

# Journal of the House

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**Friday, January 22, 2016**

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

## **Devotional Exercises**

Devotional exercises were conducted by Geof Hewitt, poet, 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. 612**

By Rep. Shaw of Pittsford,

House bill, entitled

An act relating to the licensure of speech-language pathologists and audiologists;

To the committee on Government Operations.

### **H. 613**

By Reps. Burditt of West Rutland, Chesnut-Tangerman of Middletown Springs, Dame of Essex, Eastman of Orwell, Mrowicki of Putney and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to preventing child identity theft;

To the committee on Commerce & Economic Development.

### **H. 614**

By Rep. Clarkson of Woodstock,

House bill, entitled

An act relating to murder and manslaughter;

To the committee on Judiciary.

### **H. 615**

By Rep. Clarkson of Woodstock,

House bill, entitled

An act relating to National and State Park special registration plates;

To the committee on Transportation.

**H. 616**

By Reps. Eastman of Orwell, Burditt of West Rutland, Smith of Morristown and Zagar of Barnard,

House bill, entitled

An act relating to requiring notice when conveying property on which a dam is located;

To the committee on Fish, Wildlife & Water Resources.

**H. 617**

By Reps. Burke of Brattleboro and Rachelson of Burlington,

House bill, entitled

An act relating to probation, parole, and furlough conditions;

To the committee on Corrections & Institutions.

**H. 618**

By Reps. Marcotte of Coventry, Baser of Bristol, Botzow of Pownal, Carr of Brandon and Kitzmiller of Montpelier,

House bill, entitled

An act relating to group life insurance;

To the committee on Commerce & Economic Development.

**H. 619**

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to the Commissioner of Financial Regulation and information-sharing agreements;

To the committee on Commerce & Economic Development.

**H. 620**

By Reps. Pugh of South Burlington, Briglin of Thetford, Burke of Brattleboro, Buxton of Tunbridge, Copeland-Hanzas of Bradford, Head of South Burlington, Hooper of Montpelier, Komline of Dorset, Krowinski of

Burlington, Mrowicki of Putney, Pearson of Burlington, Sibia of Dover, Stevens of Waterbury, Till of Jericho and Toleno of Brattleboro,

House bill, entitled

An act relating to health insurance and Medicaid coverage for contraceptives;

To the committee on Health Care.

**H. 621**

By Rep. McCormack of Burlington,

House bill, entitled

An act relating to the motor fuel tax and diesel tax;

To the committee on Transportation.

**H. 622**

By Reps. Pugh of South Burlington and Haas of Rochester,

House bill, entitled

An act relating to obligations for reporting child abuse and neglect and cooperating in investigations of child abuse and neglect;

To the committee on Human Services.

**H. 623**

By Reps. Burke of Brattleboro, Batchelor of Derby, Lalonde of South Burlington and Rachelson of Burlington,

House bill, entitled

An act relating to compassionate release and parole eligibility;

To the committee on Corrections & Institutions.

**H. 624**

By Reps. Lefebvre of Newark, Bancroft of Westford, Hebert of Vernon, Higley of Lowell, McCullough of Williston, Toleno of Brattleboro and Viens of Newport City,

House bill, entitled

An act relating to the appraisal of open land under the Use Value Appraisal Program;

To the committee on Ways & Means.

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**H. 625**

By Rep. Deen of Westminster,

House bill, entitled

An act relating to extending the exemption from encumbrance on title of properties subject to a pretransition stormwater permit;

To the committee on Fish, Wildlife & Water Resources.

**H. 626**

By Reps. Pugh of South Burlington and McFaun of Barre Town,

House bill, entitled

An act relating to the Unused Prescription Drug Repository Program;

To the committee on Human Services.

**H. 627**

By Rep. Dame of Essex,

House bill, entitled

An act relating to the definition of “excess spending” for allowable growth calculation;

To the committee on Education.

**Recess**

At nine o'clock and fifty-six minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At eleven o'clock and five minutes in the forenoon, the Speaker called the House to order.

**Committee Not Relieved of Consideration of a Bill****H. 627**

**Rep. Dame of Essex** moved that the committee on Education be relieved of House bill entitled

An act relating to the definition of “excess spending” for allowable growth calculation.

Pending the question, Shall House Committee on Education be relieved of H.627 and the same be placed on notice calendar? **Rep. Dame of Essex** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question,

Shall House Committee on Education be relieved of H.627 and the same be placed on notice calendar? was decided in the negative. Yeas, 57. Nays, 85.

Those who voted in the affirmative are:

Bancroft of Westford	Gamache of Swanton	Pearce of Richford
Baser of Bristol	Graham of Williamstown	Poirier of Barre City
Batchelor of Derby	Greshin of Warren	Purvis of Colchester
Beck of St. Johnsbury	Hebert of Vernon	Quimby of Concord
Beyor of Highgate	Helm of Fair Haven	Savage of Swanton
Branagan of Georgia	Higley of Lowell	Scheuermann of Stowe
Brennan of Colchester	Hubert of Milton	Shaw of Pittsford
Burditt of West Rutland	Komline of Dorset	Shaw of Derby
Canfield of Fair Haven	LaClair of Barre Town	Sibilia of Dover
Cupoli of Rutland City	Lawrence of Lyndon	Smith of New Haven
Dame of Essex *	Lefebvre of Newark	Strong of Albany
Devereux of Mount Holly	Lewis of Berlin	Tate of Mendon
Dickinson of St. Albans Town	Marcotte of Coventry	Terenzini of Rutland Town
Donahue of Northfield	Martel of Waterford	Turner of Milton
Eastman of Orwell	McCoy of Poultney	Van Wyck of Ferrisburgh
Fagan of Rutland City	McFaun of Barre Town	Viens of Newport City
Feltus of Lyndon	Morrissey of Bennington	Willhoit of St. Johnsbury
Fiske of Enosburgh	Murphy of Fairfax	Wright of Burlington
Gage of Rutland City	Myers of Essex	
	Parent of St. Albans Town	

Those who voted in the negative are:

Ancel of Calais	Donovan of Burlington	Lanpher of Vergennes
Bartholomew of Hartland	Emmons of Springfield	Lenes of Shelburne
Berry of Manchester	Evans of Essex	Lippert of Hinesburg
Bissonnette of Winooski	Fields of Bennington	Long of Newfane
Botzow of Pownal	Forguites of Springfield	Lucke of Hartford
Briglin of Thetford	Frank of Underhill	Macaig of Williston
Browning of Arlington	French of Randolph	Manwaring of Wilmington
Burke of Brattleboro	Gonzalez of Winooski	Martin of Wolcott
Buxton of Tunbridge *	Grad of Moretown	Masland of Thetford
Carr of Brandon	Haas of Rochester	McCormack of Burlington
Chesnut-Tangerman of Middletown Springs	Head of South Burlington	McCullough of Williston
Christie of Hartford	Hooper of Montpelier	Miller of Shaftsbury
Clarkson of Woodstock	Huntley of Cavendish	Morris of Bennington
Cole of Burlington	Jerman of Essex	Mrowicki of Putney *
Condon of Colchester	Jewett of Ripton	Nuovo of Middlebury
Connor of Fairfield	Johnson of South Hero	O'Brien of Richmond
Conquest of Newbury	Keenan of St. Albans City	O'Sullivan of Burlington
Corcoran of Bennington	Kitzmiller of Montpelier	Partridge of Windham
Dakin of Colchester	Klein of East Montpelier	Patt of Worcester
Davis of Washington	Krebs of South Hero	Pearson of Burlington
Deen of Westminster	Krowinski of Burlington	Potter of Clarendon
	Lalonde of South Burlington	Pugh of South Burlington

Ram of Burlington	Sullivan of Burlington	Troiano of Stannard
Russell of Rutland City	Sweaney of Windsor	Walz of Barre City
Ryerson of Randolph	Till of Jericho	Webb of Shelburne
Sharpe of Bristol	Toleno of Brattleboro	Wood of Waterbury
Sheldon of Middlebury	Townsend of South	Yantachka of Charlotte
Stevens of Waterbury	Burlington	Young of Glover
Stuart of Brattleboro	Trieber of Rockingham	Zagar of Barnard

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

Copeland-Hanzas of Bradford	Juskiewicz of Cambridge Olsen of Londonderry	Toll of Danville Woodward of Johnson
Dakin of Chester	Rachelson of Burlington	

**Rep. Buxton of Tunbridge** explained her vote as follows:

“Mr. Speaker:

The error that caused the need for the provision in question underscores the call for fidelity to our legislative review process. An accelerated path is not only ill-advised, it side-skirts the committee process and puts all our taxpayers in jeopardy.”

**Rep. Dame of Essex** explained his vote as follows:

“Mr. Speaker:

Last week the rules suddenly changed for every school board in the state and many who thought they were playing by the rules have been penalized. Last week we had an Education bill on the calendar, but it was pulled back because it was complicated. I voted yes to give schools clarity that on this one simple issue we will move forward with certainty and the unity that the Education committee gave us when it approved this exact language on an 11-0 vote.”

**Rep. Mrowicki of Putney** explained his vote as follows:

“Mr. Speaker:

Legislating on the floor, on the fly, does a disservice to the process and to the voters that sent me here. My vote supports thoughtful considerate deliberations and the hard work of your Education Committee, whether I agree with them or not.”

### **Bill Referred to Committee on Ways and Means**

#### **S. 233**

Senate bill, entitled

An act relating to amending Act 46

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

**Bill Amended, Read Third Time and Passed**

**H. 399**

House bill, entitled

An act relating to the Department for Children and Families' Registry Review Unit

Was taken up and pending third reading of the bill, **Rep. Dame of Essex** moved to amend the bill as follows:

In Sec. 1, 33 V.S.A. § 4916a(c)(2), by striking out the words "within 30 days of the resolution of the court case" and inserting in lieu thereof the words "in writing within 30 days after the related court case, including any appeals, has been fully adjudicated"

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. 524**

House bill, entitled

An act relating to seeking a waiver to permit businesses to continue to purchase Exchange plans directly from insurers;

**H. 538**

House bill, entitled

An act relating to captive insurance companies.

**Adjournment**

At eleven o'clock and thirty-nine minutes in the forenoon, on motion of **Rep. Savage of Swanton**, the House adjourned until Tuesday, January 26, 2016, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 36.

**Concurrent Resolutions Adopted**

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having

requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

**H.C.R. 206**

House concurrent resolution congratulating the 2015 Rutland High School Raiders Division I championship football team;

**H.C.R. 207**

House concurrent resolution honoring Tracy Penfield and her pioneering therapeutic work at SafeArt ;

**H.C.R. 208**

House concurrent resolution congratulating Sophie Caldwell of Peru on her first World Cup skiing victory;

**H.C.R. 209**

House concurrent resolution congratulating the Champlain Cable Corporation of Colchester on winning the 2014 Deane C. Davis Outstanding Business Award and on the corporation's 60th anniversary;

**H.C.R. 210**

House concurrent resolution commemorating the 50th anniversary of the historic 1965 reapportionment of the Vermont General Assembly;

The following concurrent resolution, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, is hereby adopted on the part of the House.

**H.C.R. 211**

House concurrent resolution commemorating the 125th anniversary of the Bennington Battle Monument;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2016, seventy-third Biennial session.]