Journal of the House

Wednesday, April 5, 2017

At one o'clock in the afternoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Reverend Amy Pitton, Bethany Church, Montpelier, VT.

Senate Bill Referred
S. 103

Senate bill, entitled
An act relating to the regulation of toxic substances and hazardous materials
Was read and referred to the committee on Natural Resources, Fish & Wildlife.

Senate Bill Referred
S. 122

Senate bill, entitled
An act relating to increased flexibility for school district mergers
Was read and referred to the committee on Education.

Senate Bill Referred
S. 130

Senate bill, entitled
An act relating to miscellaneous changes to education laws
Was read and referred to the committee on Education.

Senate Bill Referred
S. 131

Senate bill, entitled
An act relating to State’s Attorneys and sheriffs
Was read and referred to the committee on Government Operations.
Senate Bill Referred

S. 133

Senate bill, entitled
An act relating to examining mental health care and care coordination
Was read and referred to the committee on Health Care.

Senate Bill Referred

S. 135

Senate bill, entitled
An act relating to promoting economic development
Was read and referred to the committee on Commerce and Economic Development.

Senate Bill Referred

S. 136

Senate bill, entitled
An act relating to miscellaneous consumer protection provisions
Was read and referred to the committee on Commerce and Economic Development.

Joint Resolution Adopted in Concurrence

J.R.S. 29

By Senator Ashe,

J.R.S. 29. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 7, 2017, it be to meet again no later than Tuesday, April 11, 2017.

Was taken up, read and adopted in concurrence.

Committee Relieved of Consideration
and Bill Committed to Other Committee

S. 34

Rep. Townsend of South Burlington moved that the committee on Government Operations be relieved of House bill, entitled

An act relating to cross-promoting development incentives and State policy
goals

And that the bill be committed to the committee on Commerce and Economic Development, which was agreed to.

**Message from the Senate No. 40**

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has considered bills originating in the House of the following titles:

**H. 4.** An act relating to calculating time periods in court proceedings.

**H. 379.** An act relating to providing an extension for the repeal of the Search and Rescue Council.

And has passed the same in concurrence.

**Joint Resolution Committed**

**J.R.S. 25**

House resolution, entitled

Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to amend conservation easements related to the former Hancock Lands and adjacent Averill Inholdings in Essex County and to sell the Bertha Tract in Mendon and the Burch Tract in Killington to the Trust for Public Land

Appearing on the calendar for action, was taken up and pending the reading of the resolution, on motion of **Rep. Macaig of Williston**, the resolution was committed to the committee on Corrections and Institutions.

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

**H. 519**

House bill, entitled

An act relating to capital construction and State bonding

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

In Sec. 32, Agency of Human Services; Facilities, in subsection (b), by inserting at the end of the second sentence, before the period, the words “, and the Health Reform Oversight Committee”
Which was agreed to.

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

In Sec. 34, High Priority Basin Projects; Regional Planning Commissions, by striking out the words “House Committee on Corrections and Institutions” and inserting in lieu thereof the words “House Committees on Corrections and Institutions and on Natural Resources, Fish and Wildlife” and by striking out the words “Senate Committee on Institutions” and inserting in lieu thereof the words “Senate Committees on Institutions and on Natural Resources and Energy”

Which was agreed to. Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? **Rep. Sheldon of Middlebury** 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 pass? was decided in the affirmative. Yeas, 140. Nays, 0.

Those who voted in the affirmative are:

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<tr>
<th>Ainsworth of Royalton</th>
<th>Gannon of Wilmington</th>
<th>Myers of Essex</th>
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<td>Ancel of Calais</td>
<td>Gardner of Richmond</td>
<td>Nolan of Morristown</td>
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<td>Bancroft of Westford</td>
<td>Giambatista of Essex</td>
<td>Norris of Shoreham</td>
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<td>Gonzalez of Winooski</td>
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<td>Grad of Moretown</td>
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<td>Batchelor of Derby</td>
<td>Graham of Williamstown</td>
<td>O'Sullivan of Burlington</td>
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<td>Beck of St. Johnsbury</td>
<td>Greshin of Warren</td>
<td>Parent of St. Albans Town</td>
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<td>Belaski of Windsor</td>
<td>Haas of Rochester</td>
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<td>Helm of Fair Haven</td>
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<td>Hill of Wolcott</td>
<td>Rosenquist of Georgia</td>
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<td>Hooper of Montpelier</td>
<td>Savage of Swanton</td>
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<td>Hooper of Brookfield</td>
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<td>Houghton of Essex</td>
<td>Scheuermann of Stowe</td>
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<td>Buckholz of Hartford</td>
<td>Howard of Rutland City</td>
<td>Sharpe of Bristol</td>
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<td>Burke of Brattleboro</td>
<td>Hubert of Milton</td>
<td>Shaw of Pittsford</td>
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<td>Canfield of Fair Haven</td>
<td>Jessup of Middlesex</td>
<td>Sheldon of Middlebury</td>
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<td>Carr of Brandon</td>
<td>Jickling of Brookfield</td>
<td>Sibilia of Dover</td>
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<td>Chesnut-Tangerman of Middletown Springs</td>
<td>Joseph of North Hero</td>
<td>Smith of Derby</td>
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<td>Keenan of St. Albans City</td>
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<td>LaClair of Barre Town</td>
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Connor of Fairfield  
Conquest of Newbury  
Copeland-Hanzas of  
Bradford  
Corcoran of Bennington  
Cupoli of Rutland City  
Dakin of Colchester  
Deen of Westminster  
Devereux of Mount Holly  
Dickinson of St. Albans  
Donahue of Northfield  
Donovan of Burlington  
Dunn of Essex  
Fagan of Rutland City  
Feltus of Lyndon  
Fields of Bennington  
Forguities of Springfield  
Frenier of Chelsea  
Gage of Rutland City  
Gamache of Swanton  
Lalonde of South Burlington  
Lanpher of Vergennes  
Lawrence of Lyndon  
Lefebvre of Newark  
Lewis of Berlin  
Lippert of Hinesburg  
Long of Newfane  
Macaig of Williston  
Marcotte of Coventry  
Martel of Waterford  
Masland of Thetford  
McCormack of Burlington  
McCullough of Williston  
McFaun of Barre Town  
Miller of Shaftsbury  
Morris of Bennington  
Morrissey of Bennington  
Mrowicki of Putney  
Murphy of Fairfax  
Tate of Mendon  
Taylor of Colchester  
Terenzini of Rutland Town  
Till of Jericho  
Toleno of Brattleboro  
Townsend of South  
Burlington  
Trieber of Rockingham  
Troiano of Stannard  
Turner of Milton  
Van Wyck of Ferrisburgh  
Viens of Newport City  
Webb of Shelburne  
Weed of Enosburgh  
Willhoit of St. Johnsbury  
Wood of Waterbury  
Wright of Burlington  
Yacavone of Morristown  
Yantachka of Charlotte  

Those who voted in the negative are: None

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

Burditt of West Rutland  
Emmons of Springfield  
Lucke of Hartford  
McCoy of Poultney  
Olsen of Londonderry  
Pugh of South Burlington  
Rachelson of Burlington  
Walz of Barre City  
Young of Glover  

Second Reading; Bill Amended; Third Reading Ordered

H. 368

Rep. Lewis of Berlin, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to creating a Cold Case Unit within the Vermont State Police

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. VERMONT STATE POLICE; COLD CASE INVESTIGATORS, TEMPORARY, PART-TIME POSITIONS; REPORT

(a) Two temporary, part-time positions; cold case investigators.

(1) Creation. The following positions are created within the Vermont State Police using existing Department of Public Safety financial resources: two temporary, part-time Cold Case Investigator positions, with each investigator working no more than the equivalent of a 0.4 full-time State
employee.

(2) Expertise; duties. The cold case investigators shall be former law enforcement officers with expertise in homicide and missing person investigations and shall have the duty to investigate unsolved crimes and missing persons.

(3) Elimination. These two temporary positions are eliminated effective on July 1, 2020.

(b) Commissioner of Public Safety; report on cold case investigations. Annually, on or before January 15, beginning in the year 2018 and ending in the year 2020, the Commissioner of Public Safety shall report to the House and Senate Committees on Government Operations and on Appropriations regarding the use of the cold case investigators described in subsection (a) of this section and the Commissioner’s recommendations regarding how the State should handle cold case investigations.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage, and that after passage the title of the bill be amended to read: “An act relating to creating two temporary, part-time cold case investigator positions”

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Government Operations agreed to and third reading ordered.

Action on Bill Postponed

S. 5

Senate bill, entitled
An act relating to plea agreements

Was taken up and pending the reading of the report of the committee on Judiciary, on motion of Rep. Willhoit of St. Johnsbury, action on the bill was postponed until April 6, 2017.

Action on Bill Postponed

S. 7

Senate bill, entitled
An act relating to deferred sentences and the sex offender registry

Was taken up and pending the reading of the report of the committee on Judiciary, on motion of Rep. Willhoit of St. Johnsbury, action on the bill was postponed until April 6, 2017.
Second Reading; Third Reading Ordered

S. 69

Rep. Lalonde of South Burlington, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to an employer’s compliance with an income withholding order from another state

Reported in favor of its passage in concurrence

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, and third reading ordered.

Adjournment

At two o'clock and five minutes in the afternoon, on motion of Rep. Turner of Milton, the House adjourned until tomorrow at one o'clock in the afternoon.