

Journal of the House

Tuesday, January 23, 2018

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rabbi Tobie Weisman, Yearning for Learning Center, Montpelier, VT.

Pledge of Allegiance

Page Zee Totten of Burlington led the House in the Pledge of Allegiance.

Message from the Senate No. 10

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. 150. An act relating to automated license plate recognition systems.

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

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 220. House concurrent resolution honoring former Senator Elizabeth M. Ready for her dedicated leadership on issues pertaining to social justice.

H.C.R. 221. House concurrent resolution designating January 2018 as School Board Recognition Month.

H.C.R. 222. House concurrent resolution congratulating the 2017 Fair Haven Union High School Slaters Division II championship football team.

H.C.R. 223. House concurrent resolution congratulating the 2017 South Burlington High School Wolves Division I championship boys' soccer team.

H.C.R. 224. House concurrent resolution congratulating the 2017 South Burlington High School Wolves on their three-peat Division I field hockey championship.

H.C.R. 225. House concurrent resolution congratulating the 2017 Lyndon

Institute Vikings Division III championship field hockey team.

H.C.R. 226. House concurrent resolution congratulating the 2017 Essex High School Hornets Division I championship boys' golf team.

H.C.R. 227. House concurrent resolution congratulating the 2017 Bellows Falls Union High School Terriers Division II championship field hockey team.

H.C.R. 228. House concurrent resolution congratulating the 2017 Lake Region Union High School Rangers Division II championship boys' soccer team.

Message from the Senate No. 11

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. 19. An act relating to allowing silver-level nonqualified health benefit plans to be offered outside the Vermont Health Benefit Exchange.

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

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 42. Joint resolution relating to weekend adjournment.

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

Rules Suspended; House Bills Introduced

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

H. 676

By Reps. Yantachka of Charlotte, McCormack of Burlington and Sullivan of Burlington,

House bill, entitled

An act relating to miscellaneous energy subjects;

To the committee on Energy and Technology.

H. 677

By Reps. Feltus of Lyndon, Belaski of Windsor, Lefebvre of Newark, Martel of Waterford, McCoy of Poultney, Nolan of Morristown, Rosenquist of

Georgia, Sullivan of Dorset and Walz of Barre City,

House bill, entitled

An act relating to collecting attorney's fees after enforcing a municipal zoning bylaw;

To the committee on Government Operations.

H. 678

By Reps. Smith of New Haven, Bock of Chester, Connor of Fairfield, Graham of Williamstown, Higley of Lowell, Hooper of Randolph, Lawrence of Lyndon, Norris of Shoreham and Van Wyck of Ferrisburgh,

House bill, entitled

An act relating to agricultural subsurface tile drainage;

To the committee on Agriculture and Forestry.

H. 679

By Rep. Botzow of Pownal,

House bill, entitled

An act relating to application of the solid waste franchise tax;

To the committee on Natural Resources, Fish and Wildlife.

H. 680

By Reps. Stevens of Waterbury, Sibilina of Dover, Hill of Wolcott, Baser of Bristol, Belaski of Windsor, Botzow of Pownal, Brumsted of Shelburne, Carr of Brandon, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Connor of Fairfield, Conquest of Newbury, Copeland-Hanzas of Bradford, Dakin of Colchester, Donovan of Burlington, Dunn of Essex, Gannon of Wilmington, Gonzalez of Winooski, Haas of Rochester, Head of South Burlington, Houghton of Essex, Howard of Rutland City, Jickling of Randolph, Kitzmiller of Montpelier, Lanpher of Vergennes, Lucke of Hartford, McCormack of Burlington, Morris of Bennington, Mrowicki of Putney, Noyes of Wolcott, O'Sullivan of Burlington, Ode of Burlington, Pajala of Londonderry, Read of Fayston, Scheu of Middlebury, Stuart of Brattleboro, Sullivan of Dorset, Troiano of Stannard, Walz of Barre City, Webb of Shelburne, Weed of Enosburgh and Yantachka of Charlotte,

House bill, entitled

An act relating to protecting consumers and promoting an open Internet in Vermont;

To the committee on Energy and Technology.

H. 681

By Reps. O'Sullivan of Burlington, Donovan of Burlington, Howard of Rutland City, Macaig of Williston, Till of Jericho, Walz of Barre City, Weed of Enosburgh and Yantachka of Charlotte,

House bill, entitled

An act relating to enforcement of employee misclassification;

To the committee on Commerce and Economic Development.

H. 682

By Reps. Sullivan of Burlington, Bartholomew of Hartland, Bissonnette of Winooski, Briglin of Thetford, Buckholz of Hartford, Burke of Brattleboro, Chesnut-Tangerman of Middletown Springs, Cina of Burlington, Colburn of Burlington, Conlon of Cornwall, Connor of Fairfield, Copeland-Hanzas of Bradford, Deen of Westminster, Donovan of Burlington, Dunn of Essex, Fields of Bennington, Gannon of Wilmington, Gardner of Richmond, Haas of Rochester, Hooper of Randolph, Howard of Rutland City, Jessup of Middlesex, McCormack of Burlington, McCullough of Williston, Mrowicki of Putney, O'Sullivan of Burlington, Ode of Burlington, Potter of Clarendon, Scheu of Middlebury, Sharpe of Bristol, Sheldon of Middlebury, Squirrell of Underhill, Stuart of Brattleboro, Till of Jericho, Troiano of Stannard, Walz of Barre City, Webb of Shelburne, Weed of Enosburgh, Yacovone of Morristown, Yantachka of Charlotte and Young of Glover,

House bill, entitled

An act relating to the Volkswagen Environmental Mitigation Trust;

To the committee on Energy and Technology.

H. 683

By Rep. Shaw of Pittsford,

House bill, entitled

An act relating to solar generation and renewable energy credits;

To the committee on Energy and Technology.

H. 684

By Rep. Townsend of South Burlington,

House bill, entitled

An act relating to professions and occupations regulated by the Office of

Professional Regulation;

To the committee on Government Operations.

H. 685

By Rep. O'Sullivan of Burlington,

House bill, entitled

An act relating to the registration of short-term rentals;

To the committee on Human Services.

H. 686

By Reps. Keefe of Manchester, Brumsted of Shelburne, Devereux of Mount Holly, Donahue of Northfield, Donovan of Burlington, Gage of Rutland City, Gamache of Swanton, Gannon of Wilmington, Lippert of Hinesburg, Noyes of Wolcott, Pugh of South Burlington, Rosenquist of Georgia and Yacovone of Morristown,

House bill, entitled

An act relating to establishing the Child Fatality Review Team;

To the committee on Human Services.

H. 687

By Rep. Bissonnette of Winooski,

House bill, entitled

An act relating to coyote-hunting competitions;

To the committee on Natural Resources, Fish and Wildlife.

H. 688

By Reps. Sheldon of Middlebury, Troiano of Stannard, Ancel of Calais, Bartholomew of Hartland, Belaski of Windsor, Buckholz of Hartford, Burke of Brattleboro, Carr of Brandon, Chesnut-Tangerman of Middletown Springs, Christensen of Weathersfield, Cina of Burlington, Connor of Fairfield, Conquest of Newbury, Donovan of Burlington, Dunn of Essex, Fields of Bennington, Gannon of Wilmington, Haas of Rochester, Hooper of Montpelier, Kitzmiller of Montpelier, Lanpher of Vergennes, Lippert of Hinesburg, Lucke of Hartford, Macaig of Williston, Masland of Thetford, McCormack of Burlington, McCullough of Williston, Miller of Shaftsbury, Mrowicki of Putney, O'Sullivan of Burlington, Pajala of Londonderry, Squirrell of Underhill, Stevens of Waterbury, Sullivan of Burlington, Till of Jericho, Walz of Barre City, Webb of Shelburne, Weed of Enosburgh,

Yacovone of Morristown and Yantachka of Charlotte,

House bill, entitled

An act relating to pollinator protection;

To the committee on Agriculture and Forestry.

H. 689

By Reps. Townsend of South Burlington and Yacovone of Morristown,

House bill, entitled

An act relating to funding domestic violence accountability programs and the position of Vermont Council on Domestic Violence Coordinator;

To the committee on Judiciary.

H. 690

By Reps. Haas of Rochester and Pugh of South Burlington,

House bill, entitled

An act relating to explanation of advance directives and treating clinicians who may sign a DNR/COLST;

To the committee on Human Services.

H. 691

By the committee on ,Transportation

An act relating to highway safety;

Pursuant to House rule 48, bill placed on the Calendar for notice.

H. 692

By Rep. Conquest of Newbury,

House bill, entitled

An act relating to eliminating certain prior authorization requirements for some health care providers;

To the committee on Health Care.

H. 693

By Reps. Strong of Albany, Brennan of Colchester, Christie of Hartford, Cupoli of Rutland City, Gonzalez of Winooski, Howard of Rutland City, Morrissey of Bennington, Read of Fayston, Smith of Derby and Walz of Barre City,

House bill, entitled

An act relating to designating the Honor and Remember Flag as the State Veterans Flag;

To the committee on General, Housing and Military Affairs.

H. 694

By Reps. Botzow of Pownal, Kimbell of Woodstock and Marcotte of Coventry,

House bill, entitled

An act relating to captive insurance companies;

To the committee on Commerce and Economic Development.

H. 695

By Rep. Rosenquist of Georgia,

House bill, entitled

An act relating to including hard cider under the beverage redemption system;

To the committee on Natural Resources, Fish and Wildlife.

Senate Bill Referred

S. 150

Senate bill, entitled

An act relating to automated license plate recognition systems

Was read and referred to the committee on Judiciary.

Bill Referred to Committee on Appropriations

H. 608

House bill, entitled

An act relating to creating an Older Vermonters Act working group

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

Joint Resolution Referred to Committee

J.R.H. 11

Joint resolution relating to an application of the Vermont General Assembly for Congress to call a convention for proposing an amendment to the U.S.

Constitution

Offered by: Representatives Helm of Fair Haven, Bancroft of Westford, Brennan of Colchester, Cupoli of Rutland City, Harrison of Chittenden, Hebert of Vernon, McCoy of Poultney, Savage of Swanton, Shaw of Pittsford, and Viens of Newport City

Whereas, members of the U.S. House and Senate may be elected for an unlimited number of terms, and

Whereas, although U.S. Representatives must stand for reelection biennially and U.S. Senators every six years, their extensive time away from home reduces their direct contact with the jurisdictions they represent, and

Whereas, the membership of Congress should change on a regular basis, in order that our federal legislators reflect the current thinking of their constituents and not become entrenched in our nation's capital, and

Whereas, the only way to accomplish this objective is by amending the U.S. Constitution to establish term limits on our federal legislators, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly, pursuant to Article V of the U.S. Constitution, hereby petitions the U.S. Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States of America that would place limitations on the number of terms that members of the U.S. House and Senate may serve, and be it further

Resolved: That this petition shall not be considered by the U.S. Congress until 33 other states submit petitions for the same purpose as Vermont proposes in this resolution and unless the Congress determines that the scope of the amendment to the U.S. Constitution that the convention shall consider shall be limited to the same purpose that Vermont has requested, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vice President of the United States; to the President Pro Tempore, Secretary, and Chair of the U.S. Senate Committee on the Judiciary; to the Speaker, Clerk, and Chair of the U.S. House of Representatives Committee on the Judiciary; to the Archivist of the United States; and to the Vermont Congressional Delegation.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Government Operations.

Second Reading; Bill Amended; Third Reading Ordered**H. 300**

Rep. Dickinson of St. Albans Town, for the committee on Judiciary, to which had been referred House bill, entitled

An act relating to the statute of limitations for recovery and possession of property actions against the grantee of a tax collector's deed

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

Sec. 1. 32 V.S.A. § 5261 is amended to read:

§ 5261. DEED BY COLLECTOR

When the time for redemption has passed and the land is not redeemed, the collector or his or her successor shall execute to the purchaser a deed, which shall convey to him or her a title against the person for whose tax it was sold and those claiming under him or her. No action shall be maintained against a grantee of lands in a tax collector deed, duly recorded, or his or her heirs or assigns, for recovery or possession of lands by the taxpayer, after the execution of a deed under this section.

Sec. 2. REPEAL

32 V.S.A. § 5263 (limitation of actions against grantee in possession) is repealed.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2018.

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

**Favorable Report; Second Reading;
Third Reading Ordered****H. 551**

Rep. Martel of Waterford, for the committee on Corrections and Institutions, to which had been referred House bill, entitled

An act relating to flying the Green Mountain Boys Flag at the State House

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.

**Favorable Report; Second Reading;
Third Reading Ordered**

H. 563

Rep. Willhoit of St. Johnsbury, for the committee on Judiciary, to which had been referred House bill, entitled

An act relating to repealing the crimes of vagrancy

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.

Second Reading;Third Reading Ordered

S. 149

Rep. Macaig of Williston, for the committee on Corrections and Institutions, to which had been referred Senate bill, entitled

An act relating to the authority of the Department of Forests, Parks and Recreation to enter into land transactions

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.

Message from Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the twenty-second day of January 2018, he signed a bill originating in the House of the following title:

H. 511 An act relating to eliminating penalties for possession of limited amounts of marijuana by adults 21 years of age or older

Adjournment

At ten o'clock and thirty-three minutes in the forenoon, on motion of **Rep. Savage of Swanton**, the House adjourned until tomorrow at one o'clock in the afternoon.