

Journal of the House

Thursday, February 22, 2018

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

Devotional Exercises

Devotional exercises were conducted by Susan Chandler and Tiffany Parker, 8th grade students from Peoples Academy, Morrisville, 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. 896

By Rep. Beck of St. Johnsbury,
House bill, entitled

An act relating to conducting an analysis of eliminating Vermont's sales and use tax;

To the committee on Ways and Means.

H. 897

By the committee on Education,

An act relating to enhancing the effectiveness, availability, and equity of services provided to students who require additional support;

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

H. 898

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

House bill, entitled

An act relating to failure to keep domestic animals enclosed;

To the committee on Judiciary.

H. 899

By the committee on Government Operations,

An act relating to fees for records filed in town offices and a town fee report and request;

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

Senate Bill Referred

S. 123

Senate bill, entitled

An act relating to limiting liability for animal shelter and rescue organizations assisting law enforcement in animal cruelty investigations

Was read and referred to the committee on Judiciary.

Senate Bill Referred

S. 280

Senate bill, entitled

An act relating to the Advisory Council for Strengthening Families

Was read and referred to the committee on Human Services.

Bill Referred to Committee on Appropriations

H. 660

House bill, entitled

An act relating to establishing the Geographic Justice Criminal Code Reclassification Commission

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

Recess

At one o'clock and twenty-two minutes in the afternoon, the Speaker declared a recess until fall of the gavel.

At one o'clock and fifty minutes in the afternoon, the Speaker called the House to order.

Bill Referred to Committee on Ways and Means

H. 731

House bill, entitled

An act relating to the classification of employees

Appearing on the Calendar, affecting the revenue of the state, under rule 35(a), was referred to the committee on Ways and Means.

Bill Amended, Read Third Time; Bill Passed**H. 636**

House bill, entitled

An act relating to miscellaneous fish and wildlife subjects

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

In Sec. 12, 10 V.S.A. § 4001, in subdivision (40), after “or any domesticated animal” by striking out “that is kept for pleasure rather than utility”

Which was agreed to.

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

By striking out Sec. 19 (Effective Dates) in its entirety and inserting in lieu thereof a new Sec. 19 to read:

Sec. 19. EFFECTIVE DATES

(a) Secs. 10 (incidental trapping), 12 (definitions), 13 (trapping rules amendment), and 15-16 (coyote-hunting competition prohibition; points) shall take effect on January 1, 2019.

(b) Sec. 11 (trapping for compensation) shall take effect on January 1, 2020.

(c) Sec. 17 (penalties for coyote-hunting competitions) shall take effect on March 1, 2020.

(d) This section and all other sections shall take effect on July 1, 2018.

Which was agreed to.

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

By striking out Secs. 15–17 (coyote hunting competitions; penalties) in their entirety and inserting in lieu thereof the following:

Sec. 15. [Deleted.]

Sec. 16. [Deleted.]

Sec. 17. 10 V.S.A. § 4084(a) is amended to read:

(a) Rules concerning wild game may:

(1) establish open seasons; however, rules regarding taking of deer

adopted under this subdivision shall, unless there is a scientific reason not to do so, make provision for: a regular rifle hunting season of ~~no~~ not fewer than 16 consecutive days; an archery season; and a muzzle loader season;

- (2) establish daily, season, and possession limits;
- (3) establish territorial limits for any rule under this subchapter;
- (4) prescribe the manner and means of taking any species or variety, ~~and~~ including regulation or prohibition of contests to take game or reporting and tagging of game;
- (5) establish restrictions on taking based upon sex, maturity, or other physical distinction of the species or variety pursued; and
- (6) designate Wildlife Management Units for various species or varieties.

Which was disagreed to.

Thereupon, pending third reading of the bill, **Reps. Willhoit of St. Johnsbury and Buckholz of Hartford, Rep. Conquest of Newbury, Rep. Young of Glover** moved to amend the bill as follows:

First: By striking out Sec. 17 (coyote-hunting competition violations) in its entirety and inserting in lieu thereof the following:

Sec. 17. [Deleted.]

Second: In Sec. 15, 10 V.S.A. § 4716 (prohibition on coyote-hunting competitions), by adding a subsection (d) to read:

(d) A person who violates this section shall be fined not more than \$1,000.00 nor less than \$400.00 for a first offense. Upon a second and all subsequent convictions or any conviction while under license suspension related to the requirements of part 4 of this title, a person who violates this section shall be fined not more than \$4,000.00 nor less than \$2,000.00.

Pending the question, Shall the bill be amended as offered by Rep. Willhoit of St. Johnsbury, and others? **Rep. Turner of Milton** 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. Willhoit of St. Johnsbury, and others? was decided in the affirmative. Yeas, 75. Nays, 64.

Those who voted in the affirmative are:

Bancroft of Westford	Haas of Rochester	Pajala of Londonderry
Baser of Bristol	Harrison of Chittenden	Parent of St. Albans Town
Batchelor of Derby	Hebert of Vernon	Pearce of Richford
Beck of St. Johnsbury	Helm of Fair Haven	Potter of Clarendon

Beyor of Highgate	Higley of Lowell	Quimby of Concord
Brennan of Colchester	Hill of Wolcott	Read of Fayston
Buckholz of Hartford	Hooper of Randolph	Rosenquist of Georgia
Burditt of West Rutland	Jickling of Randolph	Savage of Swanton
Canfield of Fair Haven	Juskiewicz of Cambridge	Scheuermann of Stowe
Chesnut-Tangerman of Middletown Springs	Keefe of Manchester	Shaw of Pittsford
Christensen of Weathersfield	Kimbell of Woodstock	Sibilia of Dover
Cina of Burlington	LaClair of Barre Town	Smith of Derby
Colburn of Burlington	Lawrence of Lyndon	Smith of New Haven
Corcoran of Bennington	Lewis of Berlin	Strong of Albany
Cupoli of Rutland City	Marcotte of Coventry	Sullivan of Dorset
Devereux of Mount Holly	Martel of Waterford	Terenzini of Rutland Town
Dickinson of St. Albans Town	Mattos of Milton	Trieber of Rockingham
Donahue of Northfield	McCoy of Poultney	Troiano of Stannard
Fagan of Rutland City	McFaun of Barre Town	Turner of Milton
Feltus of Lyndon	Miller of Shaftsbury	Van Wyck of Ferrisburgh
Frenier of Chelsea	Morrissey of Bennington	Viens of Newport City
Gage of Rutland City	Murphy of Fairfax	Weed of Enosburgh
Gamache of Swanton	Myers of Essex	Willhoit of St. Johnsbury
Graham of Williamstown	Nolan of Morristown	Wright of Burlington
	Norris of Shoreham	Young of Glover
	Noyes of Wolcott	

Those who voted in the negative are:

Ancel of Calais	Gardner of Richmond	Ode of Burlington
Bartholomew of Hartland	Giambatista of Essex	Partridge of Windham
Belaski of Windsor	Grad of Moretown	Pugh of South Burlington
Bissonnette of Winooski	Head of South Burlington	Rachelson of Burlington
Bock of Chester	Hooper of Montpelier	Scheu of Middlebury
Botzow of Pownal	Houghton of Essex	Sharpe of Bristol
Briglin of Thetford	Howard of Rutland City	Sheldon of Middlebury
Burke of Brattleboro	Jessup of Middlesex	Squirrell of Underhill
Carr of Brandon	Joseph of North Hero	Stevens of Waterbury
Christie of Hartford	Kitzmiller of Montpelier	Stuart of Brattleboro
Conlon of Cornwall	Krowinski of Burlington	Sullivan of Burlington
Connor of Fairfield	Lalonde of South Burlington	Taylor of Colchester
Conquest of Newbury	Lanpher of Vergennes	Till of Jericho
Copeland-Hanzas of Bradford	Lefebvre of Newark	Toleno of Brattleboro
Dakin of Colchester	Lippert of Hinesburg	Toll of Danville
Deen of Westminster	Long of Newfane	Townsend of South Burlington
Donovan of Burlington	Lucke of Hartford	Walz of Barre City
Dunn of Essex	Macaig of Williston	Webb of Shelburne
Emmons of Springfield	Masland of Thetford	Wood of Waterbury
Forguites of Springfield	McCormack of Burlington	Yacovone of Morristown
Gannon of Wilmington	McCullough of Williston	Yantachka of Charlotte
	Mrowicki of Putney	

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

Ainsworth of Royalton	Fields of Bennington	O'Sullivan of Burlington
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Browning of Arlington
 Brumsted of Shelburne
 Condon of Colchester

Gonzalez of Winooski
 Keenan of St. Albans City
 Morris of Bennington

Poirier of Barre City

Thereupon, the bill was read the third time. Pending the question, Shall the bill pass? **Rep. Higley of Lowell** 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, 95. Nays, 44.

Those who voted in the affirmative are:

Ancel of Calais
 Bartholomew of Hartland
 Baser of Bristol
 Beck of St. Johnsbury
 Belaski of Windsor
 Beyor of Highgate
 Bissonnette of Winooski
 Bock of Chester
 Botzow of Pownal
 Briglin of Thetford
 Buckholz of Hartford
 Burke of Brattleboro
 Carr of Brandon
 Chesnut-Tangerman of
 Middletown Springs
 Christensen of Weathersfield
 Christie of Hartford
 Cina of Burlington
 Colburn of Burlington
 Conlon of Cornwall
 Connor of Fairfield
 Conquest of Newbury
 Copeland-Hanzas of
 Bradford
 Corcoran of Bennington
 Dakin of Colchester
 Deen of Westminster
 Donovan of Burlington
 Dunn of Essex
 Emmons of Springfield
 Forguites of Springfield
 Gannon of Wilmington
 Gardner of Richmond

Giambatista of Essex
 Grad of Moretown
 Haas of Rochester
 Harrison of Chittenden
 Head of South Burlington
 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
 Kimbell of Woodstock
 Kitzmiller of Montpelier
 Krowinski of Burlington
 Lalonde of South Burlington
 Lanpher of Vergennes
 Lefebvre of Newark
 Lippert of Hinesburg
 Long of Newfane
 Lucke of Hartford
 Macaig of Williston
 Masland of Thetford
 McCormack of Burlington
 McCullough of Williston
 Miller of Shaftsbury
 Mrowicki of Putney
 Ode of Burlington
 Pajala of Londonderry
 Partridge of Windham
 Potter of Clarendon
 Pugh of South Burlington

Rachelson of Burlington
 Read of Fayston
 Scheu of Middlebury
 Scheuermann of Stowe
 Sharpe of Bristol
 Shaw of Pittsford
 Sheldon of Middlebury
 Sibia of Dover
 Smith of New Haven
 Squirrell of Underhill
 Stevens of Waterbury
 Strong of Albany
 Stuart of Brattleboro
 Sullivan of Dorset
 Sullivan of Burlington
 Taylor of Colchester
 Till of Jericho
 Toleno of Brattleboro
 Toll of Danville
 Townsend of South
 Burlington
 Trieber of Rockingham
 Troiano of Stannard
 Walz of Barre City
 Webb of Shelburne
 Weed of Enosburgh
 Willhoit of St. Johnsbury
 Wood of Waterbury
 Wright of Burlington *
 Yacovone of Morristown
 Yantachka of Charlotte
 Young of Glover

Those who voted in the negative are:

Bancroft of Westford
 Batchelor of Derby
 Brennan of Colchester

Graham of Williamstown
 Hebert of Vernon
 Helm of Fair Haven

Murphy of Fairfax
 Myers of Essex
 Nolan of Morristown

Burditt of West Rutland	Higley of Lowell	Norris of Shoreham
Canfield of Fair Haven	Juskiewicz of Cambridge	Noyes of Wolcott
Cupoli of Rutland City	Keefe of Manchester	Parent of St. Albans Town
Devereux of Mount Holly	LaClair of Barre Town	Pearce of Richford
Dickinson of St. Albans Town	Lawrence of Lyndon	Quimby of Concord
Donahue of Northfield	Lewis of Berlin	Rosenquist of Georgia
Fagan of Rutland City	Marcotte of Coventry	Savage of Swanton
Feltus of Lyndon	Martel of Waterford	Smith of Derby
Frenier of Chelsea	Mattos of Milton	Terenzini of Rutland Town
Gage of Rutland City	McCoy of Poultney	Turner of Milton
Gamache of Swanton	McFaun of Barre Town	Van Wyck of Ferrisburgh
	Morrissey of Bennington	Viens of Newport City

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Ainsworth of Royalton	Fields of Bennington	O'Sullivan of Burlington
Browning of Arlington	Gonzalez of Winooski	Poirier of Barre City
Brumsted of Shelburne	Keenan of St. Albans City	
Condon of Colchester	Morris of Bennington	

Rep. Bartholomew of Hartland explained his vote as follows:

“Madam Speaker:

Coyotes are neither vermin nor cuddly forest creatures. They are predators at the top of the food chain. They are part of an increasingly dysfunctional ecosystem. If humans did not continue to attempt to eradicate our predators, we would not find it necessary to expend so much energy into managing our wildlife populations. Organized competitions to kill coyotes should not be permitted. We should have learned the lessons about killing off our predators in the last century.

Rep. Wright of Burlington explained his vote as follows:

“Madam Speaker:

I support banning the coyote hunt contests. I also supported eliminating jail time for now, with the hope that the penalties now in place will work. But I hope that we do indeed reserve jail time for serious animal cruelty offenses. There should be no mistake: humans should go to jail for many animal cruelty offenses, and other crimes as well.”

Second Reading; Bill Amended; Third Reading Ordered

H. 828

Rep. Gannon of Wilmington, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to disclosures in campaign finance law

Reported in favor of its passage when amended as follows:

In Sec. 1, in 17 V.S.A. § 2968(a) (campaign reports; local candidates), following “30 days before, 10 days before,” by striking out “on the Friday before,” and inserting in lieu thereof “four days before,”

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. 28

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. 50. Joint resolution providing for a Joint Assembly to vote on the retention of one Superior Judge and one Magistrate.

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

Adjournment

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