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. Squirrel 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. Squirrel 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 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
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 Winoski  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  Squirrel 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  Lapher 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
Donovan of Burlington  Macaig of Williston  Walz of Barre City
Dunn of Essex  Masland of Thetford  Webb of Shelburne
Emmons of Springfield  McCormack of Burlington  Wood of Waterbury
Forguines of Springfield  McCullough of Williston  Yacovone of Morristown
Gannon of Wilmington  Mrowicki of Putney  Yantachka of Charlotte

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

Ainsworth of Royalton  Fields of Bennington  O'Sullivan of Burlington
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
Kittzmiller 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
Sibilia of Dover
Smith of New Haven
Squirrel 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 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
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.