Friday, January 26, 2018

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Marty Irons, Pharmacist, Fair Haven, VT.

Memorial Service

The Speaker placed before the House the following name of the member of past sessions of the Vermont General Assembly who had passed away recently:

Ruth S. Stokes of Williston  Member of the House,

Thereupon, the members of the House rose for a moment of silence in memory of the deceased member. The Clerk was thereupon directed to send a copy of the House Journal to the bereaved family.

Message from the Senate No. 12

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 bills of the following titles:

S. 101. An act relating to the conduct of forestry operations.

S. 291. An act relating to the annual town meeting of the unified towns and gores of Essex County and to the appraisers and supervisors of all unorganized towns and gores.

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. 717
By Rep. Kimbell of Woodstock,
House bill, entitled
An act relating to penalties for furnishing alcoholic beverages to minors;
To the committee on Judiciary.

H. 718
By Reps. Emmons of Springfield and Hooper of Montpelier,
House bill, entitled
An act relating to creation of the Restorative Justice Study Committee;
To the committee on Corrections and Institutions.

H. 719
By Rep. Botzow of Pownal,
House bill, entitled
An act relating to insurance companies and trust companies;
To the committee on Commerce and Economic Development.

H. 720
By Reps. Masland of Thetford, Briglin of Thetford, Christie of Hartford, McCormack of Burlington and Squirrel of Underhill,
House bill, entitled
An act relating to interconnection studies for small renewable generation plants;
To the committee on Energy and Technology.

H. 721
By Reps. Masland of Thetford, Briglin of Thetford, Christie of Hartford and Copeland-Hanzas of Bradford,
House bill, entitled
An act relating to the regulatory burden on solar net metering systems of 150 kilowatts or less;
To the committee on Energy and Technology.

H. 722
By Reps. Sharpe of Bristol, Botzow of Pownal and Miller of Shaftsbury,
House bill, entitled

An act relating to manufactured homes and energy conservation standards;
To the committee on General, Housing and Military Affairs.

H. 723

By Reps. Sullivan of Dorset, Batchelor of Derby, Brennan of Colchester, Buckholz of Hartford, Canfield of Fair Haven, Cupoli of Rutland City, Dunn of Essex, Fagan of Rutland City, Gannon of Wilmington, Higley of Lowell, Joseph of North Hero, Juskiewicz of Cambridge, LaClair of Barre Town, Lawrence of Lyndon, Lewis of Berlin, Martel of Waterford, McCoy of Poultey, McFaun of Barre Town, Morrissey of Bennington, Nolan of Morristown, Noyes of Wolcott, Savage of Swanton, Shaw of Pittsford, Smith of New Haven and Strong of Albany,

House bill, entitled

An act relating to limits on the prescription of opioids and creating a private right of action for prescriptions in excess of those limits;
To the committee on Human Services.

H. 724

By Reps. Rachelson of Burlington, Lalonde of South Burlington, Lucke of Hartford and Sullivan of Dorset,

House bill, entitled

An act relating to creating an income tax checkoff for the Organ Donation Special Fund;
To the committee on Ways and Means.

Senate Bill Referred
S. 101

Senate bill, entitled

An act relating to the conduct of forestry operations
Was read and referred to the committee on Agriculture and Forestry.

Senate Bill Referred
S. 291

Senate bill, entitled

An act relating to the annual town meeting of the unified towns and gores of Essex County and to the appraisers and supervisors of all unorganized
towns and gores
Was read and referred to the committee on Government Operations.

**Bill Referred to Committee on Appropriations**

**H. 271**

House bill, entitled
An act relating to administration of the Supplemental Nutrition Assistance Program

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

**Bill Referred to Committee on Appropriations**

**H. 571**

House bill, entitled
An act relating to creating the Department of Liquor and Lottery and the Board of Liquor and Lottery

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

**Read Third Time; Bill Passed**

**H. 691**

House bill, entitled
An act relating to highway safety

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

**First:** By inserting a section after Sec. 6 to read as follows:

Sec. 6a. 23 V.S.A. § 1259 is amended to read:

§ 1259. SAFETY BELTS; PERSONS AGE 18 YEARS OF AGE OR OVER

* * *

(e) [Repealed.] This section may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for another suspected traffic violation. An operator shall not be subject to the penalty established in this section unless the operator is required to pay a penalty for the primary violation.
Second: By striking out Sec. 9 and the reader assistance thereto in their entirety and inserting in lieu thereof the following:

* * * Reporting of Roadside Stop Data * * *

Sec. 9. REPORTING OF ROADSIDE STOP DATA RELATED TO ADULT SEATBELT LAW STOPS

On or before January 15, 2019, January 15, 2020, and January 15, 2021, in connection with roadside stops for a suspected violation of 23 V.S.A. § 1259 that occurred in the prior calendar year, the Criminal Justice Training Council shall provide a report to the General Assembly of the stop data required to be collected under 20 V.S.A. § 2366(e)(1), both at the level of the individual stops and as a statistical summary of the stops in the prior calendar year that involved suspected violations of 23 V.S.A. § 1259.

* * * Effective Dates * * *

Sec. 10. EFFECTIVE DATES

(a) This section and Sec. 7 (education campaign) shall take effect on passage.

(b) Sec. 6 (authorizing primary enforcement of adult seatbelt law) shall take effect on October 1, 2018.

(c) Sec. 6a (secondary enforcement of adult seatbelt law) shall take effect on May 1, 2021.

(d) All other sections shall take effect on July 1, 2018.

Thereupon, Rep. Gonzalez of Winooski asked and was granted leave of the House to withdraw her amendment.

Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? Rep. Van Wyck of Ferrisburgh 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, 133. Nays, 7.

Those who voted in the affirmative are:

Ancel of Calais    Gardner of Richmond    Norris of Shoreham
Bancroft of Westford    Giambatista of Essex    Ode of Burlington
Bartholomew of Hartland    Gonzalez of Winooski    O'Sullivan of Burlington
Baser of Bristol    Graham of Williamstown    Pajala of Londonderry
Batchelor of Derby    Haas of Rochester    Parent of St. Albans Town
Beck of St. Johnsbury    Harrison of Chittenden    Partridge of Windham
Belaski of Windsor
Bissonnette of Winooski
Bock of Chester
Botzow of Pownal
Brennan of Colchester
Briglin of Thetford
Browning of Arlington
Brumsted of Shelburne
Buckholz of Hartford
Burke of Brattleboro
Canfield of Fair Haven
Carr of Brandon
Chesnut-Tangerman of Middletown Springs
Christensen of Weathersfield
Christie of Hartford
Cina of Burlington
Colburn of Burlington *
Condon of Colchester
Conlon of Cornwall
Connor of Fairfax
Conquest of Newbury
Copeland-Hanzas of Bradford
Corcoran of Bennington
Cupoli of Rutland City
Dakin of Colchester
Deen of Westminster
Devereux of Mount Holly
Donahue of Northfield
Donovan of Burlington
Emmons of Springfield
Fagan of Rutland City
Feltus of Lyndon
Fields of Bennington
Forguites of Springfield
Frenier of Chelsea
Gage of Rutland City
Gamache of Swanton
Gannon of Wilmington
Head of South Burlington
Helm of Fair Haven
Hill of Wolcott
Hooper of Montpelier
Hooper of Randolph
Houghton of Essex
Howard of Rutland City
Jessup of Middlesex
Jickling of Randolph
Joseph of North Hero
Juskiewicz of Cambridge
Keefe of Manchester
Keenan of St. Albans City
Krowinski of Burlington
LaClair of Barre Town
Lalonde of South Burlington
Lawrence of Lyndon
Lefebvre of Newark
Lewis of Berlin
Lippert of Hinesburg
Long of Newfane
Lucke of Hartford
Macaig of Williston
Marcotte of Coventry
Martel of Waterford
Masland of Williston
McCormack of Burlington
McCoy of Poultney
McCullough of Williston
McFau of Barre Town
Miller of Shaftsbury
Morris of Bennington
Morrissey of Bennington
Mrowicki of Putney
Murphy of Fairfax
Myers of Essex
Nolan of Morristown
Pearce of Richford
Poirier of Barre City
Potter of Clarendon
Quimby of Concord
Rachelson of Burlington
Read of Fayston
Savage of Swanton
Scheu of Middlebury
Scheuermann of Stowe
Sharpe of Bristol
Shaw of Pittsford
Sheldon of Middlebury
Smith of Derby
Smith of New Haven
Squirrel of Underhill
Stevens of Waterbury
Stuart of Brattleboro
Tol of Danville
Townsend of South
Burlington
Wolcott
Van Wyck of Ferrisburgh *
Webb of Shelburne
Weed of Enosburgh
Willhoit of St. Johnsbury
Wood of Waterbury
Wright of Burlington
Yacovone of Morristown
Yantachka of Charlotte

Those who voted in the negative are:

Beyor of Highgate
Burditt of West Rutland
Higley of Lowell

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

Ainsworth of Royalton
Dickinson of St. Albans

Kimbell of Woodstock
Noyes of Wolcott
Van Wyck of Ferrisburgh *
Grad of Moretown
Hebert of Vernon
Young of Glover
Strong of Albany
Till of Jericho
Rep. Colburn of Burlington explained her vote as follows:

“Madam Speaker:

I support this bill because of convincing evidence that primary seat belt laws save lives and help to reduce racial disparities in roadside fatalities.

That said, I am concerned about creating any new opportunities that may add to racial disparities in traffic stops and ticketing. Collecting data is not enough. Eliminating disparities and bias requires evaluating and using that data to enact meaningful change. We can and must do better.”

Rep. Van Wyck of Ferrisburgh explained his vote as follows:

“Madam speaker:

I voted no. Though in general I support primary seat belt enforcement, I don't support making ordinary drivers law-breakers for performing routine, trivial, low-risk, momentary activities with their vehicles, The body should pass common sense legislation and not treat adult drivers as third graders, who lack reasonable judgment.”

Third Reading; Bill Passed

H. 552

House bill, entitled

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

Was taken up, read the third time and passed.

Third Reading; Bill Passed

H. 573

House bill, entitled

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

Was taken up, read the third time and passed.

Adjournment

At ten o'clock and twenty minutes in the forenoon, on motion of Rep. Turner of Milton, the House adjourned until Tuesday, January 30, 2018, at ten o’clock in the forenoon, pursuant to the provisions of J.R.S. 42.
Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

**H.C.R. 229**

House concurrent resolution commemorating the 150th anniversary of the Grand Army of the Republic’s General Order relating to Decoration Day (Memorial Day);

**H.C.R. 230**

House concurrent resolution honoring Jeffrey M. Lewis for his people-centric organizational leadership;

**H.C.R. 231**

House concurrent resolution congratulating the 2017 St. Johnsbury Academy Hilltoppers Division I championship football team;

**H.C.R. 232**

House concurrent resolution recognizing the important health care contributions of nurse anesthetists and the week of January 21-27, 2018 as National Nurse Anesthetists Week in Vermont;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2017, seventy-fourth Biennial session.]