Journal of the House

Friday, March 29, 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 Youth from Outright VT.

Senate Bill Referred

S. 32
Senate bill, entitled
An act relating to the public financing of campaigns
Was read and referred to the committee on Government Operations.

Senate Bill Referred

S. 58
Senate bill, entitled
An act relating to the State hemp program
Was read and referred to the committee on Agriculture and Forestry.

Senate Bill Referred

S. 117
Senate bill, entitled
An act relating to the therapeutic use of cannabis
Was read and referred to the committee on Human Services.

Senate Bill Referred

S. 146
Senate bill, entitled
An act relating to substance misuse prevention
Was read and referred to the committee on Human Services.
Senate Bill Referred

S. 164

Senate bill, entitled
An act relating to miscellaneous changes to education law
Was read and referred to the committee on Education.

Third Reading; Bill Passed

H. 524

House bill, entitled
An act relating to health insurance and the individual mandate
Was taken up and read the third time.

Pending the question, Shall the bill pass? Rep. McCoy of Poultney 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, 92. Nays, 44.

Those who voted in the affirmative are:

Ancel of Calais  Elder of Starksboro  O'Sullivan of Burlington
Anthony of Barre City  Emmons of Springfield  Pajala of Londonderry
Austin of Colchester  Fegard of Berkshire  Partridge of Windham
Bartholomew of Hartland  Gannon of Wilmington  Patt of Worcester
Birong of Vergennes  Giambatista of Essex  Potter of Clarendon
Bock of Chester  Haas of Rochester  Pugh of South Burlington
Briglin of Thetford  Hashim of Dummerston  Ralph of Hartland
Brownell of Pownal  Hill of Wolcott  Redmond of Essex
Browning of Arlington  Hooper of Montpelier  Rogers of Waterville
Brumsted of Shelburne  Hooper of Burlington  Scheu of Middlebury
Burke of Brattleboro  Houghton of Essex  Sheldon of Middlebury
Campbell of St. Johnsbury  Jerome of Brandon  Sibilia of Dover
Carroll of Bennington  Jessup of Middlesex  Squirrell of Underhill
Chase of Colchester  Jickling of Randolph  Stevens of Waterbury
Chesnut-Tangerman of Middletown Springs  Killacky of South Burlington  Sullivan of Dorset
Christensen of Weathersfield  Kitzmiller of Montpelier  Sullivan of Burlington
Christie of Hartford  Krowinski of Burlington  Taylor of Colchester
Cina of Burlington  LaLonde of South  Till of Jericho
Coffey of Guilford  Burlington  Toleno of Brattleboro
Colburn of Burlington  Lanpher of Vergennes  Toll of Danville
Colston of Winooski  Long of Newfane  Townsend of South
Conlon of Cornwall  Macaig of Williston  Burlington
Conquest of Newbury  Masland of Thetford  Troiano of Stannard
Copeland-Hanzas of Bradford  McCarthy of St. Albans City  Walz of Barre City
Bradford  McCormack of Burlington  Webb of Shelburne
Corcoran of Bennington  McCullough of Williston  White of Hartford  
Demrow of Corinth  Mrowicki of Putney  Wood of Waterbury  
Dolan of Waitsfield  Murphy of Fairfax  Yacovone of Morristown  
Donahue of Northfield  Nicoll of Ludlow  Yantachka of Charlotte  
Donovan of Burlington  Noyes of Wolcott  Young of Greensboro  
Durfee of Shaftsbury  O'Brien of Tunbridge

Those who voted in the negative are:

- Bancroft of Westford
- Batchelor of Derby
- Bates of Bennington
- Beck of St. Johnsbury
- Brennan of Colchester
- Burditt of West Rutland
- Canfield of Fair Haven
- Cupoli of Rutland City
- Dickinson of St. Albans Town
- Fagan of Rutland City
- Fellus of Lyndon
- Gamache of Swanton
- Graham of Williamstown
- Hango of Berkshire
- Harrison of Chittenden
- Helm of Fair Haven
- Higley of Lowell
- Kimbell of Woodstock
- Lefebvre of Newark
- Leffler of Enosburgh
- Marcotte of Coventry
- Martel of Waterford
- McCoy of Poultney
- McFaun of Barre Town
- Morgan of Milton
- Morissey of Bennington
- Myers of Essex
- Norris of Shoreham
- Notte of Rutland City
- Page of Newport City
- Palasik of Milton
- Quinby of Concord
- Savage of Swanton
- Scheuermann of Stowe
- Seymour of Sutton
- Shaw of Pittsford
- Smith of Derby
- Smith of New Haven
- Strong of Albany
- Terenzini of Rutland Town
- Toof of St. Albans Town

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

- Cordes of Lincoln
- Forguites of Springfield
- Gardner of Richmond
- Gonzalez of Winooski
- Grad of Moretown
- Gregoire of Fairfield
- Hooper of Randolph
- Howard of Rutland City
- James of Manchester
- Lippert of Hinesburg
- Mattos of Milton
- Rachelson of Burlington
- Trieber of Rockingham

Rep. Chesnut-Tangerman of Middletown Springs explained his vote as follows:

“Madam Speaker:

This bill is an important piece of legislation to protect affordable health coverage for all Vermonters.”

Rep. Dolan of Waitsfield explained her vote as follows:

“Madam Speaker:

I support this bill because it preserves the critical elements in the affordable care act that benefits all of us, such as coverage for people with pre-existing conditions and to achieve stabilization of the health care marketplace.”
Third Reading; Bill Passed
H. 541

House bill, entitled
An act relating to changes that affect the revenue of the State
Was taken up and read the third time.

Pending the question, Shall the bill pass? Rep. Harrison of Chittenden 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, 116. Nays, 22.

Those who voted in the affirmative are:

Ancel of Calais    Fagan of Rutland City    Ode of Burlington
Anthony of Barre City  Fegard of Berkshire    O'Sullivan of Burlington
Austin of Colchester  Felts of Lyndon     Page of Newport City
Bancroft of Westford    Gannon of Wilmington    Pajala of Londonderry
Bartholomew of Hartland  Giambatista of Essex  Partridge of Windham
Bates of Bennington     Goslant of Northfield    Patt of Worcester
Beck of St. Johnsbury  Haas of Rochester      Potter of Clarendon
Birong of Vergennes    Hashim of Dummerston    Pugh of South Burlington
Bock of Chester        Helm of Fair Haven     Rachelson of Burlington
Brennan of Colchester  Hill of Wolcott        Ralph of Hartland
Briglin of Thetford    Hooper of Montpelier    Redmond of Essex
Brownell of Pownal     Hooper of Burlington    Rogers of Waterville
Browning of Arlington  Houghton of Essex      Scheu of Middlebury
Brumsted of Shelburne  Jerome of Brandon       Scheuermann of Stowe *
Burditt of West Rutland  Jessup of Middlesex    Seymour of Sutton
Burke of Brattleboro   Jickling of Randolph    Shaw of Pittsford
Campbell of St. Johnsbury  Killacky of South Burlington  Sheldon of Middlebury
Canfield of Fair Haven  Kimbell of Woodstock    Sibilia of Dover
Carroll of Bennington  Kitzmiller of Montpelier    Smith of Derby
Chase of Colchester    Kornheiser of Brattleboro  Squirrell of Underhill
Chesnut-Tangerman of Middletown Springs  Krowinski of Burlington    Stevens of Waterbury
Christensen of Weathersfield  LaLonde of South    Sullivan of Dorset
Christie of Hartford   Lanpher of Vergennes    Szott of Barnard
Cina of Burlington     Long of Newfane        Taylor of Colchester
Coffey of Guilford     Macaig of Williston    Till of Jericho *
Colburn of Burlington  Marcotte of Coventry    Tohle of Brattleboro
Colston of Winooski    Martel of Waterford     Toll of Danville
Conlon of Cornwall   Masland of Thetford        Townsend of South
Conquest of Newbury  McCarthy of St. Albans City    Burlington
Copeland-Hanzas of Bradford  McCormack of Burlington    Trieb of Rockingham
Bradford  McCoy of Poultney *    Troiano of Stannard
Corcoran of Bennington  McCullough of Williston    Walz of Barre City
Demrow of Corinth     Mrowicki of Putney        Webb of Shelburne
Dolan of Waitsfield   Murphy of Fairfax        White of Hartford
Donahue of Northfield  Myers of Essex  Wood of Waterbury
Donovan of Burlington  Nicoll of Ludlow  Yacovone of Morristown
Durfee of Shaftsbury  Norris of Shoreham  Yantachka of Charlotte
Elder of Starksboro  Notte of Rutland City  Young of Greensboro
Emmons of Springfield  Noyes of Wolcott  O'Brien of Tunbridge

Those who voted in the negative are:
Batchelor of Derby  Higley of Lowell  Quimby of Concord
Cupoli of Rutland City  LaClair of Barre Town  Rosenquist of Georgia
Dickinson of St. Albans  Lefebvre of Newark  Savage of Swanton
Town  Leffler of Enosburgh  Smith of New Haven
Gamache of Swanton  McFaun of Barre Town *  Strong of Albany
Graham of Williamstown  Morgan of Milton  Terenzini of Rutland Town
Hango of Berkshire  Morrissey of Bennington  Toof of St. Albans Town
Harrison of Chittenden  Palasik of Milton

Those members absent with leave of the House and not voting are:
Cordes of Lincoln  Grad of Moretown  James of Manchester
Forguites of Springfield  Gregoire of Fairfield  Lippert of Hinesburg
Gardner of Richmond  Hooper of Randolph  Mattos of Milton
Gonzalez of Winooski  Howard of Rutland City

Rep. McCoy of Poultney explained her vote as follows:
“Madam Speaker:
I thank the House Ways and Means Committee for their hard work. I voted yes; however, I remain concerned about reducing the capital gains exclusion percentage by 10%.”

Rep. McFaun of Barre Town explained his vote as follows:
“Madam Speaker:
Although I appreciate the good work of the Ways and Means Committee I can’t vote for a tax that is going to affect low income people.”

Rep. Scheuermann of Stowe explained her vote as follows:
“Madam Speaker:
Thank you Madam Speaker. I vote yes on this bill because it is a sound one. While I don’t agree with all of the provisions, I truly appreciate the work on the estate tax, the land gains tax, the downtown tax credit program, and the online travel agencies. I thank the committee for their work.”

Rep. Till of Jericho explained his vote as follows:
“Madam Speaker:
I vote yes. A yes vote is a vote to increase the exemption from the estate tax. A yes vote is a vote to increase downtown and village center and affordable housing tax credits and assistance. A yes vote is a vote to simplify the lands gains tax. A yes vote is a vote to clarify the property transfer tax. A no vote because of disagreement with a single provision is a vote to not do these things and is extremely foolish.”

Third Reading; Bill Passed

H. 542

House bill, entitled
An act relating to making appropriations for the support of government

Was taken up and read the third time.

Pending the question, Shall the bill pass? Rep. McCoy of Poultony 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, 137. Nays, 1.

Those who voted in the affirmative are:

Ancel of Calais          Gannon of Wilmington          Ode of Burlington
Anthony of Barre City   Giambatista of Essex          O'Sullivan of Burlington
Austin of Colchester    Goslant of Northfield          Page of Newport City
Bancroft of Westbrook   Graham of Williamstown          Pajala of Londonderry
Bartholomew of Hartland Haas of Rochester             Palasik of Milton
Batchelor of Derby      Hango of Berkshire              Partridge of Windham
Bates of Bennington     Harrison of Chittenden          Patt of Worcester
Beck of St. Johnsbury   Hashim of Dummerston           Potter of Clarendon
Birong of Vergennes     Helm of Fair Haven             Pugh of South Burlington
Bock of Chester         Higley of Lowell               Quimby of Concord
Brennan of Colchester   Hill of Wolcott                Rachelson of Burlington
Briglin of Thetford     Hooper of Montpelier           Ralph of Hartland
Brownell of Pownal      Hooper of Burlington           Redmond of Essex
Browning of Arlington   Houghton of Essex             Rogers of Waterville
Brumsted of Shelburne   Jerome of Brandon             Rosenquist of Georgia
Burditt of West Rutland Jessup of Middlesex           Savage of Swanton
Burke of Brattleboro    Jickling of Randolph          Scheu of Middlebury
Campbell of St. Johnsbury Killacky of South Burlington Scheuermann of Stowe
Canfield of Fair Haven  Kimbell of Woodstock           Seymour of Sutton
Carroll of Bennington   Kitzmiller of Montpelier        Shaw of Pittsford
Chase of Colchester     Kornheiser of Brattleboro       Sheldon of Middlebury *
Chesnut-Tangerman of    Krowski of Burlington           Sibilia of Dover
Middletown Springs     LaClair of Barre Town           Smith of Derby
Christensen of Weathersfield LaLonde of South          Smith of New Haven
Christie of Hartford    Burlington                      Squirrel of Underhill
Cina of Burlington      Lanpher of Vergennes           Stevens of Waterbury *
Coffey of Guilford      Lefebvre of Newark              Strong of Albany
Those who voted in the negative are:

Colburn of Burlington

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

Cordes of Lincoln  Grad of Moretown  James of Manchester
Forguites of Springfield  Gregoire of Fairfield  Lippert of Hinesburg
Gardner of Richmond  Hooper of Randolph  Mattos of Milton
Gonzalez of Winooski  Howard of Rutland City

**Rep. Dolan of Waitsfield** explained her vote as follows:

“Madam Speaker:

I support this bill and look forward to working with everyone here today to achieve a long term funding solution to provide clean water statewide. Providing safe clean water is a priority for all of us. Flood resilience is a priority for all of us. With outdoor recreation and tourism being a $2.5 billion per year industry, clean water is also important to a healthy economic future.”

**Rep. Sheldon of Middlebury** explained her vote as follows:

“Madam Speaker:

I vote yes on this fiscally responsible budget that balances many needs while reflecting the priorities of Vermonters.”

**Rep. Stevens of Waterbury** explained his vote as follows:
“Madam Speaker:

I voted yes on this bill. The investments made within this budget will continue to serve low income Vermonters, middle class Vermonters, our downtowns, our National Guard, and our efforts to provide affordable housing to more Vermonters. I am grateful for the committee’s long work, and for the coherent vision it represents on our behalf.”

Rep. Toll of Danville explained her vote as follows:

“Madam Speaker:

Today the Vermont legislature exhibited a standard that other states and our national leaders should model. Working together, legislators from all political parties found common ground in support of our state budget on a nearly unanimous vote.

Well done – Vermont!”

Third Reading; Bill Passed in Concurrence

S. 14

Senate bill, entitled

An act relating to extending the moratorium on home health agency certificates of need

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

Committee Bill; Second Reading;
Bill Amended; Third Reading Ordered

H. 543

Rep. Emmons of Springfield spoke for the committee on Corrections and Institutions.

House bill entitled

An act relating to capital construction and State bonding

Rep. Fagan of Rutland City for the committee on Appropriations recommended that the bill ought to pass when amended as follows:

In Sec. 28, replacement of Middlesex Secure Residential Recovery facility, in subsection (b), by striking out subdivisions (2) and (3) in their entirety and inserting in lieu thereof the following:

(2) Beginning on August 15, 2019, the Secretary of Human Services shall notify the chairs of the House Committees on Appropriations, on Corrections and Institutions, and on Health Care and the Senate Committees
on Appropriations, on Health and Welfare, and on Institutions at least monthly of updates on the status of the RRMC and RMHS negotiations.

(3) On or before December 15, 2019, the Secretary shall submit a written report on the status of the RRMC and RMHS negotiations to the House Committees on Appropriations, on Corrections and Institutions, and on Health Care and the Senate Committees on Appropriations, on Health and Welfare, and on Institutions. The report shall include an analysis of the current costs to the state of operating secure residential beds as compared to the costs of operating these beds at RRMC and RMHS.

Having appeared on the Calendar one day for notice, was taken up, read the second time, the report of the committee on Appropriations agreed to and third reading ordered.

Adjournment

At twelve o'clock and thirteen minutes in the afternoon, on motion of Rep. McCoy of Poulney, the House adjourned until Tuesday, April 2, 2019, at ten o’clock in the forenoon, pursuant to the provisions of J.R.S. 20.

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. 99

House concurrent resolution recognizing March as Bleeding Disorders Awareness Month in Vermont;

H.C.R. 100

House concurrent resolution recognizing May 19–25, 2019 as National Public Works Week in Vermont;

H.C.R. 101

House concurrent resolution recognizing former Representative Ann Seibert of Norwich for her leadership in the enactment of anti-smoking legislation in Vermont;

H.C.R. 102

House concurrent resolution congratulating Ted’s Pizza Shop in Rutland on its 60th anniversary;

H.C.R. 103

House concurrent resolution congratulating the American Legion on its centennial;
H.C.R. 104

House concurrent resolution congratulating the 2019 Fair Haven Union High School Slaters Division II girls’ basketball championship team;

H.C.R. 105

House concurrent resolution congratulating Bellows Falls Union High School Head Field Hockey Coach Bethany Coursen on being named the MAX Field Hockey 2018 Vermont State Coach of the Year and the New England Region Coach of the Year;

H.C.R. 106

House concurrent resolution honoring Robert S. Thorn Jr. for his innovative leadership as a mental health administrator, counselor, and educator;

H.C.R. 107

House concurrent resolution congratulating the 2019 West Rutland High School Golden Horde Division IV girls’ basketball championship team;

H.C.R. 108

House concurrent resolution congratulating the 2019 Thetford Academy Panthers Division III girls’ basketball championship team;

H.C.R. 109

House concurrent resolution congratulating the Thetford Academy Panthers Division III boys’ basketball championship team;

H.C.R. 110

House concurrent resolution congratulating the 2018 Thetford Academy Panthers Division III boys’ cross-country championship team;

H.C.R. 111

House concurrent resolution designating April 2019 as Fair Housing Month in Vermont;

H.C.R. 112

House concurrent resolution congratulating the Mt. St. Joseph Academy Mounties Division II boys’ basketball championship team;

H.C.R. 113

House concurrent resolution in memory of former Sergeant at Arms Teresa M. Randall;
H.C.R. 114

House concurrent resolution congratulating the 2019 Danville School Indians Division IV boys’ basketball championship team;

H.C.R. 115

House concurrent resolution designating April 2019 as Veterans Suicide Awareness Month in Vermont;

H.C.R. 116

House concurrent resolution recognizing April 2, 2019 as Equal Pay Day in Vermont;

H.C.R. 117

House concurrent resolution celebrating the unique attributes of Green River Reservoir State Park;

H.C.R. 118

House concurrent resolution congratulating the 2019 Boys & Girls Clubs of Vermont Youth of the Year Award honorees;

H.C.R. 119

House concurrent resolution observing April 2, 2019 as National Service Recognition Day in Vermont;

H.C.R. 120

House concurrent resolution honoring U.S. Navy Chief Petty Officers’ century and a quarter of outstanding service to our nation;

[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.]