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. Sibilia 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. Sibilia 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 Middletown Springs  Killackey of South Burlington  Scheuermann of Stowe
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  Squirrel 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
Those who voted in the negative are: none

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

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**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:
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  Jackling of Randolph         Scheu of Middlebury
Middletown Springs    Killacky of South Burlington  Scheuermann of Stowe
Christensen of Weathersfield Kimbell of Woodstock    Shaw of Pittsford
Christie of Hartford   Kitzmiller of Montpelier      Sheldon of Middlebury
Cina of Burlington    Kornheiser of Brattleboro      Sibilia of Dover
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 Poulney, 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.]