

Journal of the House

Thursday, April 8, 2010

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

Devotional Exercises

Devotional exercises were conducted by Rep. Peter Peltz of Woodbury, Vt.

Message from the Senate No. 30

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Mr. Speaker:

I am directed to inform the House that:

The Senate has considered a bill originating in the House of the following title:

H. 539. An act relating to amending the charter of the town of Hartford.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the House is requested.

The Senate has considered bills originating in the House of the following titles:

H. 639. An act relating to motor vehicle insurance for volunteer drivers.

H. 658. An act relating to the issuance of certificates of need for home health agencies and addressing patient transportation services in certificate of need applications.

H. 766. An act relating to preventing duplication in certain public health records.

And has passed the same in concurrence.

The Governor has informed the Senate that on April 7, 2010, he did not approve and *allowed to become law without his signature* a bill originating in the Senate of the following title:

S. 117. An act relating to the date of the primary election.

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

H.C.R. 299. House concurrent resolution congratulating the 2010 Albert D. Lawton Intermediate School Vermont MATHCOUNTS competition championship team.

H.C.R. 300. House concurrent resolution congratulating Representative Carolyn Branagan on being named the 2010 Vermont Mother of the Year.

H.C.R. 301. House concurrent resolution in memory of U.S. Army 2nd Lt. Joseph Douglas Fortin of St. Johnsbury.

H.C.R. 302. House concurrent resolution congratulating the 2010 Mount Anthony Union High School Patriots Division I championship boys' Nordic ski team.

H.C.R. 303. House concurrent resolution congratulating the 2010 Mount Anthony Union High School Patriots championship wrestling team.

H.C.R. 304. House concurrent resolution congratulating the 2010 Mount Anthony Union High School Patriots Division I championship girls' Nordic ski team.

H.C.R. 305. House concurrent resolution congratulating the 2010 Norwich University Cadets ECAC East women's ice hockey championship team.

H.C.R. 306. House concurrent resolution congratulating Craftsbury Academy student Mael Le Scouezec on winning the 2010 Vermont State Individual Spelling Bee.

Message from the Senate No. 31

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bill of the following title:

S. 88. An act relating to health care financing and universal access to health care in Vermont.

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. 60. Joint resolution honoring women veterans and requesting that state and federal officials work cooperatively to assure that women veterans receive the recognition, the health care services, and other support services they need and deserve.

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

Senate Bill Referred

S. 88

Senate bill, entitled

An act relating to health care financing and universal access to health care in Vermont

Was read and referred to the committee on Health Care.

Action on Bill Postponed

H. 776

House bill, entitled

An act relating to rental housing

Was taken up and pending third reading of the bill, on motion of **Rep. Head of South Burlington**, action on the bill was postponed until the next legislative day.

**Third Reading; Bill Passed in Concurrence
With Proposals of Amendment**

S. 28

Senate bill, entitled

An act relating to the regulation of landscape architects

Was taken up, read the third time and passed in concurrence with proposals of amendment.

Third Reading; Bill Passed in Concurrence

S. 150

Senate bill, entitled

An act relating to parking reserved for disabled persons;

Was taken up, read the third time and passed in concurrence.

Proposal of Amendment Agreed to; Third Reading Ordered

S. 272

Rep. Grad of Moretown, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to human trafficking

Reported in favor of its passage in concurrence with proposal of amendment as follows:

By striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS

The general assembly finds that:

(1) According to his book, The Slave Next Door: Human Trafficking and Slavery in America Today, Dr. Kevin Bales states that the number of human beings estimated to be enslaved today has reached over 27 million worldwide, the highest in recorded history. Vermont and all of its bordering states have seen elements of human trafficking, yet Vermont is the only remaining state in the Northeast and one of the remaining five in the nation lacking legislation on this issue. Vermont's geographical location bordering Canada makes it susceptible to human trafficking activity.

(2) Human trafficking is an interrelated, under-reported crime that is intentionally kept secret by the traffickers who profit by billions of dollars from these crimes. Human trafficking is the third most profitable illegal global enterprise after drug and weapon trafficking, all of which have been found to be closely related.

(3) Because Vermont has a limited level of awareness regarding the existence of human trafficking within its own borders, the collaborative efforts of a human trafficking task force are necessary to raise public awareness and to recommend measures that will assist victims of human trafficking.

Sec. 2. HUMAN TRAFFICKING TASK FORCE

(a) As used in this section, "human trafficking" shall have the same meaning as in 18 U.S.C. §§ 1589–1592.

(b) For purposes of the definition of "human trafficking," "forced labor" means providing or obtaining the labor or services of a person:

(1) by threats of serious harm to, or physical restraint against, that person or another person;

(2) by means of any scheme, plan, or pattern intended to cause the person to believe that if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or

(3) by means of the abuse or threatened abuse of law or the legal process.

(c) The human trafficking task force is established for the purpose of raising public awareness about human trafficking within the state and across state and international borders, identifying resources for the victims of human trafficking, recommending to the public ways to identify and report acts of human trafficking and reporting, and making findings and recommendations regarding those efforts to the general assembly.

(d) The human trafficking task force shall be composed of the following members:

(1) the attorney general or his or her designee, who shall serve as chair;

(2) a representative of the law enforcement community, appointed by the commissioner of public safety;

(3) a representative of Vermont's emergency housing or shelter community;

(4) representatives, appointed by the governor, from each of the following:

(A) the Vermont state housing authority;

(B) the department of labor;

(C) the department of education;

(D) the department for children and families;

(E) the business community; and

(F) the agency of agriculture, food and markets.

(5) a representative, appointed by the secretary, from the agency of human services who specializes in refugee matters;

(6) a representative of the coalition of Vermonters against slavery today;

(7) a representative of the Vermont farm bureau;

(8) a representative of the Vermont network against domestic and sexual violence;

(9) a representative of the Vermont coalition of runaway and homeless youth programs;

(10) a representative of the Vermont crime victim's services; and

(11) an immigration attorney, appointed by the Vermont bar association.

(e) The task force shall consult with representatives from the following:

(1) the human rights commission;

- (2) the department of public safety;
- (3) the polaris project;
- (4) health care professionals;
- (5) the United States' attorney for Vermont;
- (6) migrant worker and other labor advocacy groups; and
- (7) any other groups or individuals the committee deems appropriate.

(f) The task force shall perform the following duties:

(1) Identify ways to raise public awareness about human trafficking in Vermont communities.

(2) Recommend how the Vermont public, business community, local and state government, health, and education providers can best identify, report, and prevent acts of human trafficking in Vermont.

(3) Identify the services needed by victims of human trafficking and their families, and recommend ways to provide those services.

(g) The task force shall have the assistance and cooperation of all state and local agencies and departments.

(h) On or before November 15, 2010, the task force shall report to the members of the senate and house committees on judiciary and to the legislative council its recommendations and legislative proposals including criminal statutory provisions, if any, relating to its findings.

(i) On or before January 15, 2011, the task force shall report to the general assembly and to the governor its findings and any recommendations.

(j) The task force may meet no more than six times, and shall cease to exist on January 15, 2011.

Sec. 3. LAW ENFORCEMENT ADVISORY BOARD

(a) On or before November 15, 2010, the commissioner of public safety shall report to the law enforcement advisory board on the status of efforts by Vermont law enforcement to respond to issues regarding the crime of human trafficking and what recommendations, if any, should be made to the members of the senate and house committees on judiciary and to the legislative council in order to respond more effectively to those issues.

(b) Prior to making this report, the commissioner shall consult with the following groups:

- (1) a representative of the Vermont association of chiefs of police;

- (2) a representative of the Vermont sheriffs' association;
- (3) the attorney general, or his or her designee from the criminal division;
- (4) a state's attorney, appointed by the executive director of the department of state's attorneys and sheriffs;
- (5) a representative from the Vermont center for crime victim services;
- (6) a representative from the network against domestic and sexual violence;
- (7) a representative from the coalition of Vermonters against slavery today;
- (8) the executive director of the Vermont police academy or his or her designee;
- (9) the United States' attorney for Vermont or his or her designee;
- (10) representatives from federal law enforcement agencies in Vermont;
- (11) the human trafficking task force; and
- (12) any other groups or individuals the commissioner deems appropriate.

(c) The law enforcement advisory board shall include its findings and recommendations, based upon the commissioner's report, in its annual report to the general assembly and governor as required pursuant to 24 V.S.A. § 1939(d).

Sec. 4. EFFECTIVE DATE

This act shall take effect upon passage.

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

Senate Proposal of Amendment Concurred in

H. 695

The Senate proposed to the House to amend House bill, entitled

An act relating to definition of premises for award of liquor license

In Sec. 1, 7 V.S.A. § 2(15), in the fourth sentence, by striking out the following: "includes any licensed establishment that is" and inserting in lieu thereof the following: includes up to two licensed establishments that are

Which proposal of amendment was considered and concurred in.

Adjournment

At one o'clock and thirty-five minutes in the afternoon, on motion of **Rep. Komline of Dorset**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.