

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

By Reps. Dunn of Essex, Buckholz of Hartford, Christie of Hartford, Donovan of Burlington, Gardner of Richmond, Gonzalez of Winooski, Houghton of Essex, Howard of Rutland City, Jickling of Randolph, Murphy of Fairfax, Ode of Burlington, Sheldon of Middlebury, Sibia of Dover, Squirrell of Underhill, Stuart of Brattleboro, Sullivan of Dorset, Sullivan of Burlington, Troiano of Stannard, Wood of Waterbury, Yacovone of Morristown and Yantachka of Charlotte,

House bill, entitled

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

To the committee on Health Care.

H. 642

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.

H. 643

By Reps. Chesnut-Tangerman 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.

H. 644

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.

H. 645

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.

H. 646

By Reps. Chesnut-Tangerman 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,

House bill, entitled

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,

House bill, entitled

An act relating to requiring a primary care provider on the Green Mountain Care Board;

To the committee on Health Care.

H. 659

By Reps. Dunn of Essex, Bissonnette of Winooski, Browning of Arlington, Buckholz of Hartford, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Donovan of Burlington, Fields of Bennington, Gardner of Richmond, Gonzalez of Winooski, Howard of Rutland City, Joseph of North Hero, Keenan of St. Albans City, Lanpher of Vergennes, Lefebvre of Newark, Lucke of Hartford, Masland of Thetford, Miller of Shaftsbury, Noyes of Wolcott, Ode of Burlington, Partridge of Windham, Poirier of Barre City, Sheldon of Middlebury, Sibiliala of Dover, Squirrell of Underhill, Stuart of Brattleboro, Sullivan of Dorset, Sullivan of Burlington, Townsend of South Burlington, Troiano of Stannard, Walz of Barre City, Webb of Shelburne, Weed of Enosburgh and Wood of Waterbury,

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

By Reps. Sheldon of Middlebury, Belaski of Windsor, Bock of Chester, Cina of Burlington, Conquest of Newbury, Dunn of Essex, Gonzalez of Winooski, Hooper of Randolph, Houghton of Essex, Joseph of North Hero, Lalonde of South Burlington, Lanpher of Vergennes, Lippert of Hinesburg, Lucke of Hartford, Masland of Thetford, McCullough of Williston, Mrowicki of Putney, Noyes of Wolcott, Ode of Burlington, Scheu of Middlebury, Squirrell of Underhill, Sullivan of Burlington, Till of Jericho, Townsend of South Burlington, Troiano of Stannard, Walz of Barre City, Wood of Waterbury, Yacovone of Morristown and Yantachka of Charlotte,

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

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|-----------------|------------------|------------------|
| Grants | <u>3,460,000</u> | <u>3,550,000</u> |
| Total | 3,460,000 | 3,550,000 |
| Source of funds | | |
| Education fund | <u>3,460,000</u> | <u>3,550,000</u> |
| Total | 3,460,000 | 3,550,000 |

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:

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| 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 Middletown Springs | Juskiewicz of Cambridge | Sibilia of Dover |
| Christensen of Weathersfield | Keefe of Manchester | Smith of Derby |
| Christie of Hartford | Keenan of St. Albans City | Smith of New Haven |
| Cina of Burlington | Kimbell of Woodstock | Squirrell of Underhill |
| Colburn of Burlington | Kitzmiller of Montpelier | Stevens of Waterbury |
| Condon of Colchester | Krowinski of Burlington * | Strong of Albany |
| Conlon of Cornwall | LaClair of Barre Town | Stuart of Brattleboro |
| Connor of Fairfield | Lanpher of Vergennes | Sullivan of Dorset |
| Conquest of Newbury | Lawrence of Lyndon | Sullivan of Burlington |
| Copeland-Hanzas of Bradford | Lefebvre of Newark | Taylor of Colchester |
| Corcoran of Bennington | Lewis of Berlin | Terenzini of Rutland Town |
| Cupoli of Rutland City | Lippert of Hinesburg | Till of Jericho |
| Dakin of Colchester | Long of Newfane | Toleno of Brattleboro |
| Deen of Westminster | Lucke of Hartford | Toll of Danville |
| Devereux of Mount Holly | Macaig of Williston | Townsend of South Burlington |
| Dickinson of St. Albans Town | Marcotte of Coventry | Trieber of Rockingham |
| Donahue of Northfield | Martel of Waterford | Troiano of Stannard |
| Donovan of Burlington | Masland of Thetford | Turner of Milton |
| Dunn of Essex | Mattos of Milton | Van Wyck of Ferrisburgh |
| Emmons of Springfield | McCormack of Burlington | Viens of Newport City |
| Fagan of Rutland City | McCoy of Poultney | Walz of Barre City |
| Feltus of Lyndon | McCullough of Williston | Webb of Shelburne |
| | McFaun of Barre Town | Weed of Enosburgh |
| | Miller of Shaftsbury | Willhoit of St. Johnsbury |
| | Morrissey of Bennington | |

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| Fields of Bennington | Mrowicki of Putney | Wood of Waterbury |
| Frenier of Chelsea | Murphy of Fairfax | Wright of Burlington |
| Gage of Rutland City | Myers of Essex | Yacovone of Morristown |
| Gamache of Swanton | Nolan of Morristown | Yantachka of Charlotte |
| Gannon of Wilmington | Norris of Shoreham | Young of Glover |
| Gardner of Richmond | Noyes of Wolcott | |

Those who voted in the negative are:

Beyor of Highgate

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

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| 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.