

# Journal of the House

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**Friday, March 31, 2017**

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

## **Devotional Exercises**

Devotional exercises were conducted by Representative Brian Cina of Burlington.

## **Memorial Service**

The Speaker placed before the House the following names of members of past sessions of the Vermont General Assembly who had passed away recently:

Leigh B Larocque of Barnet	Member of the House, Sessions 1993-1994, 1995-1996, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014
Sam Lloyd of Weston	Member of the House Session of 1973-1974, 1975-1976, 1977-1978, 1979-1980

Thereupon, the members of the House rose for a moment of silence in memory of the deceased members. The Clerk was thereupon directed to send a copy of the House Journal to the bereaved families.

## **House Bill Introduced**

### **H. 520**

**Rep. Scheuermann of Stowe** introduced a bill, entitled

An act relating to approval of amendments to the charter of the Town of Stowe

Which was read the first time and referred to the committee on Government Operations.

## **Message from the Senate No. 37**

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 on its part passed Senate bill of the following title:

**S. 95.** An act relating to sexual assault nurse examiners.

In the passage of which the concurrence of the House is requested.

The Governor has informed the Senate that on the 28th day of March, 2017, he approved and signed a bill originating in the Senate of the following title:

**S. 79.** An act relating to freedom from compulsory collection of personal information.

The Governor has informed the Senate that on the Twenty Ninth day of March, 2017, he approved and signed a bill originating in the Senate of the following title:

**S. 38.** An act relating to the Government Accountability Committee and the State Outcomes Report.

### **Pages Honored**

In appreciation of their many services to the members of the General Assembly, the Speaker recognized the following named Pages who are completing their service today and presented them with commemorative pins:

Nina Belliveau of Brattleboro  
Aiden Casey of Worcester  
Ayla Fidel of Waitsfield  
Dylan Haskins of Morrisville  
Theresa Hoar of Northfield  
Jordan Holmes of Hinesburg  
Jaden Jagemann of Barre  
Emma Steever of Wallingford  
Cassandra Summarsell of Woodstock  
Sylvan Zeitlyn of Burlington

### **Third Reading; Bill Passed**

#### **H. 516**

House bill, entitled

An act relating to miscellaneous tax changes

Was taken up, read the third time and passed.

**Bill Amended, Read Third Time and Passed**

**H. 518**

House bill, entitled

An act relating to making appropriations for the support of government

Was taken up and pending third reading of the bill, **Reps. Higley of Lowell and Greshin of Warren** moved to amend the bill as follows:

First: By striking out Secs. B.338 and B.339 in their entirety and inserting in lieu thereof new Secs. B.338 and B.339 to read as follows:

Sec. B.338 Corrections - correctional services

Personal services	102,386,523
Operating expenses	27,081,052
Grants	<u>9,426,638</u>
Total	138,894,213

Source of funds

General fund	132,009,104
Special funds	629,963
Federal funds	470,962
Global Commitment fund	5,387,869
Interdepartmental transfers	<u>396,315</u>
Total	138,894,213

Sec. B.339 Corrections - Correctional services-out of state beds

Personal services	<u>6,192,554</u>
Total	6,192,554

Source of funds

General fund	<u>6,192,554</u>
Total	6,192,554

Second: In Sec. D.100(a)(2) by striking out the figure “\$11,304,840” where it appears twice and inserting in lieu thereof the figure “\$12,304,840” and by adding six new sections to be numbered Secs. D.100.2-D.100.7 to read as follows:

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Sec. D.100.2. VERMONT HOUSING AND CONSERVATION BOARD;

HOUSING FOR ALL

(a) Findings and purpose.

(1) The General Assembly finds that investments are needed to help house the most vulnerable as well as creating more homes for workers.

(2) The shortage of affordable and available homes has been highlighted recently by:

(A) the Vermont Futures Project of the Vermont Chamber of Commerce, which set a growth target of 5,000 new and improved housing units annually;

(B) a national consultant's recommendations for a Roadmap to End Homelessness, which calls for 368 new units for permanent supportive housing and 1,251 new homes affordable at 30 percent of median or below over the next five years; and

(C) the 2015 statewide housing needs assessment by Bowen National Research, which found the largest gaps in housing affordable to households below 30 percent of median and between 85 percent and 120 percent, and a lack of housing availability across the income spectrum.

(3) The purpose of this section is to promote the development and improvement of housing for Vermonters.

(b) The Vermont Housing and Conservation Board shall use the proceeds of bonds, notes, and other obligations issued by the Vermont Housing Finance Agency pursuant to 10 V.S.A. § 621(22) and transferred to the Vermont Housing and Conservation Trust Fund to fund the creation and improvement of ownership and rental housing for Vermonters with very low to middle income in areas targeted for growth and reinvestment, as follows:

(1) not less than 25 percent of the housing shall be targeted to Vermonters with very low income, meaning households below 50 percent of area median income; and

(2) not less than 25 percent shall be targeted to Vermonters with moderate income, meaning households between 80 and 120 percent of median income.

Sec. D.100.3. 32 V.S.A. § 9610 is amended to read:

§ 9610. REMITTANCE OF RETURN AND TAX; INSPECTION OF  
RETURNS

(a) Not later than 30 days after the receipt of any property transfer return, a

town clerk shall file the return in the office of the town clerk and electronically forward a copy of the acknowledged return to the Commissioner; provided, however, that with respect to a return filed in paper format with the town, the Commissioner shall have the discretion to allow the town to forward a paper copy of that return to the department.

(b) The copies of property transfer returns in the custody of the town clerk may be inspected by any member of the public.

(c) Prior to distributions of property transfer tax revenues under 10 V.S.A. § 312, 24 V.S.A. § 4306(a), and ~~32 V.S.A. § subdivision 435(b)(10)~~ of this title, one percent of the revenues received from the property transfer tax shall be deposited in a special fund in the Department of Taxes for Property Valuation and Review administration costs.

(d)(1) Prior to any distribution of property transfer tax revenue under 10 V.S.A. § 312, 24 V.S.A. § 4306(a), subdivision 435(b)(10) of this title, and subsection (c) of this section, \$2.5 million of the revenue received from the property transfer tax shall be transferred to the Vermont Housing Finance Agency to pay the principal of and interest due on the bonds, notes, and other obligations authorized to be issued by the Agency pursuant to 10 V.S.A. § 621(22), the proceeds of which the Vermont Housing and Conservation Board shall use to create affordable housing pursuant to 10 V.S.A. chapter 15.

(2) As long as the bonds, notes, and other obligations incurred pursuant to subdivision (1) of this subsection remain outstanding, the rate of tax imposed pursuant to section 9602 of this title shall not be reduced below a rate estimated, at the time of any reduction, to generate annual revenues of at least \$12 million.

Sec. D.100.4. 10 V.S.A. § 621 is amended to read:

#### § 621. GENERAL POWERS AND DUTIES

The Agency shall have all of the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter, including without limitation those general powers provided a business corporation by 11A V.S.A. § 3.02 and those general powers provided a nonprofit corporation by 11B V.S.A. § 3.02 and including, without limiting the generality of the foregoing, the power to:

\* \* \*

(22) issue bonds, notes, and other obligations secured by the property transfer tax revenues transferred to the Agency pursuant to 32 V.S.A. § 9610(d).

Sec. D.100.5. 10 V.S.A. § 631(l) is added to read:

(1)(1) The bonds, notes, and other obligations authorized to be issued pursuant to subdivision 621(22) of this title shall be secured by a pledge of the property transfer tax revenues to be transferred to the Agency pursuant to 32 V.S.A. § 9610(d) and shall mature not later than June 30, 2038.

(2) The Agency may issue the bonds, notes, and other obligations in one or more series at one time or from time to time, provided that the aggregate annual debt service on the bonds, notes, and other obligations shall not exceed \$2.5 million at any time.

(3) The Agency shall transfer the proceeds of the bonds, notes, and other obligations, less issuance fees and costs and required reserves, to the Vermont Housing and Conservation Trust Fund established pursuant to section 312 of this title, for use by the Vermont Housing and Conservation Board as provided in chapter 15 of this title.

(4) The Agency, the Vermont Housing and Conservation Board, and the State Treasurer may execute one or more agreements governing the terms and conditions under which the property transfer tax revenues that secure the bonds, notes, and obligations will be transferred to the Agency, and any other issues they determine appropriate.

Sec. D.100.6. REPEAL

The following shall be repealed on July 1, 2038:

(1) 32 V.S.A. § 9610(d) (property transfer tax priority for affordable housing debt repayment).

(2) 10 V.S.A. § 621(22) (Vermont Housing Finance Agency (VHFA) authority to issue debt obligations secured by property transfer tax).

(3) 10 V.S.A. § 631(l) (debt obligations issued by VHFA).

Sec. D.100.7. 10 V.S.A. § 323 is amended to read:

§ 323. ANNUAL REPORT

Prior to January 31 of each year, the ~~board~~ Board shall submit a report concerning its activities to the ~~governor~~ Governor and legislative committees on agriculture, natural resources and energy, appropriations, ways and means, finance, and institutions. The report shall include, ~~but not be limited to,~~ the following:

(1) a list and description of activities funded by the ~~board~~ Board during the preceding year, including commitments made to fund projects through housing bond proceeds, and project descriptions, levels of affordability, and geographic location;

\* \* \*

Third: By striking out Sec. B.318 in its entirety and inserting in lieu thereof a new Sec. B.318 to read as follows:

Sec. B.318 Department for children and families - child development

Personal services	6,405,300
Operating expenses	802,146
Grants	<u>75,506,662</u>
Total	82,714,108
Source of funds	
General fund	33,216,782
Special funds	1,820,000
Federal funds	36,142,431
Global Commitment fund	<u>11,534,895</u>
Total	82,714,108

and by adding a new section to be numbered Sec. E.318 to read as follows:

Sec. E.318 INCREASED INFANT AND TODDLER RATES

(a) Of the funds appropriated in Sec. B.318, \$1,000,000 shall be allocated to increase the rates for infant and toddler care in fiscal year 2018 in the Child Care Financial Assistance Program.

Fourth: In Sec. B.1100, subsection (a), by striking out the figure “\$2,879,900” and inserting in lieu thereof the figure “\$3,379,900” and in subdivision (a)(2) by striking out the figure “\$1,274,500” and inserting in lieu thereof the figure “\$1,774,500” and in subdivision (a)(2)(B) by striking out the figure “\$150,000” and inserting in lieu thereof the figure “\$650,000” and in Sec. D.101(a)(1) by striking out the figure “\$2,879,900” and inserting in lieu thereof the figure “\$3,379,900” and in Sec. E.215(a) by striking out the figure “\$250,000” and inserting in lieu thereof the figure “\$750,000” and by striking out the figure “\$150,000” and inserting in lieu thereof the figure “\$650,000”

Fifth: By striking out Sec. B.204 in its entirety and inserting in lieu thereof a new Sec. B.204 to read as follows:

Sec. B.204 Judiciary

Personal services	38,717,858
Operating expenses	9,358,344

Grants	<u>76,030</u>
Total	47,750,046
Source of funds	
General fund	42,200,859
Special funds	2,667,460
Federal funds	556,455
Interdepartmental transfers	<u>2,325,272</u>
Total	47,750,046

Sixth: In Sec. B.1101 by adding a new subsection (b) to read as follows:

(b) The amount of \$547,225 is appropriated to the Secretary of Commerce and Community Development for developing and launching a marketing campaign.

(1) The funds appropriated in this section shall be used to:

(A) build on Vermont's successful branding and marketing efforts surrounding tourism, recreation, and working lands;

(B) expand the Vermont brand to attract entrepreneurs and would-be entrepreneurs to Vermont;

(C) advance attributes of innovation, tech and digital economy, and energy leadership in Vermont; and

(D) connect entrepreneurs with the career aspirations of young Vermonters.

(2) The funds appropriated in this section may be matched with federal funds, special funds, grants, donations, and private funds.

(3) The Secretary shall establish performance measures that support the strategic priority of strengthening the state economy before disbursing these funds.

Seventh: By striking out Sec. B.240 in its entirety and inserting in lieu thereof a new Sec. B.240 to read as follows:

Sec. B.240 Total protection to persons and property

Source of funds	
General fund	147,283,612
Transportation fund	20,250,000
Special funds	83,989,327



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Tobacco fund	561,843
Federal funds	53,396,381
ARRA funds	1,120,000
Interdepartmental transfers	13,253,305
Enterprise funds	<u>8,569,271</u>
Total	328,423,739

Eighth: By striking out Sec. B.346 in its entirety and inserting in lieu thereof a new Sec. B.346 to read as follows:

Sec. B.346 Total human services

Source of funds

General fund	676,927,899
Special funds	104,169,931
Tobacco fund	23,308,187
State health care resources fund	293,332,780
Education fund	3,189,163
Federal funds	1,405,582,188
Global Commitment fund	1,534,508,280
Internal service funds	1,941,561
Interdepartmental transfers	45,068,129
Permanent trust funds	<u>25,000</u>
Total	4,088,053,118

Thereupon, **Rep. Greshin of Warren** asked and was granted leave of the House to withdraw the amendment.

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

First: In Sec. E.113 by striking out the figure “\$3,182,525” and inserting in lieu thereof the figure “\$3,537,525”

Second: By redesignating “Sec. E.233.1” to be “Sec. E.234”

Third: In Sec. E.237 by striking the words “or displays” where it appears in the first sentence.

Fourth: In Sec. E.605(e) by striking out the last sentence in its entirety and

inserting in lieu thereof a new sentence to read as follows: “This review shall be submitted to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and Economic Development, Housing and General Affairs as part of the Vermont Student Assistance Corporation fiscal year 2019 budget submission.”

Fifth: In Sec. E.605.1(c) by striking out the last sentence in its entirety and inserting in lieu thereof a new sentence to read as follows: “VSAC shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs on or before January 15, 2018.”

Sixth: In Sec. E.608.1(a) by striking out the words “16 V.S.A. § 2885(c)(1)” and inserting in lieu thereof the words “16 V.S.A. § 2885(c)(2)”

Which was agreed to.

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

First: By striking out Sec. B.314 in its entirety and inserting in lieu thereof a new Sec. B.314 to read as follows:

Sec. B.314 Mental health - mental health

Personal services	29,838,587
Operating expenses	3,666,056
Grants	<u>195,144,708</u>
Total	228,649,351
Source of funds	
General fund	5,064,021
Special funds	434,904
Federal funds	6,691,092
Global Commitment fund	216,439,334
Interdepartmental transfers	<u>20,000</u>
Total	228,649,351

Second: By striking out Sec. B.318 in its entirety and inserting in lieu thereof a new Sec. B.318 to read as follows:

Sec. B.318 Department for children and families - child development

Personal services	6,405,300
Operating expenses	802,146
Grants	<u>74,455,662</u>
Total	81,663,108
Source of funds	
General fund	32,216,782
Special funds	1,820,000
Federal funds	36,142,431
Global Commitment fund	<u>11,483,895</u>
Total	81,663,108

Which was agreed to.

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

First: By striking out Sec. B.321 in its entirety and inserting in lieu thereof a new Sec. B.321 to read as follows:

Sec. B.321 Department for children and families - general assistance

Grants	<u>7,077,360</u>
Total	7,077,360
Source of funds	
General fund	5,680,025
Federal funds	1,111,320
Global Commitment fund	<u>286,015</u>
Total	7,077,360

Second: In Sec. E.321.1, by striking subsections (b) and (c) in their entirety and inserting in lieu thereof as follows:

(b)(1) The cold weather exception policy issued by the Department for Children and Families' Economic Services Division dated October 25, 2012, and any succeeding amendments to it, shall remain in effect.

(2) On or before July 31, 2017, the Commissioner for Children and Families shall submit to the Joint Fiscal Committee for its review and comment proposed changes to the Department's cold weather exception policy and related implementing protocols for the purpose of identifying savings in

the General Assistance program.

Third: In Sec. D.105, in subsection (a), by striking out “\$3.5” and inserting in lieu thereof “\$3.15”

Which was disagreed to.

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

Sec. E.321.1, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a)(1) Funds appropriated to the Agency of Human Services in the General Assistance program in fiscal year 2018 may be used for temporary housing in catastrophic situations and for vulnerable populations, as defined in rules adopted by the Agency.

(2) In accordance with 3 V.S.A. chapter 25, the Commissioner for Children and Families shall amend the Department’s General Assistance rules pertaining to temporary housing for vulnerable populations to include households with a minor child, and households with a pregnant woman regardless of her trimester. The Commissioner shall adopt these amendments as an emergency rule and concurrently propose them as a permanent rule. The emergency rule shall be deemed to meet the standard for the adoption of emergency rules pursuant to 3 V.S.A. § 844(a). The Commissioner shall readopt the emergency rule for successive periods until the permanent rule amendment is finally adopted.

Which was agreed to.

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

First: In subdivision (c)(1), after the word “partner”, by inserting “employs evidence-based or evidence-informed practices and”

Second: In subdivision (c)(2), after the words “impact on”, by inserting “the safety and welfare of vulnerable”

Third: In subdivision (c)(5), after the words “cost to” by inserting “another department or program of the Agency of Human Services, to another agency or program of State government, or to”

Which was agreed to.

Pending the third reading of the bill, **Rep. Chesnut-Tangerman of Middletown Springs** moved to amend the bill as follows:

By adding a Sec. E.805 to read:

Sec. E.805 EB-5; APPRENTICESHIP; TRANSFER

Of the amounts appropriated to the Agency of Commerce and Community Development in fiscal year 2018, the Secretary shall transfer, from the source that he or she deems appropriate, the amount of \$200,000 to the Department of Labor for job training in the trades through the Vermont Apprenticeship Program established under 21 V.S.A. chapter 13.

Which was disagreed to.

Thereupon the bill was read a third time and passed.

### **Adjournment**

At eleven o'clock and fourteen minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, April 4, 2017, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 27.

### **Concurrent Resolutions Adopted**

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

#### **H.C.R. 89**

House concurrent resolution congratulating the 2017 Rutland High School Raiders Division I girls' ice hockey championship team;

#### **H.C.R. 90**

House concurrent resolution congratulating the 2017 Bellows Free Academy-St. Albans Bobwhites Division I boys' ice hockey championship team;

#### **H.C.R. 91**

House concurrent resolution congratulating the 2017 Rutland High School Raiders Division I boys' basketball championship team;

#### **H.C.R. 92**

House concurrent resolution congratulating the 2017 Lyndon Institute Vikings Division II championship girls' basketball team;

#### **H.C.R. 93**

House concurrent resolution designating April 26, 2017 as Vermont Lions Day;

**H.C.R. 94**

House concurrent resolution designating March 29, 2017 as Turkish Cultural Day at the State House;

**H.C.R. 95**

House concurrent resolution commending U.S. Armed Forces veterans honored at the Burlington Elks Lodge on Veterans Day 2016;

**H.C.R. 96**

House concurrent resolution congratulating the 2017 Rutland High School National and State championship cheerleading team;

**S.C.R. 11**

Senate concurrent resolution in memory of Springfield civic leader and consummate volunteer Jean Muriel (Follett) Willard;

[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.]