

Journal of the House

Wednesday, April 25, 2018

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

Devotional Exercises

Devotional exercises were conducted by Ross Thurber, Poet, West Brattleboro, VT.

Bill Referred to Committee on Ways and Means

S. 269

House bill, entitled

An act relating to blockchain, cryptocurrency, and financial technology

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

Bill Referred to Committee on Appropriations

S. 40

House bill, entitled

An act relating to increasing the minimum wage

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

Joint Resolution Adopted in Concurrence

J.R.S. 57

By Senator Ashe,

J.R.S. 57. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 27, 2018, it be to meet again no later than Tuesday, May 1, 2018.

Was taken up, read and adopted in concurrence.

Message from Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the twentieth day of April 2018, he signed a bill originating in the House of the following title:

H. 589 An act relating to the reasonable and prudent parent standard

Remarks Journalized

On motion of **Rep. Stuart of Brattleboro**, the following devotional by Ross Thurber was ordered printed in the Journal:

“GROUND TRUTHED

Here is the long season of forgiveness.
Love leaves only the lilies
wanting from a ghostly harvest:
The fruit was too green to pick,
the stalks were torn from their roots.

Soon evening spring rains
will be the blessing and commission.
Skin will be night air.
Dawn throated songs begin
each day.

I am a poor king: bird on a branch,
stone picker, woodsman, herdsman.
My stables small, my fields flinty
pitched and far from the river.

My vestments made from the blotted
leaves of trout lily stitched
with lichen fast to the rock.

Sun skiff under a passing cloud
a ranging coronation of grace and speed:
Give up your grip, let down the floodgate.
The middling mountains will hold
your silt, wing flaps, meanders,
passing concerns.”

Remarks Journalized

On motion of **Rep. Weed of Enosburgh**, the following remarks by **Rep.**

Sullivan of Dorset were ordered printed in the Journal:

“Madam Speaker:

Thank you Madam Speaker. We have just heard the resolution on behalf of Sandy Casey and the other victims of the Las Vegas massacre.

Grief is not a life sentence, it’s a life passage. It’s the one common human experience we all have at one time or another. Without warning, everyone’s life changes. The world intensifies. Healing is not on a timetable, but with this type of tragedy we are brought into a time to reckon, a time to reason, and a time to celebrate life.

The Las Vegas massacre remains indescribable. It is surreal. Our very own Sandy Casey was 35. Sitting here in the House are her parents, siblings and friends of her family.

The southern California special education took a weekend trip to the festival with a small group of teachers and staff. While others made it back safely, Sandy did not. Sandy lived life to the fullest and made her fiancé the happiest man in the world. Sandy Casey attended and played basketball at Burr and Burton Academy. She received her bachelor’s and master’s degrees in Vermont and was a dedicated teacher.

All of the Las Vegas victims have taught us to love harder and appreciate every single day. We need to honor them as a country by healing because we shouldn’t want it any other way. I apologize that we fell apart as the united civilized human race we are supposed to be, by allowing the token uncivilized to pierce the veil of humanity and create such havoc and destruction.

So I ask that we look at this resolution as a celebration of the life of Sandy Casey and those who lost their lives in the Las Vegas massacre, and that we adopt this resolution as a validation of the festival of their lives. I ask that we join with the people that love them and have amazing memories of them all by honoring their lives and beauty not only with this resolution, but with all of our hearts and souls.

I also ask for the chance as a legislative body to allow us to join in the healing process and celebrate Sandy Casey’s life, not only today, but in each day of our work here to guide us to better help Vermonters.

Madam Speaker, I ask the body to welcome the Casey family and our dear friend and esteemed Dorset Town Clerk, Sandra Towslee Pinnsonault, who are all here today to celebrate the life of Sandy Casey and are sitting in the Senate seats.”

**Senate Proposal of Amendment Not Concurred in;
Committee of Conference Requested and Appointed**

H. 27

The Senate proposed to the House to amend House bill, entitled

An act relating to eliminating the statute of limitations on prosecutions for sexual assault

The Senate proposes to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 1386 is added to read:

§ 1386. EMPLOYMENT AGREEMENTS

In accordance with 21 V.S.A. § 306, it is the policy of the State of Vermont that no confidential employment separation agreement shall inhibit the disclosure to prospective employers or responsible licensing entities of factual information about a prospective employee's background that would lead a reasonable person to conclude that the prospective employee has engaged in conduct jeopardizing the safety of a vulnerable adult or minor.

Sec. 2. 16 V.S.A. § 253 is amended to read:

§ 253. CONFIDENTIALITY OF RECORDS

(a) Criminal records and criminal record information received under this subchapter are designated confidential unless, under State or federal law or regulation, the record or information may be disclosed to specifically designated persons.

(b) The Secretary, a superintendent, or a headmaster may disclose criminal records and criminal record information received under this subchapter to a qualified entity upon request, provided that the qualified entity has signed a user agreement and received authorization from the subject of the record request. As used in this section, "qualified entity" means an individual, organization, or governmental body doing business in Vermont that has one or more individuals performing services for it within the State and that provides care or services to children, persons who are elders, or persons with disabilities as defined in 42 U.S.C. § 5119c.

(c) In accordance with 21 V.S.A. § 306, a board member, superintendent, or headmaster shall not enter into on behalf of a supervisory union, school district, or recognized or approved independent school a confidential employment separation agreement that inhibits the disclosure to prospective employers or responsible licensing entities of factual information about a prospective employee's background that would lead a reasonable person to

conclude that the prospective employee has engaged in conduct jeopardizing the safety of a minor. Notwithstanding any provision of law to the contrary under 33 V.S.A. chapter 49, a board member, superintendent, or headmaster and employees of a supervisory union, school district, or recognized or approved independent school shall provide factually correct information concerning a former employee's employment record with the supervisory union, school district, or recognized or approved independent school to a prospective employer of that individual if requested by the prospective employer. Nothing in this subsection shall permit the disclosure of information that is prohibited from disclosure by subsection (b) of this section. Notwithstanding any provision of law to the contrary, a person shall not be subject to civil or criminal liability for disclosing information that is required by this section to be disclosed if the person was acting in good faith and reasonably believed at the time of disclosure that the information disclosed was factually correct.

Sec. 3. COMMITTEE FOR PROTECTING STUDENTS FROM SEXUAL EXPLOITATION

(a) Creation. There is created the Committee for Protecting Students from Sexual Exploitation.

(b) Membership. The Committee shall be composed of the following ten members:

(1) the Secretary of Education or designee;

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

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

(4) the Executive Director of the Vermont National Educators Association or designee;

(5) the Executive Director of Child Abuse Vermont or designee;

(6) the Executive Director of the Vermont Network Against Domestic and Sexual Violence or designee;

(7) the Executive Director of the Department of State's Attorneys and Sheriffs or designee;

(8) the Defender General or designee;

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

(10) the Executive Director of the Vermont Superintendents Association

or designee.

(c) Powers and duties. The Committee, in consultation with school personnel, shall:

(1) develop a model policy for adoption by public schools and recognized and approved independent schools, as defined in 16 V.S.A. § 11, on electronic communications between school employees and students, designed to prevent improper communications; and

(2) recommend whether behaviors by an employee of, or contractor for, a public school or recognized or approved independent school designed to establish a romantic or sexual relationship with a child or a student, so called “grooming behaviors,” should be unlawful under Vermont law, and, if the Committee recommends that grooming behaviors should be unlawful, shall include in its recommendation:

(A) how grooming behaviors should be defined;

(B) whether all students or children in a school environment should be covered;

(C) whether the behavior should result in a misdemeanor or a felony, and the related punishment; and

(D) the statute of limitations for bringing a related action.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Agency of Education.

(e) Report. On or before October 15, 2019, the Committee shall submit a written report to the House and Senate Committees on Education and on Judiciary with its findings and any recommendations.

(f) Meetings.

(1) The Secretary of Education shall call the first meeting of the Committee to occur on or before July 15, 2018.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Committee shall cease to exist on October 16, 2019.

Sec. 4. 21 V.S.A. § 306 is amended to read:

§ 306. PUBLIC POLICY OF THE STATE OF VERMONT; EMPLOYMENT SEPARATION AGREEMENTS

In support of the State’s fundamental interest in protecting the safety of

minors and vulnerable adults, as defined in 33 V.S.A. § 6902, it is the policy of the State of Vermont that no confidential employment separation agreement shall inhibit the disclosure to prospective employers or responsible licensing entities of factual information about a prospective employee's background that would lead a reasonable person to conclude that the prospective employee has engaged in conduct jeopardizing the safety of a minor or vulnerable adult. Any provision in an agreement entered into on or after the effective date of this section that attempts to do so is void and unenforceable.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read:

An act relating to sexual exploitation of students.

Pending the question, Will the House concur in the Senate proposal of amendment? **Rep. Sharpe of Bristol** moved that the House refuse to concur and ask for a Committee of Conference, which was agreed to, and the Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Webb of Shelburne
Rep. Joseph of North Hero
Rep. Mattos of Milton

**Senate Proposal of Amendment Not Concurred in;
Committee of Conference Requested and Appointed**

H. 696

The Senate proposed to the House to amend House bill, entitled

An act relating to establishing a State individual mandate

The Senate proposes to the House to amend the bill as follows:

First: By striking out Sec. 1, 32 V.S.A. chapter 244, in its entirety and inserting in lieu thereof the following:

Sec. 1. [Deleted.]

Second: By striking out Sec. 3, effective dates, in its entirety and inserting in lieu thereof the following:

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Pending the question, Will the House concur in the Senate proposal of amendment? **Rep. Briglin of Thetford** moved that the House refuse to concur

and ask for a Committee of Conference, which was agreed to, and the Speaker appointed as members of the Committee of Conference on the part of the House:

Rep. Briglin of Thetford
Rep. Donahue of Northfield
Rep. Jickling of Randolph

Third Reading; Bill Passed in Concurrence

S. 225

Senate bill, entitled

An act relating to pilot programs for coverage by commercial health insurers of costs associated with medication-assisted treatment

Was taken up, read the third time and passed in concurrence.

**Proposal of Amendment agreed to; Third Reading;
Bill Passed in Concurrence with Proposal of Amendment**

S. 272

Senate bill, entitled

An act relating to miscellaneous changes to laws related to motor vehicles

Was taken up and pending third reading of the bill, **Rep. McCullough of Williston** moved to amend the House proposal of amendment as follows:

First: In Sec. 23 (motor vehicle inspections; rulemaking; transition), by striking out subsection (d) in its entirety and inserting in lieu thereof a new subsection (d) to read as follows:

(d) Consistent with 10 V.S.A. § 567 and C.V.R. 14-050-022, the Commissioner shall not permit vehicles that fail inspection as a result of the emissions component of the inspection to pass inspection and receive an inspection sticker.

Second: In Sec. 24 (effective dates), in subsection (a), after the phrase “on passage”, by striking out the following: “, except that notwithstanding 1 V.S.A. § 214, in Sec. 23, subsection (d) shall take effect retroactively on January 1, 2017”

Thereupon, **Rep. McCullough of Williston** asked and was granted leave of the House to withdraw the amendment.

Thereupon, pending third reading of the bill, **Rep. Keefe of Manchester** moved to amend the House proposal of amendment as follows:

First: In Sec. 23, in subsection (d), in the first sentence, immediately

preceding the words “establish criteria”, by striking out the word “may” and inserting in lieu thereof the word “shall”

Second: In Sec. 23, in subsection (d), by striking out the second sentence in its entirety

Thereupon, **Rep. Keefe of Manchester** asked and was granted leave of the House to withdraw the amendment.

Thereupon, pending third reading of the bill, **Rep. Wright of Burlington** moved to amend the House proposal of amendment by inserting a new Sec. 24 and a reader assistance thereto to read as follows:

* * * Removal of Snow and Ice from Certain Vehicles * * *

Sec. 24. 23 V.S.A. § 1126a is amended to read:

§ 1126a. DEPOSITING SNOW ONTO OR ACROSS CERTAIN HIGHWAYS PROHIBITED; REMOVAL OF SNOW AND ICE PRIOR TO OPERATION OF CERTAIN VEHICLES

(a) No person, other than an employee in the performance of his or her official duties or other person authorized by the Agency of Transportation (in the case of State highways) or selectboard (in the case of town highways), shall plow or otherwise deposit snow onto the traveled way, shoulder, or sidewalk of a State highway or a class 1, 2, or 3 town highway.

(b) ~~Nothing in this section should~~ Subsection (a) of this section shall not be construed to be in derogation of any municipal ordinance regulating the deposit of snow within the limits of town highways.

(c)(1) As used in this subsection, “truck” means any motor vehicle with a gross vehicle weight rating of 10,001 pounds or more, but shall not include any model of pick-up truck.

(2) Prior to operating a truck on a public highway, the operator shall cause accumulated ice and snow to be removed from the surfaces of the truck and any trailer or semi-trailer drawn by the truck, including the windshield, windows, hood, trunk, and roof of the truck, and the top of any trailer or semi-trailer, to the extent needed to avoid a threat to persons or property caused by the dislodging of accumulated ice or snow or by obstruction of the operator’s view.

(3) An operator does not violate this subsection if the ice or snow has accumulated on the truck during a continuous period of operation, provided he or she uses wipers to clear the windshield.

(4) An operator who fails to cause removal of ice and snow as required under this subsection shall be subject to a civil penalty of:

(A) not less than \$100.00 for a first violation;

(B) not less than \$200.00 for a second violation; and

(C) not less than \$500.00 for a third or subsequent violation.

(5) Nothing in this subsection shall be construed to modify any standard of care that may exist under common law or under any other source of law with respect to any type of vehicle or activity that is not addressed in this subsection.

and by renumbering the remaining section to be numerically correct.

Thereupon, **Rep. Wright of Burlington** asked and was granted leave of the House to withdraw the amendment.

Thereupon, pending third reading of the bill, **Rep. Keefe of Manchester** moved to amend the House proposal of amendment as follows:

First: In Sec. 23, by inserting a new subsection (e) to read as follows:

(e) As soon as practicable after the effective date of this section, the Commissioner of Motor Vehicles, in consultation with the Commissioner of Environmental Conservation, shall develop a program of waivers related to the emissions component of the State's inspection program that is consistent with the requirements of the Clean Air Act and its implementing regulations.

and by relettering the remaining subsection to be alphabetically correct.

Second: In Sec. 23, in the newly relettered subdivision (f)(4), by striking out the words "any efforts" and inserting in lieu thereof the words "the requirement"

Third: In Sec. 23, in the newly relettered subdivision (f)(4), by inserting the words "any efforts" before the words "to educate consumers"

Which was agreed to.

Thereupon, pending third reading of the bill, **Rep. Frenier of Chelsea** moved to amend the House proposal of amendment by adding a new section to be Sec. 24 and a reader assistance heading thereto to read as follows:

* * * Motor Vehicle Laws; Definition of Resident * * *

Sec. 24. 23 V.S.A. § 4(30) is amended to read:

(30) "Resident," for purposes of this title only, means any person living in the State who intends to make the State his or her principal place of domicile either permanently or for an indefinite number of years. Any person who has registered to vote in this State shall be considered a resident under this title. Without limiting the class of nonresidents under the provisions of this

subdivision, persons who live in the State for a particular purpose involving a defined period of time, including students, migrant workers employed in seasonal occupations, and persons employed under a contract with a fixed term, are not residents for purposes of this title only, unless the person has registered to vote. Also in addition thereto, any foreign partnership, firm, association, or corporation having a place of business in this State shall be deemed to be a resident as to all vehicles owned or leased and which are garaged or maintained in this State.

and by renumbering the remaining section to be numerically correct.

Which was disagreed to.

Thereupon, pending third reading of the bill, **Rep. Brennan of Colchester** moved to amend the House proposal of amendment by adding two new sections to be Secs. 24–25 and a reader assistance thereto to read as follows:

* * * License Required; Nonresidents * * *

Sec. 24. 23 V.S.A. § 601(a)(2) is amended to read:

(2) In addition to any other requirement of law, a nonresident as defined in section 4 of this title shall not operate a motor vehicle on a Vermont highway unless:

(A) he or she holds a valid license or permit to operate a motor vehicle issued by another U.S. jurisdiction;

(B) he or she holds a valid license or permit to operate a motor vehicle from a jurisdiction outside the United States and operates for a period of not more than 30 days for vacation purposes; or

(C) he or she holds a valid license or permit to operate a motor vehicle from a jurisdiction outside the United States and:

(i) is 18 or more years of age, is lawfully present in the United States, and has been in the United States for less than one year; and

(ii) ~~the jurisdiction that issued the license is a party to the 1949 Convention on Road Traffic or the 1943 Convention on the Regulation of Inter-American Motor Vehicle Traffic; and~~ [Repealed.]

(iii) he or she possesses an international driving permit, an International Certificate Translation of Driver's License, or an English translation of the home country license prepared by an accredited translator.

Sec. 25. WAIVER OF RECIPROCITY REQUIREMENT FOR ONE YEAR

From July 1, 2018 through July 1, 2019, the provision of 23 V.S.A. § 208 that requires reciprocal recognition of Vermont licenses under the laws of a

foreign country in order for a nonresident from that foreign country to be considered licensed or permitted to operate a motor vehicle in Vermont hereby is waived and shall not be enforceable.

and by renumbering the remaining section to be numerically correct.

Which was agreed to. Thereupon, third reading was ordered.

Pending the question, Shall the bill pass in concurrence with proposal of amendment? **Rep. Savage of Swanton** 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 in concurrence with proposal of amendment? was decided in the affirmative. Yeas, 142. Nays, 3.

Those who voted in the affirmative are:

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

Deen of Westminster	Marcotte of Coventry	Trieber of Rockingham
Devereux of Mount Holly	Martel of Waterford	Troiano of Stannard
Dickinson of St. Albans Town	Masland of Thetford	Turner of Milton
Donahue of Northfield	Mattos of Milton	Viens of Newport City
Donovan of Burlington	McCormack of Burlington	Walz of Barre City
Dunn of Essex	McCoy of Poultney	Webb of Shelburne
Emmons of Springfield	McCullough of Williston	Weed of Enosburgh
Fagan of Rutland City	McFaun of Barre Town	Willhoit of St. Johnsbury
Feltus of Lyndon	Miller of Shaftsbury	Wood of Waterbury
Forguites of Springfield	Morris of Bennington	Wright of Burlington
Frenier of Chelsea	Morrissey of Bennington	Yacovone of Morristown
Gage of Rutland City	Mrowicki of Putney	Yantachka of Charlotte
Gamache of Swanton	Murphy of Fairfax	Young of Glover
	Myers of Essex	

Those who voted in the negative are:

Higley of Lowell	Smith of Derby	Van Wyck of Ferrisburgh
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Those members absent with leave of the House and not voting are:

Condon of Colchester	Pearce of Richford
Fields of Bennington	Stuart of Brattleboro

Bill Referred to Committee on Appropriations

S. 175

House bill, entitled

An act relating to the wholesale importation of prescription drugs into Vermont, bulk purchasing, and the impact of prescription drug costs on health insurance premiums

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

Message from the Senate No. 57

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 considered bills originating in the House of the following titles:

H. 828. An act relating to disclosures in campaign finance law.

H. 909. An act relating to technical and clarifying changes in

transportation-related laws.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the House is requested.

The Senate has considered a bill originating in the House of the following title:

H. 25. An act relating to sexual assault survivors' rights.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the House is requested.

Senate Proposal of Amendment Concurred in

H. 914

The Senate proposed to the House to amend House bill, entitled

An act relating to reporting requirements for the second year of the Vermont Medicaid Next Generation ACO Pilot Project

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 1, Vermont Medicaid Next Generation ACO Pilot Project reports, in subsection (a), following "the Green Mountain Care Board," by inserting the Medicaid and Exchange Advisory Committee,

Second: In Sec. 2, All-Payer Model and accountable care organization reports, in subsection (a), following "the Health Reform Oversight Committee," by inserting the Medicaid and Exchange Advisory Committee,

Which proposal of amendment was considered and concurred in.

Governor's Veto Sustained

S. 103

House bill, entitled

An act relating to the regulation of toxic substances and hazardous materials

Was taken up and pursuant to Chapter 2, Section 11, of the Vermont Constitution the Clerk proceeded to call the roll and the question, Shall the bill pass the failure of the Governor to approve notwithstanding? was decided in the negative. Yeas, 94. Nays, 53 a two thirds vote of 98 needed to override.

Those who voted in the affirmative are:

Ancel of Calais	Gonzalez of Winooski	Ode of Burlington
Bartholomew of Hartland	Grad of Moretown	O'Sullivan of Burlington
Belaski of Windsor	Haas of Rochester	Pajala of Londonderry
Bissonnette of Winooski	Head of South Burlington	Partridge of Windham
Bock of Chester	Hill of Wolcott	Potter of Clarendon

Botzow of Pownal	Hooper of Montpelier	Pugh of South Burlington
Briglin of Thetford	Hooper of Randolph	Rachelson of Burlington
Browning of Arlington	Houghton of Essex	Scheu of Middlebury
Brumsted of Shelburne	Howard of Rutland City	Sharpe of Bristol
Buckholz of Hartford	Jessup of Middlesex	Sheldon of Middlebury
Burke of Brattleboro	Jickling of Randolph	Sibilia of Dover
Carr of Brandon	Johnson of South Hero	Squirrell of Underhill
Chesnut-Tangerman of Middletown Springs	Joseph of North Hero	Stevens of Waterbury
Christensen of Weathersfield	Keefe of Manchester	Stuart of Brattleboro
Christie of Hartford	Keenan of St. Albans City	Sullivan of Dorset
Cina of Burlington	Kimbell of Woodstock	Sullivan of Burlington
Colburn of Burlington	Kitzmiller of Montpelier	Taylor of Colchester
Conlon of Cornwall	Krowinski of Burlington	Till of Jericho
Connor of Fairfield	Lalonde of South Burlington	Toleno of Brattleboro
Conquest of Newbury	Lanpher of Vergennes	Toll of Danville
Copeland-Hanzas of Bradford	Lippert of Hinesburg	Townsend of South Burlington
Corcoran of Bennington	Long of Newfane	Trieber of Rockingham
Dakin of Colchester	Lucke of Hartford	Troiano of Stannard
Deen of Westminster	Macaig of Williston	Walz of Barre City
Donovan of Burlington	Masland of Thetford	Webb of Shelburne
Dunn of Essex	McCormack of Burlington	Weed of Enosburgh
Emmons of Springfield	McCullough of Williston	Wood of Waterbury
Forguites of Springfield	Miller of Shaftsbury	Yacovone of Morristown
Gannon of Wilmington	Morris of Bennington	Yantachka of Charlotte
Gardner of Richmond	Morrissey of Bennington	Young of Glover
Giambatista of Essex	Mrowicki of Putney	
	Murphy of Fairfax	
	Noyes of Wolcott	

Those who voted in the negative are:

Ainsworth of Royalton	Gamache of Swanton	Norris of Shoreham
Bancroft of Westford	Graham of Williamstown	Parent of St. Albans Town
Baser of Bristol	Harrison of Chittenden	Poirier of Barre City
Batchelor of Derby	Hebert of Vernon	Quimby of Concord
Beck of St. Johnsbury	Helm of Fair Haven	Read of Fayston
Beyor of Highgate	Higley of Lowell	Rosenquist of Georgia
Brennan of Colchester	Juskiewicz of Cambridge	Savage of Swanton
Burditt of West Rutland	LaClair of Barre Town	Scheuermann of Stowe
Canfield of Fair Haven	Lawrence of Lyndon	Shaw of Pittsford
Cupoli of Rutland City	Lefebvre of Newark	Smith of Derby
Devereux of Mount Holly	Lewis of Berlin	Smith of New Haven
Dickinson of St. Albans Town	Marcotte of Coventry	Strong of Albany
Donahue of Northfield	Martel of Waterford	Terenzini of Rutland Town
Fagan of Rutland City	Mattos of Milton	Turner of Milton
Feltus of Lyndon	McCoy of Poultney	Van Wyck of Ferrisburgh
Frenier of Chelsea	McFaun of Barre Town	Viens of Newport City
Gage of Rutland City	Myers of Essex	Willhoit of St. Johnsbury
	Nolan of Morristown	Wright of Burlington

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

Action on Bill Postponed**S. 267**

House bill, entitled

An act relating to timing of a decree nisi in a divorce proceeding

Was taken up and pending the reading of the report of the committee on Judiciary, on motion of **Rep. Lalonde of South Burlington**, action on the bill was postponed until April 26, 2018.

**Proposal of Amendment Agreed to, Read Third Time;
Passed in Concurrence with Proposal of Amendment****S. 203**

Senate bill, entitled

An act relating to systemic improvements of the mental health system

Was taken up and pending third reading of the bill, **Reps. Hooper of Montpelier, Christensen of Weathersfield, Donahue of Northfield, Dunn of Essex, Hebert of Vernon, Houghton of Essex and Lippert of Hinesburg** moved to amend the House proposal of amendment as follows:

First: By striking out the first reader assistance heading and inserting in lieu thereof:

* * * Legislative Intent and Oversight * * *

Second: By inserting a new Sec. 2 after Sec. 1 and before the second reader assistance heading to read as follows:

**Sec. 2. OVERSIGHT OF CHANGES TO PSYCHIATRIC INPATIENT
CAPACITY**

The Secretary of Human Services shall provide regular updates on the status of the proposed renovations at the Brattleboro Retreat and on the University of Vermont Health Network proposal designed to augment the capacity of Vermont's inpatient psychiatric care capacity to the Health Reform Oversight Committee.

and by renumbering the remaining sections to be numerically correct.

Third: In Sec. 6, report; transporting patients, by striking out the second sentence, and inserting in lieu thereof the following:

Specifically, the report shall:

(1) describe specifications introduced into the Agency of Human Services' fiscal year 2019 contracts as a result of 2017 Acts and Resolves No. 85, Sec. E.314;

(2) summarize the Agency's oversight and enforcement of 2017 Acts and Resolves No. 85, Sec. E.314;

(3) provide data from each sheriff's department in the State on the use of restraints during patient transports; and

(4) if the data indicates noncompliance, identify the plans of correction and how the services of noncompliant sheriffs' departments are being replaced if the plan of correction is not achieved.

Fourth: By striking out Sec. 8, report; rates of payments to designated and specialized service agencies, and inserting in lieu thereof the following:

Sec. 8. RATES OF PAYMENTS TO DESIGNATED AND SPECIALIZED SERVICE AGENCIES

The community-based services provided by designated and specialized service agencies are a critical component of Vermont's health care system. These services are essential for the prevention of unnecessary hospitalization and emergency department use. The ability to recruit and retain qualified employees is necessary for delivery of mental health services. The Agency of Human Services shall:

(1) apply the model used in developing advanced rates at the Brattleboro Retreat for supporting staff recruitment and retention and long-term sustainability to develop revised rates for the designated and specialized service agencies, which shall be provided as part of the fiscal year 2020 budget; and

(2) ensure that work pertaining to Medicaid pathways includes a plan to create a budget review process of designated and specialized service agency budgets by the Green Mountain Care Board.

Thereupon, pending the question Shall the House proposal of amendment be amended as offered by Reps. Hooper of Montpelier, Christensen of Weathersfield, Donahue of Northfield, Dunn of Essex, Hebert of Vernon, Houghton of Essex and Lippert of Hinesburg? **Rep. Hooper of Montpelier** moved to amend the amendment as follows:

In Sec. 8 "RATES OF PAYMENTS TO DESIGNATED AND SPECIALIZED SERVICE AGENCIES" by string Subdivision (2) in its entirety and inserting in lieu thereof:

"(2) On or before January 15, 2019, develop and submit a proposal, in

conjunction with the Green Mountain Care Board and the designated and specialized service agencies, for providing the designated and specialized service agency budgets to the Board for informational purposes for its work on health care system costs to the House Committees on Appropriations, on Health Care, and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare. The proposal shall be consistent with the long-term goal that work pertaining to Medicaid pathways include a plan to create a review process of the designated and specialized service agencies' budgets by the Board as part of an integrated health care system.”

Which was agreed to.

Thereupon, the amendment offered by **Rep. Hooper of Montpelier** and others, as amended, was agreed to and the bill was read the third time and passed in concurrence with proposal of amendment.

Adjournment

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