

House Calendar

Thursday, April 11, 2019

93rd DAY OF THE BIENNIAL SESSION

House Convenes at 1:00 P.M.

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ORDERS OF THE DAY

ACTION CALENDAR

Favorable with Amendment

S. 154

An act relating to miscellaneous banking provisions

Rep. Kimbell of Woodstock, for the Committee on Commerce and Economic Development, recommends that the House propose to the Senate that the bill be amended as follows:

First: In Sec. 2, in 8 V.S.A. § 2108(c), following the words “business days”, by inserting the words after the licensee has reason to know

Second: In Sec. 40, in 8 V.S.A. § 2500(12), following “digital electronic format,” by inserting the following: including virtual currency,

Third: In Sec. 40, in 8 V.S.A. § 2500(13), by striking out the words “prepaid access” and inserting in lieu thereof the words a digital representation of value

Fourth: In Sec. 53, in 8 V.S.A. § 2534, by striking out the second sentence in its entirety and inserting in lieu thereof a new sentence to read as follows: “A licensee shall maintain its records ~~the following~~ for at least five years, which records shall include:

(1) a record of each payment instrument or ~~stored-value prepaid access~~ obligation sold;

(2) a general ledger posted at least monthly containing all asset, liability, capital, income, and expense accounts;

(3) bank statements and bank reconciliation records;

(4) records of outstanding payment instruments and ~~stored-value prepaid access~~ obligations;

(5) records of each payment instrument and ~~stored-value prepaid access~~ obligation paid within the five-year period;

(6) a list of the last known names and addresses of all of the licensee’s authorized delegates; and

(7) any other records the Commissioner requires by rule.

Fifth: In Sec. 56, in 8 V.S.A. § 2546, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) Section 2110 of this title applies to authorized delegates.

(Committee vote: 11-0-0)

(For text see Senate Journal March 19, 2019)

Rep. Scheu of Middlebury, for the Committee on Ways and Means, recommends the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Commerce and Economic Development.

(Committee Vote: 10-0-1)

Favorable

H. 540

An act relating to approval of the amendments to the charter of the Town of Williston

Rep. Palasik of Milton, for the Committee on Government Operations, recommends the bill ought to pass.

(Committee Vote: 10-0-1)

Senate Proposal of Amendment

H. 7

An act relating to second degree aggravated domestic assault

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

Sec. 1. 13 V.S.A. § 1044 is amended to read:

§ 1044. SECOND DEGREE AGGRAVATED DOMESTIC ASSAULT

(a) A person commits the crime of second degree aggravated domestic assault if the person:

(1) Commits the crime of domestic assault and such conduct violates:

(A) specific conditions of a criminal court order in effect at the time of the offense imposed to protect that other person;

(B) a final abuse prevention order issued under 15 V.S.A. § 1103 or a similar order issued in another jurisdiction;

(C) a final order against stalking or sexual assault issued under 12 V.S.A. § 5133 or a similar order issued in another jurisdiction; or

(D) a final order against abuse of a vulnerable adult issued under 33 V.S.A. § 6935 or a similar order issued in another jurisdiction.

(2) Commits the crime of domestic assault; and

(A) has a prior conviction within the last 10 years for violating an abuse prevention order issued under section 1030 of this title; or

(B) has a prior conviction for domestic assault under section 1042 of this title or a prior conviction in another jurisdiction for an offense that, if committed within the State, would constitute a violation of section 1042 of this title.

(3) For the purpose of this subsection, ~~the term:~~

(A) ~~“issued~~ Issued in another jurisdiction” means issued by a court in any other state; in a federally recognized Indian tribe, territory, or possession of the United States; in the Commonwealth of Puerto Rico; or in the District of Columbia.

(B) “Prior conviction in another jurisdiction” means a conviction issued by a court in any other state; in a federally recognized Indian tribe, territory, or possession of the United States; in the Commonwealth of Puerto Rico; or in the District of Columbia.

(b) A person who commits the crime of second degree aggravated domestic assault shall be imprisoned not more than five years or fined not more than \$10,000.00, or both.

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Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(For text see House Journal February 14, 2019)

H. 19

An act relating to sexual exploitation of a person in law enforcement officer custody

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

Sec. 1. 13 V.S.A. § 3251 is amended to read:

§ 3251. DEFINITIONS

As used in this chapter:

* * *

(9) “Law enforcement officer” means a person certified as a law enforcement officer under the provisions of 20 V.S.A. chapter 151.

Sec. 2. 13 V.S.A. § 3259 is added to read:

§ 3259. SEXUAL EXPLOITATION OF A PERSON IN THE CUSTODY OF
A LAW ENFORCEMENT OFFICER

(a) No law enforcement officer shall engage in a sexual act with a person whom the officer is detaining, arresting, or otherwise holding in custody or who the officer knows is being detained, arrested, or otherwise held in custody by another law enforcement officer.

(b) A person who violates subsection (a) of this section shall be imprisoned for not more than five years or fined not more than \$10,000.00, or both.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

(For text see House Journal January 30, 2019)

H. 394

An act relating to the disposition of the remains of veterans

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

In Sec. 3, Effective Date, by striking out: “July 1, 2019” and inserting in lieu thereof the word passage.

(For text see House Journal March 19, 2019)

NOTICE CALENDAR

Favorable

H. 539

An act relating to approval of amendments to the charter of the Town of Stowe and to the merger of the Town and the Stowe Fire District No. 3

Rep. Harrison of Chittenden, for the Committee on Government Operations, recommends the bill ought to pass.

(Committee Vote: 10-0-1)

Rep. Browning of Arlington, for the Committee on Ways and Means, recommends the bill ought to pass.

(Committee Vote: 11-0-0)

S. 89

An act relating to allowing reflective health benefit plans at all metal levels

Rep. Jickling of Randolph, for the Committee on Health Care, recommends that the bill ought to pass in concurrence.

(Committee Vote: 11-0-0)

(For text see Senate Journal February 27, 2019)

Ordered to Lie

H. 97

An act relating to fiscal year 2019 budget adjustments.

Pending Question: Shall the House concur in the Senate Proposal of Amendment to House Proposal of Amendment to Senate Proposal of Amendment?

Consent Calendar

H.C.R. 138

House concurrent resolution congratulating the 2019 Missisquoi Valley Union High School Thunderbirds Division II girls' ice hockey championship team

H.C.R. 139

House concurrent resolution congratulating the 2019 Rutland High School Raiders Vermont Division I and New England Division II cheerleading championship team

H.C.R. 140

House concurrent resolution honoring William Eugene Griffin on the completion of an extraordinary career as the Vermont Chief Assistant Attorney General

H.C.R. 141

House concurrent resolution congratulating the Capitol Police on the department's 20th anniversary

H.C.R. 142

House concurrent resolution recognizing the second full week in May as Women's Lung Health Week in Vermont

For Informational Purposes
SENATE APPROPRIATIONS COMMITTEE

H.542 (FY 2020 Budget)
ADVOCATES TESTIMONY

On **Tuesday, April 16, 2019 from 1:30-4:30 pm**, the Senate Appropriations Committee will be taking testimony from advocates regarding the Fiscal Year 2020 Budget (H.542) in Room 10 of the State House. **All available time slots have been filled.** To submit written testimony to the committee please contact Becky Buck at the Legislative Joint Fiscal Office located at 1 Baldwin Street (phone: 828-5969) or via email at: rbuck@leg.state.vt.us

Public Hearing

April 23, 2019 - Room 11 - 5:00-7:00 P.M. - Public Hearing on Fossil Fuel Infrastructure (H. 51, H. 175, H. 214) - Held by House Committee on Energy and Technology