

Journal of the House

Thursday, January 25, 2018

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

Devotional Exercises

Devotional exercises were conducted by the Speaker.

Rules Suspended; House Bills Introduced

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

H. 697

By Reps. Walz of Barre City, Burke of Brattleboro, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Dunn of Essex, McCormack of Burlington, Squirrel of Underhill, Sullivan of Burlington and Yantachka of Charlotte,

House bill, entitled

An act relating to notification of public building accessibility;

To the committee on Corrections and Institutions.

H. 698

By Reps. Copeland-Hanzas of Bradford, Pugh of South Burlington and McFaun of Barre Town,

House bill, entitled

An act relating to establishing a non-opioid directive form;

To the committee on Human Services.

H. 699

By Reps. Sharpe of Bristol, Macaig of Williston, McCullough of Williston, Miller of Shaftsbury, Sullivan of Burlington and Till of Jericho,

House bill, entitled

An act relating to the imposition of an excise tax on sugar-sweetened beverages;

To the committee on Ways and Means.

H. 700

By Reps. Briglin of Thetford and Masland of Thetford,

House bill, entitled

An act relating to the Open Meeting Law and meeting minutes;

To the committee on Government Operations.

H. 701

By Reps. Briglin of Thetford, Baser of Bristol, Keefe of Manchester, Lefebvre of Newark, Masland of Thetford, Partridge of Windham and Wood of Waterbury,

House bill, entitled

An act relating to authorized spending of Class 2 Town Highway Roadway Program grants;

To the committee on Transportation.

H. 702

By Reps. Lanpher of Vergennes, Brumsted of Shelburne, Burke of Brattleboro, Cina of Burlington, Connor of Fairfield, Dunn of Essex, Gardner of Richmond, McFaun of Barre Town, Mrowicki of Putney, Pugh of South Burlington, Savage of Swanton, Till of Jericho, Townsend of South Burlington, Troiano of Stannard, Webb of Shelburne, Willhoit of St. Johnsbury and Wood of Waterbury,

House bill, entitled

An act relating to the Child Poverty Advisory Council;

To the committee on Human Services.

H. 703

By Reps. Joseph of North Hero, Ode of Burlington and Troiano of Stannard,

House bill, entitled

An act relating to increasing Probate judge salaries;

To the committee on Judiciary.

H. 704

By Reps. Masland of Thetford and Briglin of Thetford,

House bill, entitled

An act relating to valuation of a portion of a parcel where the portion is not enrolled in current use;

To the committee on Ways and Means.

H. 705

By Reps. Joseph of North Hero, Christie of Hartford, Deen of Westminster, Hooper of Randolph and Sullivan of Dorset,

House bill, entitled

An act relating to Vermont's personal income tax;

To the committee on Ways and Means.

H. 706

By Reps. Till of Jericho, Christie of Hartford, Joseph of North Hero, Lucke of Hartford and McCullough of Williston,

House bill, entitled

An act relating to increasing the smoking age to 21 and raising taxes on cigarettes and other tobacco products;

To the committee on Human Services.

H. 707

By Reps. Copeland-Hanzas of Bradford, Turner of Milton, Chesnut-Tangerman of Middletown Springs, Krowinski of Burlington, Sibia of Dover, Baser of Bristol, Beck of St. Johnsbury, Briglin of Thetford, Buckholz of Hartford, Burditt of West Rutland, Burke of Brattleboro, Canfield of Fair Haven, Christie of Hartford, Cina of Burlington, Colburn of Burlington, Conlon of Cornwall, Connor of Fairfield, Conquest of Newbury, Deen of Westminster, Donovan of Burlington, Grad of Moretown, Haas of Rochester, Harrison of Chittenden, Hill of Wolcott, Hooper of Randolph, Jickling of Randolph, Lanpher of Vergennes, Lippert of Hinesburg, Lucke of Hartford, McCormack of Burlington, McFaun of Barre Town, Miller of Shaftsbury, Morris of Bennington, Mrowicki of Putney, Noyes of Wolcott, Ode of Burlington, Partridge of Windham, Poirier of Barre City, Pugh of South Burlington, Scheu of Middlebury, Sheldon of Middlebury, Stevens of Waterbury, Stuart of Brattleboro, Sullivan of Dorset, Sullivan of Burlington, Till of Jericho, Toll of Danville, Townsend of South Burlington, Troiano of Stannard, Webb of Shelburne, Weed of Enosburgh, Willhoit of St. Johnsbury, Wood of Waterbury, Wright of Burlington, Yantachka of Charlotte and Young of Glover,

House bill, entitled

An act relating to the prevention of sexual harassment;

To the committee on General, Housing and Military Affairs.

H. 708

By Reps. Rachelson of Burlington, Cina of Burlington, Colburn of Burlington and Wright of Burlington,

House bill, entitled

An act relating to the examination of fatal opiate overdoses;

To the committee on Human Services.

H. 709

By Reps. Till of Jericho, Burke of Brattleboro, Christie of Hartford, Dunn of Essex, Head of South Burlington, Joseph of North Hero, Lucke of Hartford, Macaig of Williston, McCullough of Williston, Morris of Bennington, Stuart of Brattleboro and Wood of Waterbury,

House bill, entitled

An act relating to female genital mutilation;

To the committee on Health Care.

H. 710

By Reps. Donovan of Burlington, Sullivan of Burlington, Parent of St. Albans Town and Scheuermann of Stowe,

House bill, entitled

An act relating to beer and wine franchises;

To the committee on General, Housing and Military Affairs.

H. 711

By Reps. Stevens of Waterbury, Gonzalez of Winooski, Morris of Bennington, Sullivan of Dorset and Troiano of Stannard,

House bill, entitled

An act relating to employment protections for crime victims;

To the committee on General, Housing and Military Affairs.

H. 712

By Rep. Briglin of Thetford,

House bill, entitled

An act relating to the exemption from the minimum wage for students;
To the committee on General, Housing and Military Affairs.

H. 713

By Rep. Lippert of Hinesburg,
House bill, entitled

An act relating to prohibiting price gouging for essential off-patent or generic drugs;

To the committee on Health Care.

H. 714

By Reps. Masland of Thetford and Briglin of Thetford,
House bill, entitled

An act relating to the calculation of income for purposes of the homestead property tax income sensitivity adjustment and renter rebate;

To the committee on Ways and Means.

H. 715

By Reps. Donahue of Northfield, Brennan of Colchester, Gage of Rutland City, Lewis of Berlin, Lucke of Hartford and O'Sullivan of Burlington,
House bill, entitled

An act relating to municipal property taxation of private college and university buildings;

To the committee on Ways and Means.

H. 716

By Reps. Stevens of Waterbury and Wood of Waterbury,
House bill, entitled

An act relating to approval of the adoption of the charter of the Edward Farrar Utility District and the merger of the Village of Waterbury into the District;

To the committee on Government Operations.

Bill Referred to Committee on Ways and Means**H. 694**

House bill, entitled

An act relating to captive insurance companies

Appearing on the Calendar, affecting the revenue of the state, under rule 35(a), was referred to the committee on Ways and Means.

Second Reading; Bill Amended; Third Reading Ordered**H. 552**

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

An act relating to approval of the adoption and codification of the charter of the Town of Ferrisburgh

Reported in favor of its passage when amended as follows:

In Sec. 2, 24 App. V.S.A. chapter 119, in section 2, by striking out subsections (c) and (d) in their entirety and inserting in lieu thereof the following:

(c) Unless otherwise provided in this charter:

(1) the particular powers in this charter shall not be exclusive or restrict the scope of powers that the Town would otherwise have under State statutes or rules; and

(2) this charter shall not limit powers conferred by general or special enactment of State statutes or rules, including those conferred upon the Selectboard or other Town officers.

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.

**Favorable Reports; Second Reading;
Third Reading Ordered****H. 573**

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

An act relating to approval of an amendment to the charter of the City of Rutland

Reported in favor of its passage.

Rep. Canfield of Fair Haven, for the committee on Ways and Means 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.

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

H. 691

Rep. Brennan of Colchester spoke for the committee on Transportation.

House bill entitled

An act relating to highway safety

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. Haas of Rochester** moved to amend the bill as follows:

By striking out Sec. 4, 23 V.S.A. § 1217, in its entirety and inserting in lieu thereof the following:

Sec. 4. 23 V.S.A. § 1217 is added to read:

§ 1217. PERSONS UNDER 21 YEARS OF AGE; OPERATING A

VEHICLE WHILE UNDER THE INFLUENCE OF A DRUG;
CIVIL PENALTIES

(a) A person under 21 years of age shall not operate, attempt to operate, or be in actual physical control of a vehicle on a highway while under the influence of a drug.

(b) A violation of subsection (a) of this section shall be a civil offense subject to the jurisdiction of the Judicial Bureau and subject to the following sanctions:

(1) For a first violation, the Commissioner shall suspend the person's license to operate a motor vehicle for a period of six months.

(2) For a second or subsequent violation, the Commissioner shall suspend the person's license to operate a motor vehicle for a period of one year or until the person reaches 21 years of age, whichever is longer.

(3) Any suspension imposed pursuant to this section shall run concurrently with any suspension imposed pursuant to section 1205, 1206, 1208, or 1216 of this title, any suspension imposed by another jurisdiction under comparable statutes, or a suspension resulting from a conviction for a

violation of section 1091 of this title if it arose from the same incident. A person shall receive credit for any elapsed period of a suspension served in Vermont against a later suspension imposed in Vermont.

(c) No fine shall be imposed and no points shall be assessed for a violation of this section.

(d) Any civil penalty imposed by this section shall not bar prosecution for any crime arising out of the same violation, including a prosecution under section 1201 of this title.

(e) As used in subsection (a) of this section, “under the influence of a drug” shall have the same meaning as in subsection 1201(h) of this title.

Which was agreed to.

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

In Sec. 6, 23 V.S.A. § 1259, by inserting the following after the ellipsis and before subsection (e):

(b) A person is required to be restrained in a safety belt system unless:

(1) the person is a rural mail carrier of the U.S. Postal Service operating a motor vehicle in the performance of employment;

(2) the person is a driver or passenger frequently stopping and leaving the motor vehicle or delivering property from the motor vehicle, if the speed of the motor vehicle between stops does not exceed 15 miles per hour;

(3) the person is the operator of any farm tractor;

(4) the person is a member of the emergency personnel of an emergency motor vehicle and finds it necessary to be unrestrained in order to perform his or her duties;

(5) the motor vehicle the person is occupying is a bus or taxi;

(6) the person is required to be restrained under section 1258 of this title; ~~or~~

(7) the person has been ordered by an enforcement officer, a firefighter, or an authorized civil authority to evacuate persons from a stricken area; or

(8) the speed of the motor vehicle does not exceed 15 miles per hour and the period of continuous operation of the vehicle is less than one minute.

* * *

Which was disagreed to. Thereupon third reading of the bill was ordered.

Adjournment

At two o'clock and six 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.