

# Journal of the House

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, Sessions 1985-1986, 1987-1988, 1989-1990, 1991-1992
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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 Squirrell 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 Poultney, 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	Head of South Burlington	Pearce of Richford
Bissonnette of Winooski	Helm of Fair Haven	Poirier of Barre City
Bock of Chester	Hill of Wolcott	Potter of Clarendon
Botzow of Pownal	Hooper of Montpelier	Quimby of Concord
Brennan of Colchester	Hooper of Randolph	Rachelson of Burlington
Briglin of Thetford	Houghton of Essex	Read of Fayston
Browning of Arlington	Howard of Rutland City	Savage of Swanton
Brumsted of Shelburne	Jessup of Middlesex	Scheu of Middlebury
Buckholz of Hartford	Jickling of Randolph	Scheuermann of Stowe
Burke of Brattleboro	Joseph of North Hero	Sharpe of Bristol
Canfield of Fair Haven	Juskiewicz of Cambridge	Shaw of Pittsford
Carr of Brandon	Keefe of Manchester	Sheldon of Middlebury
Chesnut-Tangerman of Middletown Springs	Keenan of St. Albans City	Sibilia of Dover
Christensen of Weathersfield	Kitzmiller of Montpelier	Smith of Derby
Christie of Hartford	Krowinski of Burlington	Smith of New Haven
Cina of Burlington	LaClair of Barre Town	Squirrell of Underhill
Colburn of Burlington *	Lalonde of South Burlington	Stevens of Waterbury
Condon of Colchester	Lanpher of Vergennes	Stuart of Brattleboro
Conlon of Cornwall	Lawrence of Lyndon	Sullivan of Dorset
Connor of Fairfield	Lefebvre of Newark	Sullivan of Burlington
Conquest of Newbury	Lewis of Berlin	Taylor of Colchester
Copeland-Hanzas of Bradford	Lippert of Hinesburg	Terenzini of Rutland Town
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 Burlington
Deen of Westminster	Marcotte of Coventry	Trieber of Rockingham
Devereux of Mount Holly	Martel of Waterford	Troiano of Stannard
Donahue of Northfield	Masland of Thetford	Turner of Milton
Donovan of Burlington	Mattos of Milton	Viens of Newport City
Emmons of Springfield	McCormack of Burlington	Walz of Barre City
Fagan of Rutland City	McCoy of Poultney	Webb of Shelburne
Feltus of Lyndon	McCullough of Williston	Weed of Enosburgh
Fields of Bennington	McFaun of Barre Town	Willhoit of St. Johnsbury
Forguites of Springfield	Miller of Shaftsbury	Wood of Waterbury
Frenier of Chelsea	Morris of Bennington	Wright of Burlington
Gage of Rutland City	Morrissey of Bennington	Yacovone of Morristown
Gamache of Swanton	Mrowicki of Putney	Yantachka of Charlotte
Gannon of Wilmington	Murphy of Fairfax	
	Myers of Essex	
	Nolan of Morristown	

Those who voted in the negative are:

Beyor of Highgate	Kimbell of Woodstock	Young of Glover
Burditt of West Rutland	Noyes of Wolcott	
Higley of Lowell	Van Wyck of Ferrisburgh *	

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

Ainsworth of Royalton	Grad of Moretown	Strong of Albany
Dickinson of St. Albans	Hebert of Vernon	Till of Jericho

Town  
Dunn of Essex

Pugh of South Burlington  
Rosenquist of Georgia

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**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.

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**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.]