

# Journal of the House

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**Tuesday, January 15, 2013**

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

## **Devotional Exercises**

Devotional exercises were conducted by the 5th and 6th grade students from Currier Memorial Elementary School from Danby, Vt.

## **Pledge of Allegiance**

**Page Adam Isaacs-Falbel of Montpelier** led the House in the Pledge of Allegiance.

## **Rules Suspended; House Bills Introduced**

Pending first reading of the bills, on motion of **Rep. Turner of Milton**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

### **H. 13**

By Reps. Sweaney of Windsor, Cole of Burlington, Consejo of Sheldon, Devereux of Mount Holly, Evans of Essex, Higley of Lowell, Hubert of Milton, Martin of Wolcott, Townsend of Randolph and Townsend of South Burlington,

House bill, entitled

An act relating to statutory revision;

To the committee on Government Operations.

### **H. 14**

By Reps. Hubert of Milton, Devereux of Mount Holly, Higley of Lowell, Townsend of Randolph and Winters of Williamstown,

House bill, entitled

An act relating to the law enforcement authority of liquor control investigators;

To the committee on General, Housing and Military Affairs.

### **H. 15**

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to the reorganization of the mental health statutes;

To the committee on Human Services.

**H. 16**

By Rep. Conquest of Newbury,

House bill, entitled

An act relating to criminal threatening;

To the committee on Judiciary.

**H. 17**

By Reps. Malcolm of Pawlet, McCarthy of St. Albans City, Potter of Clarendon and Russell of Rutland City,

House bill, entitled

An act relating to raising the penalties for texting while driving;

To the committee on Judiciary.

**H. 18**

By Rep. Sweaney of Windsor,

House bill, entitled

An act relating to granting staff of the Departments of Corrections and for Children and Families ex officio status for notary public services;

To the committee on Government Operations.

**H. 19**

By Reps. Grad of Moretown, Krowinski of Burlington, Pugh of South Burlington, Ram of Burlington, Buxton of Tunbridge and Fay of St. Johnsbury,

House bill, entitled

An act relating to the Domestic and Sexual Violence Survivors' Transitional Employment Program;

To the committee on Human Services.

**H. 20**

By Rep. Wilson of Manchester,

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House bill, entitled

An act relating to wage withholding orders for overdue rent;

To the committee on General, Housing and Military Affairs.

**H. 21**

By Reps. Townsend of Randolph, Devereux of Mount Holly, Evans of Essex, Higley of Lowell, Hubert of Milton and Martin of Wolcott,

House bill, entitled

An act relating to applying for an early voter absentee ballot;

To the committee on Government Operations.

**H. 22**

By Reps. Hubert of Milton, Cole of Burlington, Consejo of Sheldon, Cupoli of Rutland City, Devereux of Mount Holly, Dickinson of St. Albans Town, Higley of Lowell, Juskiewicz of Cambridge, Townsend of Randolph and Townsend of South Burlington,

House bill, entitled

An act relating to standardized ballots and vote tabulators;

To the committee on Government Operations.

**H. 23**

By Reps. Stevens of Shoreham, Bartholomew of Hartland, Browning of Arlington, Burke of Brattleboro, Canfield of Fair Haven, Christie of Hartford, Condon of Colchester, Conquest of Newbury, Consejo of Sheldon, Devereux of Mount Holly, Evans of Essex, Greshin of Warren, Higley of Lowell, Hubert of Milton, Jerman of Essex, Komline of Dorset, Lawrence of Lyndon, Malcolm of Pawlet, Marcotte of Coventry, Martin of Springfield, Martin of Wolcott, Moran of Wardsboro, Mrowicki of Putney, Myers of Essex, Nuovo of Middlebury, Pearce of Richford, Potter of Clarendon, Russell of Rutland City, Toleno of Brattleboro, Waite-Simpson of Essex, Wilson of Manchester, Winters of Williamstown, Yantachka of Charlotte and Zagar of Barnard,

House bill, entitled

An act relating to the number of votes required for a write-in candidate to win a primary election;

To the committee on Government Operations.

**H. 24**

By Reps. Peltz of Woodbury and Klein of East Montpelier,

House bill, entitled

An act relating to requiring the transfer of RBES and CBES certificates when property is conveyed;

To the committee on General, Housing and Military Affairs.

**Message from the Senate No. 5**

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 adopted joint resolution of the following title:

**J.R.S. 7.** Joint resolution relating to weekend adjournment.

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

**Executive Orders Referred to Committee**

The Speaker placed before the House Executive Orders No. 01-13 and No. 02-13, which were severally read and referred to the committee on Government Operations.

**“STATE OF VERMONT****EXECUTIVE DEPARTMENT****EXECUTIVE ORDER NO. 01-13**

[Revocation of Executive Order 3-48 and Renaming  
the Department of Housing and Community Affairs  
the Department of Housing and Community Development]

WHEREAS, the Governor, pursuant to 3 V.S.A. § 2001, may make such changes in the organization of the executive branch or in the assignment of functions among its units as he considers necessary for efficient administration; and

WHEREAS, via Executive Order 3-48 (No. 1-09), Governor James H. Douglas, with the approval of the General Assembly pursuant to 3 V.S.A. § 2002, merged the Department of Housing and Community Affairs with the Department of Economic Development within the Agency of Commerce and Community Development; and

WHEREAS, the merger of these two departments with the Agency of Commerce and Community Development is no longer deemed to be in the best interest of the State;

NOW THEREFORE, I, Peter Shumlin, by the power vested in me as Governor, do revoke Executive Order 3-48 and rename the Department of Housing and Community Affairs the Department of Housing and Community Development.

This Executive Order shall take effect on April 12, 2013, or before final adjournment of the annual session, whichever comes first, unless disapproved by the General Assembly pursuant to 3 V.S.A. § 2002. This Executive Order shall be submitted to the General Assembly pursuant to 3 V.S.A. § 2002(b).

Dated January 11, 2013  
 /s/ Peter Shumlin  
 Governor”

“STATE OF VERMONT  
 EXECUTIVE DEPARTMENT  
 EXECUTIVE ORDER NO. 02-13

[Transfer of Certain Technology Positions to  
 the Department of Information and Innovation]

WHEREAS, the Governor, pursuant to 3 V.S.A. § 209 and 3 V.S.A. § 2001, may make changes in the organization of the executive branch as he considers necessary for efficient administration; and

WHEREAS, the State could improve and enhance its ability to provide services to the public through the transfer of certain technology support positions from the Agency of Human Services (AHS) to the Department of Information and Innovation (DII);

NOW THEREFORE, I, Peter Shumlin, by the power vested in me as Governor, do hereby:

1. Transfer, effective July 1, 2013, the following positions and incumbents from AHS to DII:

	Position No.	HR Title
1	720084	IT Specialist II

2	720086	IT Sys Admin
3	720085	IT Specialist III
4	720003	Help Desk Sp II
5	720065	Network Admin II
6	720150	IT Security
7	720130	AHS Security Director
8	720083	IT Specialist II
9	720106	IT Specialist II
10	720098	Contract and Procurement Specialist
11	720105	IT Specialist II
12	720059	Network Admin. III
13	720087	Network Admin III
14	720090	IT Specialist II
15	750516	IT Specialist III
16	720104	Help Desk Sp II
17	720089	IT Specialist I
18	720093	IT Specialist II
19	720102	Network Admin II
20	720096	IT Specialist II
21	720082	IT Manager I
22	720100	IT Sys Admin
23	720103	IT Specialist II
24	720094	Network Admin II
25	720092	IT Sys Admin
26	720095	Network Admin II

2. Transfer, effective July 1, 2013, the functions, equipment, supplies and inventory associated with the above listed positions from AHS to DII. Any and all appropriations will remain with AHS, as DII will charge AHS for services consumed.

3. Direct the Commissioner of DII to define the position duties and take appropriate classification actions through the Department of Human Resources prior to the effective date of the transfer. The Commissioner shall also take, with the assistance of the Agency Secretaries and Department Commissioners affected by the transfer, any and all necessary actions to organize, plan and effect an orderly transfer and transition.

This Executive Order shall take effect on April 12, 2013, or before final adjournment of the annual session, whichever comes first, unless disapproved by the General Assembly pursuant to 3 V.S.A. § 2002. This Executive Order shall be submitted to the General Assembly pursuant to 3 V.S.A. § 2002(b).

Dated January 11, 2013

/s/ Peter Shumlin  
Governor”

### Remarks Journalized

On motion of **Rep. Lippert of Hinesburg**, the following Devotional songs presented by the 5th and 6th graders from Currier Memorial Elementary School in Dandy, were ordered printed in the Journal:

“Mr. Speaker:

WE ALL CAN RELATE by the Currier Fifth Grade

Many small towns  
Lots of good people  
Hunting and fishing  
Tall church steeples

Chorus

The Green Mountain State  
Hardly a hint of hate  
All Vermonters can relate  
To the Green Mountain State

Skiing down the mountains  
Sugaring with friends  
Snowmobile racing  
The fun never ends

Chorus

Leaping in the leaves  
Flying everywhere  
Having such a blast  
You just don't care!

Chorus

Family farms  
Important for us all  
Meeting all your neighbors

At the town hall

Chorus

Cities are busy  
Comfy and clean  
Country fairs are awesome  
Judging green beans

Chorus

A SOUND OF OUR OWN by the Currier Fourth Grade

Feel that rhythm  
In your soul  
Want to go dancin'  
To Rock-n-Roll

Hear that saxophone  
Blowing those beats  
Make that audience  
Fly from their seats

Chorus

Saxophone and trumpet  
Percussion and trombone  
Clarinets toot  
Whistling flute  
(rest) A sound of our own

Strike that snare drum  
Play it loud  
We're all feelin'  
Mighty proud

Breathing deeply  
Playing that flute  
Sounds so good  
You want to salute

Chorus

Makes us happy  
Being a band  
Gonna go play



In Neverland

On a stage

In a gym

Like we're swingin'

Limb to limb

Chorus, repeat

### **Adjournment**

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