

Journal of the House

Friday, April 8, 2016

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

Devotional Exercises

Devotional exercises were conducted by Websterville Baptist School Singers, Websterville, Vt.

Bill Read Third Time and Passed in Concurrence with Proposal of Amendment

S. 171

Senate bill, entitled

An act relating to eligibility for pretrial risk assessment and needs screening

Was taken up, read the third time and passed in concurrence with proposal of amendment.

Bill Amended, Read Third Time and Passed

H. 868

House bill, entitled

An act relating to miscellaneous economic development provisions

Was taken up and pending third reading of the bill, **Reps. Davis of Washington and Browning of Arlington** moved to amend the bill as follows:

Sec. H.1, in 32 V.S.A. § 39, by adding a subsection (c) to read:

(c) Recapture upon sale of business. If a business that has received one or more installment payments pursuant to this subchapter is sold within three years of the date of the most recent payment, the Department shall recapture the value of all installment payments the Department made to the business, plus a reasonable rate of interest.

Pending the question, Shall the bill be amended as recommended by Rep. Davis of Washington and Rep. Browning of Arlington? **Rep. Chesnut-Tangerman of Middletown Springs** 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 recommended by Rep. Davis of Washington and Rep. Browning of Arlington? was decided in the negative. Yeas, 14. Nays, 123.

Those who voted in the affirmative are:

Beck of St. Johnsbury	Davis of Washington	Haas of Rochester
Browning of Arlington	Deen of Westminster	Martin of Wolcott
Burke of Brattleboro	Devereux of Mount Holly	Poirier of Barre City
Chesnut-Tangerman of Middletown Springs	Donovan of Burlington	Sullivan of Burlington
	Forguites of Springfield	Woodward of Johnson

Those who voted in the negative are:

Ancel of Calais	Graham of Williamstown	Nuovo of Middlebury
Bancroft of Westford	Greshin of Warren	O'Brien of Richmond
Bartholomew of Hartland	Head of South Burlington	Olsen of Londonderry
Baser of Bristol	Hebert of Vernon	O'Sullivan of Burlington
Batchelor of Derby	Helm of Fair Haven	Parent of St. Albans Town
Berry of Manchester	Higley of Lowell	Patt of Worcester
Beyor of Highgate	Hooper of Montpelier	Pearce of Richford
Bissonnette of Winooski	Hubert of Milton	Potter of Clarendon
Botzow of Pownal	Huntley of Cavendish	Pugh of South Burlington
Branagan of Georgia	Jerman of Essex	Purvis of Colchester
Brennan of Colchester	Jewett of Ripton	Quimby of Concord
Briglin of Thetford	Johnson of South Hero	Rachelson of Burlington
Burditt of West Rutland	Juskiewicz of Cambridge	Ram of Burlington
Canfield of Fair Haven	Keenan of St. Albans City	Russell of Rutland City
Carr of Brandon	Kitzmiller of Montpelier	Ryerson of Randolph
Clarkson of Woodstock	Klein of East Montpelier	Scheuermann of Stowe
Cole of Burlington	Komline of Dorset	Sharpe of Bristol
Condon of Colchester	Krebs of South Hero	Shaw of Pittsford
Connor of Fairfield	Krowinski of Burlington	Shaw of Derby
Conquest of Newbury	LaClair of Barre Town	Sibilia of Dover
Copeland-Hanzas of Bradford	Lalonde of South Burlington	Smith of New Haven
Corcoran of Bennington	Lanpher of Vergennes	Stevens of Waterbury
Cupoli of Rutland City	Lawrence of Lyndon	Strong of Albany
Dakin of Chester	Lefebvre of Newark	Stuart of Brattleboro
Dakin of Colchester	Lenes of Shelburne	Sweaney of Windsor
Dame of Essex	Lewis of Berlin	Tate of Mendon
Dickinson of St. Albans Town	Lucke of Hartford	Terenzini of Rutland Town
Donahue of Northfield	Macaig of Williston	Till of Jericho
Eastman of Orwell	Manwaring of Wilmington	Toleno of Brattleboro
Emmons of Springfield	Marcotte of Coventry	Toll of Danville
Evans of Essex	Martel of Waterford	Townsend of South Burlington
Fagan of Rutland City	Masland of Thetford	Trieber of Rockingham
Feltus of Lyndon	McCormack of Burlington	Troiano of Stannard
Fiske of Enosburgh	McCullough of Williston	Turner of Milton
Frank of Underhill	McFaun of Barre Town	Van Wyck of Ferrisburgh
French of Randolph	Miller of Shaftsbury	Viens of Newport City
Gage of Rutland City	Morris of Bennington	Walz of Barre City
Gamache of Swanton	Morrissey of Bennington	Webb of Shelburne
Grad of Moretown	Mrowicki of Putney	Wood of Waterbury
	Murphy of Fairfax	Wright of Burlington
	Myers of Essex	

Yantachka of Charlotte

Young of Glover

Zagar of Barnard

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

Buxton of Tunbridge

Lippert of Hinesburg

Pearson of Burlington

Christie of Hartford

Long of Newfane

Savage of Swanton

Fields of Bennington

McCoy of Poultney

Sheldon of Middlebury

Gonzalez of Winooski

Partridge of Windham

Willhoit of St. Johnsbury

Pending third reading of the bill, **Rep. Masland of Thetford** moved to amend the bill as follows:

First: By inserting a new Sec. Q.1 to read as follows:

Sec. Q.1. CROSS BORDER STUDY; REPORT

(a) The Legislative Economist shall perform a study on the relative long-term economic impacts of Vermont and New Hampshire tax policies affecting retail business competitiveness, including:

(1) impacts on the pattern of retailing, the location of retail activity, and retail market share;

(2) impacts of retail sales tax rates and other related excise taxes, including on tobacco products, and to the extent data are available, on alcohol and gasoline; and

(3) the impact by business size, to the extent data are available,

(b) On or before January 15, 2017, the Legislative Economist shall submit to the House Committee on Ways and Means and the Senate Committee on Finance his or her report.

(c)(1) For the purposes of this section, the Legislative Economist shall have the assistance of the Departments of Taxes and of Liquor Control, the Office of Legislative Council, and the Joint Fiscal Office.

(2) The Joint Fiscal Office shall bear the costs of the study and report required by this section from the amounts appropriated to it in fiscal year 2017.

Second: By redesignating the existing Sec. Q.1 (effective dates) to be Sec. S.1

Third: In the new Sec. S.1, by inserting a subdivision (a)(5) to read as follows:

(5) Sec. Q.1 (cross border study).

Fourth: In the new Sec. S.1, in subsection (b), by striking out subdivision (4) in its entirety and inserting in lieu thereof a new subdivision (4) to read:

(4) Secs. H.11–H.12 (Technical Working Group review; VEPC review).

Which was agreed to.

Pending third reading of the bill, **Rep. Carr of Brandon** moved to amend the bill as follows:

In Sec. A.1, in 10 V.S.A. § 213(b)(1)(C) following “General Assembly” and before the period, by inserting “, whichever occurs sooner”

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Action on Bill Postponed

H. 870

House bill, entitled

An act relating to telecommunications

Was taken up and on motion of **Rep. Carr of Brandon**, action on the bill was postponed until the next legislative day.

Senate Proposal of Amendment Concurred in

H. 531

The Senate proposed to the House to amend House bill, entitled

An act relating to aboveground storage tanks

First: In Sec. 1, 10 V.S.A. § 1929a (c)(4), after the semicolon by striking out the word “and” and in subdivision (5), by striking out the period at the end of the subdivision and inserting in lieu thereof the following: ; and and by adding a new subdivision (6) to read as follows:

(6) requirements for the reuse of an aboveground storage tank removed under the requirement of subsection (g) of this section.

Second: In Sec. 1, 10 V.S.A. § 1929a, by striking out subsection (g) in its entirety and inserting in lieu thereof a new subsection (g) to read as follows:

(g) If the owner of any aboveground storage tank that serves a structure converts the type of fuel used for the structure from fuel oil or kerosene to natural gas so that the structure is no longer served for any purpose by the aboveground storage tank, the owner shall have the aboveground storage tank used to store fuel oil or kerosene and any fill pipes removed at the same time as the conversion. As used in this subsection, “structure” means any assembly of materials that is intended for occupancy or use by a person and that has at least three walls and a roof.

Which proposal of amendment was considered and concurred in.

Joint Resolution Adopted**J.R.H. 25**

Joint resolution, entitled

Joint resolution requesting the governors of the 19 states that have suspended state implementation planning to continue the compliance process under the Environmental Protection Agency's Carbon Pollution Emission Guidelines;

Was taken up and adopted on the part of the House.

Adjournment

At ten o'clock and forty-five minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Tuesday, April 12, 2016, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 50.

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 Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 316

House concurrent resolution honoring Zachariah Fike and his Purple Hearts Reunited organization;

H.C.R. 317

House concurrent resolution honoring the Vermont Network Against Domestic and Sexual Violence on its 30th anniversary;

H.C.R. 318

House concurrent resolution congratulating the Vermont Agency of Transportation on receiving a \$10 million federal Transportation Infrastructure Generating Economic Recovery grant to help complete the western rail corridor from Rutland to Burlington;

H.C.R. 319

House concurrent resolution congratulating the 2016 College of St. Joseph Lady Saints United States Collegiate Athletic Association Division II championship women's basketball team;

H.C.R. 320

House concurrent resolution designating April 5, 2016 as National Service Day in Vermont;

H.C.R. 321

House concurrent resolution commemorating the bicentennial anniversary of the former Concord Corner Congregational Church building;

H.C.R. 322

House concurrent resolution commemorating former President Calvin Coolidge's historic 1928 presidential trip to Cuba;

H.C.R. 323

House concurrent resolution congratulating the 2016 U-32 High School Raiders Division II championship boys' ice hockey team;

H.C.R. 324

House concurrent resolution congratulating the 2016 Bellows Free Academy–St. Albans Bobwhites Division I championship boys' hockey team;

H.C.R. 325

House concurrent resolution recognizing all Vermont firefighters, police officers, and emergency medical service (EMS) personnel for the professional level of service they provide to their communities;

H.C.R. 326

House concurrent resolution congratulating the American Tree Farm System on its 75th anniversary;

H.C.R. 327

House concurrent resolution honoring the entrepreneurship of Maple Sugar & Vermont Spice in Mendon;

H.C.R. 328

House concurrent resolution congratulating the 2016 U-32 High School Division II girls' championship Nordic ski team;

H.C.R. 329

House concurrent resolution congratulating Vermont Law School on the inauguration of its solar energy project;

[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.]