

Journal of the House

Friday, February 1, 2019

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Representative David Potter of Clarendon, VT.

Rules Suspended; House Bills Introduced

Pending first reading of the bills, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

H. 137

By Rep. Howard of Rutland City,

House bill, entitled

An act relating to exemptions from the minimum wage;

To the committee on General, Housing, and Military Affairs.

H. 138

By Rep. Townsend of South Burlington,

House bill, entitled

An act relating to radon testing in schools;

To the committee on Education.

H. 139

By Reps. Townsend of South Burlington, Cina of Burlington, Colburn of Burlington, Cordes of Lincoln, Fagan of Rutland City, Masland of Thetford, Noyes of Wolcott, Scheuermann of Stowe, Troiano of Stannard and Yacovone of Morristown,

House bill, entitled

An act relating to prescribing by doctoral-level psychologists;

To the committee on Health Care.

H. 140

By Rep. Webb of Shelburne,

House bill, entitled

An act relating to the Advisory Council on Special Education;

To the committee on Education.

H. 141

By Reps. Bancroft of Westford, Fagan of Rutland City, Gamache of Swanton, Goslant of Northfield, Houghton of Essex, Morgan of Milton, Myers of Essex, Redmond of Essex, Rosenquist of Georgia, Savage of Swanton and Strong of Albany,

House bill, entitled

An act relating to public school choice;

To the committee on Education.

H. 142

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to the employment rights for members of the Reserve and National Guard;

To the committee on General, Housing, and Military Affairs.

H. 143

By Rep. Sibilias of Dover,

House bill, entitled

An act relating to appointing town agents;

To the committee on Government Operations.

H. 144

By Rep. Donahue of Northfield,

House bill, entitled

An act relating to accounting for medical necessity in commitment decisions;

To the committee on Health Care.

H. 145

By Rep. Sibilias of Dover,

House bill, entitled

An act relating to the universal service charge and prepaid wireless telecommunications service;

To the committee on Energy and Technology.

H. 146

By Reps. LaLonde of South Burlington and Notte of Rutland City,

House bill, entitled

An act relating to an act relating to increasing the number of examiners on the Board of Bar Examiners from nine to 11 members;

To the committee on Judiciary.

H. 147

By Reps. Hill of Wolcott and Noyes of Wolcott,

House bill, entitled

An act relating to presuit mediation of disputes related to access to landlocked property;

To the committee on Judiciary.

H. 148

By Reps. Hill of Wolcott and Noyes of Wolcott,

House bill, entitled

An act relating to prize-linked savings accounts;

To the committee on Commerce and Economic Development.

H. 149

By Reps. Hill of Wolcott and Noyes of Wolcott,

House bill, entitled

An act relating to the valuation of landlocked parcels;

To the committee on Ways and Means.

H. 150

By Rep. Young of Greensboro,

House bill, entitled

An act relating to local option taxes;

To the committee on Ways and Means.

Third Reading; Bill Passed

H. 3

House bill, entitled

An act relating to ethnic and social equity studies standards for public schools

Was taken up, read the third time.

Pending the question, Shall the bill pass? **Rep. Christie of Hartford** 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, 140. Nays, 0.

Those who voted in the affirmative are:

Ancel of Calais	Gonzalez of Winooski	Notte of Rutland City
Anthony of Barre City	Goslant of Northfield	Noyes of Wolcott
Austin of Colchester	Grad of Moretown	O'Brien of Tunbridge
Bancroft of Westford	Graham of Williamstown	Ode of Burlington
Batchelor of Derby	Gregoire of Fairfield	O'Sullivan of Burlington
Bates of Bennington	Haas of Rochester	Page of Newport City
Beck of St. Johnsbury	Harrison of Chittenden	Pajala of Londonderry
Birong of Vergennes	Hashim of Dummerston	Palasik of Milton
Bock of Chester	Helm of Fair Haven	Partridge of Windham
Brennan of Colchester	Hill of Wolcott	Patt of Worcester
Briglin of Thetford	Hooper of Montpelier	Potter of Clarendon
Brownell of Pownal	Hooper of Randolph	Pugh of South Burlington
Browning of Arlington	Hooper of Burlington	Quimby of Concord
Burditt of West Rutland	Houghton of Essex	Ralph of Hartland
Burke of Brattleboro	Howard of Rutland City	Redmond of Essex
Campbell of St. Johnsbury	James of Manchester	Rogers of Waterville
Canfield of Fair Haven	Jerome of Brandon	Rosenquist of Georgia
Carroll of Bennington	Jessup of Middlesex	Savage of Swanton
Chase of Colchester	Jickling of Randolph	Scheu of Middlebury
Chesnut-Tangerman of	Killacky of South Burlington	Scheuermann of Stowe
Middletown Springs	Kimbell of Woodstock	Seymour of Sutton
Christensen of Weathersfield	Kitzmiller of Montpelier	Shaw of Pittsford
Christie of Hartford	Kornheiser of Brattleboro	Sheldon of Middlebury
Cina of Burlington	Krowinski of Burlington *	Sibilia of Dover
Coffey of Guilford	LaClair of Barre Town	Smith of Derby
Colburn of Burlington	LaLonde of South	Squirrell of Underhill
Colston of Winooski	Burlington	Stevens of Waterbury
Conlon of Cornwall	Lanpher of Vergennes	Strong of Albany
Conquest of Newbury	Lefebvre of Newark	Sullivan of Dorset

Copeland-Hanzas of Bradford	Leffler of Enosburgh	Sullivan of Burlington
Corcoran of Bennington	Lippert of Hinesburg	Szott of Barnard
Cordes of Lincoln	Long of Newfane	Taylor of Colchester
Cupoli of Rutland City	Macaig of Williston	Terenzini of Rutland Town
Demrow of Corinth	Marcotte of Coventry	Till of Jericho
Dolan of Waitsfield	Martel of Waterford	Toll of Danville
Donahue of Northfield	Masland of Thetford	Toof of St. Albans Town
Durfee of Shaftsbury	Mattos of Milton	Townsend of South Burlington
Elder of Starksboro	McCarthy of St. Albans City	Trieber of Rockingham
Emmons of Springfield	McCormack of Burlington	Troiano of Stannard
Fagan of Rutland City	McCoy of Poultney	Walz of Barre City
Fegard of Berkshire	McCullough of Williston	Webb of Shelburne
Feltus of Lyndon	McFaun of Barre Town	White of Hartford
Forguites of Springfield	Morgan of Milton	Wood of Waterbury
Gamache of Swanton	Morrissey of Bennington	Yacovone of Morristown
Gannon of Wilmington	Mrowicki of Putney	Yantachka of Charlotte
Gardner of Richmond	Murphy of Fairfax	Young of Greensboro
Giambatista of Essex	Myers of Essex	
	Nicoll of Ludlow	
	Norris of Shoreham	

Those who voted in the negative are: none

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

Bartholomew of Hartland	Donovan of Burlington	Rachelson of Burlington
Brumsted of Shelburne	Higley of Lowell	Smith of New Haven
Dickinson of St. Albans Town		Toleno of Brattleboro

Rep. Krowinski of Burlington explained her vote as follows:

“Madam Speaker:

I vote yes because this bill will start a collaborative process that we hope will reduce bias and harassment and teach children the stories and history of all people. This is one step we can take to create a Vermont that works for everyone.”

Bill Amended; Read Third Time; Bill Passed

H. 16

House bill, entitled

An act relating to boards and commissions

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

By striking out in its entirety Sec 16 and inserting in lieu thereof the following:

[Deleted.]

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

Bill Amended; Read Third Time; Bill Passed

H. 47

House bill, entitled

An act relating to the taxation of electronic cigarettes

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

In Sec. 1, 32 V.S.A. § 7702(15), after “whether nicotine based or not” by striking out “, or delivery devices sold separately for use with a tobacco substitute”

Which was disagreed to. Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? **Rep. Till of Jericho** 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, 134. Nays, 6.

Those who voted in the affirmative are:

Ancel of Calais	Giambatista of Essex	Nicoll of Ludlow
Anthony of Barre City	Gonzalez of Winooski	Norris of Shoreham
Austin of Colchester	Goslant of Northfield	Notte of Rutland City
Bancroft of Westford	Grad of Moretown	Noyes of Wolcott
Batchelor of Derby	Graham of Williamstown	O'Brien of Tunbridge
Bates of Bennington	Gregoire of Fairfield	Ode of Burlington
Beck of St. Johnsbury	Haas of Rochester	O'Sullivan of Burlington
Birong of Vergennes	Harrison of Chittenden	Page of Newport City
Bock of Chester	Hashim of Dummerston	Pajala of Londonderry
Brennan of Colchester	Hill of Wolcott	Palasik of Milton
Briglin of Thetford	Hooper of Montpelier	Patt of Worcester
Brownell of Pownal	Hooper of Randolph	Potter of Clarendon
Browning of Arlington	Hooper of Burlington	Pugh of South Burlington
Burke of Brattleboro	Houghton of Essex	Rachelson of Burlington
Campbell of St. Johnsbury	Howard of Rutland City	Ralph of Hartland
Canfield of Fair Haven	James of Manchester	Redmond of Essex
Carroll of Bennington	Jerome of Brandon	Rogers of Waterville
Chase of Colchester	Jessup of Middlesex	Savage of Swanton
Chesnut-Tangerman of Middletown Springs	Jickling of Randolph	Scheu of Middlebury
Christensen of Weathersfield	Killacky of South Burlington	Scheuermann of Stowe
Christie of Hartford	Kimbell of Woodstock	Shaw of Pittsford
Cina of Burlington	Kitzmiller of Montpelier	Sheldon of Middlebury
	Kornheiser of Brattleboro	Sibilia of Dover

Coffey of Guilford	Krowinski of Burlington	Smith of Derby
Colburn of Burlington	LaClair of Barre Town	Squirrell of Underhill
Colston of Winooski	LaLonde of South	Stevens of Waterbury
Conlon of Cornwall	Burlington	Strong of Albany
Conquest of Newbury	Lanpher of Vergennes	Sullivan of Dorset
Copeland-Hanzas of Bradford	Lefebvre of Newark	Sullivan of Burlington
Corcoran of Bennington	Leffler of Enosburgh *	Szott of Barnard
Cordes of Lincoln	Lippert of Hinesburg	Taylor of Colchester
Cupoli of Rutland City	Long of Newfane	Terenzini of Rutland Town
Demrow of Corinth	Macaig of Williston	Till of Jericho
Dolan of Waitsfield	Marcotte of Coventry	Toll of Danville
Donahue of Northfield	Martel of Waterford	Toof of St. Albans Town
Durfee of Shaftsbury	Masland of Thetford	Townsend of South Burlington
Elder of Starksboro	Mattos of Milton	Troiano of Stannard
Emmons of Springfield	McCarthy of St. Albans City	Walz of Barre City
Fagan of Rutland City	McCormack of Burlington	Webb of Shelburne
Fegard of Berkshire	McCoy of Poultney	White of Hartford
Feltus of Lyndon	McCullough of Williston	Wood of Waterbury
Forguites of Springfield	McFaun of Barre Town	Yacovone of Morristown
Gamache of Swanton	Morgan of Milton	Yantachka of Charlotte
Gannon of Wilmington	Morrissey of Bennington	Young of Greensboro
Gardner of Richmond	Mrowicki of Putney	
	Murphy of Fairfax	
	Myers of Essex	

Those who voted in the negative are:

Burditt of West Rutland	Quimby of Concord	Seymour of Sutton
Helm of Fair Haven	Rosenquist of Georgia *	Trieber of Rockingham

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

Bartholomew of Hartland	Donovan of Burlington	Partridge of Windham
Brumsted of Shelburne	Higley of Lowell	Smith of New Haven
Dickinson of St. Albans Town		Toleno of Brattleboro

Rep. Leffler of Enosburgh explained her vote as follows:

“Madam Speaker:

While I loathe to level a tax, especially a new one, I feel that my vote yes on this bill signifies my dedication to the health and safety of Vermont’s children and the progress that we have made to decrease addiction and nicotine use over the last twenty years. My vote is for these reasons.”

Rep. Rosenquist of Georgia explained his vote as follows:

“Madam Speaker:

I would have voted for this bill with the proposed amendment. We should not raise the tax on the heater itself as it has other uses.”

Adjournment

At ten o'clock and twenty-nine minutes in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Monday, February 4, 2019, at one o'clock in the afternoon, pursuant to the provisions of J.R.S. 9.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 28

House concurrent resolution congratulating Drake Hull of Rutland on winning the Vermont Golf Association's 2018 Vermont Amateur Golf Championship;

H.C.R. 29

House concurrent resolution congratulating the 2018 Harwood Union High School Highlanders Division II championship girls' cross-country team;

H.C.R. 30

House concurrent resolution congratulating the 2018 Harwood Union High School Highlanders Division II championship boys' soccer team;

H.C.R. 31

House concurrent resolution congratulating the 2018 Bellows Falls Union High School Terriers Division I championship field hockey team;

H.C.R. 32

House concurrent resolution congratulating Eric Maxham on establishing a new Vermont boys' soccer goal-scoring record and his father, Scott Maxham, on the conclusion of his outstanding West Rutland coaching career;

H.C.R. 33

House concurrent resolution congratulating the Champlain Valley Union High School Redhawks on winning their third consecutive boys' volleyball State championship;

H.C.R. 34

House concurrent resolution recognizing February 1, 2019 as Wear Red for Women Day at the State House;

H.C.R. 35

House concurrent resolution designating Wednesday, February 6, 2019 as Farm-to-School Awareness Day at the State House;

H.C.R. 36

House concurrent resolution congratulating the 2018 Woodstock Union High School Wasps Division III championship football team;

S.C.R. 3

Senate concurrent resolution in memory of Judge Francis Bernard McCaffrey Jr. of Weston;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2019, seventy-fifth Biennial session.]