Journal of the House

Thursday, March 19, 2015

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

Devotional Exercises

Devotional exercises were conducted by Rep. Job Tate of Mendon, Vt.

Committee Bill Introduced

H. 488

By the committee on Transportation,

An act relating to the State’s Transportation Program and miscellaneous changes to laws related to transportation;

Under the rule, placed on the Calendar for notice.

Bill Referred to Committee on Ways and Means

H. 488

House bill, entitled

An act relating to the State’s Transportation Program and miscellaneous changes to laws related to transportation

Affecting the revenue of the state, under the rule, was referred to the committee on Ways and Means.

Joint Resolution Referred to Committee

J.R.H. 10

Joint resolution relating to the FY 2016 State financial shortfall and long-term budgetary structuring

Offered by: Representatives Bancroft of Westford, Baser of Bristol, Batchelor of Derby, Dame of Essex, Dickinson of St. Albans Town, Donahue of Northfield, Gage of Rutland City, Gamache of Swanton, Higley of Lowell, Hubert of Milton, LaClair of Barre Town, Lefebvre of Newark, Martin of Wolcott, Morrissey of Bennington, Myers of Essex, Parent of St. Albans City, Quimby of Concord, Strong of Albany, Terenzini of Rutland Town, Turner of Milton, Viens of Newport City, and Willhoit of St. Johnsbury

Whereas, the State’s financial outlook for the upcoming fiscal year (FY) 2016 (beginning July 1, 2015) is grim, and

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Whereas, were the General Assembly to appropriate money to maintain General Fund spending in FY 2016 at current service levels, the Joint Fiscal Office (JFO) now projects a shortfall of $113.2 million would result, and

Whereas, JFO also estimates that from FY 2017–2020 the comparable annual General Fund shortfall would range from $96 to $130 million, and

Whereas, it is imperative that the State of Vermont reorder its budgetary priorities and adopt a far more restrained approach to General Fund expenditures, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly must follow these budgetary principles in adopting the FY 2016 General Fund budget:

First: General Fund appropriations will be level funded based on the FY 2015 postrecession level;

Second: No new State programs will be started as Vermont cannot afford the current State programs;

Third: No current program’s eligibility base should be expanded, including property tax payments based on income sensitivity, LIHEAP funding, and Vermont Health Connect subsidization;

Fourth: The Governor’s proposal to add approximately $25 million in new health spending, requiring a new revenue source, is not fiscally sustainable;

Fifth: If a new State government position is absolutely necessary, it should only be established if a current position is eliminated, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the House Committee on Appropriations, the House Committee on Ways and Means, the Senate Committee on Appropriations, the Senate Committee on Finance, and to Governor Peter Shumlin.

Which was read and, in the Speaker’s discretion, treated as a bill and referred to the committee on Appropriations.

Committee Relieved of Consideration
and Bill Committed to Other Committee

H. 408

Rep. Grad of Moretown moved that the committee on Judiciary be relieved of House bill, entitled
An act relating to the retrieval of domestic animals from the real property of another owner

And that the bill be committed to the committee on Agriculture & Forest Products, which was agreed to.

**Third Reading; Bills Passed**

House bills of the following titles were severally taken up, read the third time and passed:

**H. 5**

House bill, entitled

An act relating to hunting, fishing, and trapping

**H. 95**

House bill, entitled

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

**H. 98**

House bill, entitled

An act relating to reportable disease registries and data

**Third Reading; Consideration Interrupted by Recess**

**H. 123**

House bill, entitled

An act relating to mobile home parks, habitability standards, and compliance

Was taken up, read the third time.

Pending the question, Shall the bill pass? Rep. Head of South Burlington demanded the Yeas and Nays, which demand was sustained by the Constitutional number.

**Recess**

At one o'clock and twenty-three minutes in the afternoon, the Speaker declared a recess until the fall of the gavel.

At one o'clock and forty-two minutes in the afternoon, the Speaker called the House to order.
Consideration Resumed; Bill Passed

H. 123

Consideration resumed on House bill, entitled

An act relating to mobile home parks, habitability standards, and compliance

Thereupon, the Clerk proceeded to call the roll and the recurring question, Shall the bill pass? was decided in the affirmative. Yeas, 117. Nays, 24.

Those who voted in the affirmative are:

Ancel of Calais
Bancroft of Westford
Bartholomew of Hartland
Baser of Bristol
Beck of St. Johnsbury
Berry of Manchester
Bissonnette of Winooski
Botzow of Pownal
Branagan of Georgia
Briglin of Thetford
Browning of Arlington
Buxton of Tunbridge
Canfield of Fair Haven
Carr of Brandon
Chesnut-Tangeman of Middletown Springs
Christie of Hartford
Clarkson of Woodstock
Cole of Burlington
Condon of Colchester
Connor of Fairfield
Conquest of Newbury
Copeland-Hanzas of Bradford
Corcoran of Bennington
Dakin of Chester
Dakin of Colchester
Davis of Washington
Deen of Westminster
Devereux of Mount Holly
Dickinson of St. Albans Town
Donahue of Northfield
Donovan of Burlington
Ellis of Waterbury
Emmons of Springfield

Evans of Essex
Feltus of Lyndon
Fields of Bennington
Fiske of Enosburgh
Forgues of Springfield
Frank of Underhill
French of Randolph
Gage of Rutland City
Gamache of Swanton
Grad of Moretown
Greshin of Warren
Haas of Rochester
Head of South Burlington
Hooper of Montpelier
Hubert of Milton
Huntley of Cavendish
Jerman of Essex
Jewett of Ripton
Johnson of South Hero
Juskiewicz of Cambridge
Keenan of St. Albans City
Kitzmiller of Montpelier
Klein of East Montpelier
Komline of Dorset
Krebs of South Hero
Krowinski of Burlington
Lalonde of South Burlington
Lanpher of Vergennes
Lawrence of Lyndon
Lefebvre of Newark
Lenes of Shelburne
Lippert of Hinesburg
Long of Newfane
Lucke of Hartford
Macaig of Williston
Manwaring of Wilmington
Marcotte of Coventry
Martin of Wolcott
Masland of Thetford
McCormack of Burlington
McCoy of Poulney
McCullough of Williston
McFaun of Barre Town
Miller of Shaftsbury
Morris of Bennington
Mrowicki of Putney
Murphy of Fairfax
Myers of Essex
Nuovo of Middlebury
Olsen of Londonderry
O'Sullivan of Burlington
Parent of St. Albans City
Partridge of Windham
Patt of Worcester
Pearson of Burlington
Poirier of Barre City
Potter of Clarendon
Pugh of South Burlington
Rachelson of Burlington
Ryerson of Randolph
Scheuermann of Stowe
Sharpe of Bristol
Sheldon of Middlebury
Sibilia of Dover
Stevens of Waterbury
Stuart of Brattleboro
Sullivan of Burlington
Sweaney of Windsor
Till of Jericho
Toleno of Brattleboro
Toll of Danville
Bill Amended, Read Third Time and Passed

H. 310

House bill, entitled
An act relating to limited liability companies

Was taken up and pending third reading of the bill, Rep. Botzow of Pownal moved to amend the bill as follows:

First: In 11 V.S.A. chapter 25, subchapter 1, in subdivision 4003(b)(3), by striking out “4040” and inserting in lieu thereof “4030”

Second: In 11 V.S.A. chapter 25, subchapter 9, by striking out “§ 4141. DIRECT ACTION BY MEMBER” and inserting in lieu thereof “§ 4131. DIRECT ACTION BY MEMBER”

Which was agreed to. Thereupon, the bill was read the third time and passed.

Third Reading; Bills Passed

House bills of the following titles were severally taken up, read the third time and passed:
H. 320

House bill, entitled
An act relating to technical corrections

H. 477

House bill, entitled
An act relating to miscellaneous amendments to election law

H. 482

House bill, entitled
An act relating to principle-based valuation for life insurance reserves and a standard nonforfeiture law for life insurance policies

Bill Read Second Time; Third Reading Ordered

H. 483


House bill entitled
An act relating to home improvement fraud
Having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

Bill Read Second Time; Third Reading Ordered

H. 484


House bill entitled
An act relating to miscellaneous agricultural subjects
Having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

Bill Committed

H. 76

House bill, entitled
An act relating to the requirement of mandatory binding arbitration and to the elimination of strikes and imposed contracts in connection with collective bargaining for teachers’ and school administrators’ contracts

Appearing on the Calendar for action, was taken up and pending the reading of the report of the committee on Education, on motion of Rep. Head of South Burlington, the bill was committed to the committee on General, Housing & Military Affairs.

Message from the Senate No. 31

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

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

S. 41. An act relating to developing a strategy for evaluating the effectiveness of individual tax expenditures.

S. 73. An act relating to State regulation of rent-to-own agreements for merchandise.

S. 115. An act relating to expungement of convictions based on conduct that is no longer criminal.

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

Adjournment

At two o'clock and thirty 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.