

# Journal of the House

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**Thursday, January 29, 2015**

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

## **Devotional Exercises**

Devotional exercises were conducted by poet, Geof Hewitt from Calais, Vt.

## **House Bills Introduced**

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

### **H. 87**

By Reps. Botzow of Pownal and Marcotte of Coventry,  
House bill, entitled

An act relating to transferring the administration of the Vermont Enhanced 911 system to the Department of Public Safety;

To the committee on Government Operations.

### **H. 88**

By Reps. Poirier of Barre City, Berry of Manchester, McCullough of Williston, Till of Jericho and Walz of Barre City,

House bill, entitled

An act relating to a public health care coverage option;

To the committee on Health Care.

### **H. 89**

By Reps. Stevens of Waterbury, Bartholomew of Hartland, Berry of Manchester, Clarkson of Woodstock, French of Randolph, Lucke of Hartford, O'Sullivan of Burlington, Ryerson of Randolph, Sullivan of Burlington, Walz of Barre City and Zagar of Barnard,

House bill, entitled

An act relating to health and safety warnings on sugar-sweetened beverages;

To the committee on Human Services.

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**H. 90**

By Reps. Donovan of Burlington, Cole of Burlington, Krowinski of Burlington, McCormack of Burlington, O'Sullivan of Burlington, Pearson of Burlington, Rachelson of Burlington, Ram of Burlington and Sullivan of Burlington,

House bill, entitled

An act relating to approval of an amendment to the charter of the City of Burlington regarding police confiscation or seizure of deadly or dangerous weapons;

To the committee on Government Operations.

**H. 91**

By Reps. Donovan of Burlington, Cole of Burlington, Krowinski of Burlington, McCormack of Burlington, O'Sullivan of Burlington, Pearson of Burlington, Rachelson of Burlington, Ram of Burlington and Sullivan of Burlington,

House bill, entitled

An act relating to approval of an amendment to the charter of the City of Burlington requiring firearms to be locked in safe storage depositories or placed in locking devices;

To the committee on Government Operations.

**H. 92**

By Reps. Donovan of Burlington, Cole of Burlington, Krowinski of Burlington, McCormack of Burlington, O'Sullivan of Burlington, Pearson of Burlington, Rachelson of Burlington, Ram of Burlington and Sullivan of Burlington,

House bill, entitled

An act relating to approval of an amendment to the charter of the City of Burlington prohibiting firearms on properties of establishments licensed to serve alcohol on premises;

To the committee on Government Operations.

**H. 93**

By Reps. Till of Jericho, Berry of Manchester, Branagan of Georgia, Christie of Hartford, Clarkson of Woodstock, Dakin of Chester, Frank of Underhill, Jewett of Ripton, McCullough of Williston, Mrowicki of Putney,

O'Sullivan of Burlington, Poirier of Barre City, Russell of Rutland City, Toll of Danville, Townsend of South Burlington, Troiano of Stannard and Walz of Barre City,

House bill, entitled

An act relating to increasing the smoking age from 18 to 21 years of age;

To the committee on Human Services.

**H. 94**

By Reps. O'Brien of Richmond, Hooper of Montpelier and Krowinski of Burlington,

House bill, entitled

An act relating to notification of individuals placed in hospital observation status;

To the committee on Human Services.

**H. 95**

By Reps. Jewett of Ripton, Grad of Moretown, Rachelson of Burlington and Viens of Newport City,

House bill, entitled

An act relating to jurisdiction over delinquency proceedings by the Family Division of the Superior Court;

To the committee on Judiciary.

**H. 96**

By Reps. Jewett of Ripton and Sharpe of Bristol,

House bill, entitled

An act relating to costs of public utility energy facilities subject to Public Service Board siting review;

To the committee on Natural Resources & Energy.

**Third Reading; Bill Passed**

**H. 16**

House bill, entitled

An act relating to requiring an inmate to report to the Sex Offender Registry prior to release from a correctional facility

Was taken up, read the third time and passed.

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**Favorable Report; Third Reading Ordered****H. 7**

**Rep. LaClair of Barre Town**, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to miscellaneous amendments to laws regarding law enforcement officer certification

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.

**Message from the Senate No. 11**

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolutions of the following titles:

**J.R.S. 12.** Joint resolution providing for a Joint Assembly for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

**J.R.S. 13.** Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2015.

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

**Bill Read Second Time;  
Consideration Interrupted by Recess****H. 82**

**Rep. Johnson of South Hero** spoke for the committee on Appropriations.

House bill entitled

An act relating to fiscal year 2015 budget adjustments

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

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

**Rep. Morrissey of Bennington** moved that the bill be amended by inserting a new Sec. 89 to read as follows:

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Sec. 89. VERMONT HEALTH CONNECT; EXPENDITURE APPROVAL

(a) Of the appropriations in this act for the sustainable operation of the Vermont Health Benefit Exchange in fiscal year 2016, \$9,768,116 is increased State, federal, and Global Commitment funding support above the level provided in 2014 Acts and Resolves No. 179.

(b) The Agency of Human Services and the Departments of Vermont Health Access, for Children and Families, for Financial Regulation, and of Information and Innovation shall not expend any of the increased funding support provided in this act for the Vermont Health Benefit Exchange unless and until the Health Reform Oversight Committee established in 2 V.S.A. chapter 20 certifies that the Chief of Health Care Reform in the Agency of Administration has provided to the Committee the following:

(1) a full accounting of the State and federal expenditures through December 31, 2014, on the development and implementation of the Vermont Health Benefit Exchange;

(2) the projected remaining development and implementation costs through December 31, 2015;

(3) the remaining balance in any federal grants awarded to Vermont for the development and implementation of the Vermont Health Benefit

Exchange; and

(4) the projected expenditures for fiscal years 2015 and 2016 for the sustainable operations of the Vermont Health Benefit Exchange by funding source and by department, delineating the recurring and nonrecurring cost components for operation of the Vermont Health Benefit Exchange in the respective fiscal years.

and by renumbering the remaining sections to be numerically correct

Pending the question, Shall the bill be amended as recommended by Rep. Morrissey of Bennington?

**Recess**

At one o'clock and forty minutes in the afternoon, the Speaker declared a recess until two o'clock and thirty minutes in the afternoon.

At two o'clock and thirty minutes in the afternoon, the Speaker called the House to order.

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**Consideration Resumed; Bill Amended and Third Reading Ordered****H. 82**

Consideration resumed on House bill entitled

An act relating to fiscal year 2015 budget adjustments

Pending the recurring question, Shall the bill be amended as recommended by Rep. Morrissey of Bennington? **Rep. Johnson of South Hero** moved to substitute the amendment offered by Rep. Morrissey of Bennington with the following amendment thereto as follows:

By inserting a new Sec. 89 to read as follows:

**Sec. 89. VERMONT HEALTH BENEFIT EXCHANGE; REPORTING**

On or before March 11, 2015, the Chief of Health Care Reform in the Agency of Administration shall provide to the House Committees on Appropriations, on Health Care, and on Ways and Means and the Senate Committees on Appropriations, on Health and Welfare, and on Finance the following:

(1) a full accounting of the State and federal expenditures through December 31, 2014, on the development and implementation of the Vermont Health Benefit Exchange;

(2) the projected remaining development and implementation costs through December 31, 2015;

(3) the remaining balance in any federal grants awarded to Vermont for the development and implementation of the Vermont Health Benefit

Exchange; and

(4) the projected expenditures for fiscal years 2015 and 2016 for the sustainable operations of the Vermont Health Benefit Exchange by funding source and by department, delineating the recurring and nonrecurring cost components for operation of the Vermont Health Benefit Exchange in the respective fiscal years.

and by renumbering the remaining sections to be numerically correct

Which was agreed to.

Pending the question, Shall the bill be amended as proposed by Rep. Johnson of South Hero? **Rep. Savage of Swanton** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as

proposed by Rep. Johnson of South Hero? was decided in the affirmative. Yeas, 135. Nays, 0.

Those who voted in the affirmative are:

Ancel of Calais	Forguites of Springfield	Morris of Bennington
Bancroft of Westford	Frank of Underhill	Morrissey of Bennington *
Baser of Bristol	French of Randolph	Mrowicki of Putney
Batchelor of Derby	Gage of Rutland City	Murphy of Fairfax
Beck of St. Johnsbury	Gamache of Swanton	Myers of Essex
Berry of Manchester	Gonzalez of Winooski	Nuovo of Middlebury
Beyor of Highgate	Grad of Moretown	O'Brien of Richmond
Botzow of Pownal	Greshin of Warren	Olsen of Londonderry
Branagan of Georgia *	Haas of Rochester	O'Sullivan of Burlington
Brennan of Colchester	Head of South Burlington	Parent of St. Albans City
Briglin of Thetford	Hebert of Vernon	Patt of Worcester
Browning of Arlington	Helm of Fair Haven	Pearce of Richford
Burditt of West Rutland	Hooper of Montpelier	Pearson of Burlington
Burke of Brattleboro	Hubert of Milton	Poirier of Barre City
Buxton of Tunbridge	Huntley of Cavendish	Potter of Clarendon
Canfield of Fair Haven	Jerman of Essex	Pugh of South Burlington
Carr of Brandon	Jewett of Ripton	Quimby of Concord
Chesnut-Tangerman of Middletown Springs	Johnson of South Hero	Rachelson of Burlington
Christie of Hartford	Juskiewicz of Cambridge	Ram of Burlington
Clarkson of Woodstock	Keenan of St. Albans City	Russell of Rutland City
Cole of Burlington	Kitzmiller of Montpelier	Savage of Swanton
Condon of Colchester	Klein of East Montpelier	Scheuermann of Stowe
Conquest of Newbury	Komline of Dorset	Sharpe of Bristol
Copeland-Hanzas of Bradford	Krebs of South Hero	Shaw of Pittsford
Corcoran of Bennington	Krowinski of Burlington	Shaw of Derby
Cupoli of Rutland City	LaClair of Barre Town	Sheldon of Middlebury
Dakin of Chester	Lalonde of South Burlington	Sibilia of Dover
Dakin of Colchester	Lanpher of Vergennes	Stevens of Waterbury
Dame of Essex	Lefebvre of Newark	Strong of Albany
Deen of Westminster	Lenes of Shelburne	Stuart of Brattleboro
Devereux of Mount Holly	Lewis of Berlin	Sullivan of Burlington
Dickinson of St. Albans Town	Lippert of Hinesburg	Sweaney of Windsor
Donahue of Northfield	Long of Newfane	Tate of Mendon
Donovan of Burlington	Macaig of Williston	Terenzini of Rutland Town
Ellis of Waterbury	Manwaring of Wilmington	Till of Jericho
Emmons of Springfield	Marcotte of Coventry	Toleno of Brattleboro
Evans of Essex	Martel of Waterford	Toll of Danville
Fagan of Rutland City	Martin of Wolcott	Townsend of South Burlington
Feltus of Lyndon	Masland of Thetford	Trieber of Rockingham
Fields of Bennington	McCormack of Burlington	Troiano of Stannard
Fiske of Enosburgh	McCoy of Poultney	Turner of Milton
	McCullough of Williston	Van Wyck of Ferrisburgh
	McFaun of Barre Town	Viens of Newport City
	Miller of Shaftsbury	

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Walz of Barre City	Woodward of Johnson	Young of Glover
Webb of Shelburne	Wright of Burlington	
Willhoit of St. Johnsbury	Yantachka of Charlotte	

Those who voted in the negative are:

none

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

Bartholomew of Hartland	Graham of Williamstown	Purvis of Colchester
Bissonnette of Winooski	Higley of Lowell	Ryerson of Randolph
Connor of Fairfield	Lawrence of Lyndon	Smith of New Haven
Davis of Washington	Lucke of Hartford	Zagar of Barnard
Eastman of Orwell	Partridge of Windham	

**Rep. Branagan of Georgia** explained her vote as follows:

“Mr. Speaker:

I very much appreciate the work of the member from Bennington, Representative Morrissey, whose substantial effort is the major content of this amendment.”

**Rep. Morrissey of Bennington** explained her vote as follows:

“Mr. Speaker:

I am appreciative that the House Appropriations and Health Care Committees had the wisdom to copy and amend the intent of my amendment with a date certain for information from the Vermont Health Connect. My amendment was to have more oversight, transparency with checks and balances with accountability as we move forward in Health Care Reform.”

Thereupon, third reading was ordered.

### **Sexual Harassment Panel Appointed**

The Speaker appointed the following named members to the Sexual Harassment Panel:

- Rep. Komline of Dorset
- Rep. Burke of Brattleboro
- Rep. Mrowicki of Putney
- Rep. Webb of Shelburne
- Rep. McCoy of Poultney



**Member Appointed to Committee**

The Speaker appointed **Rep. Buxton of Tunbridge** to fill the vacancy left by Rep. Merek of Newfane's resignation to the Legislative Committee on Administrative Rules.

**Adjournment**

At three o'clock and twenty minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.