

# Journal of the House

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**Tuesday, February 6, 2018**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rep. Brian Cina of Burlington.

## **Pledge of Allegiance**

Page Joshua Amones of Orange led the House in the Pledge of Allegiance.

## **Message from the Senate No. 17**

A message was received from the Senate by Mr. Bloomer, its 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. 29.** An act relating to decedents' estates.

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. 233.** House concurrent resolution recognizing January 2018 as National Mentoring Month in Vermont.

**H.C.R. 234.** House concurrent resolution designating Wednesday, January 31, 2018 as Mental Health Advocacy Day at the State House.

## **Message from the Senate No. 18**

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. 289.** An act relating to protecting consumers and promoting an open Internet in Vermont.

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

The Senate has on its part adopted joint resolutions of the following titles:

**J.R.S. 45.** Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2018.

**J.R.S. 46.** 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. 864**

By Rep. Yantachka of Charlotte,

House bill, entitled

An act relating to designations related to music;

To the committee on Commerce and Economic Development.

#### **H. 865**

By Reps. Grad of Moretown, Burditt of West Rutland and Conquest of Newbury,

House bill, entitled

An act relating to expungement of misdemeanor marijuana convictions;

To the committee on Judiciary.

#### **H. 866**

By Rep. Turner of Milton,

House bill, entitled

An act relating to suspicion-based drug testing in the Reach Up program;

To the committee on Human Services.

#### **H. 867**

By Reps. Connor of Fairfield, Colburn of Burlington, Lalonde of South Burlington, O'Sullivan of Burlington, Weed of Enosburgh and Young of Glover,

House bill, entitled

An act relating to the provision of medication-assisted treatment for

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inmates;

To the committee on Corrections and Institutions.

**H. 868**

By Reps. Christie of Hartford, Buckholz of Hartford, Kitzmiller of Montpelier, Gonzalez of Winooski and Morris of Bennington,

House bill, entitled

An act relating to mitigating statewide systemic racism;

To the committee on Judiciary.

**H. 869**

By Reps. Pugh of South Burlington, Haas of Rochester, Krowinski of Burlington and Sibilica of Dover,

House bill, entitled

An act relating to insurance coverage for over-the-counter contraceptives without cost-sharing;

To the committee on Health Care.

**H. 870**

By Rep. Keenan of St. Albans City,

House bill, entitled

An act relating to fiscal years 2018 and 2019 education payments to school districts;

To the committee on Education.

**H. 871**

By Reps. Connor of Fairfield, Conlon of Cornwall, Lalonde of South Burlington and Weed of Enosburgh,

House bill, entitled

An act relating to the term of service for district officers of a union school district or unified union district;

To the committee on Education.

**H. 872**

By Rep. Shaw of Pittsford,

House bill, entitled

An act relating to workers' compensation;

To the committee on Commerce and Economic Development.

**H. 873**

By Reps. Colburn of Burlington, Cina of Burlington, Jessup of Middlesex, Lalonde of South Burlington, Morris of Bennington, Troiano of Stannard and Wright of Burlington,

House bill, entitled

An act relating to amending the excess spending calculation;

To the committee on Education.

**H. 874**

By Reps. Connor of Fairfield, Colburn of Burlington, Lalonde of South Burlington, O'Sullivan of Burlington and Weed of Enosburgh,

House bill, entitled

An act relating to inmate access to prescription drugs;

To the committee on Corrections and Institutions.

**H. 875**

By Rep. Sullivan of Dorset,

House bill, entitled

An act relating to immunity for recreational use of municipally owned land;

To the committee on Judiciary.

**H. 876**

By Reps. Keenan of St. Albans City, Ancel of Calais, Briglin of Thetford, Brumsted of Shelburne, Christie of Hartford, Cina of Burlington, Dakin of Colchester, Donovan of Burlington, Dunn of Essex, Gardner of Richmond, Hooper of Montpelier, Jessup of Middlesex, Joseph of North Hero, Lalonde of South Burlington, Lucke of Hartford, Masland of Thetford, McCullough of Williston, Mrowicki of Putney, O'Sullivan of Burlington, Squirrell of Underhill, Stevens of Waterbury, Stuart of Brattleboro, Till of Jericho and Yantachka of Charlotte,

House bill, entitled

An act relating to prohibiting bump-fire stocks for firearms;

To the committee on Judiciary.

**H. 877**

By Reps. Botzow of Pownal, Marcotte of Coventry, Frenier of Chelsea, 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 creating a workforce training pilot project for weatherization trades;

To the committee on Commerce and Economic Development.

**H. 878**

By Reps. Cina of Burlington, Buckholz of Hartford, Chesnut-Tangerman of Middletown Springs, Colburn of Burlington, Gonzalez of Winooski, Haas of Rochester, Jessup of Middlesex and Weed of Enosburgh,

House bill, entitled

An act relating to local management of State funds;

To the committee on Commerce and Economic Development.

**H. 879**

By Rep. Keenan of St. Albans City,

House bill, entitled

An act relating to the administration of federally funded workforce education and training programs;

To the committee on Commerce and Economic Development.

**H. 880**

By Reps. Cina of Burlington, Buckholz of Hartford, Burke of Brattleboro, Chesnut-Tangerman of Middletown Springs, Colburn of Burlington, Dunn of Essex, Gonzalez of Winooski, Grad of Moretown, Keenan of St. Albans City, Lalonde of South Burlington, Masland of Thetford, McCormack of Burlington, Stuart of Brattleboro, Till of Jericho, Weed of Enosburgh and Yantachka of Charlotte,

House bill, entitled

An act relating to prohibiting the involuntary sterilization of individuals with an intellectual disability;

To the committee on Human Services.

**H. 881**

By Reps. Forguites of Springfield, Bock of Chester and Emmons of Springfield,

House bill, entitled

An act relating to corrective action plans under Act 250;

To the committee on Natural Resources, Fish and Wildlife.

**H. 882**

By Rep. Frenier of Chelsea,

House bill, entitled

An act relating to workforce development for clean water initiatives;

To the committee on Commerce and Economic Development.

**H. 883**

By Reps. Botzow of Pownal and Marcotte of Coventry,

House bill, entitled

An act relating to public-private partnerships for infrastructure projects;

To the committee on Commerce and Economic Development.

**H. 884**

By Reps. Trieber of Rockingham, Conquest of Newbury, Keenan of St. Albans City, Kimbell of Woodstock, Krowinski of Burlington, Morris of Bennington, Noyes of Wolcott, Partridge of Windham and Young of Glover,

House bill, entitled

An act relating to fees for motor vehicle inspections;

To the committee on Transportation.

**Senate Bill Referred****S. 29**

Senate bill, entitled

An act relating to decedents' estates

Was read and referred to the committee on Judiciary.

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**Joint Resolution Referred to Committee****J.R.H. 12**

Joint resolution urging Congress to establish a system of checks and balances for a decision to launch a nuclear attack

Offered by: Representatives Sullivan of Burlington, Copeland-Hanzas of Bradford, Hooper of Montpelier, Jessup of Middlesex, McCullough of Williston, Scheu of Middlebury, and Squirrel of Underhill

Whereas, the President of the United States has the sole authority to launch a nuclear attack, without consulting anyone else and with no system of checks and balances, and

Whereas, the first use of nuclear weapons would almost inevitably result in a retaliatory strike and potentially could result in the total destruction of any of our communities, and

Whereas, for example, a single 300-ton nuclear detonation from what is considered a small nuclear bomb centered on Boston, Massachusetts, would result in an estimated 11,310 deaths and 22,590 injuries, and

Whereas, all Americans have the right to live a life free from the threat of the reckless use of nuclear weapons, and

Whereas, the detonation of even a small number of nuclear weapons would result in global catastrophic human, environmental, and economic consequences, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges Congress to establish a system of checks and balances for a decision to launch a nuclear attack, to ensure that the President of the United States no longer has the sole and unchecked authority to launch nuclear weapons except for purposes of retaliation, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the President of the United States and the Vermont Congressional Delegation.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on General, Housing and Military Affairs.

**Joint Resolution Referred to Committee****J.R.H. 13**

Joint resolution affirming all Vermonters' right to freedom of expression and dissent through nonviolent means of expression and assembly and that the State of Vermont must ensure the protection of these fundamental rights

Offered by: Representatives Emmons of Springfield, Buckholz of Hartford, and Burke of Brattleboro

Whereas, throughout Vermont's history, the right of individuals and assembled groups to express dissenting political viewpoints nonviolently has been constitutionally enshrined, and

Whereas, Vt. Const. Ch. I, Art. 13 provides "that the people have a right to freedom of speech, and of writing and publishing their sentiments," and

Whereas, Vt. Const. Ch. I, Art. 20 provides "that the people have a right to assemble together to consult for their common good—to instruct their Representatives—and to apply to the Legislature for redress of grievances, by address, petition or remonstrance," and

Whereas, the legal commentator John W. Whitehead has written that "if the government can control speech, it can control thought," and that "by muzzling the citizenry, by removing the constitutional steam valves that allow people to speak their minds ... the government is ... creating a climate in which violence becomes inevitable," and

Whereas, throughout the country, a number of states with similar constitutional protections have proposed laws that would curtail the right of individuals and assembled groups to express dissenting political viewpoints nonviolently, and

Whereas, examples of such proposals are Indiana Senate Bill 285, creating the crime of mass traffic obstruction when 10 or more persons obstruct vehicular traffic as part of a protest; Iowa Senate Bill 426, establishing increasingly severe penalties for subsequent offenses of obstructing traffic on a public highway with a minimum speed limit of 55 miles per hour, culminating in a maximum fine of \$7,500.00 and prison term of five years; Minnesota House Bill 322, directing the assessment of public safety response costs of persons convicted of participating in or being present at an unlawful demonstration or committing a public nuisance; and Virginia Senate Bill 1055, creating a crime for remaining at an unlawful assembly after having been warned to disperse, and

Whereas, the increased national interest in state legislation curtailing the right of expression and nonviolent assembly is extremely troubling, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly affirms all Vermonters' right to freedom of expression and dissent through nonviolent means of expression and assembly and that the State of Vermont must ensure the protection of these fundamental



rights.

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

**Action on Bill Postponed**

**H. 585**

House bill, entitled

An act relating to management of records

Was taken up and pending the reading of the report of the committee on Government Operations, on motion of **Rep. Devereux of Mount Holly**, action on the bill was postponed until February 7, 2018.

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

**H. 686**

**Rep. Keefe of Manchester**, for the committee on Human Services, to which had been referred House bill, entitled

An act relating to establishing the Child Fatality Review Team

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

Sec. 1. 18 V.S.A. chapter 30A is added to read:

CHAPTER 30A. CHILD FATALITY REVIEW TEAM

§ 1561. CHILD FATALITY REVIEW TEAM

(a) Creation. There is created the Child Fatality Review Team within the Department of Health for the following purposes:

(1) to examine cases of child fatality in Vermont in which the fatality is either unexpected, unexplained, or preventable;

(2) to identify system gaps and risk factors associated with child fatalities that are either unexpected, unexplained, or preventable;

(3) to educate the public, service providers, and policymakers about unexpected, unexplained, or preventable child fatalities and strategies for intervention;

(4) to recommend legislation, rules, policies, practices, training, and coordination of services that promote interagency collaboration and prevent future unexpected, unexplained, or preventable child fatalities.

(b) Membership.

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(1) The Team shall comprise the following members:

(A) the Chief Medical Examiner or designee;

(B) the Commissioner of Health or designee;

(C) the Commissioner for Children and Families or designee;

(D) the Commissioner of Mental Health or designee;

(E) the Commissioner of Public Safety or designee;

(F) the Secretary of Education or designee;

(G) the Attorney General or designee;

(H) a physician licensed to practice pursuant to 26 V.S.A. chapter 23 or 33 who specializes in the practice of pediatrics, appointed by the Vermont chapter of the American Academy of Pediatrics;

(I) a physician licensed to practice pursuant to 26 V.S.A. chapter 23 or 33 who specializes in the practice of child psychiatry, appointed by the Vermont Psychiatric Association;

(J) a municipal law enforcement officer, appointed by the Vermont Association of Chiefs of Police; and

(K) any other professional specializing in child abuse or neglect, health, social work, child care, education, or law enforcement and who is appointed by the Secretary of Human Services.

(2)(A) The members of the Team specified in subdivision (1) of this subsection shall serve three-year terms, except that of the members first appointed pursuant to subdivisions (1)(H)–(K) of this subsection, two shall serve a term of one year and two shall serve a term of two years.

(B) Any vacancy on the Team shall be filled in the same manner as the original appointment. The replacement member shall serve for the remainder of the unexpired term.

(c) Meetings.

(1) The Team shall meet at such times as may reasonably be necessary to carry out its duties, but at least once in each calendar quarter.

(2) The Commissioner of Health or designee shall call the first meeting of the Team to occur on or before September 30, 2018.

(3) The Team shall select a chair and vice chair from among its members at the first meeting, and biannually thereafter.

(d) Assistance. The Team shall have the administrative, technical, and

legal assistance of the Department of Health.

(e) Access to information and records.

(1) In any case under review by the Team, upon written request of the Chair, a person who possesses information or records that are necessary and relevant to the review of a child fatality that is either unexpected, unexplained, or preventable shall, as soon as practicable, provide the Team with the information and records. All requests for information or records by the Chair related to a case under review shall be provided by the person possessing the information or records to the Team at no cost.

(2) A person shall not be held criminally or civilly liable for disclosing or providing information or records to the Team pursuant to this subsection.

(3) The Team shall not have access to the proceedings, reports, and records of a peer review committee as defined in 26 V.S.A. § 1441.

(f) Limitations.

(1) The Team's review process shall not commence until:

(A) any criminal prosecution arising out of the child fatality is concluded or the Attorney General and State's Attorney provide written notice to the Team that no criminal charges shall be filed; and

(B) any investigation by the Department for Children and Families is concluded.

(2) The Team shall seek to obtain information or records generated in the course of an investigation from State agencies or law enforcement officials before making a request to health care providers and educators.

(g)(1) Confidentiality. The records produced or acquired by the Team are exempt from public inspection and copying under the Public Records Act and shall be kept confidential. The records of the Team are not subject to subpoena, discovery, or introduction into evidence in a civil or criminal action. Nothing in this section shall be construed to limit or restrict the right to discover or use in any civil or criminal proceedings information or records that are available from another source and entirely outside the Team's review. The Team shall not use the information or records generated during the course of its review for purposes other than those described in this section.

(2) The Team's meetings are confidential and shall be exempt from 1 V.S.A. chapter 5, subchapter 2 (the Vermont Open Meeting Law).

(3) Members of the Team and persons invited to testify before the Team shall not disclose information, records, discussions, and opinions stated in connection to the Team's review. Members of the Team and persons invited to

testify before the Team shall execute a sworn statement honoring the confidentiality of all information, records, discussions, and opinions related to the Team's review, which shall be maintained by the Chair.

(h) Report. Notwithstanding 2 V.S.A. § 20(d), the Team shall report its conclusions and recommendations to the Governor and General Assembly, as the Team deems necessary, but not less frequently than once per calendar year. The report shall disclose individually identifiable information only to the extent necessary to convey the Team's conclusions and recommendations, and any such disclosures shall be limited to information already known to the public. The report shall be available to the public through the Department of Health.

## Sec. 2. 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 Human Services agreed to and third reading ordered.

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

#### **H. 719**

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

An act relating to insurance companies and trust companies

Reported in favor of its passage when amended as follows:

in Sec. 8, 8 V.S.A. § 12602(q), by striking out "section 12201" and inserting in lieu thereof subsection 12201(a)

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

### **Bill Ordered to Lie**

#### **H. 581**

House bill, entitled

An act relating to Connectivity Initiative grant eligibility

Having appeared on the Calendar one day for notice, was taken up and pending the report of the committee on Energy and Technology, on motion of Rep. Carr of Brandon, the bill was ordered to lie.

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

**H. 799**

**Rep. Burditt of West Rutland** spoke for the committee on Judiciary.

House bill entitled

An act relating to notice of sale of property subject to unpaid property taxes

Having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

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

**H. 589**

**Rep. Troiano of Stannard**, for the committee on Human Services, recommended the bill ought to pass.

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

An act relating to the reasonable and prudent parent standard

Reported in favor of its passage when amended as follows:

In Sec. 1, subdivision (a)(2), by inserting the word "parent" after the word "prudent"

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

**Bill Amended, Read Third Time; Bill Passed**

**H. 562**

House bill, entitled

An act relating to parentage proceedings

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

In Sec. 1, 15C V.S.A. § 808(e), in the second sentence, by striking out the word "Specific" and inserting in lieu thereof the following: "Except in cases where the gestational carrier has contributed a gamete, specific"

Which was disagreed to.

Thereupon, pending third reading of the bill, **Rep. Donahue of Northfield**

moved to amend the bill as follows:

that the bill be amended in Sec. 1, 15C V.S.A. § 609(a)(2), by striking out the words “may adjudicate the person as the child’s parent, unless otherwise provided by this title” and inserting in lieu thereof the words “shall adjudicate the person as the child’s parent, unless the court finds the person is unfit”

Which was disagreed to.

Thereupon, pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the bill as follows:

In Sec. 1, 15C V.S.A. § 611, by adding a subsection (c) to read as follows:

(c) A genetic specimen taken pursuant to this section shall be destroyed after final determination of the parentage case.

Pending the question, Shall the bill be amended as offered by Rep. Donahue of Northfield? **Rep. Donahue of Northfield** 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 be amended as offered by Rep. Donahue of Northfield? was decided in the negative. Yeas, 70. Nays, 73.

Those who voted in the affirmative are:

Bancroft of Westford	Gamache of Swanton	Nolan of Morristown
Baser of Bristol	Graham of Williamstown	Norris of Shoreham
Batchelor of Derby	Harrison of Chittenden	Noyes of Wolcott
Beck of St. Johnsbury	Hebert of Vernon	Pajala of Londonderry
Beyor of Highgate	Helm of Fair Haven	Parent of St. Albans Town
Bock of Chester	Higley of Lowell	Pearce of Richford
Brennan of Colchester	Houghton of Essex	Poirier of Barre City
Browning of Arlington	Jickling of Randolph	Quimby of Concord
Canfield of Fair Haven	Juskiewicz of Cambridge	Rosenquist of Georgia
Chesnut-Tangerman of	Keefe of Manchester	Savage of Swanton
Middletown Springs	Kimbell of Woodstock	Scheuermann of Stowe
Christensen of Weathersfield	LaClair of Barre Town	Shaw of Pittsford
Cina of Burlington	Lawrence of Lyndon	Sibilia of Dover
Condon of Colchester	Lefebvre of Newark	Smith of Derby
Connor of Fairfield	Lewis of Berlin	Smith of New Haven
Cupoli of Rutland City	Marcotte of Coventry	Strong of Albany
Devereux of Mount Holly	Martel of Waterford	Taylor of Colchester
Donahue of Northfield	Masland of Thetford	Terenzini of Rutland Town
Donovan of Burlington	Mattos of Milton	Till of Jericho
Dunn of Essex	McCormack of Burlington	Trojano of Stannard
Feltus of Lyndon	McCoy of Poultney	Turner of Milton
Forguites of Springfield	Morrissey of Bennington	Wood of Waterbury
Frenier of Chelsea	Murphy of Fairfax	Wright of Burlington
Gage of Rutland City	Myers of Essex	

Those who voted in the negative are:

Ancel of Calais	Giambatista of Essex	Pugh of South Burlington
Bartholomew of Hartland	Gonzalez of Winooski	Rachelson of Burlington *
Belaski of Windsor	Grad of Moretown	Read of Fayston
Bissonnette of Winooski	Haas of Rochester	Scheu of Middlebury
Botzow of Pownal	Head of South Burlington	Sharpe of Bristol
Briglin of Thetford	Hill of Wolcott	Sheldon of Middlebury
Brumsted of Shelburne	Hooper of Montpelier	Squirrell of Underhill
Buckholz of Hartford	Hooper of Randolph	Stevens of Waterbury
Burditt of West Rutland	Howard of Rutland City	Stuart of Brattleboro
Burke of Brattleboro	Jessup of Middlesex	Sullivan of Dorset
Carr of Brandon	Joseph of North Hero	Sullivan of Burlington
Christie of Hartford	Keenan of St. Albans City	Toll of Danville
Colburn of Burlington	Kitzmiller of Montpelier	Townsend of South
Conlon of Cornwall	Krowinski of Burlington	Burlington
Conquest of Newbury	Lalonde of South Burlington	Trieber of Rockingham
Copeland-Hanzas of	Lanpher of Vergennes	Van Wyck of Ferrisburgh
Bradford	Lippert of Hinesburg	Viens of Newport City
Corcoran of Bennington	Long of Newfane	Walz of Barre City
Dakin of Colchester	Macaig of Williston	Webb of Shelburne
Deen of Westminster	McCullough of Williston	Weed of Enosburgh
Dickinson of St. Albans	Morris of Bennington	Willhoit of St. Johnsbury
Town	Mrowicki of Putney	Yacovone of Morristown
Emmons of Springfield	Ode of Burlington	Yantachka of Charlotte
Fagan of Rutland City	O'Sullivan of Burlington	Young of Glover
Gannon of Wilmington	Partridge of Windham	
Gardner of Richmond	Potter of Clarendon	

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

Ainsworth of Royalton	Lucke of Hartford	Miller of Shaftsbury
Fields of Bennington	McFaun of Barre Town	Toleno of Brattleboro

**Rep. Rachelson of Burlington** explained her vote as follows:

“Madam Speaker:

I strongly believe that Vermonters need a privacy protection law for genetic testing and results. This amendment, while well intentioned, addresses the issue on the fly and has unintended consequences.”

Thereupon, pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the bill as follows:

In Sec. 1, 15C V.S.A. § 614(b), by striking out the words “a court order or”

Which was agreed to.

Thereupon, pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the bill as follows:

In Sec. 1, 15C V.S.A. § 611, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) Prior to issuing an order under subsection (a) of this section, the court shall provide notice and opportunity to be heard to the person from whom a genetic sample is requested. If the court does order a person to be tested pursuant to subsection (a) of this section, it shall make a written finding that the need for genetic testing outweighs the legitimate interests, including the privacy and bodily integrity interests, of the person sought to be tested.

Pending the question, Shall the bill be amended as offered by Rep. Donahue of Northfield? **Rep. Willhoit of St. Johnsbury** 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 be amended as offered by Rep. Donahue of Northfield? was decided in the affirmative. Yeas, 141. Nays, 1.

Those who voted in the affirmative are:

Ancel of Calais	Gardner of Richmond	O'Sullivan of Burlington
Bancroft of Westford	Gonzalez of Winooski	Pajala of Londonderry
Bartholomew of Hartland	Grad of Moretown	Parent of St. Albans Town
Baser of Bristol	Graham of Williamstown	Partridge of Windham
Batchelor of Derby	Haas of Rochester	Pearce of Richford
Beck of St. Johnsbury	Harrison of Chittenden	Poirier of Barre City
Belaski of Windsor	Head of South Burlington	Potter of Clarendon
Beyor of Highgate	Hebert of Vernon	Pugh of South Burlington
Bissonnette of Winooski	Helm of Fair Haven	Quimby of Concord
Bock of Chester	Higley of Lowell	Rachelson of Burlington
Botzow of Pownal	Hill of Wolcott	Read of Fayston
Brennan of Colchester	Hooper of Montpelier	Rosenquist of Georgia
Briglin of Thetford	Hooper of Randolph	Savage of Swanton
Browning of Arlington	Houghton of Essex	Scheu of Middlebury
Brumsted of Shelburne	Howard of Rutland City	Scheuermann of Stowe
Buckholz of Hartford	Jessup of Middlesex	Shaw of Pittsford
Burditt of West Rutland	Jickling of Randolph	Sheldon of Middlebury
Burke of Brattleboro	Joseph of North Hero	Sibilia of Dover
Canfield of Fair Haven	Juskiewicz of Cambridge	Smith of Derby
Carr of Brandon	Keefe of Manchester	Smith of New Haven
Chesnut-Tangerman of	Keenan of St. Albans City	Squirrell of Underhill
Middletown Springs	Kimbell of Woodstock	Stevens of Waterbury
Christensen of Weathersfield	Kitzmiller of Montpelier	Strong of Albany
Christie of Hartford	Krowinski of Burlington	Stuart of Brattleboro
Cina of Burlington *	LaClair of Barre Town	Sullivan of Dorset
Colburn of Burlington	Lalonde of South Burlington	Sullivan of Burlington
Condon of Colchester	Lanpher of Vergennes	Taylor of Colchester
Conlon of Cornwall	Lawrence of Lyndon	Terenzini of Rutland Town
Connor of Fairfield	Lefebvre of Newark	Till of Jericho
Conquest of Newbury	Lewis of Berlin	Toleno of Brattleboro
Copeland-Hanzas of	Lippert of Hinesburg	Toll of Danville



Bradford	Long of Newfane	Townsend of South
Corcoran of Bennington	Macaig of Williston	Burlington
Cupoli of Rutland City	Marcotte of Coventry	Trieber of Rockingham
Dakin of Colchester	Martel of Waterford	Troiano of Stannard
Deen of Westminster	Masland of Thetford	Turner of Milton
Devereux of Mount Holly	Mattos of Milton	Van Wyck of Ferrisburgh
Dickinson of St. Albans Town	McCormack of Burlington	Viens of Newport City
Donahue of Northfield	McCoy of Poultney	Walz of Barre City
Donovan of Burlington	McCullough of Williston	Webb of Shelburne
Dunn of Essex	Morris of Bennington	Weed of Enosburgh
Emmons of Springfield	Morrissey of Bennington	Willhoit of St. Johnsbury
Fagan of Rutland City	Mrowicki of Putney	Wood of Waterbury
Feltus of Lyndon	Murphy of Fairfax	Wright of Burlington
Forguites of Springfield	Myers of Essex	Yacovone of Morristown
Frenier of Chelsea	Nolan of Morristown	Yantachka of Charlotte
Gage of Rutland City	Norris of Shoreham	Young of Glover
Gamache of Swanton	Noyes of Wolcott	
	Ode of Burlington	

Those who voted in the negative are:

Gannon of Wilmington

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

Ainsworth of Royalton	Lucke of Hartford	Sharpe of Bristol
Fields of Bennington	McFaun of Barre Town	
Giambatista of Essex	Miller of Shaftsbury	

**Rep. Cina of Burlington** explained his vote as follows:

“Madam Speaker:

I support this amendment as an improvement to current practices. However I have continued concerns about the rights of an individual to privacy and bodily integrity, especially in legal matters in which they may have no other connection besides their genetics.”

Thereupon, the bill was read a third time and passed.

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

**H. 603**

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

An act relating to human trafficking

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.

**Adjournment**

At twelve o'clock and thirty-nine minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at one o'clock in the afternoon.