Journal of the House

Thursday, January 18, 2018

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

Devotional Exercises

Devotional exercises were conducted by the Speaker.

Message from the Senate No. 8

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 on its part passed Senate bill of the following title:

S. 169. An act relating to nonresident clergy authorized to solemnize marriages.

In the passage of which the concurrence of the House is requested.

Rules Suspended; House Bills Introduced

Pending first reading of the bills, on motion of Rep. Turner of Milton, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

H. 641


House bill, entitled

An act relating to co-payments for nonpharmacological approaches to treating pain;

To the committee on Health Care.
By Reps. Donovan of Burlington, Masland of Thetford, McCormack of Burlington, O'Sullivan of Burlington, Poirier of Barre City, Sullivan of Burlington, Till of Jericho and Weed of Enosburgh,

House bill, entitled
An act relating to collective bargaining;
To the committee on General, Housing and Military Affairs.

By Reps. Chesnut-Tangeman of Middletown Springs, Carr of Brandon, Dunn of Essex, Forguites of Springfield, Marcotte of Coventry, Potter of Clarendon, Sheldon of Middlebury and Yantachka of Charlotte,

House bill, entitled
An act relating to creating the Self-Employment Assistance Program;
To the committee on Commerce and Economic Development.

By Reps. Townsend of South Burlington, Bissonnette of Winooski, Gonzalez of Winooski, Head of South Burlington, Lalonde of South Burlington and Pugh of South Burlington,

House bill, entitled
An act relating to establishing a study committee to examine the governance of the Burlington International Airport;
To the committee on Transportation.

By Reps. Pugh of South Burlington and Potter of Clarendon,

House bill, entitled
An act relating to the issuance of service branch-specific license plates;
To the committee on Transportation.

By Reps. Chesnut-Tangeman of Middletown Springs, Buckholz of Hartford, Carr of Brandon, Fagan of Rutland City, Forguites of Springfield, Gonzalez of Winooski, Harrison of Chittenden, Shaw of Pittsford, Sheldon of Middlebury, Sullivan of Dorset and Yantachka of Charlotte,
An act relating to providing for conversion of civil fines to community service;
To the committee on Judiciary.

H. 647

By Reps. Pugh of South Burlington and Houghton of Essex,
House bill, entitled
An act relating to access to Vermont Prescription Monitoring System data by academic researchers;
To the committee on Human Services.

H. 648

By Reps. Pugh of South Burlington, Troiano of Stannard and Wood of Waterbury,
House bill, entitled
An act relating to coverage for costs associated with medication-assisted treatment by commercial health insurers;
To the committee on Human Services.

H. 649

By Reps. Yantachka of Charlotte, Carr of Brandon, Forguites of Springfield, Joseph of North Hero, Masland of Thetford, McCormack of Burlington, Miller of Shaftsbury, Sullivan of Burlington, Townsend of South Burlington and Walz of Barre City,
House bill, entitled
An act relating to invasive plant control in State highway rights-of-way;
To the committee on Agriculture and Forestry.

H. 650

By Rep. Haas of Rochester,
House bill, entitled
An act relating to the use of the pesticide chlorpyrifos;
To the committee on Agriculture and Forestry.

H. 651

By Reps. Christie of Hartford, Deen of Westminster, Dunn of Essex, Hooper of Randolph, Kitzmiller of Montpelier, Lucke of Hartford, Mrowicki
of Putney and Partridge of Windham,

House bill, entitled
An act relating to automobile insurance discounts for seniors;
To the committee on Commerce and Economic Development.

H. 652

By Rep. Conquest of Newbury,
House bill, entitled
An act relating to establishing a database of prescription drugs for which prior authorization is not required;
To the committee on Health Care.

H. 653

By Rep. Conquest of Newbury,
House bill, entitled
An act relating to the Green Mountain Care Board’s Primary Care Professional Advisory Group;
To the committee on Health Care.

H. 654

By Reps. Townsend of South Burlington, Bissonnette of Winooski, Gonzalez of Winooski, Head of South Burlington, Lalonde of South Burlington and Pugh of South Burlington,

House bill, entitled
An act relating to Burlington International Airport and noise compatibility programs;
To the committee on Transportation.

H. 655

By Reps. Sullivan of Burlington, Yacovone of Morristown, Brennan of Colchester, Carr of Brandon, Christie of Hartford, Cina of Burlington, Copeland-Hanzas of Bradford, Donovan of Burlington, Dunn of Essex, Gamache of Swanton, Harrison of Chittenden, Higley of Lowell, Hill of Wolcott, Hooper of Montpelier, Houghton of Essex, Howard of Rutland City, Jickling of Randolph, Keefe of Manchester, Lawrence of Lyndon, Lefebvre of Newark, Macaig of Williston, Marcotte of Coventry, McCullough of Williston, Morrissey of Bennington, Murphy of Fairfax, Nolan of Morristown,
O'Sullivan of Burlington, Ode of Burlington, Parent of St. Albans Town, Poirier of Barre City, Pugh of South Burlington, Savage of Swanton, Shaw of Pittsford, Sheldon of Middlebury, Stuart of Brattleboro, Yantachka of Charlotte and Young of Glover,

House bill, entitled

An act relating to co-payment limits for chiropractic services;

To the committee on Health Care.

H. 656

By Reps. Smith of Derby, Batchelor of Derby, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Gamache of Swanton, Hill of Wolcott, Hooper of Randolph, Keefe of Manchester, Lalonde of South Burlington, Marcotte of Coventry, McFaun of Barre Town, Noyes of Wolcott, Pugh of South Burlington, Read of Fayston, Strong of Albany, Troiano of Stannard, Viens of Newport City and Weed of Enosburgh,

House bill, entitled

An act relating to limiting the scope of motor vehicle safety inspections;

To the committee on Transportation.

H. 657

By Reps. Smith of Derby, Buckholz of Hartford, Batchelor of Derby, Bissonnette of Winooski, Christensen of Weathersfield, Christie of Hartford, Dickinson of St. Albans Town, Frenier of Chelsea, Gardner of Richmond, Harrison of Chittenden, Head of South Burlington, Higley of Lowell, Hooper of Randolph, Joseph of North Hero, Keefe of Manchester, Kimbell of Woodstock, Lalonde of South Burlington, Lefebvre of Newark, Lewis of Berlin, Marcotte of Coventry, McFaun of Barre Town, Myers of Essex, O'Sullivan of Burlington, Read of Fayston, Rosenquist of Georgia, Strong of Albany, Stuart of Brattleboro, Sullivan of Dorset, Troiano of Stannard, Turner of Milton, Viens of Newport City and Walz of Barre City,

House bill, entitled

An act relating to increasing the penalties for violating laws governing the use of portable electronic devices while driving;

To the committee on Transportation.

H. 658

By Rep. Conquest of Newbury,
An act relating to requiring a primary care provider on the Green Mountain Care Board;

To the committee on Health Care.

H. 659


House bill, entitled

An act relating to price transparency for surgeries and procedures;

To the committee on Health Care.

H. 660

By Reps. Lalonde of South Burlington, Conquest of Newbury, Grad of Moretown, Burditt of West Rutland, Colburn of Burlington, Morris of Bennington, Viens of Newport City and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to establishing the Geographic Justice Criminal Code Reclassification Commission;

To the committee on Judiciary.

H. 661

House bill, entitled
An act relating to regenerative organic farming;
To the committee on Agriculture and Forestry.

H. 662

By Reps. Chesnut-Tangerman of Middletown Springs, Carr of Brandon, Harrison of Chittenden, Jickling of Randolph, Potter of Clarendon and Wright of Burlington,

House bill, entitled
An act relating to limiting Vermont income taxation of certain Social Security benefits;
To the committee on Ways and Means.

H. 663

By Reps. Smith of New Haven, Partridge of Windham, Beck of St. Johnsbury, Buckholz of Hartford, Graham of Williamstown, Hooper of Randolph, Lawrence of Lyndon and Norris of Shoreham,

House bill, entitled
An act relating to municipal land use regulation of accessory on-farm businesses;
To the committee on Agriculture and Forestry.

H. 664

By Reps. Christie of Hartford, Deen of Westminster, Mrowicki of Putney, Sharpe of Bristol, Smith of Derby and Yantachka of Charlotte,

House bill, entitled
An act relating to defective used motor vehicles;
To the committee on Transportation.

Senate Bill Referred

S. 169

Senate bill, entitled
An act relating to nonresident clergy authorized to solemnize marriages
Was read and referred to the committee on Government Operations.
Bill Referred to Committee on Appropriations

H. 199

House bill, entitled

An act relating to reinstating legislative members to the Commission on Alzheimer’s Disease and Related Disorders

Appearing on the Calendar, carrying an appropriation, under rule 35(a), was referred to the committee on Appropriations.

Legislative Oversight Committee On
Information Technology Appointed

Pursuant to 2 V.S.A. § 751, the Chair hereby appoints the following members to the Legislative Oversight Committee on Information Technology:

Rep. Lucke of Hartford
Rep. Taylor of Colchester
Rep. Parent of St. Albans Town
Rep. Jickling of Randolph

Bill Amended, Read Third Time; Bill Passed

H. 554

House bill, entitled

An act relating to the regulation of dams

Was taken up and pending third reading of the bill, Rep. Deen of Westminster moved to amend the bill as follows:

that the bill be amended in Sec. 1, in 10 V.S.A. § 1080, in subdivision (3), after “by a failure of the dam” and before the period by striking out “; or who notifies the Department of interest in the dam”

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

Committee Bill; Second Reading;
Bill Amended; Third Reading Ordered

H. 633

Rep. Toll of Danville spoke for the committee on Appropriations.

House bill entitled

An act relating to fiscal year 2018 budget adjustments
Having appeared on the Calendar one day for notice, was taken up, read the second time.

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

**First:** by inserting a new section to be numbered Sec. 2a. to read as follows:

Sec. 2a. 2017 Acts and Resolves No. 85, Sec. 139 is amended to read:

Sec. B.139  Tax department - reappraisal and listing payments

<table>
<thead>
<tr>
<th>Grants</th>
<th>3,460,000</th>
<th>3,550,000</th>
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</thead>
<tbody>
<tr>
<td>Total</td>
<td>3,460,000</td>
<td>3,550,000</td>
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Source of funds

<table>
<thead>
<tr>
<th>Education fund</th>
<th>3,460,000</th>
<th>3,550,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>3,460,000</td>
<td>3,550,000</td>
</tr>
</tbody>
</table>

**Second:** In Sec. 4 by striking out the figure “11,144,262” and inserting in lieu thereof the figure “11,234,262” and by striking out the figure “221,373,884” and inserting in lieu thereof the figure “221,463,884”

**Third:** In Sec. 23 by striking out the figure “6,628,127” and inserting in lieu thereof the figure “9,170,895” and by striking out the figure “4,290,915” and inserting in lieu thereof the figure “1,748,147”

**Fourth:** In Sec. 31, by striking out the figure “104,571,530” and inserting in lieu thereof the figure “107,114,298” and by striking out the figure “1,368,008,589” and inserting in lieu thereof the figure “1,365,465,821”

Which was agreed to.

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

**First:** In Sec. 8. By striking out the figure “262,236,825” and inserting in lieu thereof the figure “265,536,825” and by striking out the figure “291,450,091” and inserting in lieu thereof the figure “288,150,091”

**Second:** In Sec. 31, by striking out the figure “686,452,401” and inserting in lieu thereof the figure “689,752,401” and by striking out the figure “291,450,091” and inserting in lieu thereof the figure “288,150,091”

**Third:** In Sec. 37(a)(1) by striking out the figure “$5,486,116” and inserting in lieu thereof the figure “$4,826,116”

Which was agreed to.
Pending the question, Shall the bill be read a third time? Rep. Toleno of Brattleboro 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 read a third time? was decided in the affirmative. Yeas, 142. Nays, 1.

Those who voted in the affirmative are:

Ancel of Calais     Giambatista of Essex     Ode of Burlington
Bancroft of Westford Gonzalez of Winooski     O'Sullivan of Burlington
Bartholomew of Hartland Grad of Moretown     Pajala of Londonderry
Baser of Bristol     Graham of Williamstown     Parent of St. Albans Town
Batchelor of Derby    Haas of Rochester     Partridge of Windham
Beck of St. Johnsbury Harrison of Chittenden     Pearce of Richford
Belaski of Windsor    Head of South Burlington     Poirier of Barre City
Bissonnette of Winooski Hebert of Vernon     Potter of Clarendon
Bock of Chester       Helm of Fair Haven     Pugh of South Burlington
Botzow of Pownal      Higley of Lowell     Quimby of Concord
Brennan of Colchester     Hill of Wolcott     Read of Fayston
Briglin of Thetford    Hooper of Montpelier     Rosenquist of Georgia
Browning of Arlington     Hooper of Randolph     Savage of Swanton
Brumsted of Shelburne     Houghton of Essex     Scheu of Middlebury
Burditt of West Rutland     Howard of Rutland City     Scheuermann of Stowe
Burke of Brattleboro     Jessup of Middlesex     Sharpe of Bristol
Canfield of Fair Haven     Jickling of Randolph     Shaw of Pittsford
Carr of Brandon         Joseph of North Hero     Sheldon of Middlebury
Chesnut-Tangerman of     Juskiewicz of Cambridge     Sibilia of Dover
Middletown Springs      Keefe of Manchester     Smith of Derby
Christensen of Weathersfield     Keenan of St. Albans City     Smith of New Haven
Christie of Hartford     Kimbell of Woodstock     Squirrel of Underhill
Cina of Burlington     Kitzmiller of Montpelier     Stevens of Waterbury
Colburn of Burlington     Krowinski of Burlington     Strong of Albany
Condon of Colchester     LaClair of Barre Town     Stuart of Brattleboro
Conlon of Cornwall     Lanpher of Vergennes     Sullivan of Dorset
Connor of Fairfield     Lawrence of Lyndon     Sullivan of Burlington
Conquest of Newbury     Lefebvre of Newark     Taylor of Colchester
Copeland-Hanzas of       Lewis of Berlin     Terenzini of Rutland Town
Bradford               Lippert of Hinesburg     Till of Jericho
Corcoran of Bennington     Long of Newfane     Toleno of Brattleboro
Cupoli of Rutland City     Lucke of Hartford     Toll of Danville
Dakin of Colchester     Macaig of Williston     Townsend of South
Deen of Westminster     Marcotte of Coventry     Burlington
Devereux of Mount Holly     Martel of Waterford     Triere of Rockingham
Dickinson of St. Albans Town     Masland of Thetford     Troiano of Stannard
Town                   Mattos of Milton     Turner of Milton
Donahue of Northfield    McCormack of Burlington     Van Wyck of Ferrisburgh
Donovan of Burlington    McCoy of Poultney     Vien of Newport City
Dunn of Essex           McCullough of Williston     Walz of Barre City
Emmons of Springfield    McFaun of Barre Town     Webb of Shelburne
Fagan of Rutland City     Miller of Shaftsbury     Weed of Enosburgh
Feltus of Lyndon        Morrissey of Bennington     Willhoit of St. Johnsbury
Those who voted in the negative are:

Beyor of Highgate

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

Ainsworth of Royalton  Forguites of Springfield  Morris of Bennington
Buckholz of Hartford  Lalonde of South Burlington  Rachelson of Burlington

Rep. Krowinski of Burlington explained her vote as follows:

“Madam Speaker:

I voted yes for this budget adjustment because it continues to support our most vulnerable Vermonters while preparing us for the fiscal uncertainty in Washington, D.C. These targeted investments support working families so all Vermonters have a fair shot.”

Favorable Report; Second Reading;
Third Reading Ordered

H. 568

Rep. LaClair of Barre Town, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to approval of amendments to the charter of the Town of Barre

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

Adjournment

At one o'clock and fifty-nine 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.