

Journal of the House

Wednesday, May 1, 2019

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

Devotional Exercises

Devotional exercises were conducted by Kathy and Steven Light, Marshfield, VT.

Message from the Senate No. 45

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 Senate has considered bills originating in the House of the following titles:

H. 278. An act relating to acknowledgment or denial of parentage.

H. 514. An act relating to miscellaneous tax provisions.

H. 523. An act relating to miscellaneous changes to the State's retirement systems.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the House is requested.

The Senate has on its part adopted Senate concurrent resolutions of the following titles:

S.C.R. 11. Senate concurrent resolution congratulating Katherine Womeldorf Paterson of Montpelier on winning the 2019 E.B. White Award for her achievement in children's literature.

S.C.R. 12. Senate concurrent resolution honoring former Representative and Senator Seth B. Bongartz for his impressive leadership as President of Hildene.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 144. House concurrent resolution honoring the tenth bishop of the Episcopal Diocese of Vermont, the Right Reverend Thomas Clark Ely, for his visionary leadership.

H.C.R. 146. House concurrent resolution honoring Joseph L. Choquette III on his multiple career and avocational accomplishments.

H.C.R. 147. House concurrent resolution congratulating Essex High School on winning the first Academic WorldQuest Vermont championship.

H.C.R. 148. House concurrent resolution honoring Vaughn Altemus for his career achievements in academia and Vermont State government.

H.C.R. 149. House concurrent resolution congratulating the Rutland County Humane Society on its 60th anniversary.

H.C.R. 150. House concurrent resolution congratulating the Harwood Union High School Highlanders on winning a second consecutive Division II boys' golf championship.

H.C.R. 151. House concurrent resolution congratulating the 2019 Enosburg Falls High School Hornets State snowboarding championship team.

H.C.R. 152. House concurrent resolution congratulating Nicholas John Blaney of Berkshire on his outstanding snowboarding accomplishments.

H.C.R. 153. House concurrent resolution congratulating the 2019 Vermont Shamrocks USA Hockey girls' Tier II 16U national championship team.

Message from the Senate No. 46

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 Senate has considered House proposal of amendment to Senate bill of the following title:

S. 49. An act relating to the regulation of polyfluoroalkyl substances in drinking and surface waters.

And has concurred therein.

The Senate has considered bills originating in the House of the following titles:

H. 133. An act relating to miscellaneous energy subjects.

H. 526. An act relating to town clerk recording fees and town restoration and preservation reserve funds.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the House is requested.

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 26. Joint resolution relating with weekend adjournment.

In the adoption of which the concurrence of the House is requested.

Message from the Senate No. 47

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 Senate has considered the inability of the Committee of Conference to reach agreement upon the disagreeing votes of the two Houses upon House bill of the following title:

H. 39. An act relating to the extension of the deadline of school district mergers required by the State Board of Education.

And has discharged its Committee of Conference and has requested the Committee on Committees to appoint a new Committee of Conference, with limited instructions.

Message from Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 30th day of April, 2019, he signed bills originating in the House of the following titles:

H. 427 An act relating to a uniform process for foreign credential verification in the Office of Professional Regulation

H. 146 An act relating to increasing the number of examiners on the Board of Bar Examiners from nine to 11 members

H. 358 An act relating to technical corrections

H. 436 An act relating to international wills

Joint Resolution Adopted in Concurrence

J.R.S. 26

By Senator Ashe,

J.R.S. 26. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, May 3, 2019, it be to meet again no later than Tuesday, May 7, 2019.

Was taken up, read and adopted in concurrence.

Third Reading; Bill Passed**H. 550**

House bill, entitled

An act relating to unclaimed property

Was taken up, read the third time and passed.

**Second Reading; Proposals of Amendment Agreed to;
Third Reading Ordered****S. 40**

Rep. Webb of Shelburne, for the committee on Education, to which had been referred Senate bill, entitled

An act relating to testing and remediation of lead in the drinking water of schools and child care facilities

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. chapter 24A is added to read:

CHAPTER 24A. LEAD IN DRINKING WATER OF SCHOOLS AND
CHILD CARE FACILITIES

§ 1241. PURPOSE

The purpose of this chapter is to require all school districts, supervisory unions, independent schools, and child care providers in Vermont to:

(1) test drinking water in their buildings and child care facilities for lead contamination; and

(2) develop and implement an appropriate response or lead remediation plan when sampling indicates unsafe lead levels in drinking water at a school or child care facility.

§ 1242. DEFINITIONS

As used in this chapter:

(1) “Action level” means five parts per billion (ppb) of lead.

(2) “Alternative water source” means:

(A) water from an outlet within the building or facility that is below the action level; or

(B) containerized, bottled, or packaged drinking water.

(3) “Building” means any structure, facility, addition, or wing that may be occupied or used by children or students.

(4) “Child care provider” has the same meaning as in 33 V.S.A. § 3511.

(5) “Child care facility” or “facility” has the same meaning as in 33 V.S.A. § 3511.

(6) “Commissioner” means the Commissioner of Health.

(7) “Department” means the Department of Health.

(8) “Drinking water” has the same meaning as in 10 V.S.A. § 1671.

(9) “Independent school” has the same meaning as in 16 V.S.A. § 11.

(10) “Outlet” means a drinking water fixture currently or reasonably expected to be used for consumption or cooking purposes, including a drinking fountain, ice machine, or a faucet as determined by a school district, supervisory union, independent school, or child care provider.

(11) “School district” has the same meaning as in 16 V.S.A. § 11.

(12) “Supervisory union” has the same meaning as in 16 V.S.A. § 11.

§ 1243. TESTING OF DRINKING WATER

(a) Scope of testing.

(1) Each school district, supervisory union, or independent school in the State shall collect a drinking water sample from each outlet in the buildings it owns, controls, or operates and shall submit the sample to the Department of Health for testing for lead contamination as required under this chapter.

(2) Each child care provider in the State shall collect a drinking water sample from each outlet in a child care facility it owns, controls, or operates for lead contamination as required under this chapter.

(b) Initial sampling.

(1) On or before December 31, 2020, each school district, supervisory union, independent school, or child care provider in the State shall collect a first-draw sample and a second flush sample from each outlet in each building or facility it owns, controls, or operates. Sampling shall occur during the school year of a school district, supervisory union, or independent school.

(2) At least five days prior to sampling, the school district, supervisory union, independent school, or child care provider shall notify all staff and all parents or guardians of students directly in writing or by electronic means of:

(A) the scheduled sampling;

(B) the requirements for testing, why testing is required, and the potential health effects from exposure to lead in drinking water;

(C) information, provided by the Department of Health, regarding sources of lead exposure other than drinking water;

(D) information regarding how the school district, supervisory union, independent school, or child care provider shall provide notice of the sample results; and

(E) how the school district, supervisory union, independent school, or child care provider shall respond to sample results that are at or above the action level.

(3) The Department may adopt a schedule for the initial sampling by school districts, supervisory unions, independent schools, and child care providers.

(c) Continued sampling. Beginning January 1, 2021, each school district, supervisory union, independent school, or child care provider in the State shall sample each outlet in each building or facility it owns, controls, or operates for lead according to a schedule adopted by the Department by rule under section 1247 of this title.

(d) Interim methodology. Prior to adoption of the rules required under section 1247 of this title, sampling under this section shall be conducted according to a methodology established by the Department of Health, provided that the methodology shall be at least as stringent as the sampling methodology provided for under the U.S. Environmental Protection Agency's 3Ts for Reducing Lead in Drinking Water in Schools and shall include a requirement for a first draw sample and a second flush sample.

(e) Exceptions.

(1) The testing requirements of subsection (b) of this section shall not apply to a school district, supervisory union, independent school, or child care provider that:

(A) completed testing of all outlets in each building or facility it owns, controls, or operates after November 1, 2017;

(B) conducted testing according to a methodology consistent with the Department methodology established under subsection (d) of this section; and

(C)(i) determined no outlet is at or above the action level for lead; or
(ii) implemented or scheduled remediation that ensures that drinking water from all outlets is below the action level.

(2) A school district, supervisory union, independent school, or child care provider that qualifies for the exception under subdivision (1) of this subsection shall, within 30 days of the effective date of this act, submit a written notice of exception to the Department of Health that shall include the results of testing and a summary of remediation implemented or scheduled.

(3) A school district, supervisory union, independent school, or child care provider that qualifies for the exception under subdivision (1) of this subsection shall be eligible for assistance from the State for the costs of remediation.

(f) Laboratory analysis. The analyses of drinking water samples required under this chapter shall be conducted by the Vermont Department of Health Laboratory or by a certified laboratory under contract to the Department.

§ 1244. RESPONSE TO ACTION LEVEL; NOTICE; REPORTING

If a sample of drinking water under section 1243 of this title indicates that drinking water from an outlet is at or above the action level, the school district, supervisory union, independent school, or child care provider that owns, controls, or operates the building or facility in which the outlet is located shall conduct remediation to eliminate or reduce lead levels in the drinking water from the outlet. At a minimum, the school district, supervisory union, independent school, or child care provider shall:

(1)(A) prohibit use of an outlet that is at or above the action level until:

(i) implementation of a lead remediation plan or other remediation measure that was published or approved by the Commissioner or that is consistent with the U.S. Environmental Protection Agency's 3Ts for Reducing Lead in Drinking Water in Schools; and

(ii) sampling indicates that lead levels from the outlet are below the action level; or

(B) prohibit use of an outlet that is at or above the action level until the outlet is permanently removed, disabled, or otherwise cannot be accessed by any person for the purposes of consumption or cooking;

(2) provide occupants of the building or child care facility an adequate alternative water source until remediation is performed;

(3) notify all staff and all parents or guardians of students directly of the test results and the proposed or taken remedial action in writing or by electronic means within 10 school days after receipt of the laboratory report;

(4) submit lead remediation plans to the Department as they are completed;

(5) notify all staff and all parents or guardians or students in writing or by electronic means of what remedial actions have been taken; and

(6) submit notice to the Department of Health that remediation plans have been completed.

§ 1245. RECORD KEEPING; PUBLIC NOTIFICATION; DATABASE

(a) Record keeping. The Department of Health shall retain all records of test results, laboratory analyses, lead remediation plans, and notices of exception for 10 years following the creation or acquisition of the record. Records produced or acquired by the Department under this chapter are public records subject to inspection or copying under the Public Records Act.

(b) Public notification. On or before March 1, 2021, the Commissioner shall publish on the Department website the data from testing under section 1243 of this title so that the results of sampling are fully transparent and accessible to the public. The data published by the Department shall include a list of all buildings or facilities owned, controlled, or operated by a school district, supervisory union, independent school, or child care provider at which drinking water from an outlet tested at or above the action level within the previous two years of reported samples. The Commissioner shall publish all retesting data on the Department's website within two weeks of receipt of the relevant laboratory analysis. The Secretary of Education shall include a link on the Agency of Education website to the Department of Health website required under this subsection.

§ 1246. LEAD REMEDIATION PLAN; GUIDANCE; COMMUNICATION

(a) Consultation. When a laboratory analysis of a sample of drinking water from an outlet at a building or facility owned, controlled, or operated by a school district, supervisory union, independent school, or child care provider is at or above the action level, the school district, supervisory union, independent school, or child care provider may consult with the Commissioner regarding the development of a lead remediation plan or other necessary response.

(b) Guidance; lead remediation plan. The Commissioner, after consultation with the Secretary of Natural Resources and the Secretary of Education, shall issue guidance on development of a lead remediation plan by a school district, supervisory union, independent school, or child care provider.

The guidance provided by the Commissioner shall reference the U.S. Environmental Protection Agency's 3Ts for Reducing Lead in Drinking Water in Schools.

(c) Communications: The Department of Health shall develop sample communications for parents for use by school districts, supervisory unions, independent schools, and child care providers concerning lead in water and reducing exposure to lead under this chapter.

§ 1247. RULEMAKING

(a) The Commissioner shall adopt rules under this chapter to achieve the purposes of this chapter.

(b) On or before November 1, 2020, the Commissioner, with continuing consultation with the Secretary of Natural Resources and the Secretary of Education, shall adopt rules regarding the implementation of the requirements of this chapter. The rules shall include:

(1) requirements or guidance for taking samples of drinking water from outlets in a building or facility owned, controlled, or operated by a school district, supervisory union, independent school, or child care provider that are no less stringent than the requirements of the U.S. Environmental Protection Agency's 3Ts for Reducing Lead in Drinking Water in Schools and that include a first draw sample and second flush sample;

(2) the frequency of sampling required, including additional sampling requirements when drinking water from an outlet is at or above the action level;

(3) requirements for implementation of a lead mitigation plan or other necessary response to a report that drinking water from an outlet is at or above the action level;

(4) conditions or criteria for the exceptions from the sampling required under this chapter; and

(5) any other requirements that the Commissioner deems necessary for the implementation of the requirements of this chapter.

§ 1248. ENFORCEMENT; PENALTIES

In addition to any other authority provided by law, the Commissioner of Health or a hearing officer designated by the Commissioner may, after notice and an opportunity for hearing, impose an administrative penalty of up to \$500.00 for a violation of the requirements of this chapter. The hearing before the Commissioner shall be a contested case subject to the provisions of 3 V.S.A. chapter 25.

Sec. 2. 16 V.S.A. § 4001(6) is amended to read:

(6) “Education spending” means the amount of the school district budget, any assessment for a joint contract school, career technical center payments made on behalf of the district under subsection 1561(b) of this title, and any amount added to pay a deficit pursuant to 24 V.S.A. § 1523(b) that is paid for by the school district, but excluding any portion of the school budget paid for from any other sources such as endowments, parental fundraising, federal funds, nongovernmental grants, or other State funds such as special education funds paid under chapter 101 of this title.

* * *

(B) For purposes of calculating excess spending pursuant to 32 V.S.A. § 5401(12), “education spending” shall not include:

* * *

(xi) Costs incurred by a school district or supervisory union when sampling drinking water outlets, implementing lead remediation, or retesting drinking water outlets as required under 18 V.S.A. chapter 24A.

Sec. 3. POSITIONS; SAMPLING OF DRINKING WATER OUTLETS IN SCHOOLS

The establishment of the following new classified limited service positions are authorized in fiscal year 2019:

- (1) In the Agency of Natural Resources – environmental analyst V.
- (2) In the Department of Health – public health analyst.

Sec. 4. STATUS OF REMEDIATION OF LEAD IN SCHOOLS AND CHILD CARE FACILITIES

On or before January 15, 2020, the Commissioner of Health, after consultation with the Secretary of Natural Resources and the Secretary of Education, shall provide written or oral testimony to the House Committee on Education and the Senate Committee on Education regarding the implementation, administration, and financing of the requirements under 18 V.S.A. chapter 24A that schools and child care providers sample for and remediate lead in drinking water. The testimony may include recommendations for additional programmatic and technical requirements for sampling for and remediating lead in schools or child care facilities in the State.

Sec. 5. ALLOCATION OF FUNDS; REMEDIATION; ELIGIBLE COSTS

(a) For remediation required under 18 V.S.A. chapter 24A, the Department of Health shall pay a school district, supervisory union, or independent school for replacement of a drinking water fixture at the following amount listed for each type of fixture:

- (1) public drinking fountains and ice machines: \$1,849.00;
- (2) outlets used for cooking: \$554.00;
- (3) all other outlets: \$319.00.

(b) For remediation required under 18 V.S.A. chapter 24A, the Department of Health shall pay a child care provider \$454.00 for replacement of a drinking water fixture.

(c) The State shall make payments to school districts, supervisory unions, independent schools, or child care facilities under this section from funds appropriated to the Department of Health for the costs of initial testing, retesting, and remediation under 18 V.S.A. chapter 24A. Funds appropriated to the Department of Health in Sec. 88 (a)(2) of H.532 of 2019 may be transferred to the State agency or department administering these payments.

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Gregoire of Fairfield, for the committee on Human Services, recommended that the report of the committee on Education be amended as follows:

First: In Sec. 1, 18 V.S.A. chapter 24A, in section 1246, in subsection (b), in the first sentence, after “Secretary of Natural Resources” and before “and the Secretary of Education” by inserting “, the Commissioner for Children and Families,”

Second: In Sec. 1, 18 V.S.A. chapter 24A, in section 1247, in subsection (b), in the first sentence, after “Secretary of Natural Resources” and before “and the Secretary of Education” by inserting “, the Commissioner for Children and Families,”

And by striking out subdivision (b)(2) in its entirety and inserting in lieu thereof a new subdivision (b)(2) to read as follows:

(2) the frequency of continued sampling of outlets by school districts, supervisory unions, independent schools, and child care providers, provided that continued sampling shall be required no less frequently than every three years;

And in subdivision (b)(4), before “conditions or criteria” by inserting “exemptions from the requirements for sampling or remediation under this chapter, including”

Third: By adding a Sec. 3a to read as follows:

Sec. 3a. DEPARTMENT FOR CHILDREN AND FAMILIES; RULES FOR
REGULATED CHILD CARE PROVIDERS

On or before December 31, 2020, the Commissioner for Children and Families shall amend the rules for regulated child care providers to comply with the requirements of 18 V.S.A. chapter 24A and rules adopted by the Department of Health under that chapter for the testing of lead in the drinking water of child care facilities.

Fourth: In Sec. 4, status of remediation of lead in schools and child care facilities, in the first sentence, after “Secretary of Natural Resources” and before “and the Secretary of Education” by inserting “, the Commissioner for Children and Families,”

Fifth: By striking out Sec. 5, allocation; eligible costs, in its entirety and inserting in lieu thereof a new Sec. 5 to read as follows:

Sec. 5. ALLOCATION OF FUNDS; REMEDIATION; ELIGIBLE COSTS

(a) For remediation required under 18 V.S.A. chapter 24A, the Department of Health shall pay a school district, supervisory union, independent school, or child care provider the actual cost of replacement of a drinking water fixture up to the following maximum amount for each type of fixture:

- (1) public drinking fountains and ice machines: \$2,000.00;
- (2) outlets used for cooking: \$700.00;
- (3) all other outlets: \$400.00.

(b) The State shall make payments to school districts, supervisory unions, independent schools, or child care providers under this section from one-time funds appropriated to the Department of Health in fiscal years 2019 and 2020 for the costs of initial testing, retesting, and remediation under 18 V.S.A. chapter 24A. Funds appropriated to the Department of Health in Sec. 88 (a)(2) of H.532 of 2019 may be transferred to the State agency or department administering these payments.

Rep. Conquest of Newbury for the committee on Appropriations, recommended that the report of the committee on Education be further amended as follows:

First: In Sec. 1, 18 V.S.A. chapter 24A, in section 1247, by striking out subdivision (b)(2) in its entirety and inserting in lieu thereof a new subdivision (b)(2) to read as follows:

(2) the frequency of continued sampling of outlets by school districts, supervisory unions, independent schools, and child care providers, provided that the Department:

(A) may stagger when continued sampling shall occur by school or provider, school type or provider type, or initial sampling results; and

(B) shall, to the degree practicable, maintain the same term of sampling frequency for all school districts, supervisory unions, independent schools, and child care providers;

Second: In Sec. 5, allocation of funds; remediation; eligible costs, in subsection (a), after “the actual cost of replacement of a drinking water fixture” and before “up to the following maximum amount”, by inserting the words “, as evidenced by a receipt submitted to the State,” and in subsection (b), in the first sentence, after “fiscal years” and before “for the costs of” by striking out “2019 and 2020” and inserting in lieu thereof “2020 and 2021”

Third: By adding a Sec. 5a to read:

Sec. 5a. Subdivision (a)(2) of 2019 Acts and Resolves No. 6, Sec. 88 is amended to read:

(2) To the Department of Health: \$2,400,000 to fund in fiscal years 2020 and 2021 testing for lead in drinking water ~~and additional support, retesting, and replacement of drinking water fixtures~~ in schools and child care facilities consistent with the ~~program established in~~ requirements in S.40 of 2019. These funds are allocated as follows:

(A) \$125,000 to fund the limited service program position established in S.40 of 2019.

(B) \$150,000 to fund program start-up and data management costs for the program.

(C) \$2,125,000 to fund the costs of initial testing and, retesting costs and to apply to tap remediation costs, and replacement of drinking water fixtures.

The bill having appeared on the Calendar one day for notice was taken up, read the second time and the report of the committee on Education was amended as recommended by the committee on Human Services. Thereupon, the report of the committee on Education, as amended, was further amended as recommended by the committee on Appropriations. Thereupon, the report of

the committee on Education, as amended, was agreed to and third reading was ordered.

**Second Reading; Proposals of Amendment Agreed to;
Third Reading Ordered**

S. 43

Rep. Nicoll of Ludlow, for the committee on Human Services, to which had been referred Senate bill, entitled

An act relating to prohibiting prior authorization requirements for medication-assisted treatment

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 8 V.S.A. § 4089b is amended to read:

§ 4089b. HEALTH INSURANCE COVERAGE, MENTAL HEALTH, AND
SUBSTANCE ABUSE USE DISORDER

* * *

(b) As used in this section:

(1) “Health insurance plan” means any health insurance policy or health benefit plan offered by a health insurer, as defined in 18 V.S.A. § 9402, except a benefit plan providing coverage for a specific disease or other limited benefit coverage. Health insurance plan includes any health benefit plan offered or administered by the State, or any subdivision or instrumentality of the State.

* * *

(c) A health insurance plan shall provide coverage for treatment of a mental condition and shall:

(1) not establish any rate, term, or condition that places a greater burden on an insured for access to treatment for a mental condition than for access to treatment for other health conditions, including no greater co-payment for primary mental health care or services than the co-payment applicable to care or services provided by a primary care provider under an insured’s policy and no greater co-payment for specialty mental health care or services than the co-payment applicable to care or services provided by a specialist provider under an insured’s policy;

(2) not exclude from its network or list of authorized providers any licensed mental health or substance abuse provider located within the geographic coverage area of the health benefit plan if the provider is willing to

meet the terms and conditions for participation established by the health insurer; and

(3) make any deductible or out-of-pocket limits required under a health insurance plan comprehensive for coverage of both mental and physical health conditions; and

(4) if the plan provides prescription drug coverage, ensure that at least one medication from each drug class approved by the U.S. Food and Drug Administration for the treatment of substance use disorder is available on the lowest cost-sharing tier of the plan's prescription drug formulary.

* * *

Sec. 2. 18 V.S.A. § 4750 is amended to read:

§ 4750. ~~DEFINITION~~ DEFINITIONS

As used in this chapter, ~~“medication-assisted treatment”~~:

(1) “Health insurance plan” has the same meaning as in 8 V.S.A. § 4089b.

(2) “Medication-assisted treatment” means the use of U.S. Federal Food and Drug Administration-approved medications, in combination with counseling and behavioral therapies, to provide a whole patient approach to the treatment of substance use disorders.

Sec. 3. 18 V.S.A. § 4754 is added to read:

§ 4754. LIMITATION ON PRIOR AUTHORIZATION

A health insurance plan shall not require prior authorization for medication-assisted treatment that is within the U.S. Food and Drug Administration's dosing recommendations.

Sec. 4. PRIOR AUTHORIZATION FOR MEDICATION-ASSISTED TREATMENT; MEDICAID; REPORTS

On or before February 1, 2020, 2021, and 2022, the Department of Vermont Health Access shall report to the House Committees on Health Care and on Human Services and the Senate Committee on Health and Welfare regarding prior authorization processes for medication-assisted treatment in Vermont's Medicaid program during the previous calendar year, including which medications required prior authorization; how many prior authorization requests the Department received and, of these, how many were approved and denied; and the average and longest lengths of time the Department took to process a prior authorization request.

Sec. 5. EFFECTIVE DATES

(a) This section and Secs. 2 (18 V.S.A. § 4750) and 4 (prior authorization for medication-assisted treatment; Medicaid; reports) shall take effect on July 1, 2019.

(b) Secs. 1 (8 V.S.A. § 4089b) and 3 (18 V.S.A. § 4754) shall take effect on January 1, 2020 and shall apply to health insurance plans on or after January 1, 2020 on such date as a health insurer issues, offers, or renews the health insurance plan, but in no event later than January 1, 2021.

and that after passage the title of the bill be amended to read: “An act relating to limiting prior authorization requirements for medication-assisted treatment”

Rep. Cina of Burlington, for the committee on Health Care, recommended that the House propose to the Senate to amend the bill as recommended by the committee on Human Services and when amended as follows:

By striking out Sec. 3, 18 V.S.A. § 4754, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. 18 V.S.A. § 4754 is added to read:

§ 4754. LIMITATION ON PRIOR AUTHORIZATION REQUIREMENTS

(a) A health insurance plan shall not require prior authorization for prescription drugs for a patient who is receiving medication-assisted treatment if the dosage prescribed is within the U.S. Food and Drug Administration’s dosing recommendations.

(b) A health insurance plan shall not require prior authorization for all counseling and behavioral therapies associated with medication-assisted treatment for a patient who is receiving medication-assisted treatment.

The bill having appeared on the Calendar one day for notice was taken up, read the second time, the reports of the committee on Human Services amended as recommended by the committee on Health Care. Thereupon the report of the committee on Human Services, as amended, was agreed to and third reading was ordered.

Message from the Senate No. 48

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 thirtieth day of April, 2019, he approved and signed a bill originating in the Senate of the following title:

S. 118. An act relating to the time frame for the adoption of administrative rules.

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

S. 133

Rep. Rachelson of Burlington, for the committee on Judiciary, to which had been referred Senate bill, entitled

An act relating to juvenile jurisdiction

Reported in favor of its passage in concurrence with proposal of amendment by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. § 5102 is amended to read:

§ 5102. DEFINITIONS AND PROVISIONS OF GENERAL APPLICATION

As used in the juvenile judicial proceedings chapters:

(1) “Care provider” means a person other than a parent, guardian, or custodian who is providing the child with routine daily care but to whom custody rights have not been transferred by a court.

(2) “Child” means any of the following:

(A) an individual who is under ~~the age of 18 years of age~~ and is a child in need of care or supervision as defined in subdivision (3)(A), (B), or (D) of this section (abandoned, abused, without proper parental care, or truant);

(B)(i) an individual who is under ~~the age of 18 years of age~~, is a child in need of care or supervision as defined in subdivision (3)(C) of this section (beyond parental control), and was under ~~the age of 16 years of age~~ at the time the petition was filed; or

(ii) an individual who is between ~~the ages of 16 to 17.5 years of age~~, is a child in need of care or supervision as defined in subdivision (3)(C) of this section (beyond parental control), and who is at high risk of serious harm to himself or herself or others due to problems such as substance abuse, prostitution, or homelessness.

(C) An individual who has been alleged to have committed or has committed an act of delinquency after becoming 10 years of age and prior to

becoming 22 years of age, unless otherwise provided in chapter 52 or 52A of this title; provided, however:

~~(i) that an individual who is alleged to have committed an act specified in subsection 5204(a) of this title after attaining 12 years of age but not 14 years of age may be treated as an adult as provided therein;~~

~~(ii) that an individual who is alleged to have committed an act specified in subsection 5204(a) of this title after attaining the age of 14 but not the age of 16 shall be subject to criminal proceedings as in cases commenced against adults, unless transferred to the court in accordance with the juvenile judicial proceedings chapters;~~

~~(iii) that an individual who is alleged to have committed an act before attaining the age of 10 years of age which would be murder as defined in 13 V.S.A. § 2301 if committed by an adult may be subject to delinquency proceedings; and~~

~~(iv)~~(ii) that an individual may be considered a child for the period of time the court retains jurisdiction under section 5104 of this title.

* * *

(9) “Delinquent act” means an act designated a crime under the laws of this State, or of another state if the act occurred in another state, or under federal law. A delinquent act shall include a violation of 7 V.S.A. § 656; however, it shall not include:

(A) snowmobile offenses in 23 V.S.A. chapter 29, subchapter 1 and motorboat offenses in 23 V.S.A. chapter 29, subchapter 2, except for violations of sections 3207a, 3207b, 3207c, 3207d, and 3323;

(B) pursuant to 4 V.S.A. § 33(b), felony motor vehicle offenses committed by an individual who is 16 years of age or older, except for violations of 23 V.S.A. chapter 13, subchapter 13 and of 23 V.S.A. § 1091.

(10) “Delinquent child” means a child who has been adjudicated to have committed a delinquent act.

(11) “Department” means the Department for Children and Families.

(12) “Guardian” means a person who, at the time of the commencement of the juvenile judicial proceeding, has legally established rights to a child pursuant to an order of a Vermont court or a court in another jurisdiction.

(13) “Judge” means a judge of the Family Division of the Superior Court.

(14) “Juvenile judicial proceedings chapters” means this chapter and chapters 52, 52A, and 53 of this title.

* * *

Sec. 2. 33 V.S.A. § 5103 is amended to read:

§ 5103. JURISDICTION

(a) The Family Division of the Superior Court shall have exclusive jurisdiction over all proceedings concerning a child who is or who is alleged to be a delinquent child or a child in need of care or supervision brought under the authority of the juvenile judicial proceedings chapters, except as otherwise provided in such chapters.

(b) Orders issued under the authority of the juvenile judicial proceedings chapters shall take precedence over orders in other Family Division proceedings and any order of another court of this State, to the extent they are inconsistent. This section shall not apply to child support orders in a divorce, parentage, or relief from abuse proceedings until a child support order has been issued in the juvenile proceeding.

(c)(1) Except as otherwise provided by this title and by subdivision (2) of this subsection, jurisdiction over a child shall not be extended beyond the child’s 18th birthday.

(2)(A) Jurisdiction over a child with a pending delinquency may be extended until six months beyond the child’s 19th birthday if the child was 16 or 17 years of age when he or she committed the offense.

(B) In no case shall custody of a child or youth 18 years of age or older be retained by or transferred to the Commissioner for Children and Families.

(C) Jurisdiction over a child in need of care or supervision shall not be extended beyond the child’s 18th birthday.

(D) Jurisdiction over a youthful offender shall not extend beyond the youth’s 22nd birthday.

(d) The ~~Court~~ court may terminate its jurisdiction over a child prior to the child’s 18th birthday by order of the court. If the child is not subject to another juvenile proceeding, jurisdiction shall terminate automatically in the following circumstances:

(1) upon the discharge of a child from juvenile or youthful offender probation, providing the child is not in the legal custody of the Commissioner;

(2) upon an order of the court transferring legal custody to a parent, guardian, or custodian without conditions or protective supervision;

(3) upon the adoption of a child following a termination of parental rights proceeding.

Sec. 3. 33 V.S.A. § 5201 is amended to read:

§ 5201. COMMENCEMENT OF DELINQUENCY PROCEEDINGS

(a) Proceedings under this chapter shall be commenced by:

(1) transfer to the court of a proceeding from another court as provided in section 5203 of this title; or

(2) the filing of a delinquency petition by a State's Attorney.

(b) If the proceeding is commenced by transfer from another court, no petition need be filed; however, the State's Attorney shall provide to the court the name and address of the child's custodial parent, guardian, or custodian and the name and address of any noncustodial parent if known.

(c) Any proceeding concerning a child who is alleged to have committed an act specified in subsection 5204(a) of this title after attaining 14 years of age, but not ~~18~~ 22 years of age, shall originate in the Criminal Division of the Superior Court, provided that jurisdiction may be transferred in accordance with this chapter and chapter 52A of this title, unless the State's Attorney files the charge directly as a youthful offender petition in the Family Division.

* * *

Sec. 4. 33 V.S.A. § 5280 is amended to read:

§ 5280. COMMENCEMENT OF YOUTHFUL OFFENDER
PROCEEDINGS IN THE FAMILY DIVISION

(a) A proceeding under this chapter shall be commenced by:

(1) the filing of a youthful offender petition by a State's Attorney; or

(2) transfer to the Family Court of a proceeding from the Criminal Division of the Superior Court as provided in section 5281 of this title.

(b) A State's Attorney may commence a proceeding in the Family Division of the Superior Court concerning a child who is alleged to have committed an offense after attaining ~~16~~ 14 years of age but not 22 years of age that could otherwise be filed in the Criminal Division.

(c) If a State's Attorney files a petition under subdivision (a)(1) of this section, the case shall proceed as provided under subsection 5281(b) of this title.

(d) Within 15 days after the commencement of a youthful offender proceeding pursuant to subsection (a) of this section, the youth shall be offered a risk and needs screening, which shall be conducted by the Department or by a community provider that has contracted with the Department to provide risk and needs screenings. The risk and needs screening shall be completed prior to the youthful offender status hearing held pursuant to section 5283 of this title. Unless the court extends the period for the risk and needs screening for good cause shown, the Family Division shall reject the case for youthful offender treatment if the youth does not complete the risk and needs screening within 15 days of the offer for the risk and needs screening.

(1) The Department or the community provider shall report the risk level result of the screening, the number and source of the collateral contacts made, and the recommendation for charging or other alternatives to the State's Attorney.

(2) Information related to the present alleged offense directly or indirectly derived from the risk and needs screening or other conversation with the Department or community-based provider shall not be used against the youth in the youth's criminal or juvenile case for any purpose, including impeachment or cross-examination. However, the fact of participation in risk and needs screening may be used in subsequent proceedings.

(e) If a youth presents a low to moderate risk to reoffend based on the results of the risk and needs screening, the State's Attorney shall refer a youth directly to court diversion unless the State's Attorney states on the record at the hearing held pursuant to section 5283 of this title why a referral would not serve the ends of justice. If the court diversion program does not accept the case or if the youth fails to complete the program in a manner deemed satisfactory and timely by the provider, the youth's case shall return to the State's Attorney for charging consideration.

Sec. 5. 33 V.S.A. § 5281 is amended to read:

§ 5281. MOTION IN CRIMINAL DIVISION OF SUPERIOR COURT

(a) A motion may be filed in the Criminal Division of the Superior Court requesting that a defendant under 22 years of age in a criminal proceeding who had attained 12 years of age but not 22 years of age at the time the offense is alleged to have been committed be treated as a youthful offender. The motion may be filed by the State's Attorney, the defendant, or the court on its own motion.

(b) ~~Upon~~ Unless the State's Attorney refers the youth directly to court diversion pursuant to subsection 5280(e) of this title, upon the filing of a motion under this section or the filing of a youthful offender petition pursuant

to section 5280 of this title, the Family Division shall hold a hearing pursuant to section 5283 of this title. Pursuant to section 5110 of this title, the hearing shall be confidential. Copies of all records relating to the case shall be forwarded to the Family Division. Conditions of release and any Department of Corrections supervision or custody shall remain in effect until:

(1) the Family Division accepts the case for treatment as a youthful offender and orders conditions of juvenile probation pursuant to section 5284 of this title;

(2) any conditions of release or bail are modified, amended, or vacated pursuant to 13 V.S.A. chapter 229; or

(3) the case is otherwise concluded.

(c)(1) If the Family Division rejects the case for youthful offender treatment pursuant to subsection 5284 of this title, the case shall be transferred to the Criminal Division. The conditions of release imposed by the Criminal Division shall remain in effect, and the case shall proceed as though the motion for youthful offender treatment or youthful offender petition had not been filed.

(2) Subject to Rule 11 of the Vermont Rules of Criminal Procedure and Rule 410 of the Vermont Rules of Evidence, the Family Division's denial of the motion for youthful offender treatment and any information related to the youthful offender proceeding shall be inadmissible against the youth for any purpose in the subsequent Criminal Division proceeding.

(d) If the Family Division accepts the case for youthful offender treatment, the case shall proceed to a confidential merits hearing or admission pursuant to sections 5227–5229 of this title.

Sec. 6. 33 V.S.A. § 5282 is amended to read:

§ 5282. REPORT FROM THE DEPARTMENT

(a) Within 30 days after the youth has completed the risk and needs screening pursuant to section 5280 of this title, unless the court extends the period for good cause shown or the State's Attorney refers the youth directly to court diversion pursuant to subsection 5280(e) of this title, the Department for Children and Families shall file a report with the Family Division of the Superior Court.

(b) A report filed pursuant to this section shall include the following elements:

(1) a recommendation as to whether diversion is appropriate for the youth because the youth is a low to moderate risk to reoffend;

(2) a recommendation as to whether youthful offender status is appropriate for the youth; and

(3) a description of the services that may be available for the youth.

(c) A report filed pursuant to this section is privileged and shall not be disclosed to any person other than:

(1) the Department;

(2) the court;

(3) the State's Attorney;

(4) the youth, the youth's attorney, and the youth's guardian ad litem;

(5) the youth's parent, guardian, or custodian if the youth is under 18 years of age, unless the court finds that disclosure would be contrary to the best interest of the child;

(6) the Department of Corrections; or

(7) any other person when the court determines that the best interests of the youth would make such a disclosure desirable or helpful.

Sec. 7. 33 V.S.A. § 5283 is amended to read:

§ 5283. HEARING IN FAMILY DIVISION

(a) Timeline. ~~A~~ Unless the State's Attorney refers the youth directly to court diversion pursuant to subsection 5280(e) of this title, a youthful offender status consideration hearing shall be held no later than 35 60 days after the transfer of the case from the Criminal Division or filing of a youthful offender petition in the Family Division.

(b) Notice. Notice of the hearing shall be provided to the State's Attorney; the youth; the youth's parent, guardian, or custodian; the Department; and the Department of Corrections.

(c) Hearing procedure.

(1) If the motion is contested, all parties shall have the right to present evidence and examine witnesses. Hearsay may be admitted and may be relied on to the extent of its probative value. If reports are admitted, the parties shall be afforded an opportunity to examine those persons making the reports, but sources of confidential information need not be disclosed.

(2) For individuals who had attained 18 years of age but not 22 years of age at the time the act is alleged to have been committed, hearings under 5284(a) of this title shall be open to the public. All other youthful offender proceedings shall be confidential.

(d) Burden of proof. The burden of proof shall be on the moving party to prove by a preponderance of the evidence that a child should be granted youthful offender status. If the court makes the motion, the burden shall be on the youth.

(e) Further hearing. On its own motion or the motion of a party, the court may schedule a further hearing to obtain reports or other information necessary for the appropriate disposition of the case.

Sec. 8. 33 V.S.A. § 5285(d) is amended to read:

(d) If a youth's status as a youthful offender is revoked and the case is transferred to the Criminal Division pursuant to subdivision (c)(2) of this section, the court shall enter a conviction of guilty based on the admission to or finding of merits, hold a sentencing hearing and impose sentence. Unless it serves the interest of justice, the case shall not be transferred back to the Family Division pursuant to section 5203 of this title. When determining an appropriate sentence, the court may take into consideration the youth's degree of progress toward or regression from rehabilitation while on youthful offender status. The Criminal Division shall have access to all Family Division records of the proceeding.

Sec. 9. 33 V.S.A. § 5286 is amended to read:

§ 5286. REVIEW PRIOR TO 18 YEARS OF AGE

(a) If a youth is adjudicated on probation as a youthful offender prior to reaching 18 years of age, the Family Division shall review the youth's case before he or she reaches 18 years of age and set a hearing to determine whether the court's jurisdiction over the youth should be continued past 18 years of age. The hearing may be joined with a motion to terminate youthful offender status under section 5285 of this title. The court shall provide notice and an opportunity to be heard at the hearing to the State's Attorney, the youth, the Department for Children and Families, and the Department of Corrections.

(b) After receiving a notice of review under this section, the State may file a motion to modify or revoke pursuant to section 5285 of this title. If such a motion is filed, it shall be consolidated with the review under this section and all options provided for under section 5285 of this title shall be available to the court.

(c) The following reports shall be filed with the court prior to the hearing:

(1) The Department for Children and Families and the Department of Corrections shall jointly report their recommendations, with supporting justifications, as to whether the Family Division should continue jurisdiction over the youth past 18 years of age and, if continued jurisdiction is

recommended, propose a case plan for the youth to ensure compliance with and completion of the juvenile disposition.

(2) If the Departments recommend continued supervision of the youthful offender past 18 years of age, the Departments shall report on the services which would be available for the youth.

(d) If the court finds that it is in the best ~~interest~~ interests of the youth and consistent with community safety to continue the case past 18 years of age, it shall make an order continuing the court's jurisdiction up to 22 years of age. The Department for Children and Families and the Department of Corrections shall jointly develop a case plan for the youth and coordinate services and share information to ensure compliance with and completion of the juvenile disposition.

(e) If the court finds that it is not in the best ~~interest~~ interests of the youth to continue the case past 18 years of age, it shall terminate the disposition order, discharge the youth, and dismiss the case in accordance with subsection 5287(c) of this title.

Sec. 10. EFFECTIVE DATE

This act shall take effect on passage.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time.

Pending the question Shall the bill amended as recommended by the committee on Judiciary? **Rep. McFaun of Barre Town** moved to recommit the bill to Judiciary.

Pending the question, Shall the bill be recommitted to the Committee on Judiciary? **Rep. Morrissey of Bennington** 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 be recommitted to the Committee on Judiciary? was decided in the negative. Yeas, 61. Nays, 81.

Those who voted in the affirmative are:

Bancroft of Westford	Gamache of Swanton	Norris of Shoreham
Batchelor of Derby	Gregoire of Fairfield	Page of Newport City
Bates of Bennington	Haas of Rochester	Pajala of Londonderry
Beck of St. Johnsbury	Hango of Berkshire	Palasik of Milton
Birong of Vergennes	Harrison of Chittenden	Potter of Clarendon
Bock of Chester	Helm of Fair Haven	Ralph of Hartland
Brennan of Colchester	Higley of Lowell	Rosenquist of Georgia
Brownell of Pownal	Howard of Rutland City	Savage of Swanton
Browning of Arlington	James of Manchester	Scheuermann of Stowe
Canfield of Fair Haven	Jickling of Randolph	Shaw of Pittsford
Carroll of Bennington	LaClair of Barre Town	Sibilia of Dover

Chesnut-Tangerman of Middletown Springs	Lefebvre of Newark	Smith of New Haven
Cupoli of Rutland City	Leffler of Enosburgh	Squirrell of Underhill
Dickinson of St. Albans Town	Marcotte of Coventry	Strong of Albany
Dolan of Waitsfield	Mattos of Milton	Sullivan of Dorset
Donahue of Northfield	McCoy of Poultney	Terenzini of Rutland Town
Elder of Starksboro	McCullough of Williston	Toof of St. Albans Town
Fagan of Rutland City	McFaun of Barre Town	Townsend of South Burlington
Fegard of Berkshire	Morgan of Milton	Walz of Barre City
Feltus of Lyndon	Morrissey of Bennington	
	Murphy of Fairfax *	
	Myers of Essex	

Those who voted in the negative are:

Ancel of Calais	Giambatista of Essex	O'Brien of Tunbridge
Anthony of Barre City *	Goslant of Northfield	Ode of Burlington
Austin of Colchester	Grad of Moretown	O'Sullivan of Burlington
Bartholomew of Hartland	Hashim of Dummerston	Partridge of Windham
Briglin of Thetford	Hill of Wolcott	Patt of Worcester
Brumsted of Shelburne	Hooper of Montpelier	Pugh of South Burlington
Burditt of West Rutland	Hooper of Randolph	Rachelson of Burlington
Burke of Brattleboro	Hooper of Burlington	Redmond of Essex
Campbell of St. Johnsbury	Houghton of Essex	Rogers of Waterville
Chase of Colchester	Jerome of Brandon	Scheu of Middlebury
Christensen of Weathersfield	Jessup of Middlesex	Seymour of Sutton
Christie of Hartford	Killackey of South Burlington	Sheldon of Middlebury
Cina of Burlington	Kimbell of Woodstock	Stevens of Waterbury
Coffey of Guilford	Kitzmiller of Montpelier	Sullivan of Burlington
Colburn of Burlington	Kornheiser of Brattleboro	Szott of Barnard
Colston of Winooski	Krowinski of Burlington	Taylor of Colchester
Conlon of Cornwall	LaLonde of South Burlington	Till of Jericho
Conquest of Newbury	Lanpher of Vergennes	Toleno of Brattleboro
Copeland-Hanzas of Bradford	Lippert of Hinesburg	Toll of Danville
Corcoran of Bennington	Long of Newfane	Trieber of Rockingham
Cordes of Lincoln	Macaig of Williston	Troiano of Stannard
Demrow of Corinth	Masland of Thetford	Webb of Shelburne
Donovan of Burlington	McCarthy of St. Albans City	White of Hartford
Durfee of Shaftsbury	McCormack of Burlington	Yacovone of Morristown
Emmons of Springfield	Mrowicki of Putney	Yantachka of Charlotte
Gannon of Wilmington	Nicoll of Ludlow	Young of Greensboro
Gardner of Richmond	Notte of Rutland City	
	Noyes of Wolcott	

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

Gonzalez of Winooski	Martel of Waterford	Smith of Derby
Graham of Williamstown	Quimby of Concord	Wood of Waterbury

Rep. Anthony of Barre City explained his vote as follows:

“Madam Speaker:

I respect the work of the committee. Issues yet to be resolved have been raised by Barre City representatives. I am confident these unresolved issues will be soon addressed and resolved satisfactorily.”

Rep. Murphy of Fairfax explained her vote as follows:

“Madam Speaker:

It is our job to write legislation that is clear and not to require our Attorneys General to reach out to ad hoc committees to be able to implement it. This request to return the bill to committee for a needed fix should be supported by all members.”

Thereupon, the proposal of amendment as recommended by the committee on Judiciary was agreed to and third reading was ordered.

**Favorable Reports; Second Reading;
Third Reading Ordered**

J.R.S. 13

Rep. Macaig of Williston, for the committee on Corrections and Institutions, to which had been referred Joint Senate resolution, entitled

Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to amend the Department’s lease with the Okemo Limited Liability Company and to authorize a conveyance of Woodchuck Mountain in Newbury as an alternative to the conveyance authorized in 2002 Acts and Resolves No. 149, Sec. 83(a)(3)

Reported in favor of its passage in concurrence.

Rep. Masland of Thetford, for the committee on Ways and Means reported in favor of its passage in concurrence.

Thereupon the resolution was read the second time and third reading was ordered.

Senate Proposal of Amendment Concurred in

H. 278

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

An act relating to acknowledgment or denial of parentage

The Senate proposes to the House to amend the bill by adding a new Sec. 6 to read as follows:

Sec. 6. 33 V.S.A. § 5111(a) is amended to read:

(a) If a child is placed in the legal custody of the Department and the identity of a parent has not been legally established at the time the petition is filed, the ~~Court~~ court may order that ~~the mother,~~ the child, and the ~~alleged father~~ child's alleged genetic parents submit to genetic testing and may issue an order establishing parentage pursuant to ~~15 V.S.A. chapter 5, subchapter 3A~~ 15C V.S.A. chapters 1–8 (parentage proceedings). A parentage order issued pursuant to this subsection shall not be deemed to be a confidential record.

And by numbering the remaining section to be numerically correct.

Which proposal of amendment was considered and concurred in.

Bill Committed

H. 514

House bill, entitled

An act relating to miscellaneous tax provisions

Appearing on the Calendar for action, was taken up and pending consideration of the Senate proposal of amendment, on motion of **Rep. Young of Greensboro**, the bill was committed to the committee on Ways and Means.

Action on Bill Postponed

H. 523

House bill, entitled

An act relating to miscellaneous changes to the State's retirement systems

Was taken up and pending the consideration of the Senate proposal of amendment, on motion of **Rep. Harrison of Chittenden**, action on the bill was postponed until May 7, 2019.

Adjournment

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