

Journal of the House

Tuesday, April 1, 2014

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

Devotional Exercises

Devotional exercises were conducted by Jon Gailmor of Elmore, Vt.

Pledge of Allegiance

Page Isabel Jamieson of Waitfield led the House in the Pledge of Allegiance.

Message from the Senate No. 39

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. 241. An act relating to binding arbitration for State employees.

S. 252. An act relating to financing for Green Mountain Care.

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

The Senate has considered bills originating in the House of the following titles:

H. 563. An act relating to captive insurance laws and accreditation standards.

H. 602. An act relating to municipal budget committees.

And has passed the same in concurrence.

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 53. Joint resolution relating to weekend adjournment.

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

Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time and referred as follows:

S. 208

Senate bill, entitled
An act relating to solid waste management;
To the committee on Natural Resources and Energy.

S. 218

Senate bill, entitled
An act relating to temporary employees;
To the committee on Government Operations.

S. 220

Senate bill, entitled
An act relating to furthering economic development;
To the committee on Commerce and Economic Development.

S. 225

Senate bill, entitled
An act relating to a report on recommended changes in the structure of Vermont State employment in order to reduce employment-related stress;
To the committee on Government Operations.

S. 239

Senate bill, entitled
An act relating to the regulation of toxic substances;
To the committee on Fish, Wildlife & Water Resources.

Remarks Journalized

On motion of **Rep. Hebert of Vernon**, the following remarks by **Rep. Morrissey of Bennington** were ordered printed in the Journal:

“Mr. Speaker:

I rise today to sincerely thank one of our fellow colleagues and a Gold Star Mother/Parent, who represented all of us this past weekend with amazing grace and dignity.

On Friday, here in this very chamber, we started the Vietnam Veterans Welcome Home Weekend. Rep. Vicki Strong of Albany also traveled to Bennington for the event that was held at the Vermont Veterans’ Home on Saturday. On Sunday, Vicki and her husband Nate also attended the ceremony

at Norwich University. Vicki's husband Nate was by her side in spite of just going through medical treatments last week.

There is something very symbolic and significant in Vicki's family name "Strong." As a family who has had a tragic loss (their son Jesse Strong – Marine who served in Iraq with the 4th Marine Division, 4th Combat Engineering Battalion) they have maintained their inner strength, dedication and commitment in supporting veterans, those presently serving and their families. We should all aspire to further enhance our character and strength through their example.

Mr. Speaker, I hope that you and all members of this House, will join me in thanking Rep. Vicki Strong."

Action on Bill Postponed

S. 86

Senate bill, entitled

An act relating to miscellaneous changes to election laws

Was taken up and pending the reading of the report of the committee on Government Operations, on motion of **Rep. Martin of Wolcott**, action on the bill was postponed until Thursday, April 3, 2014.

Senate Proposal of Amendment Concurred in

H. 559

The Senate proposed to the House to amend House bill, entitled

An act relating to membership on the Building Bright Futures Council

In Sec. 1, 33 V.S.A. § 4602, by striking out subsection (a) and inserting a new subsection (a) in lieu thereof as follows:

(a) The Building Bright Futures Program shall be governed by a statewide council comprising no more than 23 members. The Building Bright Futures Council's membership shall be as follows:

- (1) ~~the~~ The Secretary of Human Services or designee;
- (2) ~~the~~ The Secretary of Commerce and Community Development or designee;
- (3) ~~the~~ The Secretary of Education; or designee.
- (4) ~~the~~ The Commissioner for Children and Families; or designee.
- (5) ~~the~~ The Commissioner of Health; or designee.
- (6) ~~the~~ The Commissioner of Mental Health; or designee.

(7) ~~two members~~ One member of the House of Representatives, appointed by the Speaker of the House;.

(8) ~~at least one but no more than two members~~ One member of the Senate, appointed by the Senate Committee on Committees;.

(9) ~~the~~ The Head Start Collaboration Office Director; ~~and~~.

(10) ~~12~~ Fourteen at-large members, appointed by the Governor based on their commitment to early childhood well-being and representing a range of perspectives and geographic diversity. The Governor shall consider the recommendations of the Council's nominating committee. One of the at-large members shall be a representative of a local Head Start program and one shall be a member of a school board, to be recommended by the Vermont School Boards Association.

Which proposal of amendment was considered and concurred in.

Joint Resolution Adopted in Concurrence

J.R.S. 51

By Senator Campbell,

J.R.S. 51. Joint resolution providing for a Joint Assembly for the election of a successor legislative Trustee of the University of Vermont and State Agricultural College to fill the vacancy created by the resignation of Representative Sarah E. Buxton of Tunbridge.

Whereas, the recent resignation of Representative Sarah E. Buxton of Tunbridge has created a vacancy on the Trustees of the University of Vermont and State Agricultural College, and

Whereas, the term of office for this vacant position commenced on February 20, 2014 and will expire on February 28, 2019, and

Whereas, this General Assembly has an obligation to fill this vacant position as prescribed by statute, now therefore be it

RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES:

That the two Houses meet in Joint Assembly on Thursday, April 10, 2014, at ten o'clock and thirty minutes in the forenoon to elect a successor legislative Trustee of the University of Vermont and State Agricultural College to fill the unexpired term of Representative Sarah E. Buxton, which term commenced on March 1, 2013 and will expire on February 28, 2019, such vacancy having resulted from the resignation of Representative Sarah E. Buxton. In case election of this successor Trustee 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 this successor Trustee is elected.

Was taken up and adopted in concurrence.

Joint Resolution Adopted in Concurrence

J.R.S. 52

By Senator Campbell,

J.R.S. 52. Joint resolution establishing a procedure for the conduct of the election of a UVM trustee by plurality vote by the General Assembly in 2014.

Whereas, in 2001 and subsequent bienniums the elections of one trustees of the University of Vermont and State Agricultural College were decided by plurality vote, each of which required one ballot only, and

Whereas, if an election for a vacancy is decided by a plurality vote, then a great savings of time may 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 a replacement trustee of the University of Vermont and State Agricultural College at a Joint Assembly to be held on April 10, 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 one.

(2) The candidate receiving the most votes shall be declared elected to fill the vacancy.

(3) In the event that the first balloting for the Trustee vacancy results in a tie vote, then voting shall continue on successive ballots until the vacancy has been filled, again by election declared of the candidate receiving the most votes.

Was taken up and adopted in concurrence.

Adjournment

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