

H. 685

By Rep. Krebs of South Hero,

House bill, entitled

An act relating to identification and registration of moorings;

To the committee on Fish, Wildlife & Water Resources.

H. 686

By Rep. Zagar of Barnard,

House bill, entitled

An act relating to calculating the common level of appraisal following a townwide reappraisal;

To the committee on Ways and Means.

H. 687

By Rep. Masland of Thetford,

House bill, entitled

An act relating to workers' compensation for funeral expenses;

To the committee on Commerce and Economic Development.

H. 688

By Reps. Clarkson of Woodstock and Young of Glover,

House bill, entitled

An act relating to increasing the per diems of certain board and commission members;

To the committee on Government Operations.

H. 689

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to telecommuting;

To the committee on Government Operations.

H. 690

By Reps. Haas of Rochester, Lenex of Shelburne and Waite-Simpson of Essex,

House bill, entitled

An act relating to the definition of serious functional impairment;

To the committee on Corrections and Institutions.

H. 691

By Reps. Keenan of St. Albans City, Fagan of Rutland City and McCarthy of St. Albans City,

House bill, entitled

An act relating to farm truck and agricultural custom service vehicle registration fees;

To the committee on Transportation.

H. 692

By Rep. Klein of East Montpelier,

House bill, entitled

An act relating to freezing appraisal values for taxpayers 65 years of age and older until subsequent transfer;

To the committee on Ways and Means.

H. 693

By Reps. Young of Glover, Botzow of Pownal, Marcotte of Coventry and Kitzmiller of Montpelier,

House bill, entitled

An act relating to the repeal of sunset provisions applicable to the permitting of telecommunications facilities;

To the committee on Commerce and Economic Development.

H. 694

By Reps. Canfield of Fair Haven, Hebert of Vernon, Helm of Fair Haven, Morrissey of Bennington and Turner of Milton,

House bill, entitled

An act relating to exempting certain forms of income for permanently and totally disabled veterans from the calculation of household income;

To the committee on Ways and Means.

H. 695

By Rep. Klein of East Montpelier,

House bill, entitled

An act relating to establishing a product stewardship program for primary batteries;

To the committee on Natural Resources and Energy.

H. 696

By Reps. Young of Glover, Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to pole attachment rates;

To the committee on Commerce and Economic Development.

H. 697

By Reps. Sweaney of Windsor and Bartholomew of Hartland,

House bill, entitled

An act relating to a water pollution abatement grant for the Village of Brownsville;

To the committee on Appropriations.

H. 698

By Rep. Clarkson of Woodstock,

House bill, entitled

An act relating to access to telecommunications conduit;

To the committee on Commerce and Economic Development.

H. 699

By Reps. Stevens of Waterbury, Burke of Brattleboro, Christie of Hartford, Davis of Washington, Fay of St. Johnsbury, McCarthy of St. Albans City, Moran of Wardsboro, Spengler of Colchester, Weed of Enosburgh and Wizowaty of Burlington,

House bill, entitled

An act relating to temporary housing;

To the committee on Human Services.

H. 700

By Reps. Dickinson of St. Albans Town, Browning of Arlington, Evans of Essex, Koch of Barre Town, Lenex of Shelburne, Lewis of Berlin, McFaun of Barre Town, Myers of Essex, Webb of Shelburne and Wilson of Manchester,

House bill, entitled

An act relating to the recalculation of a town's education tax liability after a reduction in property tax values;

To the committee on Ways and Means.

H. 701

By Reps. Lanpher of Vergennes, Burke of Brattleboro, Gallivan of Chittenden and McCarthy of St. Albans City,

House bill, entitled

An act relating to snow tires on rental cars;

To the committee on Transportation.

H. 702

Rep. Klein of East Montpelier, for the committee on Natural Resources and Energy, introduced a bill, entitled

An act relating to self-generation and net metering

Under the rule, placed on the Calendar for notice tomorrow.

Bill Referred to Committee on Appropriations

H. 601

House bill, entitled

An act relating to assistance from the petroleum cleanup fund for aboveground storage tanks

Appearing on the Calendar, carrying an appropriation, under rule 35a, was referred to the committee on Appropriations.

Joint Resolution Placed on Calendar**J.R.S. 40**

By Senator Campbell,

J.R.S. 40. Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 20, 2014, at ten o'clock and thirty minutes in the forenoon to elect two legislative Trustees of the Vermont State Colleges Corporation to serve a four year term commencing March 1, 2014, and expiring on March 1, 2018. In case election of all such Trustees shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until all such Trustees are elected.

Which was read and, in the Speaker's discretion, placed on the Calendar for action on the next legislative day under Rule 52.

Joint Resolution Placed on Calendar**J.R.S. 41**

By Senator Campbell,

J.R.S. 41. Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2014.

Whereas, in recent years it has become increasingly necessary to shorten the length of time spent by the General Assembly in joint session for the election of various officials, and

Whereas, if elections for multiple vacancies were to be decided by a plurality vote, then a great savings of time can be effectuated, *now therefore be it*

Resolved by the Senate and House of Representatives:

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of two legislative trustees of the Vermont State Colleges Corporation at a Joint Assembly to be held on February 20, 2014, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and

including the maximum number of vacancies to be filled, which in this case shall be two.

(2) The two candidates receiving the greater number of votes shall be declared elected to fill the two vacancies.

(3) In the event that the first balloting for the Trustee vacancies results in a tie vote for one or both of the two vacant positions, then voting shall continue on successive ballots for the unfilled position or positions until the vacancies have been filled by election declared of the two candidates receiving the greater number of votes.

Which was read and, in the Speaker's discretion, placed on the Calendar for action on the next legislative day under Rule 52.

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

H. 671

Rep. Head of South Burlington moved that the committee on General, Housing and Military Affairs be relieved of House bill, entitled

An act relating to placing liquor control investigators within the Department of Public Safety

And that the bill be committed to the committee on Government Operations, which was agreed to.

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

H. 681

Rep. Head of South Burlington moved that the committee on General, Housing and Military Affairs be relieved of House bill, entitled

An act relating to the professional regulation for veterans, military service members, and military spouses and to credit for military service in retirement

And that the bill be committed to the committee on Government Operations, which was agreed to.

Third Reading; Bills Passed

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

H. 350

House bill, entitled

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

H. 596

House bill, entitled

An act relating to the conversion of assets of a nonprofit hospital;

Bill Amended, Read Third Time and Passed

H. 655

House bill, entitled

An act relating to fiscal year 2014 budget adjustments

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

In Sec. 71, by striking out the figure “\$3,400,000” and inserting in lieu thereof the figure “\$2,400,000”

Which was agreed to.

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

By adding a new section to be numbered 82a to read as follows

Sec. 82a. 30 V.S.A. § 8015 is amended to read:

§ 8015. VERMONT CLEAN ENERGY DEVELOPMENT FUND

* * *

(c) Purposes of Fund. The purposes of the Fund shall be to promote the development and deployment of cost-effective and environmentally sustainable electric power and thermal energy or geothermal resources for the long-term benefit of Vermont consumers, primarily with respect to renewable energy resources, and the use of combined heat and power technologies. The Fund also may be used to support natural gas and electric vehicles in accordance with subdivision (d)(1)(K) of this section. The General Assembly expects and intends that the Public Service Board, Public Service Department, and the State’s power and efficiency utilities will actively implement the authority granted in this title to acquire all reasonably available cost-effective energy

efficiency resources for the benefit of Vermont ratepayers and the power system.

(d) Expenditures authorized.

* * *

(J) effective projects that are not likely to be established in the absence of funding under the program; ~~and~~

(K) natural gas vehicles and associated fueling infrastructure if each such vehicle is dedicated only to natural gas fuel and, on a life cycle basis, the vehicle's emissions will be lower than commercially available vehicles using other fossil fuel, and any such infrastructure will deliver gas without interruption of flow;

(L) electric vehicles and associated charging stations.

* * *

Which was agreed to.

Pending the question, Shall the bill pass? **Rep. Jewett of Ripton** 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, 110. Nays, 33.

Those who voted in the affirmative are:

Ancel of Calais	Deen of Westminster	Huntley of Cavendish
Bartholomew of Hartland	Devereux of Mount Holly	Jerman of Essex
Bissonnette of Winooski	Donovan of Burlington	Jewett of Ripton
Botzow of Pownal	Ellis of Waterbury	Johnson of South Hero
Brennan of Colchester	Emmons of Springfield	Keenan of St. Albans City
Burke of Brattleboro	Evans of Essex	Kilmartin of Newport City
Buxton of Tunbridge	Fagan of Rutland City	Kitzmiller of Montpelier
Campion of Bennington	Fay of St. Johnsbury	Klein of East Montpelier
Canfield of Fair Haven	Fisher of Lincoln	Koch of Barre Town
Carr of Brandon	Frank of Underhill	Krowinski of Burlington
Christie of Hartford	French of Randolph	Kupersmith of South Burlington
Clarkson of Woodstock	Gallivan of Chittenden	Lanpher of Vergennes
Cole of Burlington	Goodwin of Weston	Lenes of Shelburne
Connor of Fairfield	Grad of Moretown	Lippert of Hinesburg
Conquest of Newbury	Greshin of Warren	Macaig of Williston
Consejo of Sheldon	Haas of Rochester	Malcolm of Pawlet
Copeland-Hanzas of Bradford	Head of South Burlington	Manwaring of Wilmington
Corcoran of Bennington	Heath of Westford	Marek of Newfane
Dakin of Chester	Helm of Fair Haven	Martin of Springfield
Davis of Washington	Hoopier of Montpelier	Martin of Wolcott
	Hoyt of Norwich	

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

Those who voted in the negative are:

Batchelor of Derby	Feltus of Lyndon	Savage of Swanton
Beyor of Highgate	Gage of Rutland City	Scheuermann of Stowe
Bouchard of Colchester	Higley of Lowell	Shaw of Pittsford
Branagan of Georgia	Hubert of Milton	Shaw of Derby
Browning of Arlington *	Johnson of Canaan	Smith of New Haven
Burditt of West Rutland	Juskiewicz of Cambridge	Strong of Albany
Cross of Winooski	Komline of Dorset	Terenzini of Rutland Town
Cupoli of Rutland City	Larocque of Barnet	Turner of Milton *
Dickinson of St. Albans	Lawrence of Lyndon	Van Wyck of Ferrisburgh
Town	Marcotte of Coventry	Winters of Williamstown
Donaghy of Poultney	Myers of Essex	
Donahue of Northfield	Quimby of Concord	

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

Condon of Colchester	Krebs of South Hero	Mitchell of Fairfax
Hebert of Vernon	Lewis of Berlin	Morrissey of Bennington

Rep. Browning of Arlington explained her vote as follows:

“Mr. Speaker:

I cannot support yet another spending bill that does not somehow incorporate the \$1.3 billion cost of tax expenditures in the basic budget accounts.”

Rep. Turner of Milton explained his vote as follows:

“Mr. Speaker:

Vermonters have to live within their budgets, but state government continues to grow its spending at a rate far greater than those of the taxpayers' paychecks paying the bills."

Bill Amended; Third Reading Ordered

H. 577

Rep. Kitzmiller of Montpelier, for the committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to ski tramways

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

Sec. 1. 31 V.S.A. § 707 is amended to read:

§ 707. REGISTRATION AND FEES

(a) A passenger tramway shall not be operated in this ~~state~~ State unless the operator thereof has been registered by the ~~department~~ Department. On or before the ~~4th~~ first day of November in each year, every operator of a passenger tramway shall apply to the ~~department~~ Department on forms prepared by it for registration hereunder. The application shall contain such information as the ~~department~~ Department may require and shall be accompanied by a registration fee, according to the formula stated in this section, unless an alternate payment plan is approved by the Commissioner pursuant to subsection (f) of this section. The ~~department~~ Department shall assess total registration fees in the sum of the amount approved in the appropriations process for the program for that fiscal year, adjusted by any balance in the ~~passenger tramway special fund~~ Passenger Tramway Special Fund from the prior fiscal year.

* * *

(f) Fee-due-state payment plans. The Commissioner has discretion to authorize a tramway operator to enter a payment plan to pay some or all of the fee-due-state after November 1 upon a showing of financial need. The authorization and terms of any payment plan shall be in writing and set a date or dates for payment, provided that the total amount of the fee-due-state shall be paid no later than January 15. Failure to pay on November 1 or pursuant to an authorized plan may subject the operator to the penalties established in section 712 of this title.

Sec. 2. 31 V.S.A. § 712 is amended to read:

§ 712. PENALTIES

(a) Operating without registration passing inspection. Any operator who operates a passenger tramway without ~~being registered~~ first passing the annual inspection by the ~~department~~ Department shall be fined not more than ~~\$50.00~~ \$1,000.00 for each day of operation.

(b) Operating without paying fee-due-state. Any operator who operates a passenger tramway without paying the fee-due-state as provided in section 707 of this title shall be fined not more than \$50.00 for each day of operation.

(c) After suspension. Any person who operates a passenger tramway after being ordered to cease operations shall be fined not more than ~~\$100.00~~ \$5,000.00 for each day of illegal operation.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

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.

Favorable Report; Third Reading Ordered

H. 583

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

An act relating to the charge of the Vermont Child Poverty Council

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

Adjournment

At ten o'clock and thirty minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, January 28, 2014, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 39.

Concurrent Resolutions Adopted

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

H.C.R. 190

House concurrent resolution congratulating the Twin Valley High School Wildcats 2013 Division IV championship boys' soccer team;

H.C.R. 191

House concurrent resolution honoring Dr. Fred Holmes and documentary filmmaker Bess O'Brien for their efforts to address youth opiate addiction in Vermont;

H.C.R. 192

House concurrent resolution honoring David Palmer for his public service in Central Vermont;

H.C.R. 193

House concurrent resolution congratulating the 2013 Essex High School Hornets championship boys' volleyball club;

H.C.R. 194

House concurrent resolution congratulating the 2013 Essex High School Hornets Division I championship field hockey team;

H.C.R. 195

House concurrent resolution congratulating the 2013 Essex High School Hornets Division I championship boys' track and field team;

H.C.R. 196

House concurrent resolution congratulating the 2013 Essex High School Hornets Division I championship girls' track and field team;

H.C.R. 197

House concurrent resolution congratulating David Ro on his tennis accomplishments at Essex High School;

H.C.R. 198

House concurrent resolution congratulating Eileen Rossetti on being named a 2013 Vermont Outstanding Teacher;

H.C.R. 199

House concurrent resolution congratulating Michael Coyle on his selection as the 2013 Washington West Supervisory Union Teacher of the Year;

H.C.R. 200

House concurrent resolution congratulating Meg Allison on being named a 2013 Vermont Outstanding Teacher;

H.C.R. 201

House concurrent resolution congratulating the Stoweflake Mountain Resort & Spa on its golden anniversary;

H.C.R. 202

House concurrent resolution congratulating the Golden Eagle Resort on its 50th anniversary;

H.C.R. 203

House concurrent resolution recognizing the commitment of Cape Air to serving Rutland;

H.C.R. 204

House concurrent resolution recognizing the important health care contribution of nurse anesthetists in Vermont;

H.C.R. 205

House concurrent resolution congratulating Shelby Meunier of Swanton on her participation in the 2013 Macy's Thanksgiving Day Parade Great American Marching Band;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2014, seventy-second Adjourned session.]