

Journal of the House

Friday, April 18, 2014

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

Devotional Exercises

Devotional exercises were conducted by Rep. Suzi Wizowaty of Burlington and Gigi Wizowaty of Boston, MA.

Bill Referred to Committee on Appropriations

S. 234

Senate bill, entitled

An act relating to Medicaid coverage for home telemonitoring services

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

Joint Resolution Placed on Calendar

J.R.H. 22

Joint resolution authorizing the use of the State House on June 18, 2014 for the 2014 Green Mountain Girls State Day

Offered by: Representatives Krowinski of Burlington, Batchelor of Derby, Branagan of Georgia, Burke of Brattleboro, Clarkson of Woodstock, Cole of Burlington, Copeland-Hanzas of Bradford, Dakin of Chester, Ellis of Waterbury, Evans of Essex, French of Randolph, Gallivan of Chittenden, Grad of Moretown, Haas of Rochester, Hoyt of Norwich, Jerman of Essex, Keenan of St. Albans City, Lenes of Shelburne, Masland of Thetford, McCarthy of St. Albans City, Michelsen of Hardwick, Myers of Essex, O'Brien of Richmond, O'Sullivan of Burlington, Pugh of South Burlington, Rachelson of Burlington, Ram of Burlington, Spengler of Colchester, Sweaney of Windsor, Toll of Danville, Townsend of South Burlington, Trieber of Rockingham, Vowinkel of Hartford, Waite-Simpson of Essex, Webb of Shelburne, Wizowaty of Burlington, and Young of Glover

Whereas, Girls State is an educational program that the American Legion Auxiliary established in 1937 with a mission "to teach young women responsible citizenship," and

Whereas, each June, outstanding high school juniors from across the State gather to participate in an intensive week of civic education, and

Whereas, a highlight of their week is the day devoted to a mock legislative session at the State House in Montpelier, and

Whereas, the young women serve on legislative committees, and the resulting bills are debated in House and Senate floor sessions, and

Whereas, this program provides an opportunity for young women to explore their leadership potential, and

Whereas, Girls State serves as a unique educational experience for the students and is a worthy use of the State House, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly authorizes the use of the State House, including all the committee rooms, rooms 10 and 11, and the chambers of the House of Representatives and the Senate on June 18, 2014, from 8:00 a.m. until 4:15 p.m., for the convening of the 2014 Green Mountain Girls State, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vermont American Legion Auxiliary in Montpelier.

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

Third Reading; Bill Passed

H. 870

House bill, entitled

An act relating to the merger of the Town of Pittsford and the Pittsford Fire District No. 1

Was taken up, read the third time and passed.

Proposal of Amendment Agreed to; Third Reading Ordered

S. 299

Rep. Stevens of Waterbury, for the committee on General, Housing and Military Affairs, to which had been referred Senate bill, entitled

An act relating to sampler flights

Reported in favor of its passage in concurrence with proposal of amendment as follows:

By striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. PURPOSE

The purpose of this act is to allow wholesale dealers to offer tastings of malt or vinous beverages to the management and staff of businesses who have applied for first- or second-class licenses but have yet to receive the license from the Department of Liquor Control, provided that the local control commission has approved the liquor license. This will enable the management of new businesses to taste and choose malt or vinous beverages and to print their menus and otherwise make the start-up of their businesses easier.

Sec. 2. 7 V.S.A. § 67 is amended to read:

§ 67. ALCOHOLIC BEVERAGE TASTINGS; PERMIT; PENALTIES

* * *

(d) Promotional alcoholic beverage tasting:

* * *

(4) Upon receipt of a first- or second-class application by the Department, a holder of a wholesale dealer's license may dispense malt or vinous beverages for promotional purposes without charge to invited management and staff of a business that has applied for a first- or second-class license, provided they are of legal drinking age. The event shall be held on the premises of the first- or second-class applicant. The first- or second-class applicant shall be responsible for complying with all applicable laws under this title. No malt or vinous beverages shall be left behind. No permit is required under this subdivision, but the wholesale dealer shall provide written notice of the event to the Department at least five days prior to the date of the tasting. The Department shall post notice of the pending application on its website.

* * *

Sec. 3. 7 V.S.A. § 2 is amended to read:

§ 2. DEFINITIONS

The following words as used in this title, unless a contrary meaning is required by the context, shall have the following meaning:

* * *

(37) "Sampler flight" means a flight, ski, paddle, or any similar device by design or name intended to hold alcoholic beverage samples for the purpose of comparison.

Sec. 4. 7 V.S.A. § 222 is amended to read:

§ 222. ~~FIRST AND SECOND CLASS~~ FIRST- AND SECOND-CLASS
 LICENSES, GRANTING OF; SALE TO MINORS; CONTRACTING
 FOR FOOD SERVICE

With the approval of the Liquor Control Board, the Control Commissioners may grant to a retail dealer for the premises where the dealer carries on business the following:

* * *

(5)(A) The holder of a first-class license may serve a sampler flight of up to 32 ounces in the aggregate of malt beverages to a single customer at one time;

(B) The holder of a first-class license may serve a sampler flight of up to 12 ounces in the aggregate of vinous beverages to a single customer at one time; and

(C) The holder of a third-class license may serve a sampler flight of up to four ounces in the aggregate of spirituous liquors to a single customer at one time.

Sec. 5. 7 V.S.A. § 66 is amended to read:

§ 66. MALT AND VINOUS BEVERAGE SHIPPING LICENSE; IN STATE;
 OUT OF STATE; PROHIBITIONS; PENALTIES

* * *

(c) A manufacturer or rectifier of vinous beverages that is licensed in-state or out-of-state and holds valid ~~state~~ State and federal permits and operates a winery in the United States, may apply for a retail shipping license by filing with the Department of Liquor Control an application in a form required by the Department accompanied by a copy of its in-state or out-of-state license and the fee as required by subdivision 231(a)(7)(C) of this title. The retail shipping license may be renewed annually by filing the renewal fee as required by subdivision 231(a)(7)(C) of this title accompanied by the licensee's current in-state or out-of-state manufacturer's license. This license permits the holder, which includes the holder's affiliates, franchises, and subsidiaries, to sell up to 5,000 gallons of vinous beverages a year directly to ~~first first-~~ or ~~second-class~~ second-class licensees and deliver the beverages by common carrier ~~or,~~ the manufacturer's or rectifier's own ~~vehicles~~ vehicle, or the vehicle of an employee of a manufacturer or rectifier, provided that the beverages are sold on invoice, and no more than 100 gallons per month are sold to any single ~~first~~ first- or ~~second-class~~ second-class licensee. The retail shipping license holder

shall report to the Department documentation of the annual and monthly number of gallons sold. Vinous beverages under this section may be delivered by the vehicle of a second-class license holder if the second-class licensee cannot obtain the vinous beverages from a wholesale dealer.

* * *

Sec. 6. 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 and the recommendation of proposal of amendment agreed to and third reading ordered.

Adjournment

At ten o'clock and twenty-two minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, April 22, 2014, at ten o'clock in the forenoon, pursuant to the provisions of JRS 55.

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 the Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 309

House concurrent resolution congratulating the *Reporter* newspaper on winning eight 2014 New England Newspaper and Press Association awards;

H.C.R. 310

House concurrent resolution congratulating the Town of Weybridge on winning State and Addison County honors in the Vermont Home Energy Challenge;

H.C.R. 311

House concurrent resolution congratulating 2014 Vermont Spelling Bee champion, Liam Lustberg;

H.C.R. 312

House concurrent resolution congratulating the 2014 Division II Lyndon Institute Vikings championship boys' basketball team;

H.C.R. 313

House concurrent resolution congratulating the 2014 Proctor High School Lady Phantoms Division IV championship girls' basketball team;

H.C.R. 314

House concurrent resolution congratulating the 2013 Peoples Academy Lady Wolves Division III championship girls' soccer team;

H.C.R. 315

House concurrent resolution congratulating the 2014 Danville High School Division IV championship boys' basketball team;

H.C.R. 316

House concurrent resolution commemorating the third annual Turkic Cultural Day in Vermont;

H.C.R. 317

House concurrent resolution congratulating the 2014 Mt. Abraham Union High School Division II championship girls' basketball team;

H.C.R. 318

House concurrent resolution commemorating the 200th anniversary of the Battle of Plattsburgh and honoring those who fought on Lake Champlain's western shore;

H.C.R. 319

House concurrent resolution congratulating Chloe Johnson of Fairfield on her service as the 2013 Miss Vermont Outstanding Teen;

H.C.R. 320

House concurrent resolution in memory of Brandon Allen Gleason of Enosburg Falls;

H.C.R. 321

House concurrent resolution congratulating the 2014 Black River High School State rock climbing championship team;

H.C.R. 322

House concurrent resolution designating April 23, 2014 as Iraq and Afghanistan Veterans Honor and Appreciation Day and recognizing their service and sacrifice on behalf of our nation;

H.C.R. 323

House concurrent resolution congratulating the 2014 University of Vermont Catamounts America East Regular Season title winning men's basketball team;

H.C.R. 324

House concurrent resolution congratulating the Vermont-associated 2014 U.S. Winter Olympic Team members;

H.C.R. 325

House concurrent resolution congratulating Jeanelle Achee of Rochester on her service as the 2013 Miss Vermont;

H.C.R. 326

House concurrent resolution congratulating the 2013 Randolph Union High School Galloping Ghosts Division II championship baseball team;

H.C.R. 327

House concurrent resolution congratulating Madison Cota on being named the 2014 Miss Vermont Teen USA;

H.C.R. 328

House concurrent resolution commemorating the 150th anniversary of the St. Albans Raid;

H.C.R. 329

House concurrent resolution designating April 30, 2014 as National Walk@Lunch Day in Vermont;

S.C.R. 55

Senate concurrent resolution congratulating the NorthWoods Stewardship Center on its 25th anniversary;

[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.]