

# Journal of the House

Thursday, March 22, 2018

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

## Devotional Exercises

Devotional exercises were conducted by Toby Ingmire from Champlain College and Jacob Grayck from University of Vermont. Student interns and members of the Vermont Chapter of the National Association of Social Workers.

## Senate Bill Referred

**S. 204**

Senate bill, entitled

An act relating to the registration of short-term rentals

Was read and referred to the committee on General, Housing, and Military Affairs.

## Bill Amended; Read Third Time; Bill Passed

**H. 897**

House bill, entitled

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

Was taken up and pending third reading of the bill, **Reps. Cina of Burlington, Chesnut-Tangerman of Middletown Springs, Colburn of Burlington, Buckholz of Hartford, Donahue of Northfield, Dunn of Essex, Gonzalez of Winooski, Morris of Bennington, Pugh of South Burlington and Weed of Enosburgh** moved to amend the bill as follows:

First: In Sec. 9, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read:

(b) Membership. The Advisory Group shall be composed of the following 18 members:

(1) the Executive Director of the Vermont Superintendents Association or designee;

(2) the Executive Director of the Vermont School Boards Association or designee;

(3) the Executive Director of the Vermont Council of Special Education Administrators or designee;

(4) the Executive Director of the Vermont Principals' Association or designee;

(5) the Executive Director of the Vermont-National Education Association or designee;

(6) the Executive Director of the Vermont Independent Schools Association or designee;

(7) three representatives of the Agency of Education selected by the Secretary, one with management responsibility for special education practices, one with financial responsibility, and one with special education program responsibility;

(8) one member selected by the Vermont Superintendents Association;

(9) one member selected by the Vermont Principals' Association;

(10) two members selected by the Vermont Council of Special Education Administrators;

(11) one member selected by the Vermont-National Education Association who is a special education teacher;

(12) two members selected by the Vermont Association of School Business Officials;

(13) one member selected by the Vermont Legal Aid Disability Law Project; and

(14) one member who is either a family member, guardian, or education surrogate of a student requiring special education services or a person who has received special education services directly, selected by the Vermont Coalition for Disability Rights.

Second: In Sec. 9, Census-based Funding Advisory Group, by striking out subsection (h) in its entirety and inserting in lieu thereof a new subsection (h) to read:

(h) Appropriation. Notwithstanding any provision to the contrary in 16 V.S.A. § 4025, the sum of \$7,200.00 is appropriated for fiscal year 2018 from the General Fund to the Agency of Education to provide funding for the purposes set forth in this section.

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

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**Third Reading; Bill Passed****H. 899**

House bill, entitled

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

Was taken up, read the third time and passed.

**Bill Amended; Read Third Time; Bill Passed****H. 922**

House bill, entitled

An act relating to making numerous revenue changes

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

In Sec. 18, 32 V.S.A. § 6061(4), by striking out Sec. 18 in its entirety and inserting in lieu thereof a new Sec. 18 to read:

Sec. 18. 32 V.S.A. § 6061 is amended to read:

§ 6061. DEFINITIONS

\* \* \*

(3) “Household” means, for any individual and for any taxable year, the individual and such other persons as resided with the individual in the principal dwelling at any time during the taxable year. A person who is not related to any member of the household and who is residing in the household under a written homesharing agreement pursuant to a nonprofit homesharing program or a person residing in a household who is hired as a bona fide employee to provide personal care to a member of the household and who is not related to the person for whom the care is provided shall not be considered to be a member of the household. An individual’s household shall not include other persons with separate leases, notwithstanding the fact that the individual and other persons may share some spaces in common.

(4)(A) “Household income” means modified adjusted gross income, but not less than zero, received in a calendar year by:

(A)(i) all persons of a household while members of that household; and

(B)(ii) the spouse of the claimant who is not a member of that household and who is not legally separated from the claimant in the taxable year as defined in subdivision (9) of this section, unless the spouse is at least

62 years of age and has moved to a nursing home or other care facility with no reasonable prospect of returning to the homestead.

(B) “Household income” does not mean:

(i) the modified adjusted gross income of the spouse or former spouse of the claimant, if the claimant is legally separated or divorced from the spouse in the taxable year as defined in subdivision (9) of this section;

(ii) the modified adjusted gross income of the spouse of the claimant, if the spouse is subject to a protection order as defined in 15 V.S.A. § 1101(5) that is in effect at the time the claimant reports household income to the Department of Taxes.

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Thereupon, **Rep. Donahue of Northfield** asked and was granted leave of the House to withdraw her amendment.

Pending third reading of the bill, **Rep. Young of Glover** moved to amend the bill as follows:

By inserting a reader assistance heading and a Sec. 30a to read as follows:

\* \* \* Funding \* \* \*

Sec. 30a. INTENT

It is the intent of the General Assembly that the revenue raised by the tax on e-cigarettes be transferred from the State Health Care Resources Fund to the General Fund in fiscal year 2019 to offset any revenue impact from the changes in this act to the first time homebuyer program, the downtown and village center tax credit, and the taxable meal exclusions.

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

### **Committee Bill; Second Reading; Consideration Interrupted**

#### **H. 924**

**Rep. Toll of Danville** spoke for the committee on Appropriations.

House bill entitled

An act relating to making appropriations for the support of government

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

#### **Recess**

At four o'clock and twenty-eight minutes in the afternoon, the Speaker

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declared a recess until the fall of the gavel.

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

**Consideration Resumed; Third Reading Ordered**

**H. 924**

Consideration resumed on House bill, entitled  
An act relating to making appropriations for the support of government  
Thereupon, third reading was ordered.

**Message from the Senate No. 39**

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 bills of the following titles:

**S. 192.** An act relating to transferring the professional regulation of law enforcement officers from the Vermont Criminal Justice Training Council to the Office of Professional Regulation.

**S. 197.** An act relating to liability for toxic substance exposures or releases.

**S. 269.** An act relating to blockchain, cryptocurrency, and financial technology.

**S. 273.** An act relating to miscellaneous law enforcement amendments.

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

**House Resolution Adopted**

**H.R. 21**

House resolution, entitled

House resolution urging the Department of Public Service and the Governor to ensure that those areas the CoverageCo micro-cell network was intended to serve have access to cellular services, including E-911

Offered by: Representatives Sibilgia of Dover, Parent of St. Albans Town, Briglin of Thetford, Burke of Brattleboro, Carr of Brandon, Chesnut-Tangerman of Middletown Springs, Cina of Burlington, Colburn of Burlington, Conlon of Cornwall, Conquest of Newbury, Copeland-Hanzas of Bradford, Deen of Westminster, Forguites of Springfield, Gannon of

Wilmington, Gonzalez of Winooski, Haas of Rochester, Hebert of Vernon, Hill of Wolcott, Hooper of Randolph, Jickling of Randolph, Keefe of Manchester, Keenan of St. Albans City, Kimbell of Woodstock, Krowinski of Burlington, Lefebvre of Newark, Long of Newfane, Masland of Thetford, McCormack of Burlington, Mrowicki of Putney, Noyes of Wolcott, Pajala of Londonderry, Partridge of Windham, Read of Fayston, Scheu of Middlebury, Toleno of Brattleboro, Trieber of Rockingham, Weed of Enosburgh, Yantachka of Charlotte, and Young of Glover

Whereas, the geographic isolation and small populations of a number of Vermont's rural towns have dissuaded the major cellular providers from constructing the necessary infrastructure to offer reliable service, and

Whereas, as a result of communications problems following Tropical Storm Irene, the Vermont Telecommunications Authority entered into a contract with Vanu and its subsidiary, CoverageCo, to operate a network of roadway micro-cells in selected towns, and

Whereas, these micro-cells serve as a 2G network that relays a signal to cooperating cellular phone companies providing subscriber service, and

Whereas, the geographically dispersed towns that host these micro-cells are Brighton, Canaan, Chelsea, Fairlee, Granville, Groton, Halifax, Hancock, Jamaica, Middlebury, Newfane, Norton, Readsboro, Ripton, Roxbury, Ryegate, Strafford, Thetford, Topsham, Townshend, Vershire, Washington, Whitingham, Wilmington, Wolcott, and Woodstock, and

Whereas, this 2G network, while still incomplete and problematic, nevertheless has brought cell phone service, including the ability to call E-911, to areas of the State previously lacking cellular service, and

Whereas, Grace Cottage Family Health & Hospital in Townshend gained cellular service from this micro-cell network, and

Whereas, due to economic constraints, CoverageCo intends to cease operations, possibly as early as Friday, March 23, 2018, and

Whereas, the leadership of Grace Cottage Family Health & Hospital has expressed alarm at becoming Vermont's only hospital without cellular service, and

Whereas, the Department of Public Service has attempted to find an alternative company to operate and complete the CoverageCo network, and

Whereas, for reasons of public health, safety, and commerce, access to reliable cellular service and especially to E-911 is essential, now therefore be it

Resolved by the House of Representatives:

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That this legislative body urges the Department of Public Service and the Governor to ensure that those areas the CoverageCo micro-cell network was intended to serve have access to cellular services, including E-911, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to Governor Philip Scott and to Commissioner of Public Service June Tierney.

Which was read and adopted.

### **Adjournment**

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