

Journal of the House

Tuesday, April 4, 2017

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

Devotional Exercises

Devotional exercises were conducted by Reverend Elissa Johnk, The Old Meeting House, East Montpelier, VT.

Pledge of Allegiance

Page Rileigh Steinhour of Richford led the House in the Pledge of Allegiance.

Message from the Senate No. 38

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 bills of the following titles:

S. 34. An act relating to cross-promoting development incentives and State policy goals.

S. 127. An act relating to miscellaneous changes to laws related to vehicles and vessels.

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

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 25. Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to amend conservation easements related to the former Hancock Lands and adjacent Averill Inholdings in Essex County and to sell the Bertha Tract in Mendon and the Burch Tract in Killington to the Trust for Public Land.

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

The Senate has on its part adopted Senate concurrent resolution of the following title:

S.C.R. 11. Senate concurrent resolution in memory of Springfield civic leader and consummate volunteer Jean Muriel (Follett) Willard.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

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.

Senate Bill Referred

S. 34

Senate bill, entitled

An act relating to cross-promoting development incentives and State policy goals

Was read and referred to the committee on Government Operations.

Senate Bill Referred

S. 95

Senate bill, entitled

An act relating to sexual assault nurse examiners

Was read and referred to the committee on Human Services.

Senate Bill Referred

S. 127

Senate bill, entitled

An act relating to miscellaneous changes to laws related to vehicles and vessels

Was read and referred to the committee on Transportation.

Joint Resolution Placed on Calendar

J.R.S. 25

House resolution, entitled

By Committee on Institutions,

J.R.S. 25. Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to amend conservation easements related to the former Hancock Lands and adjacent Averill Inholdings in Essex County and to sell the Bertha Tract in Mendon and the Burch Tract in Killington to the Trust for Public Land.

Whereas, in 1996, the Department of Forests, Parks and Recreation acquired from the John Hancock Mutual Life Insurance Company a conservation easement for certain lands (known as the Hancock Lands) in Warren's Gore, and separately in 2005, the Department acquired a second conservation easement for inholdings within the former Hancock Lands in the town of Averill, and

Whereas, these easements envisioned that the covered lands could be subdivided and would be dedicated primarily to conservation purposes but commercial forestry management, including maple sugaring and syrup activities, were permissible, and

Whereas, the Department has now determined that the language in both easements is ambiguous concerning the construction of forestry-related structures such as a sugarhouse, and

Whereas, upon consultation with the U.S. Forest Service, whose Forest Legacy Program facilitated the Department's acquisition of the easements, the Department has determined the easements should be amended with clarifying language subject to the approval of the owners of the parcels that resulted from the subdivision, and

Whereas, the Department owns the Bertha Tract in Mendon and the adjacent Burch Tract in Killington, both of which contain Green Mountain Club-held easements for segments of the Long Trail, and

Whereas, the Department proposes to sell these tracts to the Trust for Public Land in anticipation of their eventual transfer to the U.S. Forest Service for inclusion in the Green Mountain National Forest at which time the Green Mountain Club's easements would terminate and the covered Long Trail

segments would be subject to federal protection, and

Whereas, pursuant to the authority granted in 10 V.S.A. § 2606(b), the Commissioner of Forests, Parks and Recreation believes that these land transactions are in the best interest of the State, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly authorizes the Commissioner of Forests, Parks and Recreation:

First: To amend certain terms and conditions of the conservation easements that the Department acquired with federal Forest Legacy funding on (i) approximately 31,000 acres (known as the Hancock Lands) from the John Hancock Mutual Life Insurance Company on December 17, 1996, and (ii) on 210 acres (known as the Averill Inholdings) from the Trust for Public Land on December 7, 2005 in order to clarify the allowed uses for forest-management-related structures and facilities, including their associated infrastructure and utilities.

Second: To sell to the Trust for Public Land two tracts: (i) an approximately 113-acre tract in the town of Mendon (known as the Bertha Tract), and (ii) a 58.1 acre tract in the town of Killington (known as the Burch Tract), both of which the Department acquired from the Green Mountain Club on March 31, 2003 and that the sale shall be pursuant to the terms of a mutually satisfactory purchase and sale agreement. The selling price shall be based on the tracts' fair market value that an appraisal shall determine. The sale of these tracts is contingent on support from the towns of Mendon and Killington. The sale's proceeds shall be deposited in the Agency of Natural Resources Land Acquisition Fund to be used to acquire additional properties for Long Trail protection purposes, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Commissioner of Forests, Parks and Recreation.

Which was read and, in the Speaker's discretion, placed on the Calendar for action tomorrow under Rule 52.

Recess

At ten o'clock and thirty-eight minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At eleven o'clock and forty-three minutes in the forenoon, the Speaker called the House to order.

Second Reading; Third Reading Ordered**H. 519**

Rep. Emmons of Springfield spoke for the committee on Corrections and Institutions.

House bill entitled

An act relating to capital construction and State bonding

Rep. Lanpher of Vergennes, for the committee on Appropriations, recommended the bill ought to pass

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

Message from the Senate No. 39

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 bills of the following titles:

S. 103. An act relating to the regulation of toxic substances and hazardous materials.

S. 122. An act relating to increased flexibility for school district mergers.

S. 130. An act relating to miscellaneous changes to education laws.

S. 131. An act relating to State's Attorneys and sheriffs.

S. 133. An act relating to examining mental health care and care coordination.

S. 135. An act relating to promoting economic development.

S. 136. An act relating to miscellaneous consumer protection provisions.

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

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 29. Joint resolution relating to weekend adjournment.

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

Adjournment

At twelve o'clock and thirty-eight minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at one o'clock in the afternoon.