

# Journal of the House

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Wednesday, April 5, 2017

At one o'clock in the afternoon the Speaker called the House to order.

## **Devotional Exercises**

Devotional exercises were conducted by Reverend Amy Pitton, Bethany Church, Montpelier, VT.

## **Senate Bill Referred**

### **S. 103**

Senate bill, entitled

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

Was read and referred to the committee on Natural Resources, Fish & Wildlife.

## **Senate Bill Referred**

### **S. 122**

Senate bill, entitled

An act relating to increased flexibility for school district mergers

Was read and referred to the committee on Education.

## **Senate Bill Referred**

### **S. 130**

Senate bill, entitled

An act relating to miscellaneous changes to education laws

Was read and referred to the committee on Education.

## **Senate Bill Referred**

### **S. 131**

Senate bill, entitled

An act relating to State's Attorneys and sheriffs

Was read and referred to the committee on Government Operations.

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**Senate Bill Referred****S. 133**

Senate bill, entitled

An act relating to examining mental health care and care coordination

Was read and referred to the committee on Health Care.

**Senate Bill Referred****S. 135**

Senate bill, entitled

An act relating to promoting economic development

Was read and referred to the committee on Commerce and Economic Development.

**Senate Bill Referred****S. 136**

Senate bill, entitled

An act relating to miscellaneous consumer protection provisions

Was read and referred to the committee on Commerce and Economic Development.

**Joint Resolution Adopted in Concurrence****J.R.S. 29**

By Senator Ashe,

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

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, April 7, 2017, it be to meet again no later than Tuesday, April 11, 2017.

Was taken up, read and adopted in concurrence.

**Committee Relieved of Consideration  
and Bill Committed to Other Committee****S. 34**

**Rep. Townsend of South Burlington** moved that the committee on Government Operations be relieved of House bill, entitled

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

goals

And that the bill be committed to the committee on Commerce and Economic Development, which was agreed to.

**Message from the Senate No. 40**

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 bills originating in the House of the following titles:

**H. 4.** An act relating to calculating time periods in court proceedings.

**H. 379.** An act relating to providing an extension for the repeal of the Search and Rescue Council.

And has passed the same in concurrence.

**Joint Resolution Committed**

**J.R.S. 25**

House resolution, entitled

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

Appearing on the calendar for action, was taken up and pending the reading of the resolution, on motion of **Rep. Macaig of Williston**, the resolution was committed to the committee on Corrections and Institutions.

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

**H. 519**

House bill, entitled

An act relating to capital construction and State bonding

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

In Sec. 32, Agency of Human Services; Facilities, in subsection (b), by inserting at the end of the second sentence, before the period, the words “, and the Health Reform Oversight Committee”

Which was agreed to.

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

In Sec. 34, High Priority Basin Projects; Regional Planning Commissions, by striking out the words “House Committee on Corrections and Institutions” and inserting in lieu thereof the words “House Committees on Corrections and Institutions and on Natural Resources, Fish and Wildlife” and by striking out the words “Senate Committee on Institutions” and inserting in lieu thereof the words “Senate Committees on Institutions and on Natural Resources and Energy”

Which was agreed to. Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? **Rep. Sheldon of Middlebury** 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, 140. Nays, 0.

Those who voted in the affirmative are:

Ainsworth of Royalton	Gannon of Wilmington	Myers of Essex
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	O'Sullivan of Burlington
Beck of St. Johnsbury	Greshin of Warren	Parent of St. Albans Town
Belaski of Windsor	Haas of Rochester	Partridge of Windham
Beyor of Highgate	Head of South Burlington	Pearce of Richford
Bissonnette of Winooski	Hebert of Vernon	Poirier of Barre City
Bock of Chester	Helm of Fair Haven	Potter of Clarendon
Botzow of Pownal	Higley of Lowell	Quimby of Concord
Brennan of Colchester	Hill of Wolcott	Rosenquist of Georgia
Briglin of Thetford	Hooper of Montpelier	Savage of Swanton
Browning of Arlington	Hooper of Brookfield	Scheu of Middlebury
Brumsted of Shelburne	Houghton of Essex	Scheuermann of Stowe
Buckholz of Hartford	Howard of Rutland City	Sharpe of Bristol
Burke of Brattleboro	Hubert of Milton	Shaw of Pittsford
Canfield of Fair Haven	Jessup of Middlesex	Sheldon of Middlebury
Carr of Brandon	Jickling of Brookfield	Sibilia of Dover
Chesnut-Tangerman of Middletown Springs	Joseph of North Hero	Smith of Derby
Christensen of Weathersfield	Juskiewicz of Cambridge	Smith of New Haven
Christie of Hartford	Keefe of Manchester	Squirrell of Underhill
Cina of Burlington	Keenan of St. Albans City	Stevens of Waterbury
Colburn of Burlington	Kimbell of Woodstock	Strong of Albany
Condon of Colchester	Kitzmiller of Montpelier	Stuart of Brattleboro
Conlon of Cornwall	Krowinski of Burlington	Sullivan of Dorset
	LaClair of Barre Town	Sullivan of Burlington

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Connor of Fairfield	Lalonde of South Burlington	Tate of Mendon
Conquest of Newbury	Lanpher of Vergennes	Taylor of Colchester
Copeland-Hanzas of Bradford	Lawrence of Lyndon	Terenzini of Rutland Town
Corcoran of Bennington	Lefebvre of Newark	Till of Jericho
Cupoli of Rutland City	Lewis of Berlin	Toleno of Brattleboro
Dakin of Colchester	Lippert of Hinesburg	Toll of Danville
Deen of Westminster	Long of Newfane	Townsend of South Burlington
Devereux of Mount Holly	Macaig of Williston	Trieber of Rockingham
Dickinson of St. Albans	Marcotte of Coventry	Troiano of Stannard
Donahue of Northfield	Martel of Waterford	Turner of Milton
Donovan of Burlington	Masland of Thetford	Van Wyck of Ferrisburgh
Dunn of Essex	McCormack of Burlington	Viens of Newport City
Fagan of Rutland City	McCullough of Williston	Webb of Shelburne
Feltus of Lyndon	McFaun of Barre Town	Weed of Enosburgh
Fields of Bennington	Miller of Shaftsbury	Willhoit of St. Johnsbury
Forguites of Springfield	Morris of Bennington	Wood of Waterbury
Frenier of Chelsea	Morrissey of Bennington	Wright of Burlington
Gage of Rutland City	Mrowicki of Putney	Yacavone of Morristown
Gamache of Swanton	Murphy of Fairfax	Yantachka of Charlotte

Those who voted in the negative are: None

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

Burditt of West Rutland	McCoy of Poultney	Rachelson of Burlington
Emmons of Springfield	Olsen of Londonderry	Walz of Barre City
Lucke of Hartford	Pugh of South Burlington	Young of Glover

### **Second Reading; Bill Amended; Third Reading Ordered**

#### **H. 368**

**Rep. Lewis of Berlin**, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to creating a Cold Case Unit within the Vermont State Police

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

#### **Sec. 1. VERMONT STATE POLICE; COLD CASE INVESTIGATORS, TEMPORARY, PART-TIME POSITIONS; REPORT**

##### **(a) Two temporary, part-time positions; cold case investigators.**

**(1) Creation.** The following positions are created within the Vermont State Police using existing Department of Public Safety financial resources: two temporary, part-time Cold Case Investigator positions, with each investigator working no more than the equivalent of a 0.4 full-time State

employee.

(2) Expertise; duties. The cold case investigators shall be former law enforcement officers with expertise in homicide and missing person investigations and shall have the duty to investigate unsolved crimes and missing persons.

(3) Elimination. These two temporary positions are eliminated effective on July 1, 2020.

(b) Commissioner of Public Safety; report on cold case investigations. Annually, on or before January 15, beginning in the year 2018 and ending in the year 2020, the Commissioner of Public Safety shall report to the House and Senate Committees on Government Operations and on Appropriations regarding the use of the cold case investigators described in subsection (a) of this section and the Commissioner's recommendations regarding how the State should handle cold case investigations.

## Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: "An act relating to creating two temporary, part-time cold case investigator positions"

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Government Operations agreed to and third reading ordered.

### **Action on Bill Postponed**

#### **S. 5**

Senate bill, entitled

An act relating to plea agreements

Was taken up and pending the reading of the report of the committee on Judiciary, on motion of **Rep. Willhoit of St. Johnsbury**, action on the bill was postponed until April 6, 2017.

### **Action on Bill Postponed**

#### **S. 7**

Senate bill, entitled

An act relating to deferred sentences and the sex offender registry

Was taken up and pending the reading of the report of the committee on Judiciary, on motion of **Rep. Willhoit of St. Johnsbury**, action on the bill was postponed until April 6, 2017.

**Second Reading; Third Reading Ordered****S. 69**

**Rep. Lalonde of South Burlington**, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to an employer's compliance with an income withholding order from another state

Reported in favor of its passage in concurrence

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

**Adjournment**

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