

Journal of the House

Tuesday, January 29, 2013

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

Devotional Exercises

Devotional exercises were conducted by Pastor Rebecca Strader of the First Presbyterian Church, Graniteville, Vt.

Pledge of Allegiance

Page Stephan Brecher of Waterbury led the House in the Pledge of Allegiance.

Message from the Senate No. 8

A message was received from the Senate by Mr. Bloomer, its 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. 2. An act relating to sentence calculations.

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

Message from the Senate No. 9

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

Mr. Speaker:

I am directed to inform the House that:

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

S.C.R. 10. Senate concurrent resolution commemorating the sestercentennial anniversary of the town of Moretown.

S.C.R. 11. Senate concurrent resolution commemorating the sestercentennial anniversary of the Town of Duxbury.

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

H.C.R. 10. House concurrent resolution congratulating the Richmond Land Trust on its 25th anniversary.

H.C.R. 11. House concurrent resolution congratulating the 2011 South Burlington High School Division I championship boys' soccer team.

H.C.R. 12. House concurrent resolution congratulating the Old First Church of Bennington on its 250th anniversary.

H.C.R. 13. House concurrent resolution honoring Sandra Barton on her outstanding career as a Vermont state employee and for her civic accomplishments.

H.C.R. 14. House concurrent resolution designating the week of January 20, 2013 as National Nurse Anesthetists Week in Vermont.

H.C.R. 15. House concurrent resolution in memory of former Representative Oreste Valsangiacomo Sr. of Barre City.

House Bills Introduced

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

H. 94

By Reps. Ancel of Calais and Heath of Westford,
House bill, entitled
An act relating to reporting and disclosure of heating fuel prices;
To the committee on Commerce and Economic Development.

H. 95

By Reps. Botzow of Pownal, Kitzmiller of Montpelier and Marcotte of Coventry,
House bill, entitled
An act relating to unclaimed life insurance benefits;
To the committee on Commerce and Economic Development.

H. 96

By Reps. Poirier of Barre City and Davis of Washington,
House bill, entitled
An act relating to state regulation of the retail propane industry;
To the committee on Commerce and Economic Development.

H. 97

By Reps. Hebert of Vernon, Batchelor of Derby, Beyor of Highgate, Bouchard of Colchester, Burditt of West Rutland, Burke of Brattleboro, Canfield of Fair Haven, Cupoli of Rutland City, Deen of Westminster, Devereux of Mount Holly, Dickinson of St. Albans Town, Donaghy of Poultney, Donahue of Northfield, Fagan of Rutland City, Feltus of Lyndon, Gage of Rutland City, Goodwin of Weston, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Jerman of Essex, Juskiewicz of Cambridge, Larocque of Barnet, Lawrence of Lyndon, Lewis of Berlin, Manwaring of Wilmington, Marek of Newfane, Mitchell of Fairfax, Moran of Wardsboro, Mrowicki of Putney, Myers of Essex, Partridge of Windham, Pearce of Richford, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Smith of New Haven, Strong of Albany, Stuart of Brattleboro, Terenzini of Rutland Town, Toleno of Brattleboro, Trieber of Rockingham, Winters of Williamstown, Wright of Burlington and Yantachka of Charlotte,

House bill, entitled

An act relating to radioactive waste disposal fees assessed on small generators;

To the committee on Natural Resources and Energy.

H. 98

By Reps. Emmons of Springfield, Dakin of Chester and Martin of Springfield,

House bill, entitled

An act relating to labeling of roll-off dumpsters;

To the committee on Commerce and Economic Development.

H. 99

By Reps. Krowinski of Burlington, Burke of Brattleboro, Buxton of Tunbridge, Clarkson of Woodstock, Cole of Burlington, French of Randolph, Lanpher of Vergennes, Lenes of Shelburne, Macaig of Williston, Martin of Springfield, McCormack of Burlington, Michelsen of Hardwick, Mook of Bennington, Moran of Wardsboro, Myers of Essex, O'Sullivan of Burlington, Pearson of Burlington, Poirier of Barre City, Pugh of South Burlington, Ram of Burlington, Sharpe of Bristol, South of St. Johnsbury, Stevens of Waterbury, Taylor of Barre City, Till of Jericho, Townsend of South Burlington, Weed of Enosburgh, Wizowaty of Burlington and Zagar of Barnard,

House bill, entitled

An act relating to equal pay;

To the committee on General, Housing and Military Affairs.

H. 100

By Rep. Wizowaty of Burlington,

House bill, entitled

An act relating to expanding the Commission on Women to include a member of the Progressive Party;

To the committee on Government Operations.

H. 101

By Rep. Deen of Westminster,

House bill, entitled

An act relating to the clarification of provisions regarding the posting of land and access to land and water for hunting, fishing, and trapping;

To the committee on Fish, Wildlife & Water Resources.

H. 102

By Rep. Deen of Westminster,

House bill, entitled

An act relating to hunting;

To the committee on Fish, Wildlife & Water Resources.

H. 103

By Reps. Fagan of Rutland City, Burditt of West Rutland, Cupoli of Rutland City, Gage of Rutland City, Russell of Rutland City and Terenzini of Rutland Town,

House bill, entitled

An act relating to the use or sale of drugs on abandoned property;

To the committee on Judiciary.

H. 104

By Reps. Koch of Barre Town, Buxton of Tunbridge, Donahue of Northfield, McFaun of Barre Town and Stevens of Shoreham,

House bill, entitled

An act relating to a revision of Vermont's campaign finance laws;

To the committee on Government Operations.

H. 105

By Reps. Haas of Rochester, Batchelor of Derby, Burditt of West Rutland, Donahue of Northfield, Frank of Underhill, French of Randolph, Krowinski of Burlington, McFaun of Barre Town, Mrowicki of Putney, Pugh of South Burlington and Trieber of Rockingham,

House bill, entitled

An act relating to adult protective services reporting requirements;

To the committee on Human Services.

H. 106

By Rep. Botzow of Pownal,

House bill, entitled

An act relating to unexpected intoxication by medical prescription as a criminal defense;

To the committee on Judiciary.

H. 107

By Rep. Fisher of Lincoln,

House bill, entitled

An act relating to health insurance, Medicaid, and the Vermont Health Benefit Exchange;

To the committee on Health Care.

H. 108

By Rep. Manwaring of Wilmington,

House bill, entitled

An act relating to technical school attendance in another state;

To the committee on Education.

H. 109

By Reps. O'Sullivan of Burlington, Till of Jericho, Bouchard of Colchester, Burke of Brattleboro, Buxton of Tunbridge, Campion of Bennington, Cheney of Norwich, Christie of Hartford, Clarkson of Woodstock, Cole of Burlington, Connor of Fairfield, Dakin of Chester, Davis of Washington, Dickinson of St. Albans Town, Evans of Essex, Fay of St. Johnsbury, French of Randolph, Haas of Rochester, Heath of Westford, Jerman of Essex, Keenan of St. Albans

City, Krebs of South Hero, Krowinski of Burlington, Lanpher of Vergennes, Lenes of Shelburne, Lippert of Hinesburg, Macaig of Williston, Manwaring of Wilmington, Martin of Springfield, Martin of Wolcott, McCarthy of St. Albans City, McCormack of Burlington, McCullough of Williston, Miller of Shaftsbury, Mook of Bennington, Moran of Wardsboro, Mrowicki of Putney, O'Brien of Richmond, Partridge of Windham, Pearson of Burlington, Rachelson of Burlington, Ram of Burlington, Smith of New Haven, Spengler of Colchester, Stevens of Waterbury, Stuart of Brattleboro, Sweaney of Windsor, Toll of Danville, Townsend of Randolph, Townsend of South Burlington, Vowinkel of Wilder, Waite-Simpson of Essex, Webb of Shelburne, Weed of Enosburgh, Wizowaty of Burlington and Yantachka of Charlotte,

House bill, entitled

An act relating to the National Guard's efforts to prevent sexual assault;

To the committee on General, Housing and Military Affairs.

H. 110

By Rep. McCullough of Williston,

House bill, entitled

An act relating to establishing a therapeutic group fishing license;

To the committee on Fish, Wildlife & Water Resources.

H. 111

By Rep. McCullough of Williston,

House bill, entitled

An act relating to disbursements from the Petroleum Cleanup Fund to address potential releases from underground or aboveground storage tanks;

To the committee on Fish, Wildlife and Water Resources.

H. 112

By Reps. Webb of Shelburne, Bartholomew of Hartland, Zagar of Barnard, Partridge of Windham, McCullough of Williston, Bissonnette of Winooski, Burke of Brattleboro, Buxton of Tunbridge, Carr of Brandon, Cheney of Norwich, Christie of Hartford, Cross of Winooski, Dakin of Chester, Deen of Westminster, Devereux of Mount Holly, Donahue of Northfield, Donovan of Burlington, Ellis of Waterbury, Emmons of Springfield, Frank of Underhill, French of Randolph, Head of South Burlington, Hooper of Montpelier, Keenan of St. Albans City, Krowinski of Burlington, Lanpher of Vergennes, Lenes of Shelburne, Marek of Newfane, Martin of Springfield, Martin of Wolcott, Masland of Thetford, McCarthy of St. Albans City, McCormack of Burlington,

Miller of Shaftsbury, Mrowicki of Putney, Nuovo of Middlebury, Pearson of Burlington, Peltz of Woodbury, Rachelson of Burlington, Ram of Burlington, Sharpe of Bristol, Spengler of Colchester, Stevens of Waterbury, Stuart of Brattleboro, Till of Jericho, Toleno of Brattleboro, Townsend of South Burlington, Waite-Simpson of Essex, Wizowaty of Burlington and Woodward of Johnson,

House bill, entitled

An act relating to the labeling of food produced with genetic engineering;

To the committee on Agriculture.

H. 113

By Reps. Donahue of Northfield, Burditt of West Rutland, Gage of Rutland City, Grad of Moretown, Koch of Barre Town, Waite-Simpson of Essex, Webb of Shelburne and Woodward of Johnson,

House bill, entitled

An act relating to probable cause hearings for mental health admissions;

To the committee on Judiciary.

H. 114

By Reps. Till of Jericho, Buxton of Tunbridge, Cole of Burlington, Dakin of Chester, Dickinson of St. Albans Town, Evans of Essex, Jerman of Essex, Mook of Bennington, O'Sullivan of Burlington, Townsend of South Burlington and Wizowaty of Burlington,

House bill, entitled

An act relating to immunization against pertussis;

To the committee on Health Care.

H. 115

By Reps. Donahue of Northfield, Burditt of West Rutland, Devereux of Mount Holly, Dickinson of St. Albans Town, French of Randolph, Koch of Barre Town, Moran of Wardsboro, Spengler of Colchester and Woodward of Johnson,

House bill, entitled

An act relating to the Mental Health Resource and Referral Registry;

To the committee on Human Services.

H. 116

By Rep. Fisher of Lincoln,

House bill, entitled

An act relating to health care administration;

To the committee on Health Care.

H. 117

By Reps. Sharpe of Bristol, Clarkson of Woodstock, Frank of Underhill, Greshin of Warren, Heath of Westford, Masland of Thetford, Mrowicki of Putney, Russell of Rutland City and Toleno of Brattleboro,

House bill, entitled

An act relating to state regulation of the retail propane industry;

To the committee on Commerce and Economic Development.

H. 118

By Reps. Poirier of Barre City, Batchelor of Derby, Beyor of Highgate, Bissonnette of Winooski, Bouchard of Colchester, Burditt of West Rutland, Buxton of Tunbridge, Campion of Bennington, Conquest of Newbury, Cross of Winooski, Cupoli of Rutland City, Davis of Washington, Devereux of Mount Holly, Dickinson of St. Albans Town, Donahue of Northfield, Fagan of Rutland City, Feltus of Lyndon, Gage of Rutland City, Greshin of Warren, Hebert of Vernon, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, Kilmartin of Newport City, Koch of Barre Town, Komline of Dorset, Larocque of Barnet, Lewis of Berlin, McCormack of Burlington, McFaun of Barre Town, Mitchell of Fairfax, Myers of Essex, O'Sullivan of Burlington, Quimby of Concord, Savage of Swanton, Scheuermann of Stowe, Shaw of Pittsford, Shaw of Derby, Strong of Albany, Terenzini of Rutland Town and Winters of Williamstown,

House bill, entitled

An act relating to repealing the employer assessment;

To the committee on Health Care.

H. 119

By Reps. Waite-Simpson of Essex and Jerman of Essex,

House bill, entitled

An act relating to the scope of the pious property exemption from state and local property taxes;

To the committee on Ways and Means.

H. 120

By Rep. Waite-Simpson of Essex,

House bill, entitled

An act relating to excluding retirement contributions by self-employed individuals from the calculation of household income;

To the committee on Ways and Means.

H. 121

By Reps. Wizowaty of Burlington, Bissonnette of Winooski, Burditt of West Rutland, Cole of Burlington, Connor of Fairfield, Conquest of Newbury, Cross of Winooski, Dakin of Chester, Donahue of Northfield, Fisher of Lincoln, Frank of Underhill, French of Randolph, Hooper of Montpelier, Keenan of St. Albans City, Krowinski of Burlington, Lenes of Shelburne, Malcolm of Pawlet, Marek of Newfane, Masland of Thetford, McCullough of Williston, Mook of Bennington, Moran of Wardsboro, Mrowicki of Putney, Poirier of Barre City, Potter of Clarendon, Toll of Danville, Trieber of Rockingham, Weed of Enosburgh and Zagar of Barnard,

House bill, entitled

An act relating to law enforcement access to prescription records at pharmacies;

To the committee on Judiciary.

H. 122

By Reps. Waite-Simpson of Essex, Ancel of Calais, Botzow of Pownal, Conquest of Newbury, Cross of Winooski, Pugh of South Burlington, Ram of Burlington, Russell of Rutland City, Townsend of South Burlington and Yantachka of Charlotte,

House bill, entitled

An act relating to nonschool recreational use of public school property;

To the committee on Education.

H. 123

By Reps. Dickinson of St. Albans Town, Botzow of Pownal, Browning of Arlington, Champion of Bennington, Carr of Brandon, Christie of Hartford, Clarkson of Woodstock, Connor of Fairfield, Frank of Underhill, French of Randolph, Gage of Rutland City, Hebert of Vernon, Krebs of South Hero, Lenes of Shelburne, Lippert of Hinesburg, Mrowicki of Putney, O'Sullivan of Burlington, Poirier of Barre City, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Spengler of Colchester, Stevens of Shoreham, Strong of Albany,

Stuart of Brattleboro, Terenzini of Rutland Town, Townsend of South Burlington, Waite-Simpson of Essex, Webb of Shelburne, Winters of Williamstown, Woodward of Johnson and Yantachka of Charlotte,

House bill, entitled

An act relating to Lyme disease and other tick-borne illnesses;

To the committee on Health Care.

H. 124

By Reps. Waite-Simpson of Essex, Greshin of Warren, Mrowicki of Putney, Ancel of Calais, Clarkson of Woodstock, Cole of Burlington, Cross of Winooski, Deen of Westminster, Martin of Springfield, Ram of Burlington, Stevens of Waterbury and Yantachka of Charlotte,

House bill, entitled

An act relating to firearms regulation;

To the committee on Judiciary.

H. 125

By Reps. Waite-Simpson of Essex, Deen of Westminster, Mrowicki of Putney, Ram of Burlington, Stevens of Waterbury and Yantachka of Charlotte,

House bill, entitled

An act relating to unlawful firearm disposition and firearm safety training;

To the committee on Government Operations.

H. 126

By Rep. Lippert of Hinesburg,

House bill, entitled

An act relating to public inspection of electronic control devices used by law enforcement officers;

To the committee on Government Operations.

Senate Bill Referred

S. 2

Senate bill, entitled

An act relating to sentence calculations;

Was taken up, read the first time and referred to the committee on Judiciary.

Message from the Senate No. 10

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. 9. Joint resolution relating to weekend adjournment.

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

Joint Resolution Adopted in Concurrence**J.R.S. 9**

By Senators Baruth and Benning,

J.R.S. 9. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 1, 2013, it be to meet again no later than Tuesday, February 5, 2013. By Senators Baruth and Benning,

Was taken up read and adopted in concurrence.

Sexual Harassment Panel Appointed

The Speaker appointed the following named members to the Sexual Harassment Panel:

Rep Taylor of Barre City

Rep. Komline of Dorset

Rep. Waite-Simpson of Essex

Rep. Burke of Brattleboro

Rep. Mrowicki of Putney

Third Reading; Bill Passed**H. 63**

House bill, entitled

An act relating to repealing an annual survey of municipalities

Was taken up, read the third time and passed.

Favorable Report; Resolution Adopted**H.R. 4**

Rep. Krowinski of Burlington, for the committee on Human Services, to which had been referred House resolution, entitled

House resolution supporting a woman's right to decide her own reproductive choices and commemorating the 40th anniversary of the U.S. Supreme Court decision in *Roe v. Wade*

Reported in favor of its passage.

Thereupon, the resolution was adopted on the part of the House.

Adjournment

At ten o'clock and thirty-five minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Friday, February 1, 2013, at nine o'clock and thirty minutes in the forenoon.