

Journal of the House

Wednesday, February 7, 2018

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

Devotional Exercises

Devotional exercises were conducted by Cricket Liebermann, U32 High School, East Montpelier, VT and Ryan Morra, Vermont Farm to School Network, Hinesburg, VT

House Bills Introduced

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

H. 885

By Rep. Burke of Brattleboro,
House bill, entitled

An act relating to providing financial assistance to Vermonters whose motor vehicles fail inspection;

To the committee on Transportation.

H. 886

By Rep. Harrison of Chittenden,
House bill, entitled

An act relating to allowing pharmacists to disclose the cash price of prescription drugs;

To the committee on Health Care.

Senate Bill Referred

S. 289

Senate bill, entitled

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

Was read and referred to the committee on Energy and Technology.

Joint Resolution Adopted in Concurrence**J.R.S. 45**

By Senator Ashe,

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.

Whereas, in recent years it has become increasingly necessary to shorten the length of time spent by the General Assembly in joint session for the election of various officials, and

Whereas, if elections for multiple vacancies were to be decided by a plurality vote, then a great savings of time can be effectuated, *now therefore be it*

Resolved by the Senate and House of Representatives:

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of two legislative trustees of the Vermont State Colleges Corporation at a Joint Assembly to be held on February 15, 2018, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be two.

(2) The two candidates receiving the greater number of votes shall be declared elected to fill the two vacancies.

(3) In the event that the first balloting for the Trustee vacancies results in a tie vote for one or both of the two vacant positions, then voting shall continue on successive ballots for the unfilled position or positions until the vacancies have been filled by election declared of the two candidates receiving the greater number of votes.

Was taken up, read and adopted in concurrence.

Joint Resolution Adopted in Concurrence**J.R.S. 46**

By Senator Ashe,

J.R.S. 46. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 9, 2018, it be to

meet again no later than Tuesday, February 13, 2018.

Was taken up, read and adopted in concurrence.

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

H. 717

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

An act relating to penalties for furnishing alcoholic beverages to minors

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

Third Reading; Bill Passed

H. 589

House bill, entitled

An act relating to the reasonable and prudent parent standard

Was taken up, read the third time and passed.

Third Reading; Bill Passed

H. 603

House bill, entitled

An act relating to human trafficking

Was taken up, read the third time and passed.

Third Reading; Bill Passed

H. 719

House bill, entitled

An act relating to insurance companies and trust companies

Was taken up, read the third time and passed.

Bill Amended, Read Third Time; Bill Passed

H. 799

House bill, entitled

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

Was taken up and pending third reading of the bill, **Reps. Murphy of Fairfax and Quimby of Concord** moved to amend the bill as follows:

Sec. 1, 32 V.S.A. § 5252(a), by striking out subdivisions (3) and (4) in their entirety and inserting in lieu thereof new subdivisions (3) and (4) to read as follows:

(3) Give the delinquent taxpayer written notice by ~~registered~~ certified mail requiring a return receipt directed to the last known address of the delinquent of the date and place of such sale at least 10 days prior thereto if the delinquent is a resident of the town, and 20 days prior thereto if the delinquent is a nonresident of the town. If the notice by certified mail is returned unclaimed, notice shall be provided to the taxpayer by resending the notice by first-class mail or by personal service pursuant to Rule 4 of the Vermont Rules of Civil Procedure.

(4) Give to the mortgagee or lien holder of record written notice of such sale at least 10 days prior thereto if a resident of the town, and if a nonresident, 20 days' notice to the mortgagee or lien holder of record or his or her agent or attorney by ~~registered~~ certified mail requiring a return receipt directed to the last known address of such person. If the notice by certified mail is returned unclaimed, notice shall be provided by resending the notice by first-class mail or by personal service pursuant to Rule 4 of the Vermont Rules of Civil Procedure.

Which was agreed to. Thereupon, the bill was read the third time and passed.

Bill Amended, Read Third Time; Bill Passed

H. 686

House bill, entitled

An act relating to establishing the Child Fatality Review Team

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

In Sec. 1, 18 V.S.A. § 1561, by inserting after subsection (h) a subsection (i) to read as follows:

(i) As used in this chapter, "child" means an individual from the time of birth to 18 years of age.

Which was agreed to. Thereupon, the bill was read the third time and passed.

Second Reading; Bill Amended; Third Reading Ordered

H. 585

Rep. Devereux of Mount Holly, for the committee on Government

Operations, to which had been referred House bill, entitled

An act relating to management of records

Reported in favor of its passage when amended as follows:

By striking out Sec. 2 in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. 1 V.S.A. § 317a is amended to read:

§ 317a. DISPOSITION MANAGEMENT OF PUBLIC RECORDS

(a)(1) Public records in general and archival records in particular should be systematically managed to provide ready access to vital information, to promote the efficient and economical operation of government, and to preserve their legal, administrative, and informational value.

(2) Any public agency may seek services from the Statewide Records and Information Management Program, as defined in 3 V.S.A. § 117(b) and administered by the Vermont State Archives and Records Administration, to establish, maintain, and implement an active and continuing internal records and information management program for the agency.

(b) A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule, as defined in 3 V.S.A. § 117(a)(6), that has been approved by the State Archivist pursuant to 3 V.S.A. § 117(a)(5).

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.

Message from the Senate No. 19

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. 179. An act relating to community justice centers.

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

**Committee Bill; Second Reading;
Third Reading Ordered
H. 846**

Rep. Brumsted of Shelburne spoke for the committee on Government Operations.

House bill entitled

An act relating to the application of general law to chartered municipalities

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. 748

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

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

Reported in favor of its passage.

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

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

First: By striking out Sec. 1 in its entirety and inserting in lieu thereof new Secs. 1, 2, and 3 to read:

Sec. 1. 24 V.S.A. § 2793 is amended to read:

§ 2793. DESIGNATION OF DOWNTOWN DEVELOPMENT DISTRICTS

* * *

(c) A designation issued under this section shall be effective for eight years and may be renewed on application by the municipality. The State Board also shall review a community's designation every five four years after issuance or renewal and may review compliance with the designation requirements at more frequent intervals. On and after July 1, 2014, any Any community applying for renewal shall explain how the designation under this section has furthered the goals of the town plan and shall submit an approved town plan map that depicts the boundary of the designated district. If at any time the State Board determines that the downtown development district no longer meets the standards for designation established in subsection (b) of this

section, it may take any of the following actions:

* * *

Sec. 2. 24 V.S.A. § 2793a is amended to read:

§ 2793a. DESIGNATION OF VILLAGE CENTERS BY STATE BOARD

* * *

(d) The State Board shall review a village center designation every five ~~eight~~ years and may review compliance with the designation requirements at more frequent intervals. ~~On and after July 1, 2014, any~~ Any community applying for renewal shall explain how the designation under this section has furthered the goals of the town plan and shall submit an approved town plan map that depicts the boundary of the designated district. If at any time the State Board determines that the village center no longer meets the standards for designation established in subsection (a) of this section, it may take any of the following actions:

* * *

Sec. 3. 24 V.S.A. § 2793b is amended to read:

§ 2793b. DESIGNATION OF NEW TOWN CENTER DEVELOPMENT DISTRICTS

* * *

(d) A designation issued under this section shall be effective for eight years and may be renewed on application by the municipality. The State Board also shall review a new town center designation every ~~five~~ four years after issuance or renewal and may review compliance with the designation requirements at more frequent intervals. The State Board may adjust the schedule of review under this subsection to coincide with the review of a related growth center. If at any time the State Board determines the new town center no longer meets the standards for designation established in subsection (b) of this section, it may take any of the following actions:

* * *

Second: By renumbering the remaining sections to be numerically correct. and that after passage the title of the bill be amended to read: “An act relating to State designations and electronic filing of proposed plans, plan amendments, and bylaws under Title 24”

Which was agreed to. Thereupon third reading was ordered.

Adjournment

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