

# Journal of the House

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**Friday, March 15, 2013**

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

## **Devotional Exercises**

Devotional exercises were conducted by Rev. Mark Pitton of Bethany Church, Montpelier, Vt.

## **Message from the Senate No. 25**

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. 144.** An act relating to the St. Albans state office building.

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

The Senate has considered House proposal of amendment to Senate bill of the following title:

**S. 2.** An act relating to sentence calculations.

And has concurred therein.

## **House Bills Introduced**

House bills of the following titles were severally introduced, read the first time, and under the rule, placed on the Calendar for notice.

### **H. 513**

House bill, entitled

An act relating to the Department of Financial Regulation

### **H. 514**

House bill, entitled

An act relating to the tax liability of certain agricultural workers and employers

**H. 515**

House bill, entitled

An act relating to miscellaneous agricultural subjects

**Senate Bill Referred****S. 144**

Senate bill, entitled

An act relating to the St. Albans state office building

Was read and referred to the committee on Corrections and Institutions.

**Bills Referred to Committee on Appropriations**

House bills of the following titles, appearing on the Calendar, carrying appropriations, under the rule, were referred to the committee on Appropriations:

**H. 169**

House bill, entitled

An act relating to relieving employers' experience-rating records

**H. 510**

House bill, entitled

An act relating to the State's transportation program and miscellaneous changes to the State's transportation laws

**Bills Referred to Committee on Ways and Means**

House bills of the following titles, appearing on the Calendar, affecting the revenue of the state, under the rule, were referred to the Committee on Ways and Means:

**H. 513**

House bill, entitled

An act relating to the Department of Financial Regulation

**H. 514**

House bill, entitled

An act relating to the tax liability of certain agricultural workers and employers

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**Committee Relieved of Consideration  
and Bill Committed to Other Committee**

**H. 350**

**Rep. Sweaney of Windsor** moved that the committee on Government Operations be relieved of House bill, entitled

An act relating to the posting of medical unprofessional conduct decisions and to investigators of alleged unprofessional conduct

And that the bill be committed to the committee on Health Care, which was agreed to.

**Committees Appointed**

**Judicial Rules:**

Rep. Lippert of Hinesburg  
Rep. Haas of Rochester  
Rep. Kilmartin of Newport  
Rep. Michelsen of Hardwick

**Joint Energy:**

Rep. Klein of East Montpelier  
Rep. Feltus of Lyndon  
Rep. Cheney of Norwich

**Bill Amended; Third Reading Ordered**

**H. 315**

**Rep. Poirier of Barre City**, for the committee on Health Care, to which had been referred House bill, entitled

An act relating to group health coverage for same-sex spouses

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

Sec. 1. 8 V.S.A. § 4063b is added to read:

§ 4063b. COVERAGE FOR EMPLOYEES OF AN EMPLOYER  
DOMICILED OUTSIDE OF VERMONT

(a) As used in this section:

(1) “Health insurance” shall have the same meaning as “group health insurance policy or subscriber contract” in section 4091a of this title.

(2) “Marriage” shall have the same meaning as in 15 V.S.A. § 8.

(3) "Party to a civil union" shall have the same meaning as in 15 V.S.A. § 1201.

(b) To the extent permitted under federal law, health insurance coverage provided to Vermont residents who work for an employer domiciled outside of Vermont shall not distinguish between parties to a civil union, married same-sex couples, and married opposite-sex couples.

Sec. 2. 21 V.S.A. § 495 is amended to read:

§ 495. UNLAWFUL EMPLOYMENT PRACTICE

\* \* \*

~~(f) The provisions of this section prohibiting discrimination on the basis of sexual orientation or gender identity shall not be construed to change the definition of family or dependent in an employee benefit plan. [Repealed.]~~

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Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2013.

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 Health Care agreed to.

Pending the question, Shall the bill be read a third time? **Rep. Poirier of Barre City** 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 be read a third time? was decided in the affirmative. Yeas, 139. Nays, 5.

Those who voted in the affirmative are:

Ancel of Calais	Cheney of Norwich	Devereux of Mount Holly
Bartholomew of Hartland	Christie of Hartford	Dickinson of St. Albans
Batchelor of Derby	Clarkson of Woodstock	Town
Bissonnette of Winooski	Cole of Burlington	Donahue of Northfield *
Botzow of Pownal	Condon of Colchester	Donovan of Burlington
Bouchard of Colchester	Connor of Fairfield	Ellis of Waterbury
Branagan of Georgia	Conquest of Newbury	Emmons of Springfield
Brennan of Colchester	Consejo of Sheldon	Evans of Essex
Browning of Arlington	Copeland-Hanzas of	Fagan of Rutland City
Burditt of West Rutland	Bradford	Fay of St. Johnsbury
Burke of Brattleboro	Corcoran of Bennington	Feltus of Lyndon
Buxton of Tunbridge	Cross of Winooski	Fisher of Lincoln
Campion of Bennington	Cupoli of Rutland City	Frank of Underhill
Canfield of Fair Haven	Dakin of Chester	French of Randolph
Carr of Brandon	Deen of Westminster	Gallivan of Chittenden

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Goodwin of Weston	Manwaring of Wilmington	Scheuermann of Stowe
Grad of Moretown	Marcotte of Coventry	Sharpe of Bristol
Greshin of Warren	Marek of Newfane	Shaw of Pittsford
Haas of Rochester	Martin of Springfield	Smith of New Haven
Head of South Burlington	Martin of Wolcott	South of St. Johnsbury
Heath of Westford	Masland of Thetford	Spengler of Colchester
Hebert of Vernon	McCarthy of St. Albans City	Stevens of Waterbury
Helm of Fair Haven	McCormack of Burlington	Stevens of Shoreham
Higley of Lowell	McCullough of Williston	Stuart of Brattleboro
Hooper of Montpelier	McFaun of Barre Town	Sweaney of Windsor
Hubert of Milton	Michelsen of Hardwick	Taylor of Barre City
Huntley of Cavendish	Miller of Shaftsbury	Terenzini of Rutland Town
Jerman of Essex	Mitchell of Fairfax	Till of Jericho
Johnson of South Hero	Mook of Bennington	Toleno of Brattleboro
Johnson of Canaan	Moran of Wardsboro	Toll of Danville
Juskiewicz of Cambridge	Morrissey of Bennington	Townsend of Randolph
Keenan of St. Albans City	Mrowicki of Putney	Townsend of South Burlington
Kitzmiller of Montpelier	Myers of Essex	Trieber of Rockingham
Klein of East Montpelier	Nuovo of Middlebury	Turner of Milton *
Koch of Barre Town	O'Brien of Richmond	Van Wyck of Ferrisburgh
Komline of Dorset	O'Sullivan of Burlington	Vowinkel of Wilder
Krebs of South Hero	Partridge of Windham	Waite-Simpson of Essex
Krowinski of Burlington	Pearce of Richford	Webb of Shelburne
Kupersmith of South Burlington	Pearson of Burlington	Weed of Enosburgh
Lanpher of Vergennes	Peltz of Woodbury	Wilson of Manchester
Larocque of Barnet	Poirier of Barre City	Wizowaty of Burlington
Lawrence of Lyndon	Potter of Clarendon	Woodward of Johnson
Lenes of Shelburne	Quimby of Concord	Wright of Burlington
Lewis of Berlin	Rachelson of Burlington	Yantachka of Charlotte
Lippert of Hinesburg	Ralston of Middlebury	Young of Glover
Macaig of Williston	Ram of Burlington	Zagar of Barnard
Malcolm of Pawlet	Russell of Rutland City	
	Savage of Swanton	

Those who voted in the negative are:

Beyor of Highgate	Shaw of Derby	Winters of Williamstown
Gage of Rutland City	Strong of Albany	

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

Davis of Washington	Jewett of Ripton	Pugh of South Burlington
Donaghy of Poultney	Kilmartin of Newport City	

**Representative Donahue of Northfield** explained her vote as follows:

“Mr. Speaker:

I thank the presenter of this bill for the commitment to also continue to work for full equality in health care benefits for another disenfranchised minority, those like myself with a mental illness.”

**Representative Turner of Milton** explained his vote as follows:

“Mr. Speaker:

Vermont recognizes that same-sex couples have all of the same rights and benefits that other couples enjoy. With the threat of a future lawsuit removed we feel that our citizens should not be discriminated in this arena.”

### **Adjournment**

At ten o'clock and forty-five minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Monday, March 18, 2013, at one o'clock in the afternoon.

### **Concurrent Resolutions Adopted**

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

#### **H.C.R. 52**

House concurrent resolution commemorating the sesquicentennial anniversary of the town of Orwell;

#### **H.C.R. 53**

House concurrent resolution commemorating the bicentennial anniversary of the Old Round Church in Richmond and the 40th anniversary of the Richmond Historical Society;

#### **H.C.R. 54**

House concurrent resolution honoring Dennis McCarthy for his exemplary municipal public service career;

#### **H.C.R. 55**

House concurrent resolution honoring Jamaica Village School principal Janet Hamilton;

#### **H.C.R. 56**

House concurrent resolution commending the heroic rescue efforts and sacrifice of Alton Lombard Sr. and also the Vermont State Police for its continuing search for his remains in Lake Champlain;

**H.C.R. 57**

House concurrent resolution commemorating the sescentennial anniversary of the town of Bolton;

**H.C.R. 58**

House concurrent resolution congratulating the town of Colchester on its sescentennial anniversary;

**H.C.R. 59**

House concurrent resolution commemorating the 250th anniversary of the Town of Jericho;

**H.C.R. 60**

House concurrent resolution commemorating the sescentennial anniversary of the Town of Underhill;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2013, seventy-second Adjourned session.]