

Journal of the House

Wednesday, April 23, 2014

At one o'clock in the afternoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rep. Kevin Christie of Hartford, Vt.

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 twenty-second day of April, 2014, he approved and signed a bill originating in the House of the following title:

H. 543 An act relating to records and reports of the Auditor of Accounts

Bill Referred to Committee on Appropriations

S. 291

Senate bill, entitled

An act relating to the establishment of transition units at State correctional facilities

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

Joint Resolution Adopted in Concurrence

J.R.S. 56

By Senators Baruth and Benning,

J.R.S. 56. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 25, 2014, it be to meet again no later than Tuesday, April 29, 2014.

Was taken up read and adopted in concurrence.

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

H. 883

Rep. Heath of Westford moved that the committee on Appropriations be relieved of House bill, entitled

An act relating to expanded prekindergarten–grade 12 school districts

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

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

S. 256

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

An act relating to the solemnization of a marriage by a Judicial Bureau hearing officer

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

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

S. 295

Rep. Lippert of Hinesburg moved that the committee on Judiciary be relieved of Senate bill, entitled

An act relating to pretrial services, risk assessments, and criminal justice programs

And that the bill be committed to the committee on Human Services, which was agreed to.

Proposal of Amendment Agreed to; Third Reading Ordered

S. 275

Rep. Wizowaty of Burlington, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to the Court's jurisdiction over youthful offenders

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. YOUTHFUL OFFENDERS; LEGISLATIVE INTENT

The maximum age at which a person may be treated as a youthful offender varies under two different statutes under 33 V.S.A. chapter 52. A person may be treated as a youthful offender until the person reaches 22 years of age under 33 V.S.A. § 5104(a); however, in some circumstances, a person may be treated as a youthful offender until the person reaches 23 years of age under 33 V.S.A. § 5204a(b)(2)(A). This distinction is intentional.

Sec. 2. 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 and the recommendation of proposal of amendment agreed to and third reading ordered.

Favorable Report; Third Reading Ordered

S. 283

Rep. Fay of St. Johnsbury, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to the changing of the name of the Vermont Criminal Information Center

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.

Senate Proposal of Amendment Concurred in

H. 356

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

An act relating to prohibiting littering in or on the waters of the State

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

Sec. 1. 24 V.S.A. § 2201 is amended to read:

§ 2201. THROWING, DEPOSITING, BURNING, AND DUMPING
REFUSE; PENALTY; SUMMONS AND COMPLAINT

(a)(1) Prohibition. Every person shall be responsible for proper disposal of his or her own solid waste. A person shall not throw, dump, deposit, cause,

or permit to be thrown, dumped, or deposited any solid waste as defined in 10 V.S.A. § 6602, refuse of whatever nature, or any noxious thing in or on lands or waters of the State outside a solid waste management facility certified by the Agency of Natural Resources.

~~(2) It shall be prima facie evidence~~ There shall be a rebuttable presumption that a person who is identifiable from an examination of illegally disposed solid waste is the person who violated a provision of this section.

~~(2)(3)~~ No person shall burn or cause to be burned in the open or incinerate in any container, furnace, or other device any solid waste without:

(A) first having obtained all necessary permits from the Agency of Natural Resources, the district environmental commission, and the municipality where the burning is to take place; and

(B) complying with all relevant State and local regulations and ordinances.

(b) Prosecution of violations. A person who violates a provision of this section commits a civil violation and shall be subject to a civil penalty of not more than \$500.00. This violation shall be enforceable in the Judicial Bureau pursuant to the provisions of 4 V.S.A. chapter 29 in an action that may be brought by a municipal attorney, solid waste management district attorney, environmental enforcement officer employed by the Agency of Natural Resources, grand juror, or designee of the legislative body of the municipality, or by any duly authorized law enforcement officer. If the throwing, placing, or depositing was done from a snowmobile, vessel, or motor vehicle, except a motor bus, ~~it shall be prima facie evidence~~ there shall be a rebuttable presumption that the throwing, placing, or depositing was done by the ~~driver~~ operator of such snowmobile, vessel, or motor vehicle. Nothing in this section shall be construed as affecting the operation of an automobile graveyard or salvage yard as defined in section 2241 of this title, nor shall anything in this section be construed as prohibiting the installation and use of appropriate receptacles for solid waste provided by the State or towns.

(c) Roadside cleanup. A person found in violation of this section may be assigned to spend up to 80 hours collecting trash or litter from a specified segment of roadside or from a specified area of public property.

~~(d) The Commissioner of Motor Vehicles shall suspend the motor vehicle operator's license or operating privilege of a person found in violation of this section for a period of ten days if the person fails to pay the penalty set forth in subsection (b) of this section. This provision shall not apply if the only evidence of violation is the presumption set forth in subsection (b) of this~~

~~section. The Bureau shall immediately notify the Commissioner of Motor Vehicles of the entry of judgment. [Repealed.]~~

(e) Revocation of hunting, fishing, or trapping license. The Commissioner of Fish and Wildlife shall revoke the privilege of a person found in violation of this section from holding a hunting ~~or~~, fishing, or trapping license, or both, for a period of one year from the date of the conviction, if the person fails to pay the penalty set forth in subsection (b) of this section. The Bureau shall immediately notify the Commissioner of Fish and Wildlife of the entry of judgment.

(f) ~~[Deleted.] [Repealed.]~~

(g) Amendment of complaint. A person authorized to enforce this section may amend or dismiss a complaint issued by that person by marking the complaint and returning it to the Judicial Bureau. At the hearing, a person authorized to enforce this section may amend or dismiss a complaint issued by that person, subject to the approval of the hearing judge.

(h) ~~[Deleted.] [Repealed.]~~

(i) Applicability. Enforcement actions taken under this section shall in no way preclude the Agency of Natural Resources, the Attorney General, or an appropriate State prosecutor from initiating other or further enforcement actions under the civil, administrative, or criminal enforcement provisions of 10 V.S.A. chapter 23, 47, 159, 201, or 211. To the extent that enforcement under this section is by an environmental enforcement officer employed by the Agency of Natural Resources, enforcement under this section shall preclude other enforcement by the ~~agency~~ Agency for the same offence.

(j) Definitions. As used in this section:

(1) “Motor vehicle” shall have the same meaning as in 23 V.S.A. § 4(21).

(2) “Snowmobile” shall have the same meaning as in 23 V.S.A. § 3801.

(3) “Vessel” means motor boats, boats, kayaks, canoes, sailboats, and all other types of watercraft.

(4) “Waters” shall have the same meaning as in 10 V.S.A. § 1251(13).

Sec. 2. 1 V.S.A. § 377 is added to read:

§ 377. GREEN UP DAY; RIVER GREEN UP MONTH

(a) The first Saturday in the month of May is designated as Green Up Day.

(b) September of each year is designated as River Green Up Month.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

Which proposal of amendment was considered and concurred in.

Bill Amended; Third Reading Ordered

J.R.H. 21

Rep. Savage of Swanton, for the committee on General, Housing and Military Affairs, to which had been referred Joint resolution, entitled

Joint resolution urging Congress to enact the Blue Water Navy Vietnam Veterans Act of 2013

Reported in favor of its passage when amended as follows:

First: By striking out the seventh Whereas clause in its entirety and inserting in lieu thereof a new seventh Whereas clause to read:

Whereas, U.S. Representative Chris Gibson of New York introduced the Blue Water Navy Vietnam Veterans Act of 2013 (H.R.543) to provide full Agent Orange Act of 1991 compensation benefits to Blue Water Navy Vietnam Veterans, with over 180 cosponsors, including U.S. Representative Peter Welch, and with the support of many veterans service organizations, and

Second: By striking out the eighth Whereas clause in its entirety.

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

Bill Recommended

S. 297

Senate bill, entitled

An act relating to the recording of custodial interrogations in homicide and sexual assault cases

Appearing on the Calendar for action, was taken up and pending the reading of the report of the committee on Judiciary, on motion of **Rep. Grad of Moretown**, the bill was recommitted to the committee on Judiciary.

Bill Recommended

S. 184

Senate bill, entitled

An act relating to eyewitness identification policy

Appearing on the Calendar for action, was taken up and pending the reading of the report of the committee on Judiciary, on motion of **Rep. Grad of Moretown**, the bill was recommitted to the committee on Judiciary.

Bill Amended; Third Reading Ordered

S. 211

Rep. Krebs of South Hero, for the committee on Fish, Wildlife & Water Resources, to which had been referred Senate bill, entitled

An act relating to permitting of sewage holding and pumpout tanks for public buildings

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

* * * Sewage Holding and Pumpout Tanks for Public Buildings * * *

Sec. 1. 10 V.S.A. § 1979 is amended to read:

§ 1979. HOLDING TANKS

(a) The ~~secretary~~ Secretary shall approve the use of sewage holding and pumpout tanks when he or she determines that:

(1) the existing or proposed buildings or structures to be served by the holding tank are publicly owned;

(2) the plan for construction and operation of the holding tank will not result in a public health hazard or environmental damage;

(3) a designer demonstrates that an economically feasible means of meeting current standards is significantly more costly than the construction and operation of sewage holding and pumpout tanks, based on a projected 20-year life of the project; and

(4) the design flows do not exceed 600 gallons per day.

(b)(1) The Secretary shall approve the use of sewage holding and pumpout tanks for existing buildings or structures that are owned by a charitable, religious, or nonprofit organization when he or she determines that:

(A) the plan for construction and operation of the holding tank will not result in a public health hazard or environmental damage;

(B) a designer demonstrates that an economically feasible means of meeting current standards is significantly more costly than the construction and operation of sewage holding and pumpout tanks, based on a projected 20-year life of the project; and

(C) the design flows do not exceed 600 gallons per day.

(2) Before constructing a holding tank permitted under this subsection, the applicant shall post a bond or other financial surety sufficient to finance maintenance of the holding tank for the life of the system, which shall be at least 20 years.

(3)(A) A permit issued under this subsection shall run with the land for the duration of the permit and shall apply to all subsequent owners of the property being served by the holding tank regardless of whether the owner is a charitable, religious, or nonprofit organization.

(B) All permit conditions, including the financial surety requirement of subdivision (b)(2), shall apply to a subsequent owner.

(C) A subsequent owner shall not increase the design flows of the holding and pumpout tank system without approval from the Secretary.

(c) A holding tank may also be used for a project that is eligible for a variance under section 1973 of this title, whether or not the project is publicly owned, if the existing wastewater system has failed, or is expected to fail, and in either instance, if there is no other cost-feasible alternative.

~~(e)~~(d) When a holding tank is proposed for use, a designer shall submit all information necessary to demonstrate that the holding tank will comply with the following requirements:

(1) ~~the~~ The holding tank shall be capable of holding at least 14 days of the ~~expected~~ design flow from the building;.

(2) ~~the~~ The tank shall be constructed of durable materials that are appropriate for the site conditions and the nature of the sewage to be stored;.

(3) ~~the~~ The tank shall be watertight, including any piping connected to the tank and all access structures connected to the tank. The tank shall be leakage tested prior to being placed in service;.

(4) ~~the~~ The tank shall be designed to protect against floatation when the tank is empty, such as when it is pumped;.

(5) ~~the~~ The tank shall be equipped with audio and visual alarms that are triggered when the tank is filled to 75 percent of its design capacity;.

(6) ~~the~~ The tank shall be located so that it can be reached by tank pumping vehicles at all times when the structure is occupied; ~~and~~.

(7) ~~the~~ The analysis supports a claim under subdivision (a)(3) of this section.

~~(d)~~(e) The permit application shall specify the method and expected frequency of pumping.

~~(e)~~(f) Any building or structure served by a holding tank shall have a water meter, or meters, installed that measures all water that will be discharged as wastewater from the building or structure.

~~(f)~~(g) Any permit issued for the use of a holding tank will require a designer to periodically inspect the tank, visible piping, and alarms. The designer shall submit a written report to the ~~secretary~~ Secretary detailing the results of the inspection and any repairs or changes in operation that are required. The report also shall detail the pumping history since the previous report, giving the dates of pumping and the volume of wastewater removed. The frequency of inspections and reports shall be stated in the permit issued for the use of the tank, but shall be no less frequent than once per year. The designer also shall inspect the water meter or meters and verify that they are installed, calibrated, and measuring all water that is discharged as wastewater. The designer shall read the meters and compare the metered flow to the pumping records. Any significant deviation shall be noted in the report and explained to the extent possible.

~~(g)~~(h) The owner of a holding tank shall maintain a valid contract with a licensed wastewater hauler at all times. The contract shall require the licensed wastewater hauler to provide written notice of dates of pumping and volume of wastewater pumped. Copies of all such notices shall be submitted with the written inspection reports.

* * * Municipal Water Connection Certification * * *

Sec. 2. 10 V.S.A. § 1976 is amended to read:

§ 1976. DELEGATION OF AUTHORITY TO MUNICIPALITIES

(a)(1) If a municipality submits a written request for delegation of this chapter, the ~~secretary~~ Secretary shall delegate authority to the municipality to implement and administer provisions of this chapter, the rules adopted under this chapter, and the enforcement provisions of chapter 201 of this title relating to this chapter, provided that the ~~secretary~~ Secretary is satisfied that the municipality:

(A) has established a process for accepting, reviewing, and processing applications and issuing permits, which shall adhere to the rules established by the ~~secretary~~ Secretary for potable water supplies and wastewater systems, including permits, by rule, for sewerage connections;

(B) has hired, appointed, or retained on contract, or will hire, appoint, or retain on contract, a licensed designer to perform technical work which must be done by a municipality under this section to grant permits;

(C) will take timely and appropriate enforcement actions pursuant to the authority of chapter 201 of this title;

(D) commits to reporting annually to the ~~secretary~~ Secretary on a form and date determined by the ~~secretary~~ Secretary; and

(E) will comply with all other requirements of the rules adopted under section 1978 of this title.

(2) Notwithstanding the provisions of this subsection, there shall be no delegation of this section or of section 1975 or 1978 of this title.

* * *

(g) Notwithstanding the requirements of subsection (a) of this section, if a municipality submits a written request for partial delegation of this chapter, the Secretary shall delegate authority to the municipality to permit new or modified service connections to an existing municipally owned water main or sewer main, provided that the Secretary is satisfied that the municipality:

(1) shall only issue permits for connections under this subsection if it owns both the water main and the sewer main at the site of the connection;

(2) will provide notice to the Secretary of any new connection; and

(3) has hired, appointed, or retained on contract, or will hire, appoint, or retain on contract, a licensed designer who is or will be responsible for designing and certifying the design of new service connections.

Sec. 3. WASTEWATER RULES; AMENDMENT

On or before June 1, 2015, the Agency of Natural Resources shall amend its rules under 10 V.S.A. § 1978 to conform to the provisions of Sec. 2 of this act.

Sec. 4. MUNICIPAL WATER CONNECTION PERMIT DELEGATION REPORT

On or before December 1, 2016, the Secretary of Natural Resources shall submit to the House Committee on Fish, Wildlife and Water Resources and the Senate Committee on Natural Resources and Energy a report that shall include:

(1) a list of municipalities that have accepted full or partial delegation of permitting authority under 10 V.S.A. § 1964;

(2) a summary of the cost of full and partial delegation of permitting authority under 10 V.S.A. § 1964 for the agency, permitting municipalities, and permit applicants; and

(3) a recommendation for whether to continue to exempt municipalities from the requirements of 10 V.S.A. § 1964(a) when permitting authority is partially delegated under 10 V.S.A. § 1964(g).

* * * Effective Date * * *

Sec. 5. 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 Fish, Wildlife & Water Resources agreed to and third reading ordered.

Senate Proposal of Amendment Concurred in

H. 650

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

An act relating to establishing the Ecosystem Restoration and Water Quality Improvement Special Fund

By striking Sec. 2 in its entirety and inserting in lieu thereof new Secs. 2 and 3 to read as follows:

Sec. 2. 2014 Acts and Resolves No. 97, Sec. 1(c) is amended to read:

(c) Report. On or before ~~April 15~~ November 15, 2014, the Secretary of Natural Resources shall submit to the Senate Committee on Natural Resources and Energy, the House Committee on Fish, Wildlife and Water Resources, and the Senate and House Committees on Appropriations a report that provides specific recommendations for administering, implementing, and financing water quality improvement in Vermont. The report shall:

* * *

Sec. 3. EFFECTIVE DATES

(a) This section and Sec. 2 (ANR report) shall take effect on passage.

(b) Sec. 1 (Ecosystem Restoration and Water Quality Improvement Special Fund) shall take effect on July 1, 2014.

Which proposal of amendment was considered and concurred in.

Message from the Senate No. 52

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 considered a bill originating in the House of the following title:

H. 765. An act relating to eliminating the part-time certification of law enforcement officers.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the House is requested.

The Governor has informed the Senate that on the twenty-second day of April, 2014, he approved and signed bills originating in the Senate of the following titles:

S. 223. An act relating to regulating the making of pension loans.

S. 296. An act relating to the Defender General's duty to investigate issues related to the health, safety, and welfare of inmates in correctional facilities.

The Senate has on its part adopted concurrent resolution originating in the House of the following title:

H.C.R. 328. House concurrent resolution commemorating the 150th anniversary of the St. Albans Raid.

Senate Proposal of Amendment Concurred in

H. 112

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

An act relating to the labeling of food produced with genetic engineering

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

Sec. 1. FINDINGS

The General Assembly finds and declares that:

(1) U.S. federal law does not provide for the labeling of food that is produced with genetic engineering, as evidenced by the following:

(A) U.S. federal labeling and food and drug laws do not require manufacturers of food produced with genetic engineering to label such food as genetically engineered.

(B) As indicated by the testimony of a U.S. Food and Drug Administration (FDA) Supervisory Consumer Safety Officer, the FDA has statutory authority to require labeling of food products, but does not consider genetically engineered foods to be materially different from their traditional counterparts to require such labeling.

(C) No formal FDA policy on the labeling of genetically engineered foods has been adopted. Currently, the FDA only provides nonbinding guidance on the labeling of genetically engineered foods, including a 1992

draft guidance regarding labeling of food produced from genetic engineering and a 2001 draft guidance for industry regarding voluntary labeling of food produced from genetic engineering.

(2) U.S. federal law does not require independent testing of the safety of food produced with genetic engineering, as evidenced by the following:

(A) In its regulation of food, the FDA does not distinguish genetically engineered foods from foods developed by traditional plant breeding.

(B) Under its regulatory framework, the FDA does not independently test the safety of genetically engineered foods. Instead, manufacturers submit safety research and studies, the majority of which the manufacturers finance or conduct. The FDA reviews the manufacturers' research and reports through a voluntary safety consultation, and issues a letter to the manufacturer acknowledging the manufacturer's conclusion regarding the safety of the genetically engineered food product being tested.

(C) The FDA does not use meta-studies or other forms of statistical analysis to verify that the studies it reviews are not biased by financial or professional conflicts of interest.

(D) There is a lack of consensus regarding the validity of the research and science surrounding the safety of genetically engineered foods, as indicated by the fact that there are peer-reviewed studies published in international scientific literature showing negative, neutral, and positive health results.

(E) There have been no long-term or epidemiologic studies in the United States that examine the safety of human consumption of genetically engineered foods.

(F) Independent scientists may be limited from conducting safety and risk-assessment research of genetically engineered materials used in food products due to industry restrictions or patent restrictions on the use for research of those genetically engineered materials used in food products.

(3) Genetically engineered foods are increasingly available for human consumption, as evidenced by the fact that:

(A) it is estimated that up to 80 percent of the processed foods sold in the United States are at least partially produced from genetic engineering; and

(B) according to the U.S. Department of Agriculture, in 2012, genetically engineered soybeans accounted for 93 percent of U.S. soybean acreage, and genetically engineered corn accounted for 88 percent of U.S. corn acreage.

(4) Genetically engineered foods potentially pose risks to health, safety, agriculture, and the environment, as evidenced by the following:

(A) There are conflicting studies assessing the health consequences of food produced from genetic engineering.

(B) The genetic engineering of plants and animals may cause unintended consequences.

(C) The use of genetically engineered crops is increasing in commodity agricultural production practices, which contribute to genetic homogeneity, loss of biodiversity, and increased vulnerability of crops to pests, diseases, and variable climate conditions.

(D) Cross-pollination of or cross-contamination by genetically engineered crops may contaminate organic crops and, consequently, affect marketability of those crops.

(E) Cross-pollination from genetically engineered crops may have an adverse effect on native flora and fauna. The transfer of unnatural deoxyribonucleic acid to wild relatives can lead to displacement of those native plants, and in turn, displacement of the native fauna dependent on those wild varieties.

(5) For multiple health, personal, religious, and environmental reasons, the State of Vermont finds that food produced from genetic engineering should be labeled as such, as evidenced by the following:

(A) Public opinion polls conducted by the Center for Rural Studies at the University of Vermont indicate that a large majority of Vermonters want foods produced with genetic engineering to be labeled as such.

(B) Polling by the New York Times indicated that many consumers are under an incorrect assumption about whether the food they purchase is produced from genetic engineering, and labeling food as produced from genetic engineering will reduce consumer confusion or deception regarding the food they purchase.

(C) Because genetic engineering, as regulated by this act, involves the direct injection of genes into cells, the fusion of cells, or the hybridization of genes that does not occur in nature, labeling foods produced with genetic engineering as “natural,” “naturally made,” “naturally grown,” “all natural,” or other similar descriptors is inherently misleading, poses a risk of confusing or deceiving consumers, and conflicts with the general perception that “natural” foods are not genetically engineered.

(D) Persons with certain religious beliefs object to producing foods using genetic engineering because of objections to tampering with the genetic

makeup of life forms and the rapid introduction and proliferation of genetically engineered organisms and, therefore, need food to be labeled as genetically engineered in order to conform to religious beliefs and comply with dietary restrictions.

(E) Labeling gives consumers information they can use to make decisions about what products they would prefer to purchase.

(6) Because both the FDA and the U.S. Congress do not require the labeling of food produced with genetic engineering, the State should require food produced with genetic engineering to be labeled as such in order to serve the interests of the State, notwithstanding limited exceptions, to prevent inadvertent consumer deception, prevent potential risks to human health, protect religious practices, and protect the environment.

Sec. 2. 9 V.S.A. chapter 82A is added to read:

CHAPTER 82A. LABELING OF FOOD PRODUCED WITH GENETIC ENGINEERING

§ 3041. PURPOSE

It is the purpose of this chapter to:

(1) Public health and food safety. Establish a system by which persons may make informed decisions regarding the potential health effects of the food they purchase and consume and by which, if they choose, persons may avoid potential health risks of food produced from genetic engineering.

(2) Environmental impacts. Inform the purchasing decisions of consumers who are concerned about the potential environmental effects of the production of food from genetic engineering.

(3) Consumer confusion and deception. Reduce and prevent consumer confusion and deception by prohibiting the labeling of products produced from genetic engineering as “natural” and by promoting the disclosure of factual information on food labels to allow consumers to make informed decisions.

(4) Protecting religious practices. Provide consumers with data from which they may make informed decisions for religious reasons.

§ 3042. DEFINITIONS

As used in this chapter:

(1) “Consumer” shall have the same meaning as in subsection 2451a(a) of this title.

(2) “Enzyme” means a protein that catalyzes chemical reactions of other substances without itself being destroyed or altered upon completion of the reactions.

(3) “Food” means food intended for human consumption.

(4) “Genetic engineering” is a process by which a food is produced from an organism or organisms in which the genetic material has been changed through the application of:

(A) in vitro nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) techniques and the direct injection of nucleic acid into cells or organelles; or

(B) fusion of cells (including protoplast fusion) or hybridization techniques that overcome natural physiological, reproductive, or recombination barriers, where the donor cells or protoplasts do not fall within the same taxonomic group, in a way that does not occur by natural multiplication or natural recombination.

(5) “In vitro nucleic acid techniques” means techniques, including recombinant DNA or ribonucleic acid techniques, that use vector systems and techniques involving the direct introduction into the organisms of hereditary materials prepared outside the organisms such as micro-injection, chemoporation, electroporation, micro-encapsulation, and liposome fusion.

(6) “Manufacturer” means a person who:

(A) produces a processed food or raw agricultural commodity under its own brand or label for sale in or into the State;

(B) sells in or into the State under its own brand or label a processed food or raw agricultural commodity produced by another supplier;

(C) owns a brand that it licenses or licensed to another person for use on a processed food or raw commodity sold in or into the State;

(D) sells in, sells into, or distributes in the State a processed food or raw agricultural commodity that it packaged under a brand or label owned by another person;

(E) imports into the United States for sale in or into the State a processed food or raw agricultural commodity produced by a person without a presence in the United States; or

(F) produces a processed food or raw agricultural commodity for sale in or into the State without affixing a brand name.

(7) “Organism” means any biological entity capable of replication, reproduction, or transferring of genetic material.

(8) “Processed food” means any food other than a raw agricultural commodity and includes any food produced from a raw agricultural commodity that has been subjected to processing such as canning, smoking, pressing, cooking, freezing, dehydration, fermentation, or milling.

(9) “Processing aid” means:

(A) a substance that is added to a food during the processing of the food but that is removed in some manner from the food before the food is packaged in its finished form;

(B) a substance that is added to a food during processing, is converted into constituents normally present in the food, and does not significantly increase the amount of the constituents naturally found in the food; or

(C) a substance that is added to a food for its technical or functional effect in the processing but is present in the finished food at levels that do not have any technical or functional effect in that finished food.

(10) “Raw agricultural commodity” means any food in its raw or natural state, including any fruit or vegetable that is washed, colored, or otherwise treated in its unpeeled natural form prior to marketing.

§ 3043. LABELING OF FOOD PRODUCED WITH GENETIC ENGINEERING

(a) Except as set forth in section 3044 of this title, food offered for sale by a retailer after July 1, 2016 shall be labeled as produced entirely or in part from genetic engineering if it is a product:

(1) offered for retail sale in Vermont; and

(2) entirely or partially produced with genetic engineering.

(b) If a food is required to be labeled under subsection (a) of this section, it shall be labeled as follows:

(1) in the case of a packaged raw agricultural commodity, the manufacturer shall label the package offered for retail sale, with the clear and conspicuous words “produced with genetic engineering”;

(2) in the case of any raw agricultural commodity that is not separately packaged, the retailer shall post a label appearing on the retail store shelf or bin in which the commodity is displayed for sale with the clear and conspicuous words “produced with genetic engineering”; or

(3) in the case of any processed food that contains a product or products of genetic engineering, the manufacturer shall label the package in which the processed food is offered for sale with the words: “partially produced with

genetic engineering”; “may be produced with genetic engineering”; or “produced with genetic engineering.”

(c) Except as set forth under section 3044 of this title, a manufacturer of a food produced entirely or in part from genetic engineering shall not label the product on the package, in signage, or in advertising as “natural,” “naturally made,” “naturally grown,” “all natural,” or any words of similar import that would have a tendency to mislead a consumer.

(d) This section and the requirements of this chapter shall not be construed to require:

(1) the listing or identification of any ingredient or ingredients that were genetically engineered; or

(2) the placement of the term “genetically engineered” immediately preceding any common name or primary product descriptor of a food.

§ 3044. EXEMPTIONS

The following foods shall not be subject to the labeling requirements of section 3043 of this title:

(1) Food consisting entirely of or derived entirely from an animal which has not itself been produced with genetic engineering, regardless of whether the animal has been fed or injected with any food, drug, or other substance produced with genetic engineering.

(2) A raw agricultural commodity or processed food derived from it that has been grown, raised, or produced without the knowing or intentional use of food or seed produced with genetic engineering. Food will be deemed to be as described in this subdivision only if the person otherwise responsible for complying with the requirements of subsection 3043(a) of this title with respect to a raw agricultural commodity or processed food obtains, from whomever sold the raw agricultural commodity or processed food to that person, a sworn statement that the raw agricultural commodity or processed food has not been knowingly or intentionally produced with genetic engineering and has been segregated from and has not been knowingly or intentionally commingled with food that may have been produced with genetic engineering at any time. In providing such a sworn statement, any person may rely on a sworn statement from his or her own supplier that contains the affirmation set forth in this subdivision.

(3) Any processed food which would be subject to subsection 3043(a) of this title solely because it includes one or more processing aids or enzymes produced with genetic engineering.

(4) Any beverage that is subject to the provisions of Title 7.

(5) Any processed food that would be subject to subsection 3043(a) of this title solely because it includes one or more materials that have been produced with genetic engineering, provided that the genetically engineered materials in the aggregate do not account for more than 0.9 percent of the total weight of the processed food.

(6) Food that an independent organization has verified has not been knowingly or intentionally produced from or commingled with food or seed produced with genetic engineering. The Office of the Attorney General, after consultation with the Department of Health, shall approve by procedure the independent organizations from which verification shall be acceptable under this subdivision (6).

(7) Food that is not packaged for retail sale and that is:

(A) a processed food prepared and intended for immediate human consumption; or

(B) served, sold, or otherwise provided in any restaurant or other food establishment, as defined in 18 V.S.A. § 4301, that is primarily engaged in the sale of food prepared and intended for immediate human consumption.

(8) Medical food, as that term is defined in 21 U.S.C. § 360ee(b)(3).

§ 3045. RETAILER LIABILITY

(a) A retailer shall not be liable for the failure to label a processed food as required by section 3043 of this title, unless the retailer is the producer or manufacturer of the processed food.

(b) A retailer shall not be held liable for failure to label a raw agricultural commodity as required by section 3043 of this title, provided that the retailer, within 30 days of any proposed enforcement action or notice of violation, obtains a sworn statement in accordance with subdivision 3044(2) of this title.

§ 3046. SEVERABILITY

If any provision of this chapter or its application to any person or circumstance is held invalid or in violation of the Constitution or laws of the United States or in violation of the Constitution or laws of Vermont, the invalidity or the violation shall not affect other provisions of this section which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are severable.

§ 3047. FALSE CERTIFICATION

It shall be a violation of this chapter for a person knowingly to provide a false statement under subdivision 3044(2) of this title that a raw agricultural commodity or processed food has not been knowingly or intentionally

produced with genetic engineering and has been segregated from and has not been knowingly or intentionally commingled with food that may have been produced with genetic engineering at any time.

§ 3048. PENALTIES; ENFORCEMENT

(a) Any person who violates the requirements of this chapter shall be liable for a civil penalty of not more than \$1,000.00 per day, per product. Calculation of the civil penalty shall not be made or multiplied by the number of individual packages of the same product displayed or offered for retail sale. Civil penalties assessed under this section shall accrue and be assessed per each uniquely named, designated, or marketed product.

(b) The Attorney General shall have the same authority to make rules, conduct civil investigations, enter into assurances of discontinuance, and bring civil actions as provided under subchapter 1 of chapter 63 of this title. Consumers shall have the same rights and remedies as provided under subchapter 1 of chapter 63 of this title.

Sec. 3. ATTORNEY GENERAL RULEMAKING; LABELING OF FOOD PRODUCED WITH GENETIC ENGINEERING

The Attorney General may adopt by rule requirements for the implementation of 9 V.S.A. chapter 82A, including:

(1) a requirement that the label required for food produced from genetic engineering include a disclaimer that the Food and Drug Administration does not consider foods produced from genetic engineering to be materially different from other foods; and

(2) notwithstanding the labeling language required by 9 V.S.A. § 3043(a), a requirement that a label required under 9 V.S.A. chapter 82A identify food produced entirely or in part from genetic engineering in a manner consistent with requirements in other jurisdictions for the labeling of food, including the labeling of food produced with genetic engineering.

Sec. 4. GENETICALLY ENGINEERED FOOD LABELING SPECIAL FUND

(a) There is established a Genetically Engineered Food Labeling Special Fund, pursuant to 32 V.S.A. chapter 7, subchapter 5 to pay costs or liabilities incurred by the Attorney General or the State in implementation and administration, including rulemaking, of the requirements under 9 V.S.A. chapter 82A for the labeling of food produced from genetic engineering.

(b) The Fund shall consist of:

(1) private gifts, bequests, grants, or donations of any amount made to the State from any public or private source for the purposes for which the Fund was established;

(2) except for those recoveries that by law are appropriated for other uses, up to \$1,500,000.00 of settlement monies collected by the Office of the Attorney General that, as determined by the Office of the Attorney General after consultation with the Joint Fiscal Office and the Department of Finance and Management, exceed the estimated amounts of settlement proceeds in the July 2014 official revenue forecast issued under 32 V.S.A. § 305a for fiscal year 2015; and

(3) such sums as may be appropriated or transferred by the General Assembly.

(c) Monies in the Fund from settlement monies collected by the Office of the Attorney General or from funds appropriated or transferred by the General Assembly shall be disbursed only if monies in the Fund from private gifts, bequests, grants, or donations are insufficient to the Attorney General to pay the costs or liabilities of the Attorney General or the State incurred in implementation and administration of the requirements of 9 V.S.A. chapter 82A.

(d) On or after July 1, 2018, if the Attorney General is not involved in ongoing litigation regarding the requirements of 9 V.S.A. chapter 82A and monies in the Fund exceed the costs or liabilities of the Attorney General or the State:

(1) unexpended monies in the Fund received from private or public sources shall be appropriated by the General Assembly, after review by the Senate and House Committees on Appropriations, the Senate Committee on Agriculture, and the House Committee on Agriculture and Forest Products, for the support of agricultural activities or agricultural purposes in the State, including promotion of value-added products, compliance with water quality requirements, and marketing assistance and development; and

(2) unexpended State monies in the Fund shall revert to the General Fund.

Sec. 5. ATTORNEY GENERAL FISCAL YEAR BUDGET

If, in fiscal year 2015, \$1,500,000.00 in monies is not collected in the Genetically Engineered Food Labeling Special Fund established under Sec. 4 of this act, the Attorney General shall request in the fiscal year 2016 budget proposal for the Office of the Attorney General the monies necessary to implement and administer the requirements established by 9 V.S.A. chapter 82A for the labeling of food produced from genetic engineering.

Sec. 6. ATTORNEY GENERAL REPORT ON LABELING OF MILK

(a) On or before January 15, 2015, the Office of the Attorney General, after consultation with the Agency of Agriculture, Food and Markets, shall submit to the Senate and House Committees on the Judiciary, the Senate Committee on Agriculture, and the House Committee on Agriculture and Forest Products a report regarding whether milk and milk products should be subject to the labeling requirements of 9 V.S.A. chapter 82A for food produced with genetic engineering. The report shall include:

(1) a recommendation as to whether milk or milk products should be subject to the requirements of 9 V.S.A. chapter 82A; and

(2) the legal basis for the recommendation under subdivision (1) of this subsection.

(b) In exercise of the Attorney General's authority to defend the interests of the State, the Attorney General, in his or her discretion, may notify the General Assembly that it is not in the best interest of the State to submit the report required under subsection (a) of this section on or before January 15, 2015. Any notice submitted under this subsection shall estimate the date when the report shall be submitted to the General Assembly.

Sec. 7. EFFECTIVE DATES

(a) This section and Secs. 3 (Attorney General rulemaking), 4 (genetically engineered food labeling special fund), 5 (Attorney General budget fiscal year 2016), 6 (Attorney General report; milk) shall take effect on passage.

(b) Secs. 1 (findings) and 2 (labeling of food produced with genetic engineering) shall take effect on July 1, 2016.

Pending the question, Shall the House concur in the Senate's proposal of amendment? **Rep. Zagar of Barnard** 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 House concur in the Senate's proposal of amendment? was decided in the affirmative. Yeas, 114. Nays, 30.

Those who voted in the affirmative are:

Ancel of Calais	Carr of Brandon	Cross of Winooski
Bartholomew of Hartland *	Christie of Hartford	Cupoli of Rutland City
Bissonnette of Winooski	Clarkson of Woodstock	Dakin of Chester
Botzow of Pownal	Cole of Burlington	Davis of Washington
Branagan of Georgia	Connor of Fairfield	Deen of Westminster
Browning of Arlington	Conquest of Newbury	Devereux of Mount Holly
Burditt of West Rutland	Consejo of Sheldon	Donahue of Northfield *
Burke of Brattleboro	Copeland-Hanzas of	Donovan of Burlington
Buxton of Tunbridge	Bradford	Ellis of Waterbury
Campion of Bennington	Corcoran of Bennington	Emmons of Springfield

Evans of Essex	Lewis of Berlin	Ram of Burlington
Fagan of Rutland City	Lippert of Hinesburg	Russell of Rutland City *
Fay of St. Johnsbury	Macaig of Williston	Ryerson of Randolph
Fisher of Lincoln	Malcolm of Pawlet	Savage of Swanton
Frank of Underhill	Manwaring of Wilmington	Scheuermann of Stowe
French of Randolph	Marek of Newfane *	Sharpe of Bristol
Gallivan of Chittenden	Martin of Springfield	Shaw of Pittsford
Goodwin of Weston	Martin of Wolcott	Stevens of Waterbury
Grad of Moretown	Masland of Thetford	Stevens of Shoreham
Greshin of Warren	McCarthy of St. Albans City	Stuart of Brattleboro
Haas of Rochester	McCormack of Burlington	Sweaney of Windsor
Head of South Burlington	McCullough of Williston	Terenzini of Rutland Town
Heath of Westford	McFaun of Barre Town	Till of Jericho
Helm of Fair Haven	Michelsen of Hardwick	Toleno of Brattleboro
Hooper of Montpelier	Miller of Shaftsbury	Toll of Danville
Huntley of Cavendish	Mook of Bennington	Townsend of South Burlington
Jerman of Essex	Moran of Wardsboro	Trieber of Rockingham
Jewett of Ripton	Mrowicki of Putney *	Vowinkel of Hartford
Johnson of South Hero	Nuovo of Middlebury	Waite-Simpson of Essex
Juskiewicz of Cambridge	O'Sullivan of Burlington	Walz of Barre City
Keenan of St. Albans City	Partridge of Windham	Webb of Shelburne *
Kitzmiller of Montpelier	Pearce of Richford	Weed of Enosburgh
Klein of East Montpelier *	Pearson of Burlington *	Wilson of Manchester
Krebs of South Hero	Peltz of Woodbury	Wizowaty of Burlington
Krowinski of Burlington	Poirier of Barre City	Woodward of Johnson
Kupersmith of South Burlington	Potter of Clarendon	Yantachka of Charlotte
Lanpher of Vergennes	Pugh of South Burlington	Young of Glover
Lenes of Shelburne	Rachelson of Burlington	Zagar of Barnard
	Ralston of Middlebury	

Those who voted in the negative are:

Batchelor of Derby *	Higley of Lowell	Myers of Essex
Beyor of Highgate	Hubert of Milton	Quimby of Concord *
Brennan of Colchester	Johnson of Canaan	Shaw of Derby
Canfield of Fair Haven	Kilmartin of Newport City *	South of St. Johnsbury
Condon of Colchester	Koch of Barre Town *	Strong of Albany
Dickinson of St. Albans Town	Komline of Dorset	Turner of Milton
Donaghy of Poultney	Larocque of Barnet	Van Wyck of Ferrisburgh
Feltus of Lyndon *	Lawrence of Lyndon	Winters of Williamstown
Gage of Rutland City	Marcotte of Coventry	Wright of Burlington *
Hebert of Vernon	Mitchell of Fairfax *	
	Morrissey of Bennington	

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

Bouchard of Colchester	O'Brien of Richmond	Spengler of Colchester
Hoyt of Norwich	Smith of New Haven	

Rep. Bartholomew of Hartland explained his vote as follows:

“Mr. Speaker:

It is unfortunate that genetically engineered food products have been introduced to the public without adequate safety testing. The testing that has been done has been inconclusive and contradictory. Without the labeling of these products, people cannot make informed choices about the food they buy for themselves and their families. I vote yes in support of the huge percentage of Vermonters who want to know what is in their food.”

Rep. Batchelor of Derby explained her vote as follows:

“Mr. Speaker:

I voted no because I too believe we should be asking the 15% to label their foods “organic” and not ask the 85% to label their foods, knowing a lawsuit will follow. It makes no sense.”

Rep. Donahue of Northfield explained her vote as follows:

“Mr. Speaker:

I have always supported the consumer right to have information on the content of the food they buy. My better judgment would go against supporting a bill with such potential for a high financial liability. My constituents, however, strongly endorse it despite that potential cost, so I cede to that judgment and choice.”

Rep. Feltus of Lyndon explained her vote as follows:

“Mr. Speaker:

I voted no on this bill and that to me is incongruous because I do support the consumer’s desire to have accurately labeled products. However, I fear that the ambiguous labeling authorized by this legislation and the likely expensive legal challenge will defeat the will of the public.”

Rep. Kilmartin of Newport City explained his vote as follows:

“Mr. Speaker:

I vote ‘NO!’ We again misdirect our scarce resources into a horror house of smoke and mirrors with a non-refundable multi-million dollar entry fee borne by the taxpayers.

The cost-effective constitutional remedies have been ignored by the General Assembly. They are:

1. Make it easier for non-GMO foods to label their foods appropriately. The presumption will be all other foods have GMO ingredients.

2. Bar the food monopolies and oligarchies from owning and controlling the food chain.

In the words of my mother, ‘We strain at the gnat and swallow the camel!’”

Rep. Klein of East Montpelier explained his vote as follows:

“Mr. Speaker:

I vote yes because it’s what Vermont wants and deserves. It’s simply the right thing to do.”

Rep. Koch of Barre Town explained his vote as follows:

“Mr. Speaker:

I recognize that this bill enjoys widespread popularity across the Vermont electorate. I understand – and support – every consumer’s right to know what is in the food we eat. What I do not support is Vermont’s sticking its neck out, again, all alone, to pay an estimated \$1.5 million to defend this law, with the potential of an additional \$6 million or so if we lose. I think we have better things to do with the taxpayers’ money and the fund set up in Section 4 does not give me comfort. Frankly, I find it embarrassing and a bad precedent to have our great state pass the hat to support the laws we enact.”

Rep. Marek of Newfane explained his vote as follows:

“Mr. Speaker:

If we decline to act from fear of being sued and possible losing, we put ourselves at the mercy of every powerful interest which engages in threats. To do so would be to abdicate our most fundamental role as legislators. To do so, in a context where our worst potential loss is \$8 million while our Attorney General recovers \$40 million in other litigation annually, simply would be financially ludicrous.”

Rep. Mitchell of Fairfax explained his vote as follows:

“Mr. Speaker:

I firmly believe in the premise of this bill, but I believe we should have had a more thought out approach that would not put our state in fiscal jeopardy.”

Rep. Mrowicki of Putney explained his vote as follows:

“Mr. Speaker:

I vote YES to carry the voice of my constituents to the State House. Plain and simple, Vermonters want and deserve to know what is in their food. And once again little old Vermont is leading the nation.”

Rep. Pearson of Burlington explained his vote as follows:

“Mr. Speaker:

In a time of dark national politics it is important for those who are able and courageous to stand up and lead.”

Rep. Quimby of Concord explained her vote as follows:

“Mr. Speaker:

I support the idea that we have a right to know what is in our food but I can’t support a bill that undoubtedly will cost the taxpayers of Vermont millions of dollars. Seems as though we could have used a different avenue to solve the problem.”

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

“Mr. Speaker:

I vote ‘yes’ in support of our renewed organic farming community bringing jobs and economic activity to Vermont.”

Rep. Webb of Shelburne explained her vote as follows:

“Mr. Speaker:

Vermonters did not send us here to do the easy thing. They sent us here to do the right thing. This bill reflects the right thing. For health, religious, environmental and economic reasons, Vermonters want to know this and the bill is carefully crafted to be defensible. As goes Vermont, so goes the nation.”

Rep. Wright of Burlington explained his vote as follows:

“Mr. Speaker:

I vote ‘no’ despite my support for Vermonters’ “right to know’. In this case the label should also read ‘Vermonters beware, this label may cost millions’. There was a better way to do this.”

Proposal of Amendment Agreed to; Third Reading Ordered

S. 247

Rep. Burditt of West Rutland, for the committee on Human Services, to which had been referred Senate bill, entitled

An act relating to the regulation of medical marijuana dispensaries

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. 18 V.S.A. § 4472 is amended to read:

§ 4472. DEFINITIONS

As used in this subchapter:

(1) “Bona fide health care professional-patient relationship” means a treating or consulting relationship of not less than six months’ duration, in the course of which a health care professional has completed a full assessment of the registered patient’s medical history and current medical condition, including a personal physical examination. The six-month requirement shall not apply if a patient has been diagnosed with:

(A) a terminal illness,

(B) cancer with distant metastases, or

(C) acquired immune deficiency syndrome.

* * *

(4) “Debilitating medical condition,” provided that, in the context of the specific disease or condition described in subdivision (A) or (B) of this subdivision (4), reasonable medical efforts have been made over a reasonable amount of time without success to relieve the symptoms, means:

(A) cancer, multiple sclerosis, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, or the treatment of these conditions, if the disease or the treatment results in severe, persistent, and intractable symptoms; or

(B) a disease, medical condition, or its treatment that is chronic, debilitating, and produces severe, persistent, and one or more of the following intractable symptoms: cachexia or wasting syndrome; severe pain; severe nausea; or seizures.

(5) “Dispensary” means a nonprofit entity registered under section 4474e of this title which acquires, possesses, cultivates, manufactures, transfers, transports, supplies, sells, or dispenses marijuana, marijuana-infused products, and marijuana-related supplies and educational materials for or to a registered patient who has designated it as his or her center and to his or her registered caregiver for the registered patient’s use for symptom relief. A dispensary may provide marijuana for symptom relief to registered patients at only one facility or location but may have a second location associated with the dispensary where the marijuana is cultivated or processed. Both locations are considered to be part of the same dispensary.

(6)(A) “Health care professional” means an individual licensed to practice medicine under 26 V.S.A. chapter 23 or 33, an individual licensed as a naturopathic physician under 26 V.S.A. chapter 81 who has a special license endorsement authorizing the individual to prescribe, dispense, and administer prescription medicines, an individual certified as a physician assistant under 26 V.S.A. chapter 31, or an individual licensed as an advanced practice registered nurse under 26 V.S.A. chapter 28.

(B) Except for naturopaths, this definition includes individuals who are professionally licensed under substantially equivalent provisions in New Hampshire, Massachusetts, or New York.

* * *

(14) “Transport” means the movement of marijuana and marijuana-infused products from registered growing locations to their associated dispensaries, between dispensaries, to registered patients and registered caregivers in accordance with delivery protocols, or as otherwise allowed under this subchapter.

(15) “Usable marijuana” means the dried leaves and flowers of marijuana, and any mixture or preparation thereof, and does not include the seeds, stalks, and roots of the plant.

~~(15)~~(16) “Use for symptom relief” means the acquisition, possession, cultivation, use, transfer, or transportation of marijuana, or paraphernalia relating to the administration of marijuana to alleviate the symptoms or effects of a registered patient’s debilitating medical condition which is in compliance with all the limitations and restrictions of this subchapter. ~~For the purposes of this definition, “transfer” is limited to the transfer of marijuana and paraphernalia between a registered caregiver and a registered patient.~~

Sec. 2. 18 V.S.A. § 4474 is amended to read:

§ 4474. REGISTERED CAREGIVERS; QUALIFICATION STANDARDS AND PROCEDURES

(a) A person may submit a signed application to the ~~department of public safety~~ Department of Public Safety to become a registered patient’s registered caregiver. The ~~department~~ Department shall approve or deny the application in writing within 30 days. In accordance with rules adopted pursuant to section 4474d of this title, the Department shall consider an individual’s criminal history record when making a determination as to whether to approve the application. An applicant shall not be denied solely on the basis of a criminal conviction that is not listed in subsection 4474g(e) of this title or 13 V.S.A. chapter 28. The ~~department~~ Department shall approve a registered

caregiver's application and issue the person an authorization card, including the caregiver's name, photograph, and a unique identifier, after verifying:

~~(1) the person will serve as the registered caregiver for one registered patient only; and~~

~~(2) the person has never been convicted of a drug-related crime.~~

(b) Prior to acting on an application, the ~~department~~ Department shall obtain from the Vermont ~~criminal information center~~ Crime Information Center a Vermont criminal record, an out-of-state criminal record, and a criminal record from the Federal Bureau of Investigation for the applicant. ~~For purposes of this subdivision, "criminal record" means a record of whether the person has ever been convicted of a drug-related crime.~~ Each applicant shall consent to release of criminal records to the ~~department~~ Department on forms substantially similar to the release forms developed by the ~~center~~ Center pursuant to 20 V.S.A. § 2056c. The ~~department~~ Department shall comply with all laws regulating the release of criminal history records and the protection of individual privacy. The Vermont ~~criminal information center~~ Crime Information Center shall send to the requester any record received pursuant to this section or inform the ~~department of public safety~~ Department that no record exists. If the ~~department~~ Department disapproves an application, the ~~department~~ Department shall promptly provide a copy of any record of convictions and pending criminal charges to the applicant and shall inform the applicant of the right to appeal the accuracy and completeness of the record pursuant to rules adopted by the Vermont ~~criminal information center~~ Crime Information Center. No person shall confirm the existence or nonexistence of criminal record information to any person who would not be eligible to receive the information pursuant to this subchapter.

(c)(1) A Except as provided in subdivision (2) of this subsection, a registered caregiver may serve only one registered patient at a time, and a registered patient may have only one registered caregiver at a time.

(2) A registered patient who is under 18 years of age may have two registered caregivers.

Sec. 3. 18 V.S.A. § 4473(b) is amended to read:

(b) The ~~department of public safety~~ Department of Public Safety shall review applications to become a registered patient using the following procedures:

(1) A patient with a debilitating medical condition shall submit, ~~under oath,~~ a signed application for registration to the ~~department~~ Department. A patient's initial application to the registry shall be notarized, but subsequent renewals shall not require notarization. If the patient is under ~~the age of 18~~

years of age, the application must be signed by both the patient and a parent or guardian. The application shall require identification and contact information for the patient and the patient's registered caregiver applying for authorization under section 4474 of this title, if any, and the patient's designated dispensary under section 4474e of this title, if any. The applicant shall attach to the application a medical verification form developed by the ~~department~~ Department pursuant to subdivision (2) of this subsection.

* * *

Sec. 4. 18 V.S.A. § 4474d(e)–(g) are added to read:

(e) The Department shall adopt rules for the issuance of a caregiver registry identification card that shall include standards for approval or denial of an application based on an individual's criminal history record. The rules shall address whether an applicant who has been convicted of an offense listed in subsection 4474g(e) of this title or 13 V.S.A. chapter 28 has been rehabilitated and should be otherwise eligible for a caregiver registry identification card.

(f) The Department shall adopt rules establishing protocols for the safe delivery of marijuana to patients and caregivers.

(g) The Department shall adopt rules for granting a waiver of the dispensary possession limits in section 4474e of this title upon application of a dispensary for the purpose of developing and providing a product for symptom relief to a registered patient who is under 18 years of age who suffers from seizures.

Sec. 5. 18 V.S.A. § 4474e is amended to read:

§ 4474e. DISPENSARIES; CONDITIONS OF OPERATION

(a) A dispensary registered under this section may:

(1) Acquire, possess, cultivate, manufacture, transfer, transport, supply, sell, and dispense marijuana, marijuana-infused products, and marijuana-related supplies and educational materials for or to a registered patient who has designated it as his or her dispensary and to his or her registered caregiver for the registered patient's use for symptom relief. ~~For purposes of this section, "transport" shall mean the movement of marijuana or marijuana-infused products from registered growing locations to their associated dispensaries, between dispensaries, or as otherwise allowed under this subchapter.~~

(A) Marijuana-infused products shall include tinctures, oils, solvents, and edible or potable goods. Only the portion of any marijuana-infused product that is attributable to marijuana shall count toward the possession limits of the dispensary and the patient. ~~The department of public safety~~

Department of Public Safety shall establish by rule the appropriate method to establish the weight of marijuana that is attributable to marijuana-infused products.

(B) Marijuana-related supplies shall include pipes, vaporizers, and other items classified as drug paraphernalia under chapter 89 of this title.

(2) Acquire marijuana seeds or parts of the marijuana plant capable of regeneration from or dispense them to registered patients or their caregivers or acquire them from another registered Vermont dispensary, provided that records are kept concerning the amount and the recipient.

(3)(A) Cultivate and possess at any one time up to 28 mature marijuana plants, 98 immature marijuana plants, and 28 ounces of usable marijuana. However, if a dispensary is designated by more than 14 registered patients, the dispensary may cultivate and possess at any one time two mature marijuana plants, seven immature plants, and ~~two~~ four ounces of usable marijuana for every registered patient for which the dispensary serves as the designated dispensary.

(B) Notwithstanding subdivision (A) of this subdivision, if a dispensary is designated by a registered patient under 18 years of age who qualifies for the registry because of seizures, the dispensary may apply to the Department for a waiver of the limits in subdivision (A) of this subdivision (3) if additional capacity is necessary to develop and provide an adequate supply of a product for symptom relief for the patient. The Department shall have discretion whether to grant a waiver and limit the possession amounts in excess of subdivision (A) of this subdivision (3) in accordance with rules adopted pursuant to section 4474d of this title.

* * *

(d)(1) A dispensary shall implement appropriate security measures to deter and prevent the unauthorized entrance into areas containing marijuana and the theft of marijuana and shall ensure that each location has an operational security alarm system. All cultivation of marijuana shall take place in an enclosed, locked facility which is either indoors or otherwise not visible to the public and which can only be accessed by principal officers and employees of the dispensary who have valid registry identification cards. ~~The department of public safety~~ Department of Public Safety shall perform an annual on-site assessment of each dispensary and may perform on-site assessments of a dispensary without limitation for the purpose of determining compliance with this subchapter and any rules adopted pursuant to this subchapter and may enter a dispensary at any time for such purpose. During an inspection, the ~~department~~ Department may review the dispensary's confidential records, including its dispensing records, which shall track transactions according to

registered patients' registry identification numbers to protect their confidentiality.

(2)(A) A registered patient or registered caregiver may obtain marijuana from the dispensary ~~facility~~ by appointment only.

(B) A dispensary may deliver marijuana to a registered patient or registered caregiver. The marijuana shall be transported in a locked container.

(3) The operating documents of a dispensary shall include procedures for the oversight of the dispensary and procedures to ensure accurate record-keeping.

(4) A dispensary shall submit the results of ~~an annual~~ a financial audit to the ~~department of public safety~~ Department of Public Safety no later than 60 days after the end of the dispensary's first fiscal year, and every other year thereafter. The ~~annual~~ audit shall be conducted by an independent certified public accountant, and the costs of any such audit shall be borne by the dispensary. The ~~department~~ Department may also periodically require, within its discretion, the audit of a dispensary's financial records by the ~~department~~ Department.

(5) A dispensary shall destroy or dispose of marijuana, marijuana-infused products, clones, seeds, parts of marijuana that are not usable for symptom relief or are beyond the possession limits provided by this subchapter, and marijuana-related supplies only in a manner approved by rules adopted by the ~~department of public safety~~ Department of Public Safety.

* * *

(n) Nothing in this subchapter shall prevent a dispensary from acquiring, possessing, cultivating, manufacturing, transferring, transporting, supplying, selling, and dispensing hemp and hemp-infused products for symptom relief. "Hemp" shall have the same meaning as provided in 6 V.S.A. § 562. A dispensary shall not be required to comply with the provisions of 6 V.S.A. chapter 34.

Sec. 6. 18 V.S.A. § 4474f is amended to read:

§ 4474f. DISPENSARY APPLICATION, APPROVAL, AND REGISTRATION

* * *

(b) Within 30 days of the adoption of rules, the ~~department~~ Department shall begin accepting applications for the operation of dispensaries. Within 365 days of the effective date of this section, the ~~department~~ Department shall grant registration certificates to four dispensaries, provided at least four

applicants apply and meet the requirements of this section. No more than four dispensaries shall hold valid registration certificates at one time. ~~The total statewide number of registered patients who have designated a dispensary shall not exceed 1,000 at any one time.~~ Any time a dispensary registration certificate is revoked, is relinquished, or expires, the ~~department~~ Department shall accept applications for a new dispensary. If at any time after one year after the effective date of this section fewer than four dispensaries hold valid registration certificates in Vermont, the ~~department of public safety~~ Department of Public Safety shall accept applications for a new dispensary.

* * *

(g) After a dispensary is approved but before it begins operations, it shall submit the following to the ~~department of public safety~~ Department:

* * *

(4) A registration fee of \$20,000.00 for the first year of operation, and an annual fee of \$30,000.00 in subsequent years.

Sec. 7. 18 V.S.A. § 4474m is added to read:

§ 4474m. DEPARTMENT OF PUBLIC SAFETY; PROVISION OF EDUCATIONAL AND SAFETY INFORMATION

The Department of Public Safety shall provide educational and safety information developed by Vermont Department of Health to each registered patient upon registration pursuant to section 4473 of this title, and to each registered caregiver upon registration pursuant to section 4474 of this title.

Sec. 8. DEPARTMENT OF HEALTH REPORT; POST-TRAUMATIC STRESS DISORDER

The Department of Health shall review and report on the existing research on the treatment of the symptoms of post traumatic stress disorder, as defined by the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, as well as the existing research on the use of marijuana for relief of the symptoms of post traumatic stress disorder. The Department shall report its findings to the General Assembly on or before January 15, 2015.

Sec. 9. EFFECTIVE DATES

This section and Sec. 4 shall take effect on passage and the remaining sections shall take effect on July 1, 2014.

and that after passage the title of the bill be amended to read: "An act relating to the regulation of marijuana for symptom relief and dispensaries"

Rep. Ram of Burlington, for the committee on Ways and Means, recommended the bill ought to pass when amended as recommended by the committee on Human Services and when further amended as follows:

By adding a Sec. 8a to read:

Sec. 8a. TAXATION AND REGULATION OF MARIJUANA; REPORT

On or before January 15, 2015, the Secretary of Administration shall report to the General Assembly regarding the taxation and regulation of marijuana in Vermont. The report shall analyze:

(1) the possible taxing systems for the sale of marijuana in Vermont, including sales and use taxes and excise taxes, and the potential revenue each may raise;

(2) any savings or costs to the State that would result from regulating marijuana; and

(3) the experiences of other states with regulating and taxing marijuana.

Pending the question, Shall the report of the committee on Human Services be amended as recommended by the committee on Ways and Means? **Rep. Gage of Rutland City** demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

Pending the call of the roll, **Rep. Browning of Arlington** moved that the bill be recommitted to the committee on Human Services.

Pending the question, Shall the bill be recommitted to the committee on Human Services? **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 bill be recommitted to the committee on Human Services? was decided in the negative. Yeas, 32. Nays, 108.

Those who voted in the affirmative are:

Beyor of Highgate

Brennan of Colchester

Browning of Arlington *

Canfield of Fair Haven

Cupoli of Rutland City

Devereux of Mount Holly

Dickinson of St. Albans
Town

Donaghy of Poultney

Fagan of Rutland City

Feltus of Lyndon

Gage of Rutland City

Goodwin of Weston

Hebert of Vernon

Helm of Fair Haven

Higley of Lowell

Hubert of Milton

Johnson of Canaan

Juskiewicz of Cambridge

Koch of Barre Town

Lawrence of Lyndon

Marcotte of Coventry

Mitchell of Fairfax

Morrissey of Bennington

Pearce of Richford

Quimby of Concord

Savage of Swanton

Shaw of Pittsford

Strong of Albany

Terenzini of Rutland Town

Turner of Milton

Van Wyck of Ferrisburgh

Winters of Williamstown

Those who voted in the negative are:

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

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

Bouchard of Colchester	Hoyt of Norwich	Smith of Morristown
Branagan of Georgia	Kilmartin of Newport City	Spengler of Colchester
Copeland-Hanzas of Bradford	O'Brien of Richmond	
	Smith of New Haven	

Rep. Browning of Arlington explained her vote as follows:

“Mr. Speaker:

I vote yes to respect the committee process. This amendment was not considered by Human Services and we do not have a formal vote and report from them as to whether or not they find it favorable.”

Thereupon, the recurring question, Shall the report of the committee on Human Services be amended as proposed by the committee on Ways and Means? **Rep. Gage of Rutland City** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the recurring question, Shall the report of the committee on Human Services be amended as proposed by the committee on Ways and Means? was decided in the affirmative. Yeas, 87. Nays, 52.

Those who voted in the affirmative are:

Ancel of Calais	Hebert of Vernon	Partridge of Windham
Bartholomew of Hartland	Hooper of Montpelier	Pearson of Burlington
Botzow of Pownal	Huntley of Cavendish	Peltz of Woodbury
Burditt of West Rutland	Jerman of Essex	Rachelson of Burlington
Burke of Brattleboro	Johnson of South Hero	Ralston of Middlebury
Campion of Bennington	Keenan of St. Albans City	Ram of Burlington
Carr of Brandon	Kitzmiller of Montpelier	Russell of Rutland City
Christie of Hartford	Klein of East Montpelier	Ryerson of Randolph
Clarkson of Woodstock	Komline of Dorset	Scheuermann of Stowe
Cole of Burlington	Krowinski of Burlington	Sharpe of Bristol
Condon of Colchester	Kupersmith of South	Stevens of Waterbury
Connor of Fairfield	Burlington	Stevens of Shoreham
Conquest of Newbury	Larocque of Barnet	Stuart of Brattleboro
Cross of Winooski	Lenes of Shelburne	Sweaney of Windsor
Davis of Washington	Lippert of Hinesburg	Till of Jericho
Deen of Westminster	Macaig of Williston	Toleno of Brattleboro
Donovan of Burlington	Manwaring of Wilmington	Toll of Danville
Ellis of Waterbury	Marek of Newfane	Townsend of South
Emmons of Springfield	Martin of Springfield	Burlington
Evans of Essex	Martin of Wolcott	Trieber of Rockingham
Fay of St. Johnsbury	Masland of Thetford	Vowinkel of Hartford
Fisher of Lincoln	McCarthy of St. Albans City	Waite-Simpson of Essex
Frank of Underhill	McCormack of Burlington	Webb of Shelburne
French of Randolph	McCullough of Williston	Weed of Enosburgh
Gallivan of Chittenden	Michelsen of Hardwick	Wilson of Manchester
Grad of Moretown	Miller of Shaftsbury	Wizowaty of Burlington
Greshin of Warren	Mook of Bennington	Woodward of Johnson
Haas of Rochester	Mrowicki of Putney	Young of Glover
Head of South Burlington	Nuovo of Middlebury	Zagar of Barnard
Heath of Westford	O'Sullivan of Burlington	

Those who voted in the negative are:

Batchelor of Derby	Browning of Arlington	Consejo of Sheldon
Beyor of Highgate	Buxton of Tunbridge	Corcoran of Bennington
Bissonnette of Winooski	Canfield of Fair Haven	Cupoli of Rutland City

Dakin of Chester	Koch of Barre Town	Pugh of South Burlington
Devereux of Mount Holly	Krebs of South Hero	Quimby of Concord
Dickinson of St. Albans Town	Lanpher of Vergennes	Savage of Swanton
Donaghy of Poultney	Lawrence of Lyndon	Shaw of Pittsford
Donahue of Northfield	Lewis of Berlin	Shaw of Derby
Fagan of Rutland City	Malcolm of Pawlet	South of St. Johnsbury
Feltus of Lyndon	Marcotte of Coventry	Strong of Albany
Gage of Rutland City	McFaun of Barre Town	Terenzini of Rutland Town
Helm of Fair Haven	Mitchell of Fairfax	Turner of Milton
Higley of Lowell	Moran of Wardsboro	Van Wyck of Ferrisburgh
Hubert of Milton	Morrissey of Bennington	Walz of Barre City
Johnson of Canaan	Myers of Essex	Winters of Williamstown
Juskiewicz of Cambridge	Pearce of Richford	Wright of Burlington *
Kilmartin of Newport City	Poirier of Barre City	Yantachka of Charlotte
	Potter of Clarendon	

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

Bouchard of Colchester	Copeland-Hanzas of Bradford	O'Brien of Richmond
Branagan of Georgia	Goodwin of Weston	Smith of New Haven
Brennan of Colchester	Hoyt of Norwich	Smith of Morristown
		Spengler of Colchester

Rep. Wright of Burlington explained his vote as follows:

“Mr. Speaker:

No one is against more information, but the Ways and Means Committee can get the information without a ‘formal study.’ A formal study endorsed by the legislature sends the message to Vermonters that we are indeed taking the first step to legalization of marijuana. It is amazing to me that when I called for a resolution asking for Corrections to study and report back with recommendations on how to deal with ‘highly likely to re-offend sexual predators’, that resolution sits on a committee wall, but a study to legalize put moves swiftly through the body. Where are our priorities?!”

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the committee on Human Services as amended, **Reps. Burditt of West Rutland, Batchelor of Derby, Donahue of Northfield, Frank of Underhill, French of Randolph, Haas of Rochester, Krowinski of Burlington, McFaun of Barre Town, Mrowicki of Putney, Pugh of South Burlington, and Trieber of Rockingham** moved to amend the proposal of the committee on Human Services as amended as follows:

First: In Sec. 1, 18 V.S.A. § 4472, in subdivision (6)(A), after the words “administer prescription medicines” by inserting the phrase “to the extent that a diagnosis provided by a naturopath under this chapter is within the scope of his or her practice”

Second: In Sec. 8, after the words “Department of Health” by inserting the phrase: “, in consultation with the Department of Mental Health,”

Which was agreed to.

Pending the question, Shall the House propose to the Senate to amend the bill as recommended by the committee on Human Services, as amended, **Rep. Masland of Thetford** moved to amend the report of the committee on Human Services, as amended as follows:

In Sec. 1, 18 V.S.A. § 4472, in subdivision (4)(A), by inserting after “acquired immune deficiency syndrome,” post traumatic stress disorder as defined by the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition or subsequent edition,

Thereupon **Rep. Masland of Thetford** asked and was granted leave of the House to withdraw the amendment.

Pending the question, Shall the house propose to the Senate to amend as recommended by the committee on Human Services, as amended? **Rep. McFaun of Barre Town** 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 house propose to the Senate to amend as recommended by the committee on Human Services, as amended? was decided in the affirmative. Yeas, 100. Nays, 39.

Those who voted in the affirmative are:

Ancel of Calais	Evans of Essex	Kitzmiller of Montpelier
Bartholomew of Hartland	Fagan of Rutland City	Klein of East Montpelier
Bissonnette of Winooski	Fay of St. Johnsbury	Komline of Dorset
Botzow of Pownal	Fisher of Lincoln	Krebs of South Hero
Burditt of West Rutland	Frank of Underhill	Krowinski of Burlington
Burke of Brattleboro	French of Randolph	Kupersmith of South Burlington
Campion of Bennington	Gage of Rutland City	Lenes of Shelburne
Canfield of Fair Haven	Gallivan of Chittenden	Lippert of Hinesburg
Carr of Brandon	Goodwin of Weston	Macaig of Williston
Clarkson of Woodstock	Grad of Moretown	Malcolm of Pawlet
Cole of Burlington	Greshin of Warren	Manwaring of Wilmington
Condon of Colchester	Haas of Rochester	Marek of Newfane
Connor of Fairfield	Head of South Burlington	Martin of Springfield
Conquest of Newbury	Heath of Westford	Martin of Wolcott
Cross of Winooski	Hooper of Montpelier	Masland of Thetford
Dakin of Chester	Huntley of Cavendish	McCarthy of St. Albans City
Davis of Washington	Jerman of Essex	McCormack of Burlington
Deen of Westminster	Jewett of Ripton	McCullough of Williston
Donovan of Burlington	Johnson of South Hero	Michelsen of Hardwick
Ellis of Waterbury	Juskiewicz of Cambridge	Miller of Shaftsbury
Emmons of Springfield	Keenan of St. Albans City	

Mook of Bennington	Ryerson of Randolph	Vowinkel of Hartford
Mrowicki of Putney	Scheuermann of Stowe	Waite-Simpson of Essex
Myers of Essex	Sharpe of Bristol	Webb of Shelburne
Nuovo of Middlebury	Shaw of Pittsford	Weed of Enosburgh
O'Sullivan of Burlington	Stevens of Waterbury	Wilson of Manchester
Partridge of Windham	Stevens of Shoreham	Wizowaty of Burlington
Pearson of Burlington	Stuart of Brattleboro	Woodward of Johnson
Peltz of Woodbury	Sweaney of Windsor	Wright of Burlington
Potter of Clarendon	Till of Jericho *	Yantachka of Charlotte
Pugh of South Burlington	Toleno of Brattleboro	Young of Glover
Rachelson of Burlington	Toll of Danville	Zagar of Barnard
Ralston of Middlebury	Townsend of South	
Ram of Burlington	Burlington	
Russell of Rutland City	Trieber of Rockingham	

Those who voted in the negative are:

Batchelor of Derby	Helm of Fair Haven	Pearce of Richford
Beyor of Highgate	Higley of Lowell	Poirier of Barre City
Browning of Arlington	Hubert of Milton	Quimby of Concord
Buxton of Tunbridge	Johnson of Canaan	Savage of Swanton
Consejo of Sheldon	Kilmartin of Newport City	Shaw of Derby
Corcoran of Bennington	Koch of Barre Town	South of St. Johnsbury
Cupoli of Rutland City	Lanpher of Vergennes	Strong of Albany
Devereux of Mount Holly	Larocque of Barnet	Terenzini of Rutland Town
Dickinson of St. Albans	Lawrence of Lyndon	Turner of Milton
Town	Lewis of Berlin	Van Wyck of Ferrisburgh
Donaghy of Poultney	Marcotte of Coventry	Walz of Barre City
Donahue of Northfield	McFaun of Barre Town	Winters of Williamstown
Feltus of Lyndon	Moran of Wardsboro	
Hebert of Vernon	Morrissey of Bennington	

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

Bouchard of Colchester	Copeland-Hanzas of	O'Brien of Richmond
Branagan of Georgia	Bradford	Smith of New Haven
Brennan of Colchester	Hoyt of Norwich	Spengler of Colchester
Christie of Hartford	Mitchell of Fairfax	

Rep. Till of Jericho explained his vote as follows:

“Mr. Speaker:

What matters matters. I vote yes. A no vote is a vote to deny treatment to children with intractable seizures. Some types of medical marijuana are proven to dramatically reduce seizure activity and immeasurable suffering. I for one could never vote against relieving this kind of suffering.”

Thereupon, third reading of the bill was ordered.

Bills Referred to Committee on Ways and Means

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

H. 673

House bill, entitled

An act relating to retirement and pension amendments

S. 208

Senate bill, entitled

An act relating to solid waste management

Adjournment

At four o'clock and forty-seven minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at one o'clock in the afternoon.