

Journal of the House

Tuesday, January 30, 2018

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

Devotional Exercises

Devotional exercises were conducted by Nick Bartell, Montpelier Church of Christ, Berlin, VT.

Pledge of Allegiance

Page Gabriel Groveman of Marshfield led the House in the Pledge of Allegiance.

Message from the Senate No. 13

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. 207. An act relating to eliminating fees for placing or removing a credit freeze.

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. 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.

Message from the Senate No. 14

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 adopted joint resolution of the following title:

J.R.S. 43. 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. 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. 725

By Rep. Hill of Wolcott,

House bill, entitled

An act relating to the regulation of transportation network companies;

To the committee on Commerce and Economic Development.

H. 726

By Reps. Sheldon of Middlebury, Chesnut-Tangerman of Middletown Springs, McCormack of Burlington and Troiano of Stannard,

House bill, entitled

An act relating to creating a voluntary pollinator-friendly standard for solar arrays;

To the committee on Agriculture and Forestry.

H. 727

By Rep. Grad of Moretown,

House bill, entitled

An act relating to the admissibility of a child's hearsay statements in a proceeding before the Human Services Board;

To the committee on Human Services.

H. 728

By Reps. Grad of Moretown, Hooper of Montpelier, Colburn of Burlington, Conquest of Newbury, Lalonde of South Burlington, Morris of Bennington, Rachelson of Burlington and Willhoit of St. Johnsbury,

House bill, entitled

An act relating to bail reform;

To the committee on Judiciary.

H. 729

By Rep. Stevens of Waterbury,

House bill, entitled

An act relating to the creation of the Vermont Water Resources Board;

To the committee on Natural Resources, Fish and Wildlife.

H. 730

By Rep. Deen of Westminster,

House bill, entitled

An act relating to State response to waters in crisis;

To the committee on Natural Resources, Fish and Wildlife.

H. 731

By Reps. Marcotte of Coventry and Botzow of Pownal,

House bill, entitled

An act relating to the classification of employees;

To the committee on Commerce and Economic Development.

H. 732

By Reps. Joseph of North Hero and Grad of Moretown,

House bill, entitled

An act relating to waiver of court surcharges and certain program fees for a person who is charged with DUI and is represented by a public defender;

To the committee on Judiciary.

H. 733

By Reps. Fagan of Rutland City, Cupoli of Rutland City, Gage of Rutland City, Howard of Rutland City, McCoy of Poultney, Shaw of Pittsford and

Sullivan of Dorset,

House bill, entitled

An act relating to the definition of prostitution;

To the committee on Judiciary.

H. 734

By Rep. Yacovone of Morristown,

House bill, entitled

An act relating to certain limitations on the certificate of need program;

To the committee on Health Care.

H. 735

By Reps. Till of Jericho, Houghton of Essex, Stuart of Brattleboro, Briglin of Thetford, Christensen of Weathersfield, Cina of Burlington, Copeland-Hanzas of Bradford, Cupoli of Rutland City, Dunn of Essex, Masland of Thetford, Mrowicki of Putney, Ode of Burlington, Sullivan of Burlington and Troiano of Stannard,

House bill, entitled

An act relating to requiring a health care professional on the Green Mountain Care Board;

To the committee on Health Care.

H. 736

By Rep. Pugh of South Burlington,

House bill, entitled

An act relating to lead poisoning prevention;

To the committee on Human Services.

H. 737

By Reps. Baser of Bristol and Stuart of Brattleboro,

House bill, entitled

An act relating to miscellaneous provisions affecting credit unions;

To the committee on Commerce and Economic Development.

H. 738

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to adopting the Uniform Business Organizations Code;

To the committee on Commerce and Economic Development.

H. 739

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to energy productivity investments under the self-managed energy efficiency program;

To the committee on Energy and Technology.

H. 740

By Reps. Condon of Colchester and Harrison of Chittenden,

House bill, entitled

An act relating to the delivery of cigars purchased over the Internet or by mail or telephone;

To the committee on General, Housing and Military Affairs.

H. 741

By Rep. Lalonde of South Burlington,

House bill, entitled

An act relating to criminal history record fees;

To the committee on Judiciary.

H. 742

By Reps. Partridge of Windham and Higley of Lowell,

House bill, entitled

An act relating to special licenses for domestic pets and wolf-hybrids;

To the committee on Agriculture and Forestry.

H. 743

By Reps. O'Sullivan of Burlington and Hill of Wolcott,

House bill, entitled

An act relating to workers' compensation;

To the committee on Commerce and Economic Development.

H. 744

By Reps. Canfield of Fair Haven, Grad of Moretown, Baser of Bristol, Batchelor of Derby, Beyor of Highgate, Brennan of Colchester, Burditt of West Rutland, Christie of Hartford, Condon of Colchester, Cupoli of Rutland City, Donahue of Northfield, Fagan of Rutland City, Frenier of Chelsea, Gage of Rutland City, Gamache of Swanton, Hebert of Vernon, Jickling of Randolph, Keefe of Manchester, Lewis of Berlin, Lucke of Hartford, Martel of Waterford, Mattos of Milton, Morrissey of Bennington, Myers of Essex, Norris of Shoreham, Poirier of Barre City, Quimby of Concord, Read of Fayston, Rosenquist of Georgia, Savage of Swanton, Scheuermann of Stowe, Shaw of Pittsford, Sibilina of Dover, Smith of Derby, Smith of New Haven, Strong of Albany, Sullivan of Dorset, Terenzini of Rutland Town, Troiano of Stannard, Willhoit of St. Johnsbury and Wright of Burlington,

House bill, entitled

An act relating to veterans and military affairs;

To the committee on General, Housing and Military Affairs.

H. 745

By Reps. Partridge of Windham, Bock of Chester, Buckholz of Hartford, Higley of Lowell, Hooper of Randolph, Lawrence of Lyndon, Norris of Shoreham and Smith of New Haven,

House bill, entitled

An act relating to establishing a federally compliant industrial hemp pilot program;

To the committee on Agriculture and Forestry.

H. 746

By Reps. Sullivan of Burlington, Bartholomew of Hartland and Cina of Burlington,

House bill, entitled

An act relating to fossil fuel infrastructure;

To the committee on Energy and Technology.

H. 747

By Rep. Condon of Colchester,

House bill, entitled

An act relating to providing for cash penalties against landlords who fail to

provide adequate heat;

To the committee on General, Housing and Military Affairs.

H. 748

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to electronic filing of proposed plans, plan amendments, and bylaws under Title 24;

To the committee on Commerce and Economic Development.

H. 749

By Rep. Sibilias of Dover,

House bill, entitled

An act relating to the Underground Utility Damage Prevention System;

To the committee on Energy and Technology.

H. 750

By Rep. Young of Glover,

House bill, entitled

An act relating to providing financial assistance for animal-welfare-certified producers in Vermont;

To the committee on Agriculture and Forestry.

H. 751

By Reps. Howard of Rutland City, Chesnut-Tangerman of Middletown Springs, Christie of Hartford, Cina of Burlington, Donovan of Burlington, Fagan of Rutland City, Fields of Bennington, Miller of Shaftsbury and Weed of Enosburgh,

House bill, entitled

An act relating to exemptions from the minimum wage;

To the committee on General, Housing and Military Affairs.

H. 752

By Reps. Savage of Swanton and Gamache of Swanton,

House bill, entitled

An act relating to the constitutional qualifications to be a "candidate";

To the committee on Government Operations.

H. 753

By Reps. Savage of Swanton and Gamache of Swanton,
House bill, entitled

An act relating to rental housing and installation of antennas;

To the committee on General, Housing and Military Affairs.

H. 754

By Reps. Troiano of Stannard, Strong of Albany and Young of Glover,
House bill, entitled

An act relating to residences on State rail property;

To the committee on Transportation.

H. 755

By Rep. Lalonde of South Burlington,
House bill, entitled

An act relating to prohibiting public employers from offering cash in lieu of health coverage to certain employees;

To the committee on Health Care.

H. 756

By Reps. Lalonde of South Burlington, Miller of Shaftsbury, Sharpe of Bristol and Troiano of Stannard,

House bill, entitled

An act relating to ending the suspension of State aid for school construction projects;

To the committee on Corrections and Institutions.

H. 757

By Reps. Noyes of Wolcott and Yacovone of Morristown,
House bill, entitled

An act relating to municipal development planning and healthy community design;

To the committee on Natural Resources, Fish and Wildlife.

H. 758

By Reps. Jessup of Middlesex, Buckholz of Hartford, Burke of Brattleboro, Cina of Burlington, Colburn of Burlington, Donovan of Burlington, Gonzalez of Winooski, O'Sullivan of Burlington, Rachelson of Burlington and Weed of Enosburgh,

House bill, entitled

An act relating to prohibiting housing discrimination based on immigration status;

To the committee on General, Housing and Military Affairs.

H. 759

By Reps. Stuart of Brattleboro and Burke of Brattleboro,

House bill, entitled

An act relating to creating a Windham County Regional Career Center website pilot project;

To the committee on Commerce and Economic Development.

H. 760

By Reps. Chesnut-Tangerman of Middletown Springs, Buckholz of Hartford, Canfield of Fair Haven, Carr of Brandon, Copeland-Hanzas of Bradford, Cupoli of Rutland City, Fagan of Rutland City, Forguites of Springfield, Gage of Rutland City, Hebert of Vernon, Howard of Rutland City, Joseph of North Hero, Keefe of Manchester, Norris of Shoreham, Potter of Clarendon, Shaw of Pittsford, Sibia of Dover, Terenzini of Rutland Town and Turner of Milton,

House bill, entitled

An act relating to precluding defendants held without bail from the Home Detention Program;

To the committee on Corrections and Institutions.

H. 761

By Reps. Colburn of Burlington, Willhoit of St. Johnsbury and Rachelson of Burlington,

House bill, entitled

An act relating to limiting the imposition of appearance bonds;

To the committee on Judiciary.

H. 762

By Reps. Keenan of St. Albans City, Dakin of Colchester and Fagan of Rutland City,

House bill, entitled

An act relating to farm truck and agricultural custom service vehicle registration fees;

To the committee on Transportation.

H. 763

By the committee on Natural Resources; Fish and Wildlife,

An act relating to a study of approaches to greenhouse gas reduction;

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

H. 764

By the committee on Commerce and Economic Development,

An act relating to data brokers and consumer protection;

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

H. 765

By Reps. Botzow of Pownal, Marcotte of Coventry, Carr of Brandon, Frenier of Chelsea, Hill of Wolcott, Kimbell of Woodstock, McCoy of Poultney, Myers of Essex, O'Sullivan of Burlington, Sheldon of Middlebury, Stuart of Brattleboro and Sullivan of Dorset,

House bill, entitled

An act relating to blockchain, cryptocurrency, and financial technology;

To the committee on Commerce and Economic Development.

H. 766

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to creating a homeowner's rehabilitation tax credit;

To the committee on Commerce and Economic Development.

H. 767

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to adopting the ThinkVermont Innovation Initiative;
To the committee on Commerce and Economic Development.

H. 768

By Reps. Botzow of Pownal and Marcotte of Coventry,
House bill, entitled

An act relating to increasing the amount available under the Down Payment Assistance Program;

To the committee on Ways and Means.

H. 769

By Reps. Botzow of Pownal and Marcotte of Coventry,
House bill, entitled

An act relating to creating a partially refundable research and development tax credit;

To the committee on Ways and Means.

H. 770

By Reps. Noyes of Wolcott, Jessup of Middlesex, Keefe of Manchester, Martel of Waterford, Parent of St. Albans Town and Troiano of Stannard,

House bill, entitled

An act relating to creating an automotive workforce training pilot program;

To the committee on Commerce and Economic Development.

Senate Bill Referred

S. 207

Senate bill, entitled

An act relating to eliminating fees for placing or removing a credit freeze

Was read and referred to the committee on Commerce and Economic Development.

Bill Referred to Committee on Appropriations

H. 638

House bill, entitled

An act relating to increasing the number of examiners on the Board of Bar Examiners from nine to 11 members

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

**Committee Relieved of Consideration
and Bill Committed to Other Committee**

H. 689

Rep. Grad of Moretown moved that the committee on Judiciary be relieved of House bill, entitled

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

And that the bill be committed to the committee on Government Operations, which was agreed to.

Second Reading; Bill Amended; Third Reading Ordered

H. 566

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

An act relating to animal cruelty

Reported in favor of its passage when amended as follows:

by adding a new section to be Sec. 1a to read as follows:

Sec. 1a. 13 V.S.A. § 353(a) is amended to read:

(a) Penalties.

* * *

(5) A person who violates subdivision 352(1) of this title by intentionally killing or attempting to kill an animal belonging to another or subdivision 352(2) of this title by torturing, administering poison to, or cruelly ~~beating~~ striking one or more times or mutilating an animal shall be imprisoned not more than two years or fined not more than \$5,000.00, or both.

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

H. 549

Rep. Squirrell of Underhill, for the committee on Natural Resources, Fish and Wildlife, to which had been referred House bill, entitled

An act relating to the Petroleum Cleanup Fund

Reported in favor of its passage.

Rep. Masland of Thetford, for the committee on Ways and Means reported in favor of its passage.

Rep. Feltus of Lyndon, for the committee on Appropriations reported in favor of its passage.

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

First: By adding a Sec. 3a to read:

Sec. 3a. COMBINATION TANK SYSTEMS; CONTINUATION OF
SERVICE

(a) As used in this section:

(1) “Combination tank system” shall have the same meaning as set forth in 10 V.S.A. § 1922.

(2) “Motor fuel” means fuel subject to the licensing fee under 10 V.S.A. § 1942(a).

(b) Notwithstanding the requirements in 10 V.S.A. § 1927(e)(2) that a combination tank system shall be closed by January 1, 2018, the Secretary of Natural Resources may authorize a combination tank service to supply motor fuel after January 1, 2018 upon a determination that the combination tank system:

(1) is the sole supply of motor fuel in the municipality in which the combination tank system is located;

(2) is needed to supply motor fuel to public safety or fire control services in the municipality; and

(3) the owner of the combination system has entered into a contract and obtained financing to replace the tank as required under 10 V.S.A. § 1927.

(c) The Secretary may authorize continued supply of motor fuel from a combination tank system under this section until August 1, 2018.

(d) This section shall be repealed on August 1, 2018.

Second: By striking out Sec. 4 (Effective date) in its entirety and inserting in lieu thereof the following:

Sec. 4. EFFECTIVE DATES

(a) This section and Sec. 3a (combination tank system continuation) shall

take effect on passage.

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

Which was agreed to.

Thereupon, 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. 611

Rep. Morris of Bennington, for the committee on Judiciary, to which had been referred House bill, entitled

An act relating to compensation for victims of crime

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 Reports; Second Reading;
Third Reading Ordered**

H. 694

Rep. Myers of Essex, for the committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to captive insurance companies

Reported in favor of its passage.

Rep. Baser of Bristol, 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.

Second Reading; Third Reading Ordered

S. 19

Rep. Briglin of Thetford, for the committee on Health Care, to which had been referred Senate bill, entitled

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

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.

Adjournment

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