

# Journal of the House

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**Tuesday, February 10, 2015**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rev. Susie Webster-Toleno of the Congregational Church of Westminster West, Vt.

## **Pledge of Allegiance**

**Page Ruth Milne of Northfield** led the House in the Pledge of Allegiance.

## **Message from the Senate No. 15**

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 concurrent resolutions originating in the House of the following titles:

**H.C.R. 18.** House concurrent resolution designating January 29, 2015, as Pharmacists Day in Vermont.

**H.C.R. 19.** House concurrent resolution honoring departing Rutland City Police Chief James Baker for his superb leadership in challenging circumstances.

**H.C.R. 20.** House concurrent resolution honoring Peter Gregory for one-quarter of a century of exemplary leadership and professionalism on the staff of the Two Rivers-Ottawaquechee Regional Commission.

**H.C.R. 21.** House concurrent resolution congratulating Rutland High School's alternative education program at the Howe Center Campus on a quarter century of academic achievement.

**H.C.R. 22.** House concurrent resolution honoring Bruce Johnson for his dynamic leadership of Springfield Area Public Access Television.

**H.C.R. 23.** House concurrent resolution honoring nonprofit organizations and Common Good Vermont.

**H.C.R. 24.** House concurrent resolution in memory of former Representative and Winooski Mayor Dominique Casavant.

**H.C.R. 25.** House concurrent resolution honoring Elise McKenna for her leadership in advancing the Blueprint for Health in Lamoille County.

**H.C.R. 26.** House concurrent resolution recognizing The Manor for its collaborative efforts in Lamoille County to improve the quality of oral health care for its residents.

**H.C.R. 27.** House concurrent resolution congratulating Vera Harrington of Brattleboro on her 103rd birthday.

### **Rules Suspended; House Bills Introduced**

Pending first reading of the bills, on motion of **Rep. Turner of Milton**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

#### **H. 159**

By Reps. Masland of Thetford and Briglin of Thetford,

House bill, entitled

An act relating to abandoned swimming pools;

To the committee on General, Housing & Military Affairs.

#### **H. 160**

By Rep. Clarkson of Woodstock,

House bill, entitled

An act relating to requirements for older drivers to obtain or renew operator's licenses;

To the committee on Transportation.

#### **H. 161**

By Rep. Russell of Rutland City,

House bill, entitled

An act relating to historic rail properties;

To the committee on Transportation.

#### **H. 162**

By Reps. Masland of Thetford, Christie of Hartford, Russell of Rutland City and Zagar of Barnard,

House bill, entitled

An act relating to slow-moving vehicles;

To the committee on Transportation.

**H. 163**

By Reps. Masland of Thetford, Briglin of Thetford, Christie of Hartford, McCullough of Williston, Olsen of Londonderry, Russell of Rutland City and Till of Jericho,

House bill, entitled

An act relating to shared parental rights and responsibilities;

To the committee on Judiciary.

**H. 164**

By Rep. Viens of Newport City,

House bill, entitled

An act relating to adequate shelter for dogs housed outdoors;

To the committee on Agriculture & Forest Products.

**H. 165**

By Rep. Brennan of Colchester,

House bill, entitled

An act relating to municipal authority to regulate the possession, use, and manufacture of knives;

To the committee on Fish, Wildlife & Water Resources.

**H. 166**

By Reps. Clarkson of Woodstock and Frank of Underhill,

House bill, entitled

An act relating to prohibiting excessive and unusual motor vehicle noise;

To the committee on Transportation.

**H. 167**

By Reps. Masland of Thetford, Clarkson of Woodstock, McCullough of Williston, Ryerson of Randolph, Till of Jericho, Toleno of Brattleboro and Zagar of Barnard,

House bill, entitled

An act relating to imposing an excise tax on food products containing sugar;

To the committee on Ways & Means.

**H. 168**

By Reps. Botzow of Pownal, Carr of Brandon, Conquest of Newbury, Lenes of Shelburne, Marcotte of Coventry, Miller of Shaftsbury, O'Sullivan of Burlington, Sharpe of Bristol, Shaw of Pittsford, Sibia of Dover, Stevens of Waterbury and Toleno of Brattleboro,

House bill, entitled

An act relating to contingent employees;

To the committee on Commerce & Economic Development.

**H. 169**

By Reps. Patt of Worcester, Martin of Wolcott and Woodward of Johnson,

House bill, entitled

An act relating to allowing municipalities to adopt bylaws regulating commercial building facades;

To the committee on Commerce & Economic Development.

**H. 170**

By Reps. Pearson of Burlington, Burditt of West Rutland and French of Randolph,

House bill, entitled

An act relating to a study of a noncriminal, public health approach to illicit drug use;

To the committee on Human Services.

**H. 171**

By Reps. Frank of Underhill, Batchelor of Derby, Burditt of West Rutland, French of Randolph, Klein of East Montpelier, Komline of Dorset, Krowinski of Burlington, Macaig of Williston, McCullough of Williston, McFaun of Barre Town, Mrowicki of Putney and Till of Jericho,

House bill, entitled

An act relating to restrictions on the use of electronic cigarettes;

To the committee on Human Services.

**H. 172**

By Rep. O'Sullivan of Burlington,

House bill, entitled

An act relating to operation on highways with studded snow tires;

To the committee on Transportation.

**H. 173**

By Rep. O'Sullivan of Burlington,

House bill, entitled

An act relating to State regulation of rent-to-own agreements for merchandise;

To the committee on Commerce & Economic Development.

**H. 174**

By Rep. O'Sullivan of Burlington,

House bill, entitled

An act relating to binding arbitration for State employees;

To the committee on General, Housing & Military Affairs.

**H. 175**

By Reps. Emmons of Springfield, Dakin of Chester and Forguites of Springfield,

House bill, entitled

An act relating to labeling of roll-off dumpsters;

To the committee on General, Housing & Military Affairs.

**H. 176**

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to inclusion of information about climate change in driver education curriculum;

To the committee on Transportation.

**H. 177**

By Reps. Gage of Rutland City, Bancroft of Westford, Beck of St. Johnsbury, Beyor of Highgate, Burditt of West Rutland, Canfield of Fair Haven, Cupoli of Rutland City, Devereux of Mount Holly, Dickinson of St. Albans Town, Gamache of Swanton, Graham of Williamstown, Hebert of Vernon, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, Lawrence of Lyndon, Marcotte of Coventry, Morrissey of Bennington, Myers of Essex, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Strong of Albany, Tate of Mendon, Terenzini of Rutland Town and Van Wyck of Ferrisburgh,

House bill, entitled

An act relating to transitioning to a federally facilitated exchange;

To the committee on Health Care.

**H. 178**

By Rep. Bissonnette of Winooski,

House bill, entitled

An act relating to the assessment of residential property values near the Burlington Airport;

To the committee on Ways & Means.

**H. 179**

By Reps. Morrissey of Bennington, Bancroft of Westford, Batchelor of Derby, Beck of St. Johnsbury, Beyor of Highgate, Branagan of Georgia, Brennan of Colchester, Browning of Arlington, Burditt of West Rutland, Canfield of Fair Haven, Condon of Colchester, Corcoran of Bennington, Cupoli of Rutland City, Dame of Essex, Devereux of Mount Holly, Dickinson of St. Albans Town, Donahue of Northfield, Eastman of Orwell, Fagan of Rutland City, Fiske of Enosburgh, Gage of Rutland City, Gamache of Swanton, Graham of Williamstown, Hebert of Vernon, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, LaClair of Barre Town, Lawrence of Lyndon, Lefebvre of Newark, Lewis of Berlin, Martel of Waterford, Myers of Essex, Parent of St. Albans City, Pearce of Richford, Purvis of Colchester, Quimby of Concord, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Smith of New Haven, Strong of Albany, Tate of Mendon, Van Wyck of Ferrisburgh, Viens of Newport City and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to health care professionals' rates and practice locations and establishing a health insurance market outside the Exchange;

To the committee on Health Care.

### **H. 180**

By Reps. Morrissey of Bennington, Bancroft of Westford, Baser of Bristol, Batchelor of Derby, Beck of St. Johnsbury, Beyor of Highgate, Branagan of Georgia, Brennan of Colchester, Burditt of West Rutland, Canfield of Fair Haven, Condon of Colchester, Corcoran of Bennington, Cupoli of Rutland City, Dame of Essex, Devereux of Mount Holly, Dickinson of St. Albans Town, Donahue of Northfield, Eastman of Orwell, Fagan of Rutland City, Fiske of Enosburgh, Gage of Rutland City, Gamache of Swanton, Graham of Williamstown, Hebert of Vernon, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, LaClair of Barre Town, Lawrence of Lyndon, Lefebvre of Newark, Lewis of Berlin, Martel of Waterford, McFaun of Barre Town, Myers of Essex, Parent of St. Albans City, Pearce of Richford, Purvis of Colchester, Quimby of Concord, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Smith of New Haven, Strong of Albany, Tate of Mendon, Van Wyck of Ferrisburgh, Viens of Newport City and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to offering health insurance plans to supplement Green Mountain Care;

To the committee on Health Care.

### **H. 181**

By Reps. Morrissey of Bennington, Bancroft of Westford, Batchelor of Derby, Beck of St. Johnsbury, Beyor of Highgate, Branagan of Georgia, Browning of Arlington, Burditt of West Rutland, Corcoran of Bennington, Cupoli of Rutland City, Dame of Essex, Devereux of Mount Holly, Dickinson of St. Albans Town, Fagan of Rutland City, Fiske of Enosburgh, Gage of Rutland City, Gamache of Swanton, Hebert of Vernon, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, LaClair of Barre Town, Lawrence of Lyndon, Lefebvre of Newark, Lewis of Berlin, Murphy of Fairfax, Myers of Essex, Parent of St. Albans City, Pearce of Richford, Purvis of Colchester, Quimby of Concord, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Smith of New Haven, Strong of Albany, Tate of Mendon, Terenzini of Rutland Town, Van Wyck of Ferrisburgh and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to limiting the role of Medicare in certain health care reform initiatives;

To the committee on Health Care.

**H. 182**

By Reps. Morrissey of Bennington, Bancroft of Westford, Batchelor of Derby, Beck of St. Johnsbury, Beyor of Highgate, Branagan of Georgia, Brennan of Colchester, Browning of Arlington, Burditt of West Rutland, Canfield of Fair Haven, Condon of Colchester, Corcoran of Bennington, Cupoli of Rutland City, Dame of Essex, Devereux of Mount Holly, Donahue of Northfield, Eastman of Orwell, Fagan of Rutland City, Fiske of Enosburgh, Gage of Rutland City, Gamache of Swanton, Graham of Williamstown, Hebert of Vernon, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, LaClair of Barre Town, Lawrence of Lyndon, Lefebvre of Newark, Lewis of Berlin, Martel of Waterford, McFaun of Barre Town, Myers of Essex, Parent of St. Albans City, Pearce of Richford, Purvis of Colchester, Quimby of Concord, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Smith of New Haven, Strong of Albany, Tate of Mendon, Van Wyck of Ferrisburgh, Viens of Newport City and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to submitting a false claim to the State;

To the committee on Government Operations.

**H. 183**

By Rep. Shaw of Pittsford,

House bill, entitled

An act relating to security in the Capitol Complex;

To the committee on Corrections & Institutions.

**H. 184**

By the committee on Ways & Means,

An act relating to Executive Branch fees;

Under the rule, placed on the Calendar for notice.

**H. 185**

By Reps. Morrissey of Bennington, Bancroft of Westford, Baser of Bristol,

Batchelor of Derby, Beck of St. Johnsbury, Beyor of Highgate, Branagan of Georgia, Brennan of Colchester, Browning of Arlington, Burditt of West Rutland, Canfield of Fair Haven, Corcoran of Bennington, Cupoli of Rutland City, Dame of Essex, Devereux of Mount Holly, Dickinson of St. Albans Town, Donahue of Northfield, Eastman of Orwell, Fagan of Rutland City, Fiske of Enosburgh, Gage of Rutland City, Gamache of Swanton, Graham of Williamstown, Hebert of Vernon, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, LaClair of Barre Town, Lawrence of Lyndon, Lefebvre of Newark, Lewis of Berlin, Martel of Waterford, McFaun of Barre Town, Myers of Essex, Pearce of Richford, Purvis of Colchester, Quimby of Concord, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Smith of New Haven, Strong of Albany, Tate of Mendon, Terenzini of Rutland Town, Van Wyck of Ferrisburgh, Viens of Newport City and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to restricted disclosure of protected health information;

To the committee on Health Care.

#### **H. 186**

By Reps. Haas of Rochester, French of Randolph, Krowinski of Burlington, McFaun of Barre Town and Pugh of South Burlington,

House bill, entitled

An act relating to Reach Up participants' college savings accounts;

To the committee on Human Services.

#### **H. 187**

By Reps. Toleno of Brattleboro, Bartholomew of Hartland, Burke of Brattleboro, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Cole of Burlington, Davis of Washington, Donovan of Burlington, Fields of Bennington, Frank of Underhill, French of Randolph, Gonzalez of Winooski, Hooper of Montpelier, Klein of East Montpelier, Lenex of Shelburne, Long of Newfane, Lucke of Hartford, Macaig of Williston, Masland of Thetford, McCormack of Burlington, McCullough of Williston, Mrowicki of Putney, Nuovo of Middlebury, O'Sullivan of Burlington, Patt of Worcester, Pearson of Burlington, Ryerson of Randolph, Stevens of Waterbury, Stuart of Brattleboro, Townsend of South Burlington, Troiano of Stannard, Walz of Barre City, Woodward of Johnson and Zagar of Barnard,

House bill, entitled

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An act relating to absence from work for health care and safety;

To the committee on General, Housing & Military Affairs.

**H. 188**

By Reps. Komline of Dorset, Scheuermann of Stowe, Condon of Colchester, Branagan of Georgia, Cupoli of Rutland City, Greshin of Warren, Olsen of Londonderry, Till of Jericho and Wright of Burlington,

House bill, entitled

An act relating to making health insurance plans available outside the Exchange;

To the committee on Health Care.

**H. 189**

By Reps. Komline of Dorset, Olsen of Londonderry, Baser of Bristol, Branagan of Georgia, Cupoli of Rutland City, Greshin of Warren, Scheuermann of Stowe, Sibia of Dover and Wright of Burlington,

House bill, entitled

An act relating to direct enrollment in Exchange plans;

To the committee on Health Care.

**H. 190**

By Reps. Olsen of Londonderry, Komline of Dorset and Young of Glover,

House bill, entitled

An act relating to requiring the electorate of a school district to vote on proposed per equalized pupil spending;

To the committee on Education.

**H. 191**

By Reps. Olsen of Londonderry, Condon of Colchester and Komline of Dorset,

House bill, entitled

An act relating to Small School Competitive Grants Programs;

To the committee on Education.

**H. 192**

By Rep. Scheuermann of Stowe,

House bill, entitled

An act relating to the motor vehicle purchase and use tax exemption for intra-family transfers;

To the committee on Transportation.

### **H. 193**

By Reps. Jerman of Essex, Beck of St. Johnsbury, Berry of Manchester, Bissonnette of Winooski, Burke of Brattleboro, Buxton of Tunbridge, Christie of Hartford, Cole of Burlington, Condon of Colchester, Cupoli of Rutland City, Dakin of Colchester, Davis of Washington, Deen of Westminster, Dickinson of St. Albans Town, Donovan of Burlington, Emmons of Springfield, Evans of Essex, Gonzalez of Winooski, Greshin of Warren, Helm of Fair Haven, Juskiewicz of Cambridge, Klein of East Montpelier, Krowinski of Burlington, Lippert of Hinesburg, Long of Newfane, Macaig of Williston, Masland of Thetford, Morris of Bennington, Nuovo of Middlebury, O'Sullivan of Burlington, Parent of St. Albans City, Partridge of Windham, Rachelson of Burlington, Russell of Rutland City, Ryerson of Randolph, Sheldon of Middlebury, Stuart of Brattleboro, Toleno of Brattleboro, Townsend of South Burlington and Wright of Burlington,

House bill, entitled

An act relating to governance of the Vermont State Colleges;

To the committee on Education.

### **Joint Resolution Referred to Committee**

#### **J.R.H. 3**

Joint resolution expressing deep concern over growing wealth and income inequality and the decline of family income in Vermont

Offered by: Representatives Davis of Washington, Burke of Brattleboro, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Fields of Bennington, French of Randolph, Gonzalez of Winooski, Haas of Rochester, Macaig of Williston, O'Sullivan of Burlington, Pearson of Burlington, Poirier of Barre City, Sharpe of Bristol, and Toleno of Brattleboro

Whereas, the Constitution of the State of Vermont, including the common benefits clause, highlights the State's commitment to human rights and equal opportunity, and the Vermont Statutes direct that "The state budget should be designed to address the needs of the people of Vermont in a way that advances human dignity and equity," and

Whereas, high levels of income inequality undermine that commitment, and

Whereas, in a January 2013 *New York Times* op-ed, Nobel Prize winning economist Joseph Stiglitz observed that income and wealth inequality in America is now greater than any time since the 1920s, that it “is squelching our recovery,” and “that our middle class is too weak to support consumer spending that has historically driven our economic growth,” and

Whereas, in the same newspaper commentary, Stiglitz noted middle-class household income, when adjusted for inflation, is lower than in 1996, and consequently causing service cuts to low- and middle-income Americans, and

Whereas, in a January 2012 issue brief, the Vermont Public Assets Institute found that over the past 24 years the share of income going to Vermont’s wealthiest one percent more than tripled, and

Whereas, in November 2014, the Congressional Budget Office reported that for American households in the top one percent for income distribution their inflation-adjusted after-tax income grew 200 percent between 1979 and 2011, and

Whereas, Vermont Department of Taxes’ data show that between 2009 and 2012 those Vermonters with incomes above \$500,000.00 had adjusted gross income increases ranging from 51 to 73 percent, while the lowest income Vermonters experienced a decline in adjusted gross income, and

Whereas, U.S. Census Bureau figures show Vermonters’ income continues to decline, and they are earning less in real dollars than a decade ago, and

Whereas, in a November 2014 community assessment, Capstone Community Action reported that the aftermath of the recent recession has resulted in more Vermonters on public assistance, and

Whereas, income inequality has a devastating impact on the neediest Vermonters, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly expresses its deep concern over the growing wealth and income inequality in Vermont and its impact on the State’s families and economy, and be it further

Resolved: That the General Assembly is committed to reducing inequality and raising incomes by rejecting policies that foster inequality and supporting policies that close the income gap and increase income and economic opportunities for all Vermonters.

Which was read and, in the Speaker’s discretion, treated as a bill and referred to the committee on General, Housing & Military Affairs.

**Message from the Senate No. 16**

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 resolution of the following title:

**J.R.S. 15.** Joint resolution relating to weekend adjournment.

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

**Member Appointed to Council**

The Speaker appointed **Rep. Christie of Hartford** to the Pre-K-16 Council.

**Adjournment**

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