

Journal of the House

Thursday, January 26, 2012

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

Devotional Exercises

Devotional exercises were conducted by Rev. Patrice Goodwin of the United Methodist Church, Jericho, VT.

Rules Suspended; House Bills Introduced

House bills of the following titles were severally introduced. Pending first reading of the bills, on motion of **Rep. Savage of Swanton**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

H. 595

By Rep. Till of Jericho,
House bill, entitled
An act relating to allowing 16-year-olds to donate blood;
To the committee on Health Care.

H. 596

By Rep. Myers of Essex,
House bill, entitled
An act relating to authorizing gravel removal by municipalities;
To the committee on Fish, Wildlife & Water Resources.

H. 597

By Reps. Buxton of Tunbridge, Degree of St. Albans City, Pearson of Burlington, Ram of Burlington, Trieber of Rockingham, Young of Glover and Zagar of Barnard,

House bill, entitled

An act relating to allowing a taxpayer to claim a renter rebate for a portion of a taxable year;

To the committee on Ways and Means.

H. 598

By Reps. Campion of Bennington, Buxton of Tunbridge, Stuart of Brattleboro and Trieber of Rockingham,

House bill, entitled

An act relating to an exemption from Vermont's meals tax for nonprofit institutions;

To the committee on Ways and Means.

H. 599

By Rep. Frank of Underhill,

House bill, entitled

An act relating to license plates commemorating military valor awards;

To the committee on Transportation.

H. 600

By Rep. Grad of Moretown,

House bill, entitled

An act relating to mandatory mediation in foreclosure proceedings;

To the committee on Judiciary.

H. 601

By Rep. Kitzmiller of Montpelier,

House bill, entitled

An act relating to insurance coverage for cancer screenings;

To the committee on Health Care.

H. 602

By Reps. Till of Jericho, Bouchard of Colchester, Cheney of Norwich, Consejo of Sheldon, Eckhardt of Chittenden, Greshin of Warren, Keenan of St. Albans City, Reis of St. Johnsbury, Savage of Swanton, Waite-Simpson of Essex, Wilson of Manchester and Wizowaty of Burlington,

House bill, entitled

An act relating to eliminating required insurance coverage for prostate cancer screening;

To the committee on Health Care.

H. 603

By Reps. Till of Jericho, Copeland-Hanzas of Bradford, Dakin of Chester, Eckhardt of Chittenden, Fisher of Lincoln, Komline of Dorset, O'Brien of Richmond, Pearson of Burlington, Spengler of Colchester and Woodward of Johnson,

House bill, entitled

An act relating to uniform prior authorization request forms;

To the committee on Health Care.

H. 604

By Reps. Till of Jericho, Acinapura of Brandon, Bouchard of Colchester, Browning of Arlington, Cheney of Norwich, Christie of Hartford, Clarkson of Woodstock, Courcelle of Rutland City, Dakin of Chester, Degree of St. Albans City, Ellis of Waterbury, Evans of Essex, French of Shrewsbury, Johnson of South Hero, Keenan of St. Albans City, Kupersmith of South Burlington, Lorber of Burlington, Macaig of Williston, Malcolm of Pawlet, Martin of Wolcott, Miller of Shaftsbury, Mook of Bennington, Mrowicki of Putney, Myers of Essex, Nuovo of Middlebury, O'Brien of Richmond, O'Sullivan of Burlington, Reis of St. Johnsbury, Savage of Swanton, South of St. Johnsbury, Toll of Danville, Townsend of Randolph, Waite-Simpson of Essex, Webb of Shelburne, Winters of Williamstown, Yantachka of Charlotte and Zagar of Barnard,

House bill, entitled

An act relating to student athletes with suspected head injuries;

To the committee on Health Care.

H. 605

By Rep. Grad of Moretown,

House bill, entitled

An act relating to a decrease in a school district's equalized pupil count because of Tropical Storm Irene;

To the committee on Ways and Means.

H. 606

By Rep. Branagan of Georgia,

House bill, entitled

An act relating to the creation of an independent office of taxpayer appeals;
To the committee on Ways and Means.

H. 607

By Reps. Wizowaty of Burlington, Buxton of Tunbridge, Davis of Washington, Deen of Westminster, Donovan of Burlington, Edwards of Brattleboro, French of Shrewsbury, French of Randolph, Lippert of Hinesburg, Malcolm of Pawlet, Moran of Wardsboro, Mrowicki of Putney, Pearson of Burlington, Ram of Burlington and Zagar of Barnard,

House bill, entitled

An act relating to transferring an inmate to an out-of-state correctional facility;

To the committee on Corrections and Institutions.

H. 608

By Reps. Buxton of Tunbridge, Degree of St. Albans City and Ram of Burlington,

House bill, entitled

An act relating to reporting lost or stolen prescription drugs;

To the committee on Health Care.

H. 609

By Rep. Wizowaty of Burlington,

House bill, entitled

An act relating to the disparity between cocaine and crack cocaine;

To the committee on Judiciary.

H. 610

By Rep. Buxton of Tunbridge,

House bill, entitled

An act relating to the sale of invasive plants;

To the committee on Agriculture.

H. 611

By Reps. Sweaney of Windsor, Hubert of Milton and Martin of Wolcott,

House bill, entitled

An act relating to public records act exemptions;
To the committee on Government Operations.

H. 612

By Rep. Lippert of Hinesburg,
House bill, entitled

An act relating to authorizing arbitration for unit owners of condominiums
and common interest communities;

To the committee on Commerce and Economic Development.

H. 613

By Rep. Emmons of Springfield,
House bill, entitled

An act relating to governance of the Community High School of Vermont ;

To the committee on Education.

H. 614

By Reps. Potter of Clarendon, Bissonnette of Winooski, Bohi of Hartford,
Courcelle of Rutland City and Mrowicki of Putney,

House bill, entitled

An act relating to licensing procedures for older drivers;

To the committee on Transportation.

H. 615

By Rep. Till of Jericho,

House bill, entitled

An act relating to improving the oral health of Vermonters;

To the committee on Health Care.

Bill Amended; Third Reading Ordered

H. 59

Rep. Stevens of Waterbury, for the committee on General, Housing and
Military Affairs, to which had been referred House bill, entitled

An act relating to unfair housing practices

Reported in favor of its passage when amended as follows:

Sec. 1. 9 V.S.A. § 4503 is amended to read:

§ 4503. UNFAIR HOUSING PRACTICES

(a) It shall be unlawful for any person:

* * *

(12) To discriminate in land use decisions or in the permitting of housing because of race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, disability, the presence of one or more minor children, or receipt of public assistance, or, except as otherwise provided by law, the fact that the housing contains affordable housing units for families or individuals with incomes at or below 80 percent of the area median income.

* * *

Sec. 2. 24 V.S.A. § 4412 is amended to read:

§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

Notwithstanding any existing bylaw, the following land development provisions shall apply in every municipality:

(1) Equal treatment of housing and required provisions for affordable housing.

(A) No bylaw, nor its application by an appropriate municipal panel under this chapter, shall have the effect of excluding housing that meets the needs of the population as determined in the housing element of its municipal plan as required under subdivision 4382(a)(10) of this title, or discriminating in the permitting of housing as specified in 9 V.S.A. § 4503.

* * *

The bill was taken up, read the second time and the report of the committee on General, Housing and Military Affairs agreed to and third reading ordered.

Bill Amended; Third Reading Ordered

H. 449

Rep. Lewis of Derby, for the committee on Fish, Wildlife & Water Resources, to which had been referred House bill, entitled

An act relating to the designation of brook trout and walleye pike as the state fish of Vermont

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS

The General Assembly finds that:

(1) there are two fish in Vermont that are high quality, handsome game fish.

(2) these fish are representative of Vermont's reputation for clean water and fine fishing.

(3) these two fish symbolize both the icy cold mountain streams and the warmer lakes within the state, and the fine fishing available in both.

(4) the designation of these two fish is in recognition of the students of Cornwall Elementary School, whose efforts resulted in a Joint Resolution, approved by the General Assembly, May 3, 1978 (J.R.S. 41), designating the two state fish.

Sec. 2. 1 V.S.A. § 501 is amended to read:

§ 501. ~~{Omitted.}~~ STATE FISH

The state cold water fish shall be the brook trout (*salvelinus fontinalis*) and the state warm water fish shall be the walleye pike (*sander vitreus*).

Sec. 3 EFFECTIVE DATE

This act shall take effect upon passage.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Fish, Wildlife & Water Resources agreed to and third reading ordered.

Favorable Report; Third Reading Ordered

H. 552

Rep. Ralston of Middlebury, for the committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to payment of workers' compensation benefits by electronic payroll card

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.

Adjournment

At one o'clock and forty-five minutes in the afternoon, on motion of **Rep. Savage of Swanton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.