

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

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	Evans of Essex	Marcotte of Coventry
Bancroft of Westford	Feltus of Lyndon	Martin of Wolcott
Bartholomew of Hartland	Fields of Bennington	Masland of Thetford
Baser of Bristol	Fiske of Enosburgh	McCormack of Burlington
Beck of St. Johnsbury	Forguites of Springfield	McCoy of Poultney
Berry of Manchester	Frank of Underhill	McCullough of Williston
Bissonnette of Winooski	French of Randolph	McFaun of Barre Town
Botzow of Pownal	Gage of Rutland City	Miller of Shaftsbury
Branagan of Georgia	Gamache of Swanton	Morris of Bennington
Briglin of Thetford	Grad of Moretown	Mrowicki of Putney
Browning of Arlington	Greshin of Warren	Murphy of Fairfax
Buxton of Tunbridge	Haas of Rochester	Myers of Essex
Canfield of Fair Haven	Head of South Burlington	Nuovo of Middlebury
Carr of Brandon	Hooper of Montpelier	Olsen of Londonderry
Chesnut-Tangerman of Middletown Springs	Hubert of Milton	O'Sullivan of Burlington
Christie of Hartford	Huntley of Cavendish	Parent of St. Albans City
Clarkson of Woodstock	Jerman of Essex	Partridge of Windham
Cole of Burlington	Jewett of Ripton	Patt of Worcester
Condon of Colchester	Johnson of South Hero	Pearson of Burlington
Connor of Fairfield	Juskiewicz of Cambridge	Poirier of Barre City
Conquest of Newbury	Keenan of St. Albans City	Potter of Clarendon
Copeland-Hanzas of Bradford	Kitzmiller of Montpelier	Pugh of South Burlington
Corcoran of Bennington	Klein of East Montpelier	Rachelson of Burlington
Dakin of Chester	Komline of Dorset	Ryerson of Randolph
Dakin of Colchester	Krebs of South Hero	Scheuermann of Stowe
Davis of Washington	Krowinski of Burlington	Sharpe of Bristol
Deen of Westminster	Lalonde of South Burlington	Shaw of Pittsford
Devereux of Mount Holly	Lanpher of Vergennes	Sheldon of Middlebury
Dickinson of St. Albans Town	Lawrence of Lyndon	Sibilia of Dover
Donahue of Northfield	Lefebvre of Newark	Stevens of Waterbury
Donovan of Burlington	Lenes of Shelburne	Stuart of Brattleboro
Ellis of Waterbury	Lippert of Hinesburg	Sullivan of Burlington
Emmons of Springfield	Long of Newfane	Sweaney of Windsor
	Lucke of Hartford	Till of Jericho
	Macaig of Williston	Toleno of Brattleboro
	Manwaring of Wilmington	Toll of Danville

Townsend of South	Viens of Newport City	Yantachka of Charlotte
Burlington	Webb of Shelburne	Young of Glover
Trieber of Rockingham	Willhoit of St. Johnsbury	Zagar of Barnard
Troiano of Stannard	Woodward of Johnson	
Turner of Milton	Wright of Burlington	

Those who voted in the negative are:

Batchelor of Derby	Hebert of Vernon	Purvis of Colchester
Beyor of Highgate	Helm of Fair Haven	Quimby of Concord
Brennan of Colchester	Higley of Lowell	Savage of Swanton
Cupoli of Rutland City	LaClair of Barre Town	Smith of New Haven
Dame of Essex	Lewis of Berlin	Strong of Albany
Eastman of Orwell	Martel of Waterford	Tate of Mendon
Fagan of Rutland City	Morrissey of Bennington	Terenzini of Rutland Town
Graham of Williamstown	Pearce of Richford	Van Wyck of Ferrisburgh

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

Burditt of West Rutland	O'Brien of Richmond	Shaw of Derby
Burke of Brattleboro	Ram of Burlington	Walz of Barre City
Gonzalez of Winooski	Russell of Rutland City	

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

Rep. Conquest of Newbury spoke for the committee on Judiciary.

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

Rep. Eastman of Orwell spoke for the committee on Agriculture & Forest Products.

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.