

Journal of the House

Wednesday, March 20, 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 Jim Knapp from Brattleboro, Vt.

Senate Bill Referred

S. 59

Senate bill, entitled

An act relating to independent direct support providers

Was read and referred to the committee on General, Housing and Military Affairs.

Joint Resolution Adopted in Concurrence

J.R.S. 20

By Senators Baruth and Benning,

J.R.S. 20. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 22, 2013, it be to meet again no later than Tuesday, March 26, 2013.

Was taken up read and adopted in concurrence.

Bill Amended; Third Reading Ordered

H. 105

Rep. Haas of Rochester, for the committee on Human Services, to which had been referred House bill, entitled

An act relating to adult protective services reporting requirements

Reported in favor of its passage when amended 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 the 2012 Annual Report on Adult Protective Services, the Adult Protective Services program received 1,829 reports of abuse, neglect, and exploitation in 2012 and opened 872 investigations.

(2) Currently there are no data that explain why 957 reports received in 2012 were not investigated.

(3) Consistent data are not available that explain what referrals were made to assist or protect the alleged victims.

(4) According to an August 2012 report prepared by the Self-Neglect Task Force convened by the Department of Disabilities, Aging, and Independent Living, in 2010 the Department's Adult Protective Services program received 263 reports of self-neglect and investigated 42 of those reports.

(5) The Task Force report explains that although Adult Protective Services makes numerous referrals to law enforcement and other agencies, the available data do not identify the number of referrals that were made in response to allegations of self-neglect or to whom reporters or persons who were self-neglecting were referred.

(6) The Department of Disabilities, Aging, and Independent Living recently awarded grants to Vermont's five Area Agencies on Aging to support and enhance coordinated community responses to persons who are self-neglecting. The request for proposals for the grants acknowledges a lack of data at both the state and community levels to determine the scope of the problem of self-neglect.

Sec. 2. ADULT PROTECTIVE SERVICES DATA

(a) On or before July 15, 2013, and by each July 15, October 15, January 15, and April 15 through July 2015, the Commissioner of Disabilities, Aging, and Independent Living shall provide the information described in subsection (b) of this section to the General Assembly. When the General Assembly is in session, the Commissioner shall provide the information to the House Committee on Human Services, the Senate Committee on Health and Welfare, and the House and Senate Committees on Judiciary. When the General Assembly is not in session, the Commissioner shall provide the information to the Health Care Oversight Committee. The Commissioner shall also post the information to the Department's website in order to make the information available to the public.

(b) The Commissioner shall provide the following information relating to the Department's adult protective services activities during the preceding calendar quarter:

(1) the number of unduplicated reports and the number of such reports assigned for investigation;

(2) the total number of cases currently open and under investigation;

(3) the number of reports assigned for investigation that were not substantiated;

(4) the number of cases that were not investigated pursuant to 33 V.S.A. § 6906 because:

(A) the report was based on self-neglect;

(B) the alleged victim did not meet the statutory definition of a vulnerable adult;

(C) the allegation did not meet the statutory definition of abuse, neglect, or exploitation;

(D) the report was based on “resident on resident” abuse;

(E) the alleged victim died; or

(F) for any other reason.

(5) for reports not investigated because the alleged victim did not meet the definition of a vulnerable adult, the relationship of the reporter to the alleged victim; and

(6) for reports not investigated pursuant to 33 V.S.A. § 6906, the services or agencies to which the reporter, alleged victim, or both were referred.

Sec. 3. 2005 Acts and Resolves No. 79, Sec. 12 is amended to read:

Sec. 12. REPORT

(a) ~~On Notwithstanding the provisions of 2 V.S.A. § 20(d), on or before January 15, 2006 and on or before January 15 of each year thereafter, the secretary of the agency of human services~~ Secretary of Human Services shall submit a report to the following committees: ~~the house and senate committees on judiciary, the house committee on human services, and the senate committee on health and welfare~~ House and Senate Committees on Judiciary, the House Committee on Human Services, and the Senate Committee on Health and Welfare. The report shall include:

(1)(A) ~~The~~ For the preceding year, the number of reports of abuse, exploitation, and neglect:

(i) ~~received by adult protective services~~ Adult Protective Services (APS) within the department of aging and independent living during the

~~preceding year~~ Department of Disabilities, Aging, and Independent Living, and the total number of persons who filed reports.

(ii) investigated by APS ~~during the preceding year~~.

(iii) substantiated by APS ~~during the preceding year~~.

(iv) referred to other agencies for investigation by APS ~~during the preceding year~~, including identification of each agency and the number of referrals it received.

(v) referred for protective services by APS ~~during the preceding year~~, including a summary of the services provided.

(vi) resulting in a written coordinated treatment plan pursuant to 33 V.S.A. § 6907(a) or a plan of care as defined in 33 V.S.A. § 6902(8).

(vii) for which an individual was placed on the abuse and neglect registry as the result of a substantiation.

(viii) referred to law enforcement agencies.

(ix) for which a penalty was imposed pursuant to 33 V.S.A. § 6913.

(x) for which actions for intermediate sanctions were brought pursuant to 33 V.S.A. § 7111.

(B) For each type of report required from APS by subdivision (1)(A) of this section, a statistical breakdown of the number of reports according to the type of abuse and to the victim's:

(i) relationship to the reporter;

(ii) relationship to the alleged perpetrator;

(iii) age;

(iv) disability or impairment; and

(v) place of residency.

* * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

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

Bill Amended; Third Reading Ordered**H. 178**

Rep. Donahue of Northfield, for the committee on Human Services, to which had been referred House bill, entitled

An act relating to anatomical gifts

Reported in favor of its passage when amended as follows:

By renumbering Sec. 2 to be Sec. 6 and inserting new Secs. 2 through 5 to read as follows:

Sec. 2. 18 V.S.A. § 5227 is amended to read:

§ 5227. RIGHT TO DISPOSITION

(a) If there is no written directive of the decedent, in the following order of priority, one or more competent adults shall have the right to determine the disposition of the remains of a decedent, including the location, manner, and conditions of disposition and arrangements for funeral goods and services:

* * *

(8) any other individual willing to assume the responsibilities to act and arrange the final disposition of the decedent's remains, including the representative of the decedent's estate, after attesting in writing that a good faith but unsuccessful effort has been made to contact the individuals described in subdivisions (1) through (7) of this subsection or that those individuals have waived any interest in exercising their rights under this subchapter; ~~or~~

(9) the funeral director or crematory operator with custody of the body, after attesting in writing that a good faith effort has been made to contact the individuals described in subdivisions (1) through (8) of this subsection; ~~or~~

(10) the Office of the Chief Medical Examiner when it has jurisdiction and custody of the body, after attesting in writing that a good faith effort has been made to contact the individuals described in subdivisions (1) through (8) of this subsection.

* * *

(c)(1) If the disposition of the remains of a decedent is determined under subdivision (a)(10) of this section, the Office of the Chief Medical Examiner may contract with a funeral director or crematory operator to cremate the remains of the decedent.

(2)(A) If the cremation of the decedent is arranged and paid for under 33 V.S.A. § 2301, the Department for Children and Families shall pay the

cremation expenses to the funeral home, up to the maximum payment permitted by rule by the Department for Children and Families.

(B) If the cremation of the decedent is not arranged and paid for under 33 V.S.A. § 2301, the Department of Health shall pay the cremation expenses to the funeral home, up to the maximum payment permitted by rule by the Department for Children and Families.

(3) The cremated remains shall be returned to the Office of the Chief Medical Examiner. The Office shall retain the remains for three years, and if no interested party, as described in subdivisions (a)(1) through (8) of this section, claims the decedent's remains after three years, the Office shall arrange for the final disposition of the cremated remains consistent with any applicable law and standard funeral practices.

Sec. 3. 2012 Acts and Resolves No. 132, Sec. 4 is amended to read:

Sec. 4. ORGAN AND TISSUE DONATION

(a) Subject to available resources, the ~~commissioner of health~~ Commissioner of Health shall undertake such actions as are necessary and appropriate, in his or her discretion, to coordinate the efforts of public and private entities involved with the donation and transplantation of human organs and tissues in Vermont and to increase organ and tissue donation rates.

~~(b)(1) No later than January 15, 2013~~ January 15, 2014, the ~~commissioner~~ Commissioner shall report to the ~~house committee on human services~~ House Committee on Human Services and the ~~senate committee on health and welfare~~ Senate Committee on Health and Welfare regarding the actions taken pursuant to subsection (a) of this section and any additional efforts that the ~~commissioner~~ Commissioner recommends but believes would require legislation.

(2) The report shall include a status report on behalf of the organ and tissue donation working group regarding the group's activities, findings, data on organ donations, and recommendations on how to increase live organ donations in Vermont.

Sec. 4. ORGAN AND TISSUE DONATION WORKING GROUP

(a) There is created an organ and tissue donation working group to make recommendations to the General Assembly and the Governor relating to organ and tissue donations.

(b) The members of the organ and tissue donation working group shall include:

(1) the Commissioner of Health or designee, who shall chair the working group;

(2) the Commissioner of Motor Vehicles or designee;

(3) a representative of the Vermont Medical Society;

(4) representatives from the federally designated organ procurement organizations serving Vermont; and

(5) other interested stakeholders.

(c) The working group shall develop recommendations regarding:

(1) coordination of the efforts of all public and private entities within the State that are involved with the donation and transplantation of human organs and tissues;

(2) the creation of a comprehensive statewide program for organ and tissue donations and transplants;

(3) the establishment of goals and strategies for increasing donation rates in Vermont of deceased and, when appropriate, live organs and tissues;

(4) issues related to health insurance and other relevant insurance types;

(5) issues related to employment, including sick time, for those persons willing to be live donors of organs and tissue; and

(6) other issues related to organ and tissue donation and transplantation.

(d) The working group shall receive administrative support from the Department of Health.

(e) The Commissioner of Health, on behalf of the working group, shall submit a status report on the group's activities, findings, data on organ donations, and recommendations on how to increase live organ donations in Vermont to the House Committee on Human Services and the Senate Committee on Health and Welfare as part of the Commissioner's report under 2012 Acts and Resolves No. 132, Sec. 4(b).

(f) The working group shall submit a final report on its findings and recommendations to the House Committees on Human Services, on Health Care, and on Transportation, the Senate Committees on Health and Welfare and on Transportation, and to the Governor by January 15, 2015, after which time the working group shall cease to exist. The report shall include a recommendation about whether the Department of Health should establish an ongoing advisory council on organ and tissue donation.

Sec. 5. 18 V.S.A. § 5234 is added to read:

§ 5234. ORGAN DONATION SPECIAL FUND

There is created an Organ Donation Special Fund which shall be a special fund established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5. The Organ Donation Special Fund shall consist of any federal funds, grants, and private donations solicited by the Commissioner of Health for use within the Fund. The Organ Donation Special Fund shall be used for activities related to increasing organ donations in Vermont.

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

Bill Amended; Third Reading Ordered

H. 405

Rep. Malcolm of Pawlet, for the committee on Natural Resources and Energy, to which had been referred House bill, entitled

An act relating to manure management and anaerobic digesters

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

Sec. 1. 30 V.S.A. § 248 is amended to read:

§ 248. NEW GAS AND ELECTRIC PURCHASES, INVESTMENTS, AND FACILITIES; CERTIFICATE OF PUBLIC GOOD

* * *

(q)(1) A certificate under this section for a plant using methane derived from an agricultural operation shall be required only for the equipment used to generate electricity from biogas, the equipment used to refine biogas into natural gas, the structures housing such equipment used to generate electricity or refine biogas, and the interconnection to electric and natural gas distribution and transmission systems. The certificate shall not be required for the methane digester, the digester influents and effluents, the buildings and equipment used to handle such influents and effluents, or the on-farm utilization of heat and exhaust produced by the generation of electricity.

(2) Notwithstanding 1 V.S.A. § 214 and Board Rule 5.408, if the Board issued a certificate to a plant using methane derived from an agricultural operation prior to July 1, 2013, such certificate shall require an amendment only when there is a substantial change, pursuant to Board Rule 5.408, to the equipment used to generate electricity from biogas, the equipment used to refine biogas into natural gas, the structures housing such equipment used to generate electricity or refine biogas, or the interconnection to electric and

natural gas distribution and transmission systems. The Board's jurisdiction in any future proceedings concerning such a certificate shall be limited pursuant to subdivision (1) of this subsection.

(3) This subsection shall not affect the determination, under section 8005a of this title, of the price for a standard offer to a plant using methane derived from an agricultural operation.

(4) As used in this section, "biogas" means a gas resulting from the action of microorganisms on organic material such as manure or food processing waste.

Sec. 2. 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, report of the committee on Natural Resources and Energy agreed to and third reading ordered.

Action on Bill Postponed

H. 280

House bill, entitled

An act relating to payment of wages

Was taken up and pending the reading of the report of the committee on General, Housing and Military Affairs, on motion of **Rep. O'Sullivan of Burlington**, action on the bill was postponed until the next legislative day.

Third Reading; Bills Passed

House bills of the following titles were severally taken up, read the third time and passed:

H. 2

House bill, entitled

An act relating to the Governor's Snowmobile Council;

H. 136

House bill, entitled

An act relating to cost-sharing for preventive services;

H. 431

House bill, entitled

An act relating to mediation in foreclosure actions;

H. 515

House bill, entitled

An act relating to miscellaneous agricultural subjects;

Favorable Reports; Consideration Interrupted by Recess**H. 510**

Rep. Brennan of Colchester, spoke for the committee on Transportation on House bill, entitled

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

Rep. Masland of Thetford, for the committee on Ways and Means, reported in favor of its passage.

Rep. Heath of Thetford, for the committee on Appropriations,

Reported in favor of its passage.

The bill, having appeared on the Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?

Recess

At eleven o'clock in the forenoon, the Speaker declared a recess until the fall of the gavel.

At twelve o'clock and forty-five minutes in the afternoon, the Speaker called the House to order.

Consideration Resumed; Bill Amended and Third Reading Ordered**H. 510**

Consideration resumed on House bill, entitled

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

Pending the question, Shall the bill be read the third time? **Reps. Higley of Lowell and Browning of Arlington** moved that the bill be amended as follows:

First: In Sec. 24, in subdivision (a)(1)(A), by striking “, plus the cumulative total of the inflation adjustments required under subdivision (2) of this subsection”

Second: In Sec. 24, by striking subdivision (a)(2) in its entirety and renumbering the remaining subdivisions of subsection (a) to be numerically correct

Pending the question, Shall the report of the committee be amended as recommended by Rep. Higley of Lowell? **Rep. Browning of Arlington** 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 report of the committee be amended as recommended by Rep. Higley of Lowell? was decided in the negative. Yeas, 43. Nays, 99.

Those who voted in the affirmative are:

Batchelor of Derby	Gage of Rutland City	Pearce of Richford
Bouchard of Colchester	Hebert of Vernon	Poirier of Barre City
Branagan of Georgia	Higley of Lowell	Quimby of Concord
Browning of Arlington	Hubert of Milton	Savage of Swanton
Canfield of Fair Haven	Johnson of Canaan	Scheuermann of Stowe
Condon of Colchester	Juskiewicz of Cambridge	Shaw of Pittsford
Corcoran of Bennington	Koch of Barre Town	Smith of New Haven
Cupoli of Rutland City	Larocque of Barnet	Stevens of Shoreham
Devereux of Mount Holly	Lawrence of Lyndon	Strong of Albany
Dickinson of St. Albans Town	Lewis of Berlin	Terenzini of Rutland Town
Donaghy of Poultney	Marcotte of Coventry	Turner of Milton
Donahue of Northfield	McFaun of Barre Town	Van Wyck of Ferrisburgh
Fagan of Rutland City	Mitchell of Fairfax	Winters of Williamstown
Feltus of Lyndon	Morrissey of Bennington	Wright of Burlington
	Myers of Essex	

Those who voted in the negative are:

Ancel of Calais	Davis of Washington	Jewett of Ripton
Bartholomew of Hartland	Deen of Westminster	Johnson of South Hero
Beyor of Highgate	Donovan of Burlington	Keenan of St. Albans City
Bissonnette of Winooski	Ellis of Waterbury	Kitzmiller of Montpelier
Botzow of Pownal	Emmons of Springfield	Klein of East Montpelier
Brennan of Colchester	Fay of St. Johnsbury	Komline of Dorset
Burke of Brattleboro	Fisher of Lincoln	Krebs of South Hero
Buxton of Tunbridge	Frank of Underhill	Krowinski of Burlington
Campion of Bennington	French of Randolph	Kupersmith of South Burlington
Carr of Brandon	Gallivan of Chittenden	Lanpher of Vergennes
Cheney of Norwich	Goodwin of Weston	Lenes of Shelburne
Christie of Hartford	Grad of Moretown	Lippert of Hinesburg
Cole of Burlington	Greshin of Warren	Macaig of Williston
Connor of Fairfield	Haas of Rochester	Malcolm of Pawlet
Conquest of Newbury	Head of South Burlington	Manwaring of Wilmington
Consejo of Sheldon	Helm of Fair Haven	Marek of Newfane
Copeland-Hanzas of Bradford	Hooper of Montpelier	Martin of Springfield
Cross of Winooski	Huntley of Cavendish	Martin of Wolcott
	Jerman of Essex	

Masland of Thetford	Potter of Clarendon	Toll of Danville
McCarthy of St. Albans City	Pugh of South Burlington	Townsend of Randolph
McCormack of Burlington	Rachelson of Burlington	Townsend of South
McCullough of Williston	Ram of Burlington	Burlington
Michelsen of Hardwick	Russell of Rutland City	Trieber of Rockingham
Miller of Shaftsbury	Sharpe of Bristol	Vowinkel of Wilder
Mook of Bennington	Shaw of Derby	Waite-Simpson of Essex
Moran of Wardsboro	South of St. Johnsbury	Webb of Shelburne
Mrowicki of Putney	Spengler of Colchester	Weed of Enosburgh
Nuovo of Middlebury	Stevens of Waterbury	Wilson of Manchester
O'Brien of Richmond	Stuart of Brattleboro	Wizowaty of Burlington
O'Sullivan of Burlington	Sweaney of Windsor	Woodward of Johnson
Partridge of Windham	Taylor of Barre City	Yantachka of Charlotte
Pearson of Burlington	Till of Jericho	Young of Glover
Peltz of Woodbury	Toleno of Brattleboro	Zagar of Barnard

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

Burditt of West Rutland	Evans of Essex	Ralston of Middlebury
Clarkson of Woodstock	Heath of Westford	
Dakin of Chester	Kilmartin of Newport City	

Pending the question, Shall the bill be read a third time? **Rep. Bouchard of Colchester** moved to amend the bill as follows:

First: By deleting Secs. 21–24 in their entirety and by inserting in lieu thereof new Secs. 21–24 to read:

Sec. 21. 23 V.S.A. § 3106 is amended to read:

§ 3106. IMPOSITION, RATE, AND PAYMENT OF TAX

(a) Except for sales of motor fuels between distributors licensed in this ~~state~~ State, which sales shall be exempt from the tax and from the motor fuel transportation infrastructure assessment, in all cases not exempt from the tax under the laws of the United States at the time of filing the report required by section 3108 of this title, each distributor shall pay to the ~~commissioner~~ Commissioner a tax of ~~\$0.19~~ \$0.257 upon each gallon of motor fuel sold by the distributor, and a motor fuel transportation infrastructure assessment in the amount of two percent of the retail price upon each gallon of motor fuel sold by the distributor, exclusive of: all federal and state taxes, the petroleum distributor licensing fee established by 10 V.S.A. § 1942, and the motor fuel transportation infrastructure assessment authorized by this section. The retail price shall be based upon the average retail prices for regular gasoline determined and published by the department of public service. The retail price applicable for the January–March quarter shall be the average of the retail prices published by the ~~department of public service~~ Department of Public Service the prior October, November, and December; and the retail price

applicable in each succeeding calendar quarter shall be equal to the average of the retail prices published by the ~~department of public service~~ Department of Public Service in the preceding quarter. The distributor shall also pay to the ~~commissioner~~ Commissioner a tax and a motor fuel transportation infrastructure assessment in the same amounts upon each gallon of motor fuel used within the state State by him or her.

* * *

~~(c) Except as provided in subsection (d) of this section, and subdivision 1220a(b)(3) of this title, all taxes, interest and penalties collected by the department of motor vehicles under this chapter shall be paid to the state treasurer and credited to the transportation fund. [Repealed.]~~

~~(d) Since many nonresidents and residents drive to outdoor areas of Vermont in order to view our natural resources, to hunt and fish and to use our natural resources for other healthful recreational purposes, it is the policy of this state that a portion of the gasoline tax shall be dedicated for the purpose of conserving and maintaining our natural resources. Therefore, beginning in fiscal year 1998, three eighths of one cent of the tax collected under subsection (a) of this section shall be transferred 76 percent to the fish and wildlife fund and 24 percent to the department of forests, parks and recreation for natural resource management. Of the funds deposited in the fish and wildlife fund, the interest earned by deposited funds and all funds remaining at the end of the fiscal year shall remain in the fish and wildlife fund. [Repealed.]~~

Sec. 21a. TRANSFER TO DUI FUND

Notwithstanding 23 V.S.A. § 1220a(b), from May 1, 2013 to June 30, 2014, the amount transferred to the DUI Enforcement Special Fund shall not exceed \$0.0038 per gallon of the revenues raised by the motor fuel tax on gasoline under 23 V.S.A. § 3106.

Sec. 22. 23 V.S.A. § 1220a(b) is amended to read:

(b) The DUI enforcement special fund shall consist of:

(1) receipts from the surcharges assessed under section 206 and subsections 674(i), 1091(d), 1094(f), 1128(d), 1133(d), 1205(r), and 1210(k) of this title;

(2) beginning in fiscal year 2000 and thereafter, the first \$150,000.00 of revenues collected from fines imposed under subchapter 13 of chapter 13 of this title pertaining to DUI related offenses;

~~(3) beginning in fiscal year 2000 and thereafter, two percent of the revenues raised by the motor fuel tax on gasoline imposed by chapter 28 of this title; and~~

(4) any additional funds transferred or appropriated by the general assembly General Assembly.

* * * Alternative Fuel Vehicle Registration Fees * * *

Sec. 23. 23 V.S.A. § 4(22) is amended to read:

(22) “Specialized fuel driven motor vehicle” shall include all motor vehicles, the power for which is generated otherwise than by gasoline or by diesel “fuel” as defined in section 3002 of this title, excluding steam road rollers, tractors used entirely for work on the farm, and vehicles running only upon rails or tracks. “Specialized fuel driven motor vehicle” shall include plug-in hybrid electric vehicles.

Sec. 24. 23 V.S.A. § 362 is amended to read:

§ 362. SPECIALIZED FUEL MOTOR VEHICLES AND MOTOR BUSES

(a) The annual fee for the registration of any “specialized fuel driven motor vehicle” as defined in section 4 of this title ~~and of~~ shall be \$146.00 in addition to the annual registration fee provided for a motor vehicle of the same type and weight under the terms of this chapter, except that the annual fee for registration of a vehicle propelled by natural gas shall be \$100.00 in addition to the annual registration fee provided for a motor vehicle of the same type and weight under the terms of this chapter.

(b) The annual fee for the registration of any motor buses bus as defined in section 3002 of this title; shall be one and three-quarters times the amount of the annual fee provided for a motor vehicle of the classification and weight under the terms of this chapter.

Second: In Sec. 27 (effective dates), by deleting subsections (b)–(c) in their entirety and inserting in lieu thereof the following:

(b) The following provisions shall take effect on May 1, 2013:

(1) In Sec. 21 of this act, the amendments to 23 V.S.A. § 3106(a); and

(2) Sec. 21a.

(c) The following provisions shall take effect on July 1, 2014:

(1) In Sec. 21 of this act, the repeal of 23 V.S.A. § 3106(c)–(d); and

(2) Sec. 22.

Pending the question, Shall the bill be amended as recommended by Rep. Bouchard of Colchester? **Rep. Bouchard of Colchester** 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 amended as

recommended by Rep. Bouchard of Colchester? was decided in the negative. Yeas, 34. Nays, 106.

Those who voted in the affirmative are:

Batchelor of Derby	Hebert of Vernon	Quimby of Concord
Bouchard of Colchester	Higley of Lowell	Savage of Swanton
Branagan of Georgia	Hubert of Milton	Scheuermann of Stowe
Browning of Arlington	Johnson of Canaan	Shaw of Pittsford
Canfield of Fair Haven	Juskiewicz of Cambridge	Smith of New Haven
Cupoli of Rutland City	Koch of Barre Town	Strong of Albany
Devereux of Mount Holly	Larocque of Barnet	Terenzini of Rutland Town
Dickinson of St. Albans Town	Lawrence of Lyndon	Trieber of Rockingham
Donaghy of Poultney	Lewis of Berlin	Turner of Milton
Fagan of Rutland City	Marcotte of Coventry	Van Wyck of Ferrisburgh
Feltus of Lyndon	Mitchell of Fairfax	Winters of Williamstown
	Pearce of Richford	

Those who voted in the negative are:

Ancel of Calais	Gallivan of Chittenden	McCormack of Burlington
Bartholomew of Hartland	Goodwin of Weston	McCullough of Williston
Beyor of Highgate	Grad of Moretown	McFaun of Barre Town
Bissonnette of Winooski	Greshin of Warren	Michelsen of Hardwick
Botzow of Pownal	Haas of Rochester	Miller of Shaftsbury
Brennan of Colchester	Head of South Burlington	Mook of Bennington
Burke of Brattleboro	Heath of Westford	Moran of Wardsboro
Buxton of Tunbridge	Helm of Fair Haven	Morrissey of Bennington
Campion of Bennington	Hooper of Montpelier	Mrowicki of Putney
Carr of Brandon	Huntley of Cavendish	Myers of Essex
Cheney of Norwich	Jerman of Essex	Nuovo of Middlebury
Christie of Hartford	Johnson of South Hero	Partridge of Windham
Clarkson of Woodstock	Keenan of St. Albans City	Pearson of Burlington
Cole of Burlington	Kitzmiller of Montpelier	Peltz of Woodbury
Condon of Colchester	Klein of East Montpelier	Poirier of Barre City
Connor of Fairfield	Komline of Dorset	Potter of Clarendon
Conquest of Newbury	Krebs of South Hero	Pugh of South Burlington
Consejo of Sheldon	Krowinski of Burlington	Rachelson of Burlington
Corcoran of Bennington	Kupersmith of South Burlington	Ram of Burlington
Cross of Winooski	Lanpher of Vergennes	Russell of Rutland City
Davis of Washington	Lenes of Shelburne	Sharpe of Bristol
Deen of Westminster	Lippert of Hinesburg	Shaw of Derby
Donahue of Northfield	Macaig of Williston	South of St. Johnsbury
Donovan of Burlington	Malcolm of Pawlet	Spengler of Colchester
Ellis of Waterbury	Manwaring of Wilmington	Stevens of Waterbury
Emmons of Springfield	Marek of Newfane	Stevens of Shoreham
Fay of St. Johnsbury	Martin of Springfield	Stuart of Brattleboro
Fisher of Lincoln	Martin of Wolcott	Sweaney of Windsor
Frank of Underhill	Masland of Thetford	Taylor of Barre City
French of Randolph	McCarthy of St. Albans City	Till of Jericho
Gage of Rutland City		Toleno of Brattleboro

Toll of Danville	Waite-Simpson of Essex	Woodward of Johnson
Townsend of Randolph	Webb of Shelburne	Wright of Burlington
Townsend of South	Weed of Enosburgh	Yantachka of Charlotte
Burlington	Wilson of Manchester	Young of Glover
Vowinkel of Wilder	Wizowaty of Burlington	Zagar of Barnard

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

Burditt of West Rutland	Evans of Essex	Ralston of Middlebury
Copeland-Hanzas of Bradford	Kilmartin of Newport City	Smith of Morristown
Dakin of Chester	O'Brien of Richmond	
	O'Sullivan of Burlington	

Pending the question, Shall the bill be read a third time? **Rep. Hubert of Milton** moved to amend the bill as follows:

First: By deleting Secs. 21–24 in their entirety and by inserting in lieu thereof the following:

* * * Alternative Fuel Vehicle Registration Fees * * *

Sec. 21. 23 V.S.A. § 4(22) is amended to read:

(22) “Specialized fuel driven motor vehicle” shall include all motor vehicles, the power for which is generated otherwise than by gasoline or by diesel “fuel” as defined in section 3002 of this title, excluding steam road rollers, tractors used entirely for work on the farm, and vehicles running only upon rails or tracks. “Specialized fuel driven motor vehicle” shall include plug-in hybrid electric vehicles.

Sec. 22. 23 V.S.A. § 362 is amended to read:

§ 362. SPECIALIZED FUEL MOTOR VEHICLES AND MOTOR BUSES

(a) The annual fee for the registration of any “specialized fuel driven motor vehicle” as defined in section 4 of this title ~~and of~~ shall be \$146.00 in addition to the annual registration fee provided for a motor vehicle of the same type and weight under the terms of this chapter, except that the annual fee for registration of a vehicle propelled by natural gas shall be \$100.00 in addition to the annual registration fee provided for a motor vehicle of the same type and weight under the terms of this chapter.

(b) The annual fee for the registration of any motor buses bus as defined in section 3002 of this title, shall be one and three-quarters times the amount of the annual fee provided for a motor vehicle of the classification and weight under the terms of this chapter.

and by renumbering the remaining sections to be numerically correct.

Second: By adding a new section following Sec. 1b to read:

* * * Reduction in Authorized Expenditures * * *

Sec. 1b. REDUCTION IN AUTHORIZED EXPENDITURES

(a) From the amounts proposed by the Agency in its fiscal year 2014 transportation program:

(1) Spending authority on personal services in fiscal year 2014 is reduced by \$1,265,019.00 in transportation funds.

(2) Total spending authority across all programs is reduced by \$6,600,000.00 in transportation funds in addition to the reduction in spending authority on personal services under subdivision (1) of this subsection.

(b) In the amount specified under subdivision (a)(2) of this section, the Secretary shall reduce spending on projects or activities selected at his or her discretion, except that the Secretary shall:

(1) not reduce spending on projects or activities within the town highway state aid, structures, or class 2 roadway programs; and

(2) to the extent possible, reduce spending so that the spending reduction itself does not significantly delay the planned fiscal year 2014 work schedule of a project. To the extent that significant delays arising from spending reductions required under subdivision (a)(2) of this section are unavoidable, the Secretary shall promptly notify the Joint Fiscal Office and the House and Senate Committees on Transportation when the General Assembly is in session, and when the General Assembly is not in session, the Joint Transportation Oversight Committee, of the projects or activities delayed.

Third: In Sec. 6, by adding a new subsection (d) to read:

(d) Authorized spending on the Statewide–Amtrak project is amended to read:

<u>FY14</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
PE	0	0	0
ROW	0	0	0
Construction	0	0	0
Other	7,600,000	0	-7,600,000
Total	7,600,000	0	-7,600,000
<u>Sources of funds</u>			
State	7,600,000	0	-7,600,000
TIB	0	0	0

Federal	0	0	0
Total	7,600,000	0	-7,600,000

Fourth: In Sec. 10, by striking the number “\$11,700,000.00” and inserting in lieu thereof the number “\$18,700,000.00”

Fifth: In Sec. 11, by striking the number “\$10,387,500.00” and inserting in lieu thereof the number “\$16,685,599.00”

Sixth: In the newly renumbered Sec. 25 (effective dates), by striking subsections (b) and (c) in their entirety and by relettering the remaining subsection to be alphabetically correct

Pending the question, Shall the bill be amended as recommended by Rep. Hubert of Milton? **Rep. Hubert of Milton** 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 amended as recommended by Rep. Hubert of Milton? was decided in the negative. Yeas, 15. Nays, 127.

Those who voted in the affirmative are:

Beyor of Highgate	Hubert of Milton *	Quimby of Concord
Bouchard of Colchester	Johnson of Canaan	Savage of Swanton
Branagan of Georgia	Koch of Barre Town	Strong of Albany
Gage of Rutland City	Lewis of Berlin	Turner of Milton
Higley of Lowell	Mitchell of Fairfax	Winters of Williamstown

Those who voted in the negative are:

Ancel of Calais	Copeland-Hanzas of	French of Randolph
Bartholomew of Hartland	Bradford	Gallivan of Chittenden
Batchelor of Derby	Corcoran of Bennington	Goodwin of Weston
Bissonnette of Winooski	Cross of Winooski	Grad of Moretown
Botzow of Pownal	Cupoli of Rutland City	Greshin of Warren
Brennan of Colchester	Davis of Washington	Haas of Rochester
Browning of Arlington	Deen of Westminster	Head of South Burlington
Burke of Brattleboro	Devereux of Mount Holly	Heath of Westford
Buxton of Tunbridge	Dickinson of St. Albans	Hebert of Vernon
Campion of Bennington	Town	Helm of Fair Haven
Canfield of Fair Haven	Donaghy of Poultney	Hooper of Montpelier
Carr of Brandon	Donahue of Northfield	Huntley of Cavendish
Cheney of Norwich	Donovan of Burlington	Jerman of Essex
Christie of Hartford	Ellis of Waterbury	Johnson of South Hero
Clarkson of Woodstock	Emmons of Springfield	Juskiewicz of Cambridge
Cole of Burlington	Fagan of Rutland City	Keenan of St. Albans City
Condon of Colchester	Fay of St. Johnsbury	Kitzmiller of Montpelier
Connor of Fairfield	Feltus of Lyndon	Klein of East Montpelier
Conquest of Newbury	Fisher of Lincoln	Komline of Dorset
Consejo of Sheldon	Frank of Underhill	Krebs of South Hero

Krowinski of Burlington	Morrissey of Bennington	Stuart of Brattleboro
Kupersmith of South Burlington	Mrowicki of Putney	Sweaney of Windsor
Lanpher of Vergennes	Myers of Essex	Taylor of Barre City
Larocque of Barnet	Nuovo of Middlebury	Terenzini of Rutland Town
Lawrence of Lyndon	O'Brien of Richmond	Till of Jericho
Lenes of Shelburne	O'Sullivan of Burlington	Toleno of Brattleboro
Lippert of Hinesburg	Partridge of Windham	Toll of Danville
Macaig of Williston	Pearce of Richford	Townsend of Randolph
Malcolm of Pawlet	Pearson of Burlington	Townsend of South Burlington
Manwaring of Wilmington	Poirier of Barre City	Trieber of Rockingham
Marcotte of Coventry	Potter of Clarendon	Van Wyck of Ferrisburgh
Marek of Newfane *	Pugh of South Burlington	Vowinkel of Wilder
Martin of Springfield	Rachelson of Burlington	Waite-Simpson of Essex
Martin of Wolcott	Ram of Burlington	Webb of Shelburne
Masland of Thetford	Russell of Rutland City *	Weed of Enosburgh
McCarthy of St. Albans City	Scheuermann of Stowe	Wilson of Manchester
McCormack of Burlington	Sharpe of Bristol	Wizowaty of Burlington
McCullough of Williston	Shaw of Pittsford	Woodward of Johnson
McFaun of Barre Town	Shaw of Derby	Wright of Burlington
Michelsen of Hardwick	Smith of New Haven	Yantachka of Charlotte
Miller of Shaftsbury	South of St. Johnsbury	Young of Glover
Mook of Bennington	Spengler of Colchester	Zagar of Barnard
Moran of Wardsboro	Stevens of Waterbury	
	Stevens of Shoreham	

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

Burditt of West Rutland	Kilmartin of Newport City	Smith of Morristown
Dakin of Chester	Peltz of Woodbury	
Evans of Essex	Ralston of Middlebury	

Rep. Hubert of Milton explained his vote as follows:

“Mr. Speaker:

Over 13,000 people have signed this petition: Say no to increased gas tax. Vermont lawmakers are considering an 8 to 10 cent increase in Vermont’s gas tax. Such a tax will make gas in the state even more expensive, with total state and federal taxes of more than 53 cents per gallon. In addition, the proposal calls for automatic increases in the future, as well as including a sales tax component that will increase the tax whenever the price goes up. Tell Vermont lawmakers you are already paying enough!”

Rep. Marek of Newfane explained his vote as follows:

“Mr. Speaker:

When I hear that 13,000 out of 630,000 Vermonters say they oppose a gas tax increase, I suspect that few of them realized that if we do as they ask we will forfeit \$45 million in federal funds, that it would result in failing roads and

bridges, or that nearly one-third of our gas taxes are paid by visitors to our state and not by Vermonters. That is why I opposed this amendment and support the bill.”

Rep. Russell of Rutland City explained his vote as follows:

“Mr. Speaker:

I vote no on this amendment to end Amtrak passenger service in Vermont. Amtrak’s subsidy translates into upgrading our railroad infrastructure, as well as jobs, which boosts our state’s economy.”

Pending the question, Shall the bill be read a third time? **Rep. Shaw of Pittsford** moved to amend the bill as follows:

By adding a new section following Sec. 24 to read:

* * * Study on Outsourcing of Agency of Transportation Functions * * *

Sec. 24a. STUDY ON OUTSOURCING OF AGENCY FUNCTIONS

On or before December 15, 2013, the Secretary of Administration shall deliver a written report to the House and Senate Committees on Transportation and on Appropriations which:

(1) for each transportation program function performed by Agency personnel, analyzes the short-term and long-term costs and benefits, including transition costs and implementation issues, of reducing or eliminating Agency personnel and outsourcing each function to private contractors; and

(2) includes a plan to outsource any transportation function for which the Secretary determines that the long-term benefits of outsourcing exceed the costs. If implementation of a plan under this subdivision requires legislation, the report shall include recommended legislation.

Pending the question, Shall the bill amended as recommended by Rep. Shaw of Pittsford? **Rep. Shaw of Pittsford** 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 amended as recommended by Rep. Shaw of Pittsford? was decided in the negative. Yeas, 35. Nays, 108.

Those who voted in the affirmative are:

Batchelor of Derby	Devereux of Mount Holly	Gage of Rutland City
Bouchard of Colchester	Dickinson of St. Albans	Goodwin of Weston
Branagan of Georgia	Town	Hebert of Vernon
Canfield of Fair Haven	Donaghy of Poultney	Higley of Lowell
Carr of Brandon	Donahue of Northfield	Hubert of Milton
Consejo of Sheldon	Fagan of Rutland City	Johnson of Canaan
Cupoli of Rutland City	Feltus of Lyndon	Juskiewicz of Cambridge

Larocque of Barnet	Pearce of Richford	Strong of Albany
Lawrence of Lyndon	Quimby of Concord	Terenzini of Rutland Town
Lewis of Berlin	Savage of Swanton	Turner of Milton
Mitchell of Fairfax	Shaw of Pittsford	Van Wyck of Ferrisburgh
Morrissey of Bennington	Smith of New Haven	Winters of Williamstown

Those who voted in the negative are:

Ancel of Calais	Hooper of Montpelier	Partridge of Windham
Bartholomew of Hartland	Huntley of Cavendish	Pearson of Burlington
Beyor of Highgate	Jerman of Essex	Peltz of Woodbury
Bissonnette of Winooski	Johnson of South Hero	Poirier of Barre City
Botzow of Pownal	Keenan of St. Albans City	Potter of Clarendon
Brennan of Colchester	Kitzmiller of Montpelier	Pugh of South Burlington
Browning of Arlington	Klein of East Montpelier	Rachelson of Burlington
Burke of Brattleboro	Koch of Barre Town	Ram of Burlington
Buxton of Tunbridge	Komline of Dorset	Russell of Rutland City
Campion of Bennington	Krebs of South Hero	Scheuermann of Stowe
Cheney of Norwich	Krowinski of Burlington	Sharpe of Bristol
Christie of Hartford	Kupersmith of South Burlington	Shaw of Derby
Clarkson of Woodstock	Lanpher of Vergennes	South of St. Johnsbury
Cole of Burlington	Lenes of Shelburne	Spengler of Colchester
Condon of Colchester	Lippert of Hinesburg	Stevens of Waterbury
Connor of Fairfield	Macaig of Williston	Stevens of Shoreham
Conquest of Newbury	Malcolm of Pawlet	Stuart of Brattleboro
Copeland-Hanzas of Bradford	Manwaring of Wilmington	Sweaney of Windsor
Corcoran of Bennington	Marcotte of Coventry	Taylor of Barre City
Cross of Winooski	Marek of Newfane	Till of Jericho
Davis of Washington	Martin of Springfield	Toleno of Brattleboro
Deen of Westminster	Martin of Wolcott	Toll of Danville
Donovan of Burlington	Masland of Thetford	Townsend of Randolph
Ellis of Waterbury	McCarthy of St. Albans City	Townsend of South Burlington
Emmons of Springfield	McCormack of Burlington	Trieber of Rockingham
Fay of St. Johnsbury	McCullough of Williston	Vowinkel of Wilder
Fisher of Lincoln	McFaun of Barre Town	Waite-Simpson of Essex
Frank of Underhill	Michelsen of Hardwick	Webb of Shelburne
French of Randolph	Miller of Shaftsbury	Weed of Enosburgh
Gallivan of Chittenden	Mook of Bennington	Wilson of Manchester
Grad of Moretown	Moran of Wardsboro	Wizowaty of Burlington
Greshin of Warren	Mrowicki of Putney	Woodward of Johnson
Haas of Rochester	Myers of Essex	Wright of Burlington
Head of South Burlington	Nuovo of Middlebury	Yantachka of Charlotte
Heath of Westford	O'Brien of Richmond	Young of Glover
Helm of Fair Haven	O'Sullivan of Burlington	Zagar of Barnard

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

Burditt of West Rutland	Evans of Essex	Ralston of Middlebury
Dakin of Chester	Kilmartin of Newport City	Smith of Morristown

Pending the question, Shall the bill be read a third time? **Rep. Hubert of Milton** moved that the bill be amended as follows:

First: In Sec. 23, 23 V.S.A. § 1220a(b), in subdivision (3), by striking “May 1, 2013” and inserting in lieu thereof “July 1, 2014”, and by striking “\$0.0038 per gallon” and by inserting in lieu thereof “an amount not to exceed \$1,237,161.00”

Second: In Sec. 24, 23 V.S.A. § 3106, after subsection (a) and the ellipses, by inserting the following:

(d) Since many nonresidents and residents drive to outdoor areas of Vermont in order to view our natural resources, to hunt and fish and to use our natural resources for other healthful recreational purposes, it is the policy of this ~~state~~ State that a portion of the gasoline tax shall be dedicated for the purpose of conserving and maintaining our natural resources. Therefore, ~~beginning in fiscal year 1998, three eighths of one cent an amount not to exceed \$1,220,882.00~~ of the tax collected under subsection (a) of this section shall be transferred 76 percent to the ~~fish and wildlife fund~~ Fish and Wildlife Fund and 24 percent to the ~~department of forests, parks and recreation~~ Department of Forests, Parks and Recreation for natural resource management. Of the funds deposited in the ~~fish and wildlife fund~~ Fish and Wildlife Fund, the interest earned by deposited funds and all funds remaining at the end of the fiscal year shall remain in the ~~fish and wildlife fund~~ Fish and Wildlife Fund.

Third: After Sec. 25, by adding two new sections to read:

* * * Purchase and Use Tax Proceeds * * *

Sec. 25a. 16 V.S.A. § 4025 is amended to read:

§ 4025. EDUCATION FUND

(a) An education fund is established to be comprised of the following:

* * *

(5) ~~One-third~~ No more than \$27,900,000.00 of the revenues raised from the purchase and use tax imposed by 32 V.S.A. chapter 219, notwithstanding 19 V.S.A. § 11(1).

* * *

* * * Transfer of Transportation Funds * * *

Sec. 25b. 19 V.S.A. § 11 is amended to read:

§ 11. TRANSPORTATION FUND

(a) The ~~transportation fund~~ Transportation Fund shall be comprised of the following:

* * *

(b) Except for the transfer of transportation funds authorized under 16 V.S.A. § 4025(a)(5) to the Education Fund, under 23 V.S.A. § 3106(d) to the Fish and Wildlife Fund and the Department of Forests, Parks and Recreation, and under 23 V.S.A. § 1220a to the DUI Enforcement Special Fund, no funds shall be transferred from the Transportation Fund except for the purposes specified in section 11a of this title.

Thereupon, **Rep. Hubert of Milton** asked and was granted leave of the House to withdraw his amendment.

Pending the question, Shall the bill be read a third time? **Rep. Browning of Arlington** moved to amend the bill as follows:

First: By striking Secs. 21 and 24 in their entirety and by renumbering the remaining sections to be numerically correct

Second: In the former Sec. 22, newly renumbered as Sec. 21, in subsection (a), by striking “From” and inserting in lieu thereof “Notwithstanding 23 V.S.A. § 3106(a), from”

Third: In the newly renumbered Sec. 25 (effective dates), by striking subsections (b)–(d) in their entirety and inserting in lieu thereof the following:

(b) Secs. 21–22 of this act shall take effect on May 1, 2013.

(c) All other sections of this act shall take effect on July 1, 2013.

Which was disagreed to.

Pending the question, Shall the bill be read a third time? **Rep. Turner of Milton** 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, 105. Nays, 37.

Those who voted in the affirmative are:

Ancel of Calais	Cole of Burlington	Emmons of Springfield
Bartholomew of Hartland	Condon of Colchester	Fagan of Rutland City
Bissonnette of Winooski	Connor of Fairfield	Fay of St. Johnsbury
Botzow of Pownal	Conquest of Newbury	Fisher of Lincoln
Branagan of Georgia	Consejo of Sheldon	Frank of Underhill
Brennan of Colchester	Copeland-Hanzas of	French of Randolph
Burke of Brattleboro	Bradford	Gallivan of Chittenden
Buxton of Tunbridge	Corcoran of Bennington	Goodwin of Weston
Campion of Bennington	Cross of Winooski	Grad of Moretown
Carr of Brandon	Deen of Westminster	Greshin of Warren
Cheney of Norwich	Donovan of Burlington	Haas of Rochester
Clarkson of Woodstock	Ellis of Waterbury	Head of South Burlington

Heath of Westford	Marek of Newfane	South of St. Johnsbury
Hebert of Vernon *	Martin of Springfield	Spengler of Colchester
Hooper of Montpelier	Masland of Thetford	Stevens of Waterbury
Huntley of Cavendish	McCarthy of St. Albans City	Stevens of Shoreham
Jerman of Essex	McCormack of Burlington	Stuart of Brattleboro
Johnson of South Hero	McCullough of Williston	Sweaney of Windsor
Juskiewicz of Cambridge	Michelsen of Hardwick	Taylor of Barre City
Keenan of St. Albans City	Miller of Shaftsbury	Toleno of Brattleboro
Kitzmiller of Montpelier	Mook of Bennington	Toll of Danville
Klein of East Montpelier	Moran of Wardsboro	Townsend of Randolph
Koch of Barre Town	Mrowicki of Putney *	Townsend of South
Komline of Dorset	Nuovo of Middlebury	Burlington
Krebs of South Hero	O'Brien of Richmond	Trieber of Rockingham
Krowinski of Burlington	O'Sullivan of Burlington	Vowinkel of Wilder
Kupersmith of South	Partridge of Windham	Waite-Simpson of Essex
Burlington	Pearson of Burlington	Webb of Shelburne
Lanpher of Vergennes *	Peltz of Woodbury	Weed of Enosburgh
Larocque of Barnet	Potter of Clarendon	Wilson of Manchester
Lawrence of Lyndon	Pugh of South Burlington	Winters of Williamstown
Lenes of Shelburne	Rachelson of Burlington	Wizowaty of Burlington
Lippert of Hinesburg	Ram of Burlington	Wright of Burlington
Macaig of Williston	Russell of Rutland City	Yantachka of Charlotte *
Malcolm of Pawlet	Scheuermann of Stowe	Young of Glover *
Manwaring of Wilmington	Sharpe of Bristol	Zagar of Barnard

Those who voted in the negative are:

Batchelor of Derby	Feltus of Lyndon	Pearce of Richford
Bayor of Highgate	Gage of Rutland City	Poirier of Barre City
Bouchard of Colchester	Helm of Fair Haven	Quimby of Concord
Browning of Arlington *	Higley of Lowell	Savage of Swanton *
Canfield of Fair Haven	Hubert of Milton	Shaw of Pittsford
Christie of Hartford	Johnson of Canaan	Shaw of Derby
Cupoli of Rutland City	Lewis of Berlin	Smith of New Haven
Davis of Washington	Marcotte of Coventry	Strong of Albany
Devereux of Mount Holly	Martin of Wolcott	Terenzini of Rutland Town
Dickinson of St. Albans	McFaun of Barre Town	Turner of Milton
Town	Mitchell of Fairfax	Van Wyck of Ferrisburgh
Donaghy of Poultney	Morrissey of Bennington	Woodward of Johnson
Donahue of Northfield *	Myers of Essex *	

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

Burditt of West Rutland	Kilmartin of Newport City	Till of Jericho
Dakin of Chester	Ralston of Middlebury	
Evans of Essex	Smith of Morristown	

Rep. Browning of Arlington explained her vote as follows:

“Mr. Speaker:

I vote no to protest a significant increase in the gas tax and to urge our House Transportation to do better to seek rational and sustainable funding sources for transportation, which is so important to Vermonters.”

Rep. Donahue of Northfield explained her vote as follows:

“Mr. Speaker:

Given constituent sentiments, I cannot go as far as this bill goes in both shifting to a percentage and indexing, and in not going further to ensure that all transportation taxes stay in the transportation fund.”

Rep. Hebert of Vernon explained his vote as follows:

“Mr. Speaker:

I reluctantly voted yes today. I think the indexing of the tax is not the right way to do tax policy. However, we have exhausted all the alternatives for paying for our infrastructure. We must maintain our roads and bridges and our communities cannot afford the burden of paying for this with local taxes.”

Rep. Lanpher of Vergennes explained her vote as follows:

“Mr. Speaker:

I vote yes. These funds are needed, not only to fix the aging and crumbling roads and bridges in our state and in our home districts, but also to stimulate Vermont’s economy. These funds go directly to employ Vermonters and Vermont contractors.”

Rep. Mrowicki of Putney explained his vote as follows:

“Mr. Speaker:

Our roads and bridges are broken and need fixing. We can pay now or pay later, but pay we will. The fiscally responsible way to go is with the good work of your Transportation Committee.”

Rep. Myers of Essex explained her vote as follows:

“Mr. Speaker:

I really wanted to vote for this bill. The maintenance of our transportation infrastructure is vitally important to the life and the economy of this state. But day after day I am hearing from my constituents who say ‘no new taxes.’ Today I received a note saying ‘you are taxing the life out of the working class.’ Therefore I voted no on this bill.”

Rep. Savage from Swanton explained his vote as follows:

“Mr. Speaker:

I have voted No on this year's Transportation Bill, not because I feel that our transportation network is not in need of serious attention. I have voted against this bill, not even for an increase in the gas tax; though not popular, we all know the need for critical repairs to our highways, bridges and culverts that will cost millions. It is the fact that in addition to an increase in this tax, there is as well a new formula that will put any future increases on 'auto-pilot.' In my opinion, this leads to a lack of oversight of future budgets of this agency. We have offered several amendments to avoid this increase and new formula. Unfortunately, none have passed. I am therefore forced to vote against, for the first time in my legislative career, the Transportation Bill."

Rep. Yantachka from Charlotte explained his vote as follows:

'Mr. Speaker:

When the public is constantly bombarded by paid partisan TV ads decrying any kind of tax increase without any rationale other than 'our taxes are too high', it is no surprise that we get many communications urging us to vote No. But voting No means that roads won't get repaired, bridges won't get repaired, and snow won't get plowed from our highways. It may be easier to vote NO, but it is much harder to analyze the legitimate needs of the people of Vermont and take the hard steps to meet those needs, and have the courage to vote YES."

Rep. Young of Glover explained his vote as follows:

"Mr. Speaker:

While I certainly don't want to pay more for gas, I'd rather fix the roads than see them get any worse and fix my car instead."

Bill Amended; Third Reading Ordered

H. 377

Rep. Dickinson of St. Albans Town, for the committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to neighborhood planning and development for municipalities with designated centers

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

Sec. 1. 24 V.S.A. § 2790 is amended to read:

§ 2790. LEGISLATIVE POLICY AND PURPOSE

(a) The ~~general assembly~~ General Assembly finds that:

~~(1) economically Economically strong downtowns are critical to the health and well-being of Vermont's communities; and that downtowns are the natural location for both small businesses, ~~which represent the largest growth sector in Vermont's economy,~~ and other uses that together constitute the diverse fabric of communities that define Vermont's quality of life; ~~that downtowns enable residents and visitors to access services and business with minimal transportation needs, and thus benefit the environment. The general assembly further finds that downtowns represent a long-term investment of public and private infrastructure, and that our scenic and historic downtowns are a natural attraction for tourists and contribute greatly to Vermont's overall quality of life. The general assembly further finds that a major factor inhibiting the vitality of downtown areas is lack of reasonable access to them by workers, residents and visitors, and that by this act it is the specific intent of the general assembly to improve access to downtown areas by providing assistance to municipalities for downtown transportation infrastructure, particularly parking facilities.~~~~

(2) Vermont's distinctive character of historic downtowns and villages surrounded by working landscapes is recognized worldwide. This character defines Vermont's image, economy, and sense of place as well as its community spirit and identity, which are enjoyed by residents and visitors alike. This distinctive character is among our most valuable assets, and investing in its health is a critical component of the State's overall economic well-being. The General Assembly recognizes the particular importance of Vermont's downtowns as historic regional centers providing services and amenities to nonresidents and further recognizes their need for targeted support in avoiding continued loss of commercial and residential land use to the surrounding area.

(3) Investments made to revitalize the State's historic downtowns and village centers, to encourage pedestrian-oriented development within and around the commercial core, and to build upon the State's traditional settlement patterns support statewide goals concerning energy conservation, the efficient use of transportation and other public infrastructure and services, the protection of the working landscape, and the promotion of healthy lifestyles.

(4) Strategies, programs, and investments that advance smart growth principles today will result in the long-term fiscal, economic, cultural, and environmental viability of the State.

~~(b) It is therefore the intent of the general assembly, by this act, to preserve and encourage the development of downtown areas of municipalities of the state; to encourage public and private investment in infrastructure, housing,~~

historic preservation, transportation including parking facilities, and human services in downtown areas; General Assembly to:

(1) support historic downtowns and villages by providing funding, training, and resources to communities designated under this chapter, to revitalize such communities, to increase and diversify economic development activities, to improve the efficient use of public investments, including water and sewer systems, and to safeguard working landscapes;

(2) improve the ability of Vermont's historic downtowns and villages to attract residents and businesses by enhancing their livability and unique sense of place; by expanding access to employment, housing, education and schools, services, public facilities, and other basic needs; and by expanding businesses' access to markets;

(3) coordinate policies and leverage funding to support historic downtowns and villages by removing barriers to collaboration among local downtown organizations, municipal departments, local businesses, and local nonprofit organizations and increasing accountability and effectiveness at all levels of government to revitalize communities and plan for future growth;

(4) promote healthy, safe, and walkable downtown and village neighborhoods for people of all ages and incomes by increasing investments in those locations; providing energy efficient housing that is closer to jobs, services, health care, stores, entertainment, and schools; and reducing the combined cost of housing and transportation;

(5) encourage investment in mixed use development and provide for diverse housing options within walking distance of historic downtowns and villages that reinforce Vermont's traditional settlement patterns and meet the needs of community members of all social and economic groups;

(6) develop safe, reliable, and economical transportation options in historic downtowns and villages to decrease household transportation costs, promote energy independence, improve air quality, reduce greenhouse gas emissions, and promote public health; and

(7) reflect Vermont's traditional settlement patterns, and to minimize or avoid strip development or other unplanned development throughout the countryside on quality farmland or important natural and cultural landscapes.

~~(c) While it is the intent of the general assembly by this act to rehabilitate and preserve the vitality of historic downtown areas of the state, the general assembly also recognizes the equal importance of providing incentives to communities with no historic downtown areas in order to assist those communities to plan and develop their emerging downtowns. Accordingly, the commissioner of housing and community affairs is directed to consult with~~

~~municipal officials in such communities and recommend to the general assembly on or before January 1, 1999 appropriate means and incentives to encourage the development and planning of emerging downtown centers which serve the purpose of a central district of the community and the center for socio-economic interaction, with a cohesive core of commercial and mixed use buildings, with appropriate density to minimize or avoid strip development.~~

(d) ~~The general assembly~~ General Assembly finds that Vermont's communities face challenges as they seek to accommodate growth and development while supporting the economic vitality of the ~~state's~~ State's downtowns, village centers, and new town centers and maintaining the rural character and working landscape of the surrounding countryside. While it is the intention of the ~~general assembly~~ General Assembly to give the highest priority to facilitating development and growth in downtowns and village centers whenever feasible, when that is not feasible, the ~~general assembly~~ General Assembly further finds that:

(1) A large percentage of future growth should occur within duly designated growth centers that have been planned by municipalities in accordance with smart growth principles and Vermont's planning and development goals pursuant to section 4302 of this title.

* * *

Sec. 2. 24 V.S.A. § 2791 is amended to read:

§ 2791. DEFINITIONS

As used in this chapter:

* * *

(3) "Downtown" means the traditional central business district of a community; that has served as ~~the center for a regional focus of~~ a regional focus of socio-economic interaction in the community, characterized by a cohesive core of commercial and ~~mixed-use~~ mixed use buildings, ~~some of which may contain mixed use spaces,~~ often interspersed with civic, religious, and residential, and industrial buildings and public spaces, typically arranged along a main street and intersecting side streets that are within walking distance for residents who live within and surrounding the core and that are served by public infrastructure such as sidewalks and public transit. Downtowns are typically larger in scale than village centers and are characterized by a development pattern that is consistent with smart growth principles.

* * *

(10) "Village center" means ~~the core of a traditional center of the community settlement,~~ the core of a traditional center of the ~~community settlement,~~ typically comprised of a cohesive ~~core~~ mix of

residential, civic, religious, ~~and~~ commercial, and mixed use buildings; arranged along a main street and intersecting streets that are within walking distance for residents who live within and surrounding the core. Industrial uses may be found within or immediately adjacent to these centers. Village centers are typically smaller in scale than downtowns and are characterized by a development pattern that is consistent with smart growth principles.

* * *

(16) "Neighborhood planning area" shall have the same meaning as under section 2793e of this title.

(17) "Neighborhood development area" shall have the same meaning as under section 2793e of this title.

(18) "Department" means the Vermont Department of Economic, Housing and Community Development.

(19) "District coordinator" means a district environmental coordinator attached to a district commission established under 10 V.S.A. chapter 151.

(20) "Infill" means the use of vacant land or property within a built-up area for further construction or development.

Sec. 3. 24 V.S.A. § 2792 is amended to read:

§ 2792. VERMONT DOWNTOWN DEVELOPMENT BOARD

(a) A ~~"Vermont downtown development board~~ Vermont Downtown Development Board," also referred to as the ~~"state board~~ State Board," is created to administer the provisions of this chapter. The ~~state board~~ State Board shall be composed of the following members or their designees:

(1) the ~~secretary of commerce and community development~~ Secretary of Commerce and Community Development;

(2) the ~~secretary of transportation~~ Secretary of Transportation;

(3) the ~~secretary of natural resources~~ Secretary of Natural Resources;

(4) the ~~commissioner of public safety~~ Commissioner of Public Safety;

(5) the ~~state historic preservation officer~~ State Historic Preservation Officer;

(6) a person appointed by the ~~governor~~ Governor from a list of three names submitted by the Vermont Natural Resources Council; ~~and the Preservation Trust of Vermont, and Smart Growth Vermont;~~

(7) a person appointed by the ~~governor~~ Governor from a list of three names submitted by the Association of Chamber Executives;

(8) three public members representative of local government, one of whom shall be designated by the Vermont League of Cities and Towns, and two shall be appointed by the ~~governor~~ Governor;

(9) a member of the ~~Vermont planners association~~ Vermont Planners Association (VPA) designated by the ~~association~~ Association;

(10) the ~~chair~~ Chair of the ~~natural resources board~~ Natural Resources Board or a representative of the ~~land use panel~~ Land Use Panel of the ~~natural resources board~~ Natural Resources Board designated by the ~~chair~~ Chair; and

(11) a representative of a regional planning commission designated by the ~~Vermont association of regional planning and development agencies~~ Vermont Association of Planning and Development Agencies (VAPDA) and an alternate representative designated by VAPDA to enable all applications to be considered by a representative from a regional planning commission other than the one of which the applicant municipality is a member. The alternate designated by VAPDA may vote only when the designated representative does not vote.

(b) ~~In addition to the permanent members appointed pursuant to subsection (a) of this section, there shall also be two regional members from each region of the state on the downtown development board; one shall be designated by the regional development corporation of the region and one shall be designated by the regional planning commission of the region. Regional members shall be nonvoting members and shall serve during consideration by the board of applications from their respective regions. Regional members designated to serve on the downtown development board under this section, may also serve as regional members of the Vermont economic progress council established under 32 V.S.A. § 5930a. [Repealed.]~~

(c) The ~~state board~~ State Board shall elect its a chair and vice chair from among its membership.

(d) The ~~department of economic, housing, and community development~~ Department shall provide staff and administrative support to the ~~state board~~ State Board and shall produce guidelines to direct municipalities seeking to obtain designation under this chapter.

(e) ~~On or before January 1, 1999, the state board shall report to the general assembly on the progress of the downtown development program. [Repealed.]~~

(f) [Deleted.]

Sec. 4. 24 V.S.A. § 2793 is amended to read:

§ 2793. DESIGNATION OF DOWNTOWN DEVELOPMENT DISTRICTS

(a) A municipality, by its legislative body, may apply to the ~~state board~~ State Board for designation of a downtown area within that municipality as a downtown development district.

(1) For applications filed on and after July 1, 2014, the intention to apply for designation under this section shall be included in the plan of the municipality, and the plan shall explain how the designation would further the plan's goals and the goals of section 4302 of this title.

(2) A preapplication meeting shall be held with Department staff to review the program requirements and to preliminarily identify possible designation boundaries. The meeting shall be held in the municipality unless another location is agreed to by the municipality.

(3) An application by a municipality shall contain a map that accurately delineates the district and is consistent with the guidelines produced by the Department under section 2792(d) of this title. The application shall also include evidence that the regional planning commission and the regional development corporation have been notified of the municipality's intent to apply, evidence that the municipality has published notice of its application in a local newspaper of general circulation within the municipality, and information showing that the district meets the standards for designation established in subsection (b) of this section. Upon receipt of an application, the ~~state board~~ State Board shall provide written notice of the application to the ~~natural resources board~~ Natural Resources Board. The ~~natural resources board~~ Natural Resources Board and interested persons shall have 15 days after notice to submit written comments regarding the application before the ~~state board~~ State Board issues a written decision that demonstrates the applicant's compliance with the requirements of this chapter.

(b) Within 45 days of receipt of a completed application, the ~~state board~~ State Board shall designate a downtown development district if the ~~state board~~ State Board finds, in its written decision, that the municipality has:

(1) demonstrated a ~~planning~~ commitment to protect and enhance the historic character of the downtown through the adoption of a design review district, through the adoption of an historic district, through the adoption of regulations that adequately regulate the physical form and scale of development that the State Board determines substantially meet the historic preservation requirements in sections 4414(1)(E) and (F) of this title, or through the creation of a development review board authorized to undertake local Act 250 reviews of municipal impacts pursuant to section 4420 of this title;

(2) provided a community reinvestment agreement that has been executed by the authorized representatives of the municipal government,

business and property owners within the district, and community groups with an articulated purpose of supporting downtown interests, and that contains the following provisions:

(A) a delineation of the area that meets the requirements set forth in subdivision 2791(3) of this title and that is part of or contains a district that is listed or eligible for listing on the National Register of Historic Places pursuant to 16 U.S.C. § 470a;

(B) a capital ~~improvement plan~~ budget and program pursuant to section 4430 of this title to improve or preserve public infrastructure within the district, including facilities for public transit, parking, pedestrian amenities, lighting, and public space;

(C) a source of funding and resources necessary to fulfill the community reinvestment agreement, demonstrated by a commitment by the legislative body of the municipality to implement at least one of the following:

(i) a special assessment district created to provide funding to the downtown district;

(ii) authority to enter into a tax stabilization agreement for the purposes of economic development in a downtown district;

(iii) a commitment to implement a tax incremental financing district pursuant to subchapter 5 of chapter 53 of this title; or

(iv) other multiple-year financial commitments among the parties subject to the approval of the ~~state board~~ State Board;

(D) an organizational structure necessary to sustain a comprehensive long-term downtown revitalization effort, including a local downtown organization as defined under subdivision 2791(5) of this title that will collaborate with municipal departments, local businesses, and local nonprofit organizations:

(i) to enhance the physical appearance and livability of the downtown district by implementing local policies that promote the use and rehabilitation of historic and existing buildings, by developing pedestrian-oriented design requirements, by encouraging new development and infill that satisfy such design requirements, and by supporting long-term planning that is consistent with the goals set forth in section 4302 of this title;

(ii) to build consensus and cooperation among the many groups and individuals who have a role in the planning, development, and revitalization process;

(iii) to market the assets of the downtown district to customers, potential investors, new businesses, local citizens, and visitors;

(iv) to strengthen, diversify, and increase the economic activity within the downtown district;

(v) to recognize and incorporate the map of the designated downtown district into the next update of the municipal plan; and

(vi) to measure annually progress and achievements of the revitalization efforts as required by Department guidelines developed pursuant to subsection 2792(d) of this title;

(E) evidence that any private or municipal sewage system and private or public water supply serving the proposed downtown district is in compliance with the requirements of 10 V.S.A. chapters 47 and 56, ~~and that the municipality has dedicated a portion of any unallocated reserve capacity of the sewage and public water supply for growth within the proposed downtown district~~ adequately demonstrated an intent to reserve sufficient wastewater and water allocations to serve the future needs of the designated areas. Any municipality proposing a municipal sewage system and public water supply to serve the proposed downtown district shall provide evidence to the ~~state board~~ State Board of a commitment to construct or maintain such a system and supply in compliance with requirements of 10 V.S.A. chapters 47 and 56, or a commitment to construct, as applicable, a permittable potable water supply, wastewater system, indirect discharge, or public water supply within no more than ten years. A commitment to construct does not relieve the property owners in the district from meeting ~~the any applicable regulations of the agency of natural resources~~ statute, rule, or bylaw regarding wastewater systems, potable water supplies, public water supplies, indirect discharges, and the subdivision of land. ~~In the event that a municipality fails in its commitment to construct a municipal sewage system and public water supply, the state board shall revoke designation, unless the municipality demonstrates to the state board that all good faith efforts were made and continue to be made to obtain the required approvals and permits from the agency of natural resources, and failure to construct was due to unavailability of state or federal matching loan funds;~~

(3) a planning process confirmed under section 4350 of this title.

(c) ~~The state board~~ State Board shall review a community's designation every five years and may review compliance with the designation requirements at more frequent intervals. On and after July 1, 2014, any community applying for renewal shall explain how the designation under this section has furthered the goals of the town plan and shall submit an approved town plan map that depicts the boundary of the designated district. If at any time the ~~state board~~

State Board determines that the downtown development district no longer meets the standards for designation established in subsection (b) of this section, it may take any of the following actions:

- (1) ~~Require~~ require corrective action-;
- (2) ~~Provide~~ provide technical assistance through the ~~Vermont downtown program~~ Vermont Downtown Program-;
- (3) ~~Limit~~ limit eligibility for the benefits established in section 2794 of this chapter without affecting any of the district's previously awarded benefits-; or
- (4) ~~Remove~~ remove the district's designation without affecting any of the district's previously awarded benefits.

Sec. 5. 24 V.S.A. § 2793a is amended to read:

§ 2793a. DESIGNATION OF VILLAGE CENTERS BY STATE BOARD

(a) A town that has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title may apply to the ~~state board~~ State Board for designation of one or more of its village centers. If an incorporated village of a town has an approved municipal plan and a planning process independently confirmed in accordance with section 4350 of this title, the incorporated village shall be the applicant for designation of its village center.

(1) For applications filed on and after July 1, 2014, the intention to apply for designation under this section shall be included in the plan of the municipality, and the plan shall explain how the designation would further the plan's goals and the goals of section 4302 of this title.

(2) A preapplication meeting shall be held with Department staff to review the program requirements and to preliminarily identify possible designation boundaries. The meeting shall be held in the municipality unless another location is agreed to by the municipality.

(3) An application for designation under this section must include a map that delineates the boundaries of the village center consistent with the definition of "village center" provided in subdivision 2791(10) of this title and evidence that notice has been given to the regional planning commission and the regional development corporation of the intent to apply for this designation. The map shall be consistent with the guidelines produced by the Department under subsection 2792(d) of this title.

(d) ~~The state board~~ State Board shall review a village center designation every five years and may review compliance with the designation requirements at more frequent intervals. On and after July 1, 2014, any community applying for renewal shall explain how the designation under this section has furthered the goals of the town plan and shall submit an approved town plan map that depicts the boundary of the designated district. If at any time the ~~state board~~ State Board determines that the village center no longer meets the standards for designation established in subsection (a) of this section, it may take any of the following actions:

- (1) ~~Require~~ require corrective action;
- (2) ~~Provide~~ provide technical assistance through the ~~Vermont downtown program~~ Vermont Downtown Program;
- (3) ~~Limit~~ limit eligibility for the benefits pursuant to subsection (c) of this section without affecting any of the village center's previously awarded benefits; or
- (4) ~~Remove~~ remove the village center's designation without affecting any of the village center's previously awarded benefits.

Sec. 6. 24 V.S.A. § 2793d is amended to read:

§ 2793d. DESIGNATION OF VERMONT NEIGHBORHOODS

* * *

(g) Termination of program; transition. Notwithstanding subsections (a)–(f) of this section:

- (1) On and after July 1, 2013, the State Board shall not grant a municipality a designation under this section unless the municipality filed a complete application for such a designation prior to July 1, 2013. Any such complete application filed prior to July 1, 2013 shall be approved or denied based on the requirements of this section.
- (2) On and after July 1, 2013, a Vermont neighborhood designated under this section shall be eligible for benefits pursuant to subsections 2793e(f) and (g) of this title.
- (3) On and after July 1, 2013, when the State Board reviews a Vermont neighborhood designated under this section either for purposes of renewal or on its motion, the State Board shall apply the requirements of section 2793e of this title. If the Board finds that those requirements are met, the Vermont neighborhood shall be redesignated as a neighborhood development area under section 2793e of this title. If the Board does not find that those requirements

are met, the area shall have no designation under this section or section 2793e of this title.

Sec. 7. PROSPECTIVE REPEAL

24 V.S.A. §§ 2791(15) (definitions; Vermont neighborhood) and 2793d (designation of Vermont neighborhoods) shall be repealed on July 1, 2018. On such repeal, the Office of Legislative Council, in its statutory revision capacity under 2 V.S.A. § 424, shall be authorized to remove references in the statutes to Vermont neighborhoods designated under 24 V.S.A. § 2793d and replace them, as appropriate, with references to neighborhood development areas designated under 24 V.S.A. § 2793e.

Sec. 8. 24 V.S.A. § 2793e is added to read:

§ 2793e. NEIGHBORHOOD PLANNING AREAS; DESIGNATION OF NEIGHBORHOOD DEVELOPMENT AREAS

(a) Purpose. This section is intended to encourage a municipality to plan for new and infill housing in the area including and immediately encircling its designated downtown, village center, new town center, or within its designated growth center in order to provide needed housing and to further support the commercial establishments in the designated center. To support this goal, this section sets out a two-component process.

(1) The first component is the automatic delineation of a study area, defined in this section as a neighborhood planning area, that includes and encircles a municipality's designated downtown, village center, or new town center or, in the case of a designated growth center, is within the designated center. The process established by this section allows a municipality with a designated center to identify those locations within a neighborhood planning area that are suitable primarily for residential development.

(2) The second component is the application by a municipality for the designation of locations within this study area as neighborhood development areas that are suitable for residential development and will receive the benefits provided by this section.

(3) The Department shall provide municipalities with designated downtowns, village centers, new town centers, and growth centers with grants, as they become available, and technical assistance to help such municipalities apply for and receive neighborhood development area designations.

(b) Definitions.

(1) "Neighborhood planning area" means an automatically delineated area including and encircling a downtown, village center, or new town center designated under this chapter or within a growth center designated under this

chapter. A neighborhood planning area is used for the purpose of identifying locations suitable for new and infill housing that will support a development pattern that is compact, oriented to pedestrians, and consistent with smart growth principles. To ensure a compact settlement pattern, the outer boundary of a neighborhood planning area shall be located entirely within the boundaries of the applicant municipality and shall be determined:

(A) for a municipality with a designated downtown, by measuring out a half mile from each point around the entire perimeter of the designated downtown boundary;

(B) for a municipality with one or more designated village centers, by measuring out a quarter mile from each point around the entire perimeter of the designated village center boundary;

(C) for a municipality with a designated new town center, by measuring out a quarter mile from each point around the entire perimeter of the designated new town center boundary; and

(D) for a municipality with a designated growth center, as the same boundary as the designated growth center boundary.

(2) "Neighborhood development area" means a location within a neighborhood planning area that is suitable for new and infill housing and that has been approved by the State Board for designation under this section and associated benefits.

(c) Application for designation of a neighborhood development area. The State Board shall approve a neighborhood development area if the application demonstrates and includes all of the following elements:

(1) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title and has adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of this title.

(2) A preapplication meeting with Department staff was held to review the program requirements and to preliminarily identify possible neighborhood development areas.

(3) The proposed neighborhood development area is within a neighborhood planning area or such extension of the planning area as may be approved under subsection (d) of this section.

(4) The proposed neighborhood development area consists of those portions of the neighborhood planning area that are generally within walking distance from the municipality's downtown, village center, or new town center designated under this chapter or from locations within the municipality's

growth center designated under this chapter that are planned for higher density development.

(5) The proposed neighborhood development area consists of those portions of the neighborhood planning area that are appropriate for new and infill housing, excluding identified flood hazard and fluvial erosion areas. In the process of choosing the proposed neighborhood development area, the municipality gave consideration to:

(A) Avoiding “important natural resources” as defined in subdivision 2791(14) of this title. If an important natural resource is included within a proposed neighborhood development area, the applicant shall identify the resource, explain why the resource was included, and describe any anticipated disturbance to such resource.

(B) How the neighborhood development area is compatible with and will reinforce the character of adjacent National Register Historic Districts, national or state register historic sites, and other significant cultural and natural resources identified by local or state government.

(6) The neighborhood development area is served by:

(A) municipal sewer infrastructure; or

(B) a community or alternative wastewater system approved by the Agency of Natural Resources.

(7) The municipal bylaws allow minimum net residential densities within the neighborhood development area greater than or equal to four single-family detached dwelling units per acre, exclusive of accessory dwelling units, or no fewer than the average existing density of the surrounding neighborhood, whichever is greater. The methodology for calculating density shall be established in the guidelines developed by the Department pursuant to subsection 2792(d) of this title.

(A) Regulations that adequately regulate the physical form and scale of development may be used to demonstrate compliance with this requirement.

(B) Development in the neighborhood development areas that is lower than the minimum net residential density required by this subdivision (7) shall not qualify for the benefits stated in subsections (f) and (g) of this section. The district coordinator shall determine whether development meets this minimum net residential density requirement in accordance with subsection (f) of this section.

(8) Local bylaws, regulations, and policies applicable to the neighborhood development area substantially conform with neighborhood

design guidelines developed by the Department pursuant to section 2792 of this title. These policies shall:

(A) Ensure that all investments contribute to a built environment that enhances the existing neighborhood character and supports pedestrian use;

(B) ensure sufficient residential density and building heights;

(C) minimize the required lot sizes, setbacks, and parking and street widths; and

(D) require conformance with “complete streets” principles as described under 19 V.S.A. § 309d, street and pedestrian connectivity, and street trees.

(9) Residents hold a right to utilize household energy conserving devices.

(10) The application includes a map or maps that, at a minimum, identify:

(A) “important natural resources” as defined in 24 V.S.A. § 2791(14);

(B) existing slopes of 25 percent or steeper;

(C) public facilities, including public buildings, public spaces, sewer or water services, roads, sidewalks, paths, transit, parking areas, parks, and schools;

(D) planned public facilities, roads, or private development that is permitted but not built;

(E) National Register Historic Districts, national or state register historic sites, and other significant cultural and natural resources identified by local or state government;

(F) designated downtown, village center, new town center, or growth center boundaries as approved under this chapter and their associated neighborhood planning area in accordance with this section; and

(G) delineated areas of land appropriate for residential development and redevelopment under the requirements of this section.

(11) The application includes the information and analysis required by the Department’s guidelines under section 2792 of this title.

(d) Designation process. Within 45 days of receipt of a complete application for designation of a neighborhood development area, the State Board, after opportunity for public comment, shall approve a neighborhood

development area if the Board determines that the applicant has met the requirements of this section.

(1) When approving a neighborhood development area, the State Board may change the boundaries of the proposed area.

(2) A neighborhood development area may include one or more areas of land extending beyond the delineated neighborhood planning area, provided that the members of the State Board unanimously find that:

(A) including the extended area beyond the neighborhood planning area is consistent with the goals of section 4302 of this title;

(B) residential development opportunities within the neighborhood planning area are limited due to natural constraints and existing development;

(C) the extended area represents a logical extension of an existing compact settlement pattern and is consistent with smart growth principles; and

(D) the extended area is adjacent to existing development.

(e) Length of designation. Initial designation of a neighborhood development area shall be reviewed concurrently with the next periodic review conducted of the underlying designated downtown, village center, new town center, or growth center.

(1) The State Board, on its motion, may review compliance with the designation requirements at more frequent intervals.

(2) If the underlying downtown, village center, new town center, or growth center designation terminates, the neighborhood development area designation also shall terminate.

(3) If at any time the State Board determines that the designated neighborhood development area no longer meets the standards for designation established in this section, it may take any of the following actions:

(A) require corrective action within a reasonable time frame;

(B) remove the neighborhood development area designation; or

(C) prospectively limit benefits authorized in this chapter.

(4) Action taken by the State Board under subdivision (3) of this subsection shall not affect benefits already received by the municipality or a land owner in the designated neighborhood development area.

(f) Neighborhood development area incentives for developers. Once a municipality has a designated neighborhood development area or has a Vermont neighborhood designation pursuant to 24 V.S.A. § 2793d, any proposed development within that area shall be eligible for each of the benefits

listed in this subsection. These benefits shall accrue upon approval by the district coordinator, who shall review the density requirements set forth in subsection (c)(7) of this section to determine benefit eligibility and issue a jurisdictional opinion under 10 V.S.A. chapter 151 on whether the density requirements are met. These benefits are:

(1) The application fee limit for wastewater applications stated in 3 V.S.A. § 2822(j)(4)(D).

(2) The application fee reduction for residential development stated in 10 V.S.A. § 6083a(d).

(3) The exclusion from the land gains tax provided by 32 V.S.A. § 10002(p).

(g) Neighborhood development area incentives for municipalities. Once a municipality has a designated neighborhood development area, it may receive:

(1) priority consideration for municipal planning grant funds; and

(2) training and technical assistance from the Department to support an application for benefits from the Department.

(h) Alternative designation. If a municipality has completed all of the planning and assessment steps of this section but has not requested designation of a neighborhood development area, an owner of land within a neighborhood planning area may apply to the State Board for neighborhood development area designation status for a portion of land within the neighborhood planning area. The applicant shall have the responsibility to demonstrate that all of the requirements for a neighborhood development area designation have been satisfied and to notify the municipality that the applicant is seeking the designation. On grant of neighborhood development area designation under this subsection, the applicant may proceed to obtain a jurisdictional opinion from the district coordinator under subsection (f) of this section in order to obtain the benefits granted to neighborhood development areas.

Sec. 9. 24 V.S.A. § 2798 is added to read:

§ 2798. DESIGNATION DECISIONS; NONAPPEAL

The designation decisions of the State Board under this chapter are not subject to appeal.

Sec. 10. 3 V.S.A. § 2822(j)(4)(D) is amended to read:

(D) Notwithstanding the other provisions of this subdivision, when a project is located in a Vermont neighborhood or neighborhood development area, as designated under 24 V.S.A. chapter 76A, the fee shall be no more than \$50.00 in situations in which the application has received an allocation for

sewer capacity from an approved municipal system. This limitation shall not apply in the case of fees charged as part of a duly delegated municipal program.

Sec. 11. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

When used in this chapter:

* * *

(3)(A) “Development” means:

* * *

(B)(i) Smart Growth Jurisdictional Thresholds. Notwithstanding the provisions of subdivision (3)(A) of this section, if a project consists exclusively of ~~any combination of~~ mixed income housing or mixed use, or any combination thereof, and is located entirely within a growth center designated pursuant to 24 V.S.A. 2793c or entirely within a downtown development district designated pursuant to 24 V.S.A. § 2793, “development” means:

(I) Construction of mixed income housing with 200 or more housing units or a mixed use project with 200 or more housing units, in a municipality with a population of 15,000 or more.

(II) Construction of mixed income housing with 100 or more housing units or a mixed use project with 100 or more housing units, in a municipality with a population of 10,000 or more but less than 15,000.

(III) Construction of mixed income housing with 50 or more housing units or a mixed use project with 50 or more housing units, in a municipality with a population of 6,000 or more and less than 10,000.

(IV) Construction of mixed income housing with 30 or more housing units or a mixed use project with 30 or more housing units, in a municipality with a population of 3,000 or more but less than 6,000.

(V) Construction of mixed income housing with 25 or more housing units or a mixed use project with 25 or more housing units, in a municipality with a population of less than 3,000.

(VI) Historic Buildings. Construction of 10 or more units of mixed income housing or a mixed use project with 10 or more housing units where the construction involves the demolition of one or more buildings that are listed on or eligible to be listed on the ~~state or national register of historic places~~ State or National Register of Historic Places. However, demolition shall not be considered to create jurisdiction under this subdivision if the ~~division for historic preservation~~ Division for Historic Preservation has

determined the proposed demolition will have: no adverse effect; no adverse effect provided that specified conditions are met; or, will have an adverse effect, but that adverse effect will be adequately mitigated. Any imposed conditions shall be enforceable through a grant condition, deed covenant, or other legally binding document.

(ii) Mixed Income Housing Jurisdictional Thresholds.

Notwithstanding the provisions of subdivision (3)(A) of this section, if a project consists exclusively of mixed income housing and is located entirely within a Vermont neighborhood, ~~but outside a growth center designated pursuant to 24 V.S.A. § 2793e and outside a downtown development district designated pursuant to 24 V.S.A. § 2793~~ designated pursuant to 24 V.S.A. § 2793d or a neighborhood development area as defined in 24 V.S.A. § 2791(16), “development” means:

(I) Construction of mixed income housing with 200 or more housing units, in a municipality with a population of 15,000 or more.

(II) Construction of mixed income housing with 100 or more housing units, in a municipality with a population of 10,000 or more but less than 15,000.

(III) Construction of mixed income housing with 50 or more housing units, in a municipality with a population of 6,000 or more and less than 10,000.

(IV) Construction of mixed income housing with 30 or more housing units, in a municipality with a population of 3,000 or more but less than 6,000.

(V) Construction of mixed income housing with 25 or more housing units, in a municipality with a population of less than 3,000.

(VI) Historic Buildings. Construction of 10 or more units of mixed income housing where the construction involves the demolition of one or more buildings that are listed on or eligible to be listed on the ~~state or national register of historic places~~ State or National Register of Historic Places. However, demolition shall not be considered to create jurisdiction under this subdivision if the ~~division for historic preservation~~ Division for Historic Preservation has determined the proposed demolition will have: no adverse effect; no adverse effect provided that specified conditions are met; or will have an adverse effect, but that adverse effect will be adequately mitigated. Any imposed conditions shall be enforceable through a grant condition, deed covenant, or other legally binding document.

(C) For the purposes of determining jurisdiction under subdivisions (3)(A) and (3)(B) of this section, the following shall apply:

(i) Incentive for Growth Inside Designated Areas.

Notwithstanding subdivision (3)(A)(iv) of this section, housing units constructed by a person partially or completely outside a designated downtown development district, designated growth center, ~~or~~ designated Vermont neighborhood, or designated neighborhood development area shall not be counted to determine jurisdiction over housing units constructed by that person entirely within a designated downtown development district, designated growth center, ~~or~~ designated Vermont neighborhood, or designated neighborhood development area.

(ii) Five-Year, Five-Mile Radius Jurisdiction Analysis. Within any continuous period of five years, housing units constructed by a person entirely within a designated downtown district, designated growth center, ~~or~~ designated Vermont neighborhood, or designated neighborhood development area shall be counted together with housing units constructed by that person partially or completely outside a designated downtown development district, designated growth center, ~~or~~ designated Vermont neighborhood, or designated neighborhood development area to determine jurisdiction over the housing units constructed by a person partially or completely outside the designated downtown development district, designated growth center, ~~or~~ designated Vermont neighborhood, or designated neighborhood development area and within a five-mile radius in accordance with subdivision (3)(A)(iv) of this section.

(iii) Discrete Housing Projects in Designated Areas and Exclusive Counting for Housing Units. Notwithstanding subdivisions (3)(A)(iv) and (19) of this section, jurisdiction shall be determined exclusively by counting housing units constructed by a person within a designated downtown development district, designated growth center, ~~or~~ designated Vermont neighborhood, or designated neighborhood development area, provided that the housing units are part of a discrete project located on a single tract or multiple contiguous tracts of land.

* * *

Sec. 12. 10 V.S.A. § 6083a is amended to read:

§ 6083a. ACT 250 FEES

* * *

(d) ~~Vermont Neighborhood Fees~~ Neighborhood development area fees. Fees for residential development in a Vermont neighborhood or neighborhood development area designated according to ~~24 V.S.A. § 2793d~~ 24 V.S.A. § 2793e shall be no more than 50 percent of the fee otherwise charged under

this section, with 50 percent due with the application, and 50 percent due. The fee shall be paid within 30 days after the permit is issued or denied.

* * *

Sec. 13. 32 V.S.A. § 10002(p) is amend to read:

(p) Also excluded from the definition of “land” is a transfer of undeveloped land in a Vermont neighborhood or neighborhood development area designated under 24 V.S.A. chapter 76A which is the first transfer of that parcel following the original designation of the Vermont neighborhood or neighborhood development area.

Sec. 14. REVIEW OF THE GROWTH CENTER AND NEW TOWN CENTER PROGRAMS

On or before June 15, 2013, the Commissioner of the Department of Economic, Housing and Community Development shall begin examining ways to improve and strengthen the growth center and new town center designation process designed to promote compact development and the efficient use of resources. The Commissioner shall consider: reviewing and modifying the designation process; the unique circumstances of different municipalities; how best to include communities of all sizes and growth pressures; additional incentives for all the designation programs, including the downtown, village center, new town center, and growth center programs; the potential integration of industrial parks and rural development; and the protection of natural resources. The Department will form a working group and consult stakeholders including state agencies and independent departments, municipal officials, environmental organizations, developers, and representatives from the manufacturing, business, housing, historic preservation, agricultural, silviculture, and planning communities in its process to develop legislative and policy recommendations and proposed statutory revisions to make the Program more efficient and effective. The Department will report its findings, legislative and policy recommendations, and proposed statutory revisions to the General Assembly on or before December 15, 2013.

Sec. 15. EFFECTIVE DATE

This section and Sec. 14 (review of the growth center program) shall take effect on passage. The remaining sections of 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, report of the committee on Commerce and Economic Development agreed to and third reading ordered.

Bill Amended; Third Reading Ordered**H. 406**

Rep. Higley of Lowell, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to listers and assessors

Reported in favor of its passage when amended as follows:

In Sec. 4, 17 V.S.A. § 2651c, in subdivision (b)(1), in the second sentence, after “the selectboard shall contract with”, by inserting “or employ”

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.

Third Reading; Bill Passed**H. 299**

House bill, entitled

An act relating to enhancing consumer protection provisions for propane refunds, unsolicited demands for payment, and failure to comply with civil investigations

Was taken up, read the third time and passed.

Bill Amended, Read Third Time and Passed**H. 107**

House bill, entitled

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

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

By striking Sec. 39 in its entirety and inserting in lieu thereof a new Sec. 39 to read as follows:

Sec. 39. TEMPORARY SUSPENSION

(a) Notwithstanding the requirements of 18 V.S.A. § 9405b, the Commissioner of Financial Regulation may suspend publication of the hospital community reports in calendar year 2013 in order to effectuate the transfer of responsibility from the Department of Financial Regulation to the Department of Health.

(b) During the temporary suspension of the publication of the hospital community reports, hospitals shall:

(1) continue to collect all data required by the Department of Financial Regulation for the statewide report published on the Department's website on June 1, 2012;

(2) continue to report on their individual hospital websites all of the information required by the Department of Financial Regulation to be reported on individual hospital websites on June 1, 2012;

(3) provide on their individual hospital websites a link to the Department of Financial Regulation's June 1, 2012 hospital community report; and

(4) provide on their individual hospital websites a link to the Centers for Medicare and Medicaid Services's hospital comparison website.

(c) During the period of temporary suspension, the Department of Health shall:

(1) provide guidance to hospitals about compliance with the provisions of subsection (b) of this section; and

(2) maintain the data reporting mechanisms developed by the Department of Financial Regulation for the June 1, 2012 report to enable hospitals to continue to submit their data during the period of temporary suspension.

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

Third Reading; Bill Passed

H. 511

House bill, entitled

An act relating to "zappers" and automated sales suppression devices

Was taken up, read the third time and passed.

Message from Governor

A message was received from His Excellency, the Governor, by Mr. Louis Porter, Secretary of Civil and Military Affairs, as follows:

Mr. Speaker:

I am directed by the Governor to inform the House that on the twentieth day of March, 2013, he approved and signed a bill originating in the House of the following title:

H. 41 An act relating to civil forfeiture of retirement payments to public officials convicted of certain crimes

Message from the Senate No. 28

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 bills of the following titles:

S. 85. An act relating to workers' compensation for firefighters and rescue or ambulance workers.

S. 130. An act relating to encouraging flexible pathways to secondary school completion.

S. 148. An act relating to criminal investigation records and the Vermont Public Records Act.

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

Bill Amended, Read Third Time and Passed

H. 99

House bill, entitled

An act relating to equal pay

Was taken up and pending third reading of the bill, **Rep. Dickinson of St. Albans Town** moved to amend the bill as follows:

By inserting a subsection (h) to read:

(h) Nothing in this section shall require an employer to disclose the wages of an employee in response to an inquiry by another employee, unless the failure to do so would otherwise constitute unlawful employment discrimination.

Which was agreed to.

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

In Sec. 6, 21 V.S.A. § 309, by inserting a subsection (g) to read:

(g) This section shall not apply to employers with 25 employees or fewer.

Which was disagreed to.

Pending the question, Shall the bill pass? **Rep. Taylor 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 pass? was decided in the affirmative. Yeas, 115. Nays, 22.

Those who voted in the affirmative are:

Ancel of Calais	Haas of Rochester	O'Brien of Richmond
Bartholomew of Hartland	Head of South Burlington	O'Sullivan of Burlington
Batchelor of Derby	Heath of Westford	Partridge of Windham
Bissonnette of Winooski	Hooper of Montpelier	Pearce of Richford
Botzow of Pownal	Huntley of Cavendish	Pearson of Burlington *
Branagan of Georgia	Jerman of Essex	Peltz of Woodbury
Burke of Brattleboro	Johnson of South Hero	Poirier of Barre City
Buxton of Tunbridge	Juskiewicz of Cambridge	Potter of Clarendon
Campion of Bennington	Keenan of St. Albans City	Pugh of South Burlington
Canfield of Fair Haven	Kitzmiller of Montpelier	Rachelson of Burlington
Carr of Brandon	Klein of East Montpelier	Ram of Burlington
Cheney of Norwich	Koch of Barre Town	Russell of Rutland City
Christie of Hartford	Komline of Dorset	Scheuermann of Stowe
Cole of Burlington	Krebs of South Hero	Sharpe of Bristol
Connor of Fairfield	Krowinski of Burlington	Shaw of Pittsford
Conquest of Newbury	Kupersmith of South Burlington	Shaw of Derby
Consejo of Sheldon	Lanpher of Vergennes	South of St. Johnsbury
Copeland-Hanzas of Bradford	Larocque of Barnet	Stevens of Waterbury
Corcoran of Bennington	Lenes of Shelburne	Stevens of Shoreham
Cross of Winooski	Lewis of Berlin	Stuart of Brattleboro *
Cupoli of Rutland City	Lippert of Hinesburg	Sweaney of Windsor
Davis of Washington	Macaig of Williston	Taylor of Barre City
Deen of Westminster	Malcolm of Pawlet	Till of Jericho
Devereux of Mount Holly	Manwaring of Wilmington	Toleno of Brattleboro
Dickinson of St. Albans Town	Marek of Newfane	Toll of Danville
Donovan of Burlington	Martin of Springfield	Townsend of Randolph
Ellis of Waterbury	Martin of Wolcott	Townsend of South Burlington
Emmons of Springfield	Masland of Thetford	Trieber of Rockingham
Fagan of Rutland City	McCarthy of St. Albans City	Waite-Simpson of Essex
Fay of St. Johnsbury	McCormack of Burlington	Webb of Shelburne
Feltus of Lyndon	McCullough of Williston	Weed of Enosburgh
Fisher of Lincoln	McFaun of Barre Town	Wilson of Manchester
Frank of Underhill	Michelsen of Hardwick	Wizowaty of Burlington
French of Randolph	Miller of Shaftsbury	Woodward of Johnson
Gallivan of Chittenden	Mook of Bennington	Wright of Burlington
Goodwin of Weston	Moran of Wardsboro	Yantachka of Charlotte
Grad of Moretown	Mrowicki of Putney	Young of Glover
Greshin of Warren	Myers of Essex	Zagar of Barnard
	Nuovo of Middlebury	

Those who voted in the negative are:

Beyor of Highgate	Bouchard of Colchester	Browning of Arlington
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Donahue of Northfield *	Lawrence of Lyndon	Strong of Albany
Gage of Rutland City	Marcotte of Coventry	Terenzini of Rutland Town
Hebert of Vernon	Mitchell of Fairfax	Turner of Milton
Helm of Fair Haven	Morrissey of Bennington	Van Wyck of Ferrisburgh
Higley of Lowell	Quimby of Concord	Winters of Williamstown
Hubert of Milton	Savage of Swanton	
Johnson of Canaan	Smith of New Haven	

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

Brennan of Colchester	Dakin of Chester	Ralston of Middlebury
Burditt of West Rutland	Donaghy of Poultney	Smith of Morristown
Clarkson of Woodstock	Evans of Essex	Spengler of Colchester
Condon of Colchester	Kilmartin of Newport City	Vowinkel of Wilder

Rep. Donahue of Northfield explained her vote as follows:

“Mr. Speaker:

There are times that we overdo it in the balance between important public interests and burdens on our small businesses. This is one. And the next direction the bill suggests? Paid family leave? We are setting ourselves up for unintended and unsustainable consequences.”

Rep. Pearson of Burlington explained his vote as follows:

“Mr. Speaker:

I’m proud to vote for this bill and of the work that went into it. Those that say this is a solution in search of a problem ought to ask their mothers, daughters, wives, sisters, or anyone else who makes 84 cents for every \$1 a man makes for equal work, to see if they agree.”

Rep. Stuart of Brattleboro explained her vote as follows:

“Mr. Speaker:

It pains me to say that, during my over 30 years as a professional woman, with 14 years spent working in New York City and 19 here in Vermont, I experienced some of the most unfair and abusive treatment by a male supervisor who got paid twice as much as I did and who worked half as much as me and my staff of five. Mr. Speaker, do I believe our daughters need us to continue to fight for equal pay and fair treatment under the law? You bet. And, Mr. Speaker, I’m one of the lucky ones, I’m married to an attorney.”

Bill Read Second Time; Third Reading Ordered

H. 518

Rep. Devereux of Mount Holly spoke for the committee on Government Operations.

House bill entitled

An act relating to miscellaneous amendments to Vermont retirement laws

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

Bill Read Second Time; Third Reading Ordered

H. 520

Rep. Cheney of Norwich spoke for the committee on Natural Resources and Energy.

House bill entitled

An act relating to reducing energy costs and greenhouse gas emissions

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

Bill Read Second Time; Third Reading Ordered

H. 523

Rep. Fay of St. Johnsbury spoke for the committee on Judiciary.

House bill entitled

An act relating to jury questionnaires, the filing of foreign child custody determinations, court fees, and judicial record keeping

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

Action on Bill Postponed

H. 522

House bill, entitled

An act relating to strengthening Vermont's response to opioid addiction and methamphetamine abuse

Was taken up and pending second reading of the bill, on motion of **Rep. Lippert of Hinesburg**, action on the bill was postponed until the next legislative day.

Bill Read Second Time; Third Reading Ordered

H. 524

Rep. Christie of Hartford spoke for the committee on Education.

House bill entitled

An act relating to making technical amendments to education laws

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

Adjournment

At six o'clock and seventeen minutes in the evening, on motion of **Rep. Savage of Swanton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.