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 Recommitted

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

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

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(8) Montpelier, 115 State Street, State House lawn, access improvements and water intrusion: $300,000.00 [Repealed.]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

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(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

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(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 $32,965,267.00
Total Appropriation – Section 2 $70,764,612.00 $74,279,257.00

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 appropriated 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) $8,667,470.00 is appropriated in FY 2017.

(c) The sum of $5,463,211.00 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 $14,030,681.00
Total Appropriation – Section 3 $19,980,681.00 $19,155,681.00

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.

<table>
<thead>
<tr>
<th>Appropriation – FY 2016</th>
<th>$180,000.00</th>
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<tbody>
<tr>
<td>Appropriation – FY 2017</td>
<td>$500,000.00</td>
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<tr>
<td>Total Appropriation – Section 20</td>
<td>$680,000.00</td>
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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.

<table>
<thead>
<tr>
<th>Appropriation – FY 2017</th>
<th>$650,000.00</th>
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<tr>
<td>Total Appropriation – Section 20a</td>
<td>$650,000.00</td>
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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 Town  Lewis of Berlin  Terenzini of Rutland Town
Gage of Rutland City  Martel of Waterford  Turner of Milton
Gamache of Swanton  McFaun of Barre Town

* Browning is the current representative for this district.
Those who voted in the negative are:

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

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(3) the Drinking Water Supply, Drinking Water State Revolving Fund:

$2,358,000.00 $2,638,000.00

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(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

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(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.

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

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.