

Journal of the House

Thursday, March 31, 2016

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.

Bill Recommended

H. 867

House bill, entitled

An act relating to classification of employees and independent contractors

Appearing on the Calendar for action, was taken up and pending second reading of the bill, **Rep. Botzow of Pownal** moved to recommit the bill to Commerce & Economic Development, which was agreed to.

Third Reading; Bill Passed

H. 879

House bill, entitled

An act relating to the Health Care Fund contribution assessment and the taxation of e-cigarettes

Was taken up, read the third time and passed.

Favorable Report; Bill Amended and Third Reading Ordered

H. 878

Rep. Emmons of Springfield spoke for the committee on Corrections and Institutions.

Rep. Hooper of Montpelier, for the committee on Appropriations, to which had been referred House bill, entitled

An act relating to capital construction and State bonding budget adjustment

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up and read the second time.

Pending the question, Shall the bill read the third time? **Rep. Browning of Arlington** moved to amend the bill as follows:

First: By striking out Sec. 1 in its entirety and inserting in lieu thereof the following:

Sec. 1. 2015 Acts and Resolves No. 26, Sec. 2 is amended to read:

Sec. 2. STATE BUILDINGS

* * *

(c) The following sums are appropriated in FY 2017:

* * *

(5) Statewide, major maintenance: ~~\$8,000,000.00~~ \$7,900,000.00

(6) Statewide, BGS engineering and architectural project costs:
~~\$3,677,448.00~~ \$3,553,061.00

(7) Statewide, physical security enhancements:
~~\$200,000.00~~ \$1,000,000.00

(8) ~~Montpelier, 115 State Street, State House lawn, access improvements and water intrusion:~~ ~~\$300,000.00~~ [Repealed.]

(9) Montpelier, 120 State Street, life safety and infrastructure improvements:
~~\$1,000,000.00~~ \$1,500,000.00

* * *

(13) Statewide, strategic building realignments:
~~\$300,000.00~~ \$250,000.00

(14) Burlington, 108 Cherry Street, parking garage, design and repair:
\$500,000.00

(15) Southern State Correctional Facility, steam line replacement:
\$200,000.00

(16) Statewide, ADA projects: \$74,032.00

(17) Montpelier, 115 State Street and One Baldwin Street, data wiring:
\$40,000.00

(18) Montpelier, 11 and 13 Green Mountain Drive, planning and siting options for Department of Liquor Control and warehouse: \$75,000.00

(19) Waterbury State Office Complex projects, true up:
\$1,900,000.00

* * *

(e) The Commissioner of Buildings and General Services is authorized to use funds from the amount appropriated in subdivision (c)(5) of this section to conduct engineering and design for either a single generator for the State House or a shared generator for the State House and the Capitol Complex, and the related upgrades for the electrical switch gear.

Appropriation – FY 2016		\$41,313,990.00
Appropriation – FY 2017	\$29,450,622.00	<u>\$32,965,267.00</u>
Total Appropriation – Section 2	\$70,764,612.00	<u>\$74,279,257.00</u>

Second: By striking out Sec. 2 in its entirety and inserting in lieu thereof the following:

Sec. 2. 2015 Acts and Resolves No. 26, Sec. 3 is amended to read:

Sec. 3. ADMINISTRATION

(a) ~~The following sums are~~ sum of \$125,000.000 is appropriated in FY 2016 to the Department of Taxes for the Vermont Center for Geographic Information for an ongoing project to update statewide quadrangle maps through digital orthophotographic quadrangle mapping:

~~(1) \$125,000.00 is appropriated in FY 2016.~~

~~(2) \$125,000.00 is appropriated in FY 2017.~~

(b) The following sums are appropriated to the Department of Finance and Management for the ERP expansion project (Phase II):

(1) \$5,000,000.00 is appropriated in FY 2016.

(2) ~~\$9,267,470.00~~ \$8,667,470.00 is appropriated in FY 2017.

(c) The sum of ~~\$5,463,211.00~~ \$5,363,211.00 is appropriated in FY 2017 to the Agency of Human Services for the Health and Human Services Enterprise IT System.

Appropriation – FY 2016		\$5,125,000.00
Appropriation – FY 2017	\$14,855,681.00	<u>\$14,030,681.00</u>
Total Appropriation – Section 3	\$19,980,681.00	<u>\$19,155,681.00</u>

Third: By inserting a Sec. 12a to read as follows:

Sec. 12a. 2015 Acts and Resolves No. 26, Sec. 20 is amended to read:

Sec. 20. GENERAL ASSEMBLY

(a) The sum of \$120,000.00 is appropriated in FY 2016 to the Office of Legislative Council to hire consultant services for upgrades to the International Roll Call (IRC) program, as described in Sec. 47 of this act.

(b) The sum of \$60,000.00 is appropriated in FY 2016 to the Joint Fiscal Office to hire consultant services for a security and safety protocol for the State House, as described in Sec. 46 of this act.

(c) The sum of \$500,000.00 is appropriated in FY 2017 to the Joint Fiscal Office to contract with an independent third party for the sustainability analysis and report on Vermont's Health Exchange technology, and a review of the Vermont Health Connect, including the interconnectivity of each system, pursuant to Sec. E.127.1 of the FY 2017 Appropriations Act.

<u>Appropriation – FY 2016</u>	<u>\$180,000.00</u>
<u>Appropriation – FY 2017</u>	<u>\$500,000.00</u>
<u>Total Appropriation – Section 20</u>	<u>\$180,000.00</u> <u>\$680,000.00</u>

Fourth: By striking out Sec. 10 in its entirety and inserting in lieu thereof the following:

Sec. 10. 2015 Acts and Resolves No. 26, Sec. 20a is added to read:

Sec. 20a. PUBLIC SERVICE

The sum of \$650,000.00 is appropriated to the Department of Public Service for the Connectivity Initiative, established in 30 V.S.A. § 7515b.

<u>Appropriation – FY 2017</u>	<u>\$650,000.00</u>
<u>Total Appropriation – Section 20a</u>	<u>\$650,000.00</u>

Pending the question, Shall the bill be amended as proposed by Rep. Browning of Arlington? **Rep. Browning of Arlington** 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. Browning of Arlington? was decided in the negative. Yeas, 30. Nays, 114.

Those who voted in the affirmative are:

Bancroft of Westford	Graham of Williamstown	Parent of St. Albans Town
Beyor of Highgate	Hebert of Vernon	Quimby of Concord
Browning of Arlington *	Helm of Fair Haven	Savage of Swanton
Burditt of West Rutland	Higley of Lowell	Shaw of Derby
Canfield of Fair Haven	Hubert of Milton	Smith of New Haven
Dame of Essex	LaClair of Barre Town	Strong of Albany
Devereux of Mount Holly	Lawrence of Lyndon	Tate of Mendon
Dickinson of St. Albans	Lewis of Berlin	Terenzini of Rutland Town
Town	Martel of Waterford	Turner of Milton
Gage of Rutland City	McFaun of Barre Town	
Gamache of Swanton	Morrissey of Bennington	

Those who voted in the negative are:

Ancel of Calais	Gonzalez of Winooski	O'Sullivan of Burlington
Bartholomew of Hartland	Grad of Moretown	Partridge of Windham
Baser of Bristol	Greshin of Warren	Patt of Worcester
Beck of St. Johnsbury	Haas of Rochester	Pearce of Richford
Berry of Manchester	Head of South Burlington	Pearson of Burlington
Bissonnette of Winooski	Hooper of Montpelier	Poirier of Barre City
Botzow of Pownal	Huntley of Cavendish	Potter of Clarendon
Branagan of Georgia	Jerman of Essex	Pugh of South Burlington
Brennan of Colchester	Jewett of Ripton	Rachelson of Burlington
Briglin of Thetford	Johnson of South Hero	Ram of Burlington
Burke of Brattleboro	Juskiewicz of Cambridge	Russell of Rutland City
Buxton of Tunbridge	Keenan of St. Albans City	Ryerson of Randolph
Carr of Brandon	Kitzmillier of Montpelier	Scheuermann of Stowe
Chesnut-Tangerman of Middletown Springs	Klein of East Montpelier	Sharpe of Bristol
Clarkson of Woodstock	Komline of Dorset	Shaw of Pittsford
Cole of Burlington	Krebs of South Hero	Sheldon of Middlebury
Condon of Colchester	Krowinski of Burlington	Sibilia of Dover
Connor of Fairfield	Lalonde of South Burlington	Stevens of Waterbury
Conquest of Newbury	Lanpher of Vergennes	Stuart of Brattleboro
Copeland-Hanzas of Bradford	Lefebvre of Newark	Sullivan of Burlington
Corcoran of Bennington	Lenes of Shelburne	Sweaney of Windsor
Cupoli of Rutland City	Lippert of Hinesburg	Till of Jericho
Dakin of Chester	Long of Newfane	Toleno of Brattleboro
Dakin of Colchester	Lucke of Hartford	Toll of Danville
Davis of Washington	Macaig of Williston	Townsend of South Burlington
Deen of Westminster	Manwaring of Wilmington	Trieber of Rockingham
Donahue of Northfield	Marcotte of Coventry	Troiano of Stannard
Donovan of Burlington	Masland of Thetford	Van Wyck of Ferrisburgh
Eastman of Orwell	McCormack of Burlington	Viens of Newport City
Emmons of Springfield	McCoy of Poultney *	Walz of Barre City
Evans of Essex	McCullough of Williston	Webb of Shelburne
Fagan of Rutland City	Miller of Shaftsbury	Willhoit of St. Johnsbury
Feltus of Lyndon	Morris of Bennington	Wood of Waterbury
Fields of Bennington	Mrowicki of Putney	Woodward of Johnson
Forguites of Springfield	Murphy of Fairfax	Wright of Burlington
Frank of Underhill	Myers of Essex	Yantachka of Charlotte
French of Randolph	Nuovo of Middlebury	Young of Glover
	O'Brien of Richmond	Zagar of Barnard
	Olsen of Londonderry	

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

Batchelor of Derby	Fiske of Enosburgh	Purvis of Colchester
Christie of Hartford	Martin of Wolcott	

Rep. Browning of Arlington explained her vote as follows:

“Mr. Speaker:

I vote yes because this amendment is our best current opportunity to raise the chances that an independent analysis of Vermont Health Connect will be done and that Vermonters will eventually have a fully functional health insurance exchange.”

Rep. McCoy of Poultney explained her vote as follows:

“Mr. Speaker:

I voted no for this amendment putting my full faith in the Chair of Appropriations and her Committee to find funds for this critical independent outside audit of Vermont Health Connect.”

Pending the question, Shall the bill be read the third time? **Rep. Emmons of Springfield** moved to amend the bill as follows:

First: In Sec. 7, 2015 Acts and Resolves No. 26, Sec. 11, by striking out Sec.11 in its entirety and inserting in lieu thereof the following:

Sec. 11. NATURAL RESOURCES

* * *

(d) The following sums are appropriated in FY 2017 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

(1) the Water Pollution Control Fund for the Clean Water State/EPA Revolving Loan Fund (CWSRF) match: \$1,300,000.00

* * *

(3) the Drinking Water Supply, Drinking Water State Revolving Fund:
~~\$2,538,000.00~~ \$2,638,000.00

* * *

(7) Municipal Pollution Control Grants, pollution control projects and planning advances for feasibility studies: \$2,276,494.00

(8) Bristol, closure of town landfill: \$145,000.00

* * *

(f) The following sums are appropriated in FY 2017 to the Agency of Natural Resources for the Department of Fish and Wildlife:

(1) General infrastructure projects: \$875,000.00

(2) Lake Champlain Walleye Association, Inc. to upgrade and repair the walleye rearing, restoration, and stocking infrastructure: \$25,000.00

(3) Roxbury, fish hatchery, reconstruction project: \$1,880,571.00

Appropriation – FY 2016		\$13,481,601.00
Appropriation – FY 2017	\$13,243,000.00	\$17,645,065.00
Total Appropriation – Section 11	\$26,724,601.00	\$31,126,666.00

Second: In Sec. 11, 2015 Acts and Resolves No. 26, Sec. 21, by striking out all after subdivision (b)(6) and inserting in lieu thereof the following:

(7) of the amount appropriated to the Vermont Pollution Control Revolving Fund established in 24 V.S.A. § 4753: \$496,147.71

(8) of the amount appropriated to the Vermont Water Source Protection Fund established in 24 V.S.A. § 4753: \$200,000.00

(c) The following sums are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

* * *

(6) of the proceeds from the sale of property authorized in 2009 Acts and Resolves No. 43, Sec. 25 (1193 North Ave., Thayer School): \$60,991.12

(d) The amount appropriated in subdivision (b)(8) of this section shall be directed to the amount appropriated to the Vermont Environmental Protection Agency (EPA) Drinking Water State Revolving Fund in Sec. 11(d)(3) of this act.

<u>Reallocations and Transfers – FY 2016</u>		<u>\$1,648,656.00</u>
<u>Reallocations and Transfers – FY 2017</u>		<u>\$1,704,688.69</u>
Total Reallocations and Transfers – Section 21	\$1,648,656.08	<u>\$3,353,344.69</u>

Which was agreed to and third reading of the bill was ordered.

Action on Bill Postponed

H. 84

House bill, entitled

An act relating to internet dating services

Was taken up and, on motion of **Rep. Dakin of Chester**, action on the bill was postponed until Tuesday, April 5, 2016.

Adjournment

At two o'clock and thirty-four 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.