

# Journal of the House

Thursday, April 11, 2019

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

## Devotional Exercises

Devotional exercises were conducted by Christel Tonoki, Champlain Valley Union High School, Hinesburg, VT.

## Second Reading; Proposal of Amendment Agreed to; Third Reading Ordered

### S. 154

**Rep. Kimbell of Woodstock**, for the committee on Commerce and Economic Development, to which had been referred Senate bill, entitled

An act relating to miscellaneous banking provisions

Reported in favor of its passage in concurrence with proposal of amendment 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.

**Rep. Scheu of Middlebury**, for the committee on Ways and Means, recommended that House propose to the Senate to amend the bill as recommended by the committee on Commerce and Economic Development

The bill having appeared on the Calendar one day for notice, was taken up, read the second time, the reports of the committee on Commerce and Economic Development and Ways and Means were agreed to and third reading ordered.

**Favorable Report; Second Reading;  
Third Reading Ordered**

**H. 540**

**Rep. Palasik of Milton**, for the committee on Government Operations, to which had been referred House bill, entitled

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

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

**Senate Proposal of Amendment Concurred in**

**H. 7**

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

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.

\* \* \*

## Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Which proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment Concurred in**

**H. 19**

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

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.

Which proposal of amendment was considered and concurred in.

**Senate Proposal of Amendment Concurred in**

**H. 394**

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

An act relating to the disposition of the remains of veterans

The Senate proposes to the House to amend the bill in Sec. 3, Effective Date, by striking out: “July 1, 2019” and inserting in lieu thereof the word passage.

Which proposal of amendment was considered and concurred in.

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**Committee Relieved of Consideration  
and Bill Committed to Other Committee**

**H. 193**

**Rep. O'Sullivan of Burlington** moved that the committee on Commerce and Economic Development be relieved of House bill, entitled

An act relating to creating a State funding match for Americorps members

And that the bill be committed to the committee on Transportation, which was agreed to.

**Committee Relieved of Consideration  
and Bill Committed to Other Committee**

**H. 316**

**Rep. O'Sullivan of Burlington** moved that the committee on Commerce and Economic Development be relieved of House bill, entitled

An act relating to creating an automotive workforce training pilot program

And that the bill be committed to the committee on Transportation, which was agreed to.

**Message from the Senate No. 37**

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 Governor has informed the Senate that on the April 9, 2019, he approved and signed a bill originating in the Senate of the following title:

**S. 11.** An act relating to limiting senatorial districts to a maximum of three members.

The Senate has considered joint resolution originating in the House of the following title:

**J.R.H. 3.** Joint resolution authorizing the Green Mountain Boys State educational program to use the State House.

And has adopted the same in concurrence.

**Adjournment**

At one o'clock and fifty-four minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.