide cost containment relief now. We didn’t do it. So residents and employers are still saddles with the escalating costs of health care, delivered through a fractured system with reams of paper work for the three or four years, while the five member board decides what to do about cost containment – the main request of residents and employers.”

Rep. Morrissey of Bennington explained her vote as follows:

“Mr. Speaker:

I cannot support H. 202, at this time, based upon our total disregard to one of our very own Health Care Reform Principles, which I feel is critical to the success for any reform.

The principle that I am referring to is that – “The Health Care System” must be transparent in design, efficient in operation and accountable to the people it serves. The state must ensure public participation in the design, implementation, evaluation and accountability mechanisms of the health care system”

We are seriously lacking on all accounts.”

Rep. Mrowicki of Putney explained his vote as follows:

“Mr. Speaker:

The debate has been many things and especially proof of that old adage of this body that everything has been said and everyone has had a chance to say it.

I vote yes to support my value that people come before profit. The current system is a dinosaur that has a stranglehold on our health dollars and health outcomes. It’s time to act and this is the time and plan to move us into a better future for all .”

Rep. Nuovo of Middlebury explained her vote as follows:

“Mr. Speaker:

I am proud of this great state for standing up to special interests and moving toward a better health care system for all Vermonters.”

Rep. Pearson of Burlington explained his vote as follows:

“Mr. Speaker:

21 years ago we hit our first billion for total health care spending in Vermont. Last year we hit \$5 billion – almost 20% of our state’s economy. Today we have taken a critical step to get rampant costs under control. We’ve also moved to end the cost-shift, end personal bankruptcy from medical costs and cover everyone including the un and under-insured. I am proud of my state and my colleagues.”

Rep. Peaslee of Guildhall explained her vote as follows:

“Mr. Speaker:

How will this reform be financed and why is the financing proposal being delayed 2 years? What will happen if Vermonters get care outside the state – will it be covered and what will people have to pay for it? How will border issues be addressed if a New Hampshire employer has employees who live in Vermont or vice versa? What level of care will be standard for all residents? Will college students be considered residents and be covered? These are just a few unanswered questions that need answers before I could vote for this bill. Hast makes waste. Slow it down Mr. Speaker. Slow it down. Remember Act 60.”

Rep. Peltz of Woodbury explained his vote as follows:

“Mr. Speaker:

The United States is the only country amongst the advanced global nations that does not start with the basic assumption that everyone should be provided health care. Many different models for providing coverage exist. Once again, I am proud that Vermont leads the way. Our well-being and prosperity will be advanced .”

Rep. Perley of Enosburgh explained his vote as follows:

“Mr. Speaker:

The Governor has said this bill isn’t about access – we already insure 93%, and half of the remaining 7% are eligible for current programs.

Putting five highly paid bureaucrats in charge of our entire health care system isn’t cost containment – it’s government-run health care.

And last I checked, our current government system, Medicaid, is in the red.”

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

“Mr. Speaker:

As I am not a communist nor a socialist, I voted for H. 202 because it will give all Vermonters comprehensive coverage and do away with HSA and high deductibles. This is a good day for Vermont.”

Rep. Ram of Burlington explained her vote as follows:

“Mr. Speaker:

Young people are the least likely to be insured and the most likely to have employment that does not offer health insurance. At the same time it is estimated that one in every six young people had a chronic illness and trouble paying their medical bills. I vote yes for Vermont’s next generation and the future prosperity of our state.”

Rep. Reis of St. Johnsbury explained his vote as follows:

“Mr. Speaker:

I agree wholeheartedly with the intent of this bill and with many of its provisions. However, the requirement that employers who are already providing benefits equal to, or better than, Green Mountain Care, (often in self-funded programs) must also pay for Green Mountain Care, is a poison pill. It will discourage businesses from coming to or expanding in Vermont.”

Rep. Savage of Swanton explained his vote as follows:

“Mr. Speaker:

Our pilot program should be to fix Medicaid first – the existing Vermont-run system with a budget that we have never been able to balance. Let’s establish how we can control it’s costs and pay for it before we embark on a new state-wide effort that will transfer several billions of dollars of spending onto the state budget, tied to an entitlement to health care beginning in 2015.”

Rep. Shaw of Pittsford explained his vote as follows:

“Mr. Speaker:

I vote no. Not because I don’t believe in health care coverage ,but because I was denied the financial information I felt I needed to support this effort.”

Rep. Spengler of Colchester explained her vote as follows:

“Mr. Speaker:

Unifying our health care system is the necessary basis of controlling our health care costs, ensuring all Vermonters access to care and providing quality care. This is the road map toward this realization.”

Rep. Stevens of Waterbury explained his vote as follows:

“Mr. Speaker:

I vote yes on H. 202 because it begins to acknowledge that health care is a human right and that health care reform is for good business. For our employers, our taxpayers and our state. My thanks to the Health Care committee for having the courage to move forward in such a thoughtful and sensitive way. I love Vermont.”

Rep. Stuart of Brattleboro explained her vote as follows:

“Mr. Speaker”

Change takes courage and conviction. Today, Vermont’s House of Representatives showed America out small state has both the courage and conviction to lead the way – nationwide – on the creation of a universal health system. I thank the members of the Houses’ Health care Committee, from the bottom of my heart, for all their hard work on this piece of legislation.”

Rep. Turner of Milton explained his vote as follows:

“Mr. Speaker:

I vote “no” on this bill, the creation of a single payer of a universal health care system. After many, many hours of interrogation I still do not believe that we fully understand what the cost of this program is going forth, who and how these costs will be paid, what the benefit package will be, how will impact the existing health care coverage of our family and friends and how the uncertainty of this proposal will impact the professionals in the health care field is of utmost concern. Creating a new healthcare delivery system based on a theory and campaign promises is not good policy. Everyone supports containing costs in our health care system!”

Bill Read Second Time; Third Reading Ordered

H. 441

Rep. Heath of Westford spoke for the committee on Appropriations.

House bill entitled

An act relating to making appropriations for the support of government

Having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

Bill Amended, Read Third Time and Passed

H. 201

House bill, entitled

An act relating to hospice and palliative care

Was taken up and pending third reading of the bill, **Rep. Till of Jericho** moved to amend the bill as follows:

In Sec. 7, subdivision (b)(1), after “or provide patient consultations” by inserting “or does not regularly treat patients in need of palliative care.”

Thereupon, **Rep. Till of Jericho** asked and was granted leave of the House to withdraw his amendment.

Pending third reading of the bill, **Rep. Frank of Underhill** moved to amend. as follows:

In Sec. 7, 26 V.S.A. § 1400, by striking subsection (b) in its entirety and inserting in lieu thereof of a new subdivision (b) to read:

(b) A licensee for renewal of an active license to practice medicine and surgery shall have completed a minimum of ten hours of continuing medical education which shall meet minimum criteria as established by rule, by the board, by August 31, 2012 and shall be in effect for the renewal of licenses to practice medicine and surgery expiring after August 31, 2014. The training provided by the continuing medical education shall be designed to assure that the licensee has updated his or her knowledge and skills in his or her own specialties and also has kept abreast of advances in other fields to which patient referrals may be appropriate. The board shall require evidence of current professional competence in recognizing the need for timely appropriate consultations and referrals to assure fully informed patient choice of treatment options, including treatments such as those offered by hospice, palliative care, and pain management services.

Which was agreed to.

Pending third reading of the bill, **Rep. Till of Jericho** moved to amend. as follows:

By striking in Sec. 3 in its entirety and inserting in lieu thereof a new Sec. 3 to read:

Sec. 3. REQUEST FOR A WAIVER

The department of Vermont health access shall request and apply for a demonstration project or waiver from the Centers for Medicare and Medicaid Services to allow for the state to obtain federal Medicaid matching funds to provide for an “enhanced hospice access” benefit, whereby the definition of “terminal illness” is expanded from six months’ life expectancy to 12 months’ and participants may access hospice without being required to first discontinue curative therapy. The department shall also request and apply for a Medicare

demonstration project or waiver from the Centers for Medicare and Medicaid Services to provide funding for the same enhanced hospice access benefit.

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Action on Bill Postponed

H. 254

House bill, entitled

An act relating to consumer protection

Was taken up and pending the reading of the report of the committee on Commerce and Economic Development, on motion of **Rep. Marcotte of Coventry**, action on the bill was postponed until Tuesday, March 29, 2011.

Adjournment

At six o'clock and forty minutes in the evening, on motion of **Rep. Komline of Dorset**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the afternoon.