

# Journal of the House

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**Thursday, January 24, 2013**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rev. Carl Hilton VanOsdall of the First Presbyterian Church, Barre, Vt.

## **House Bills Introduced**

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

### **H. 66**

By Rep. Condon of Colchester,

House bill, entitled

An act relating to the allocation of revenue raised from break-open tickets;

To the committee on Ways and Means.

### **H. 67**

By Reps. Consejo of Sheldon, Cole of Burlington, Mook of Bennington, Townsend of Randolph and Townsend of South Burlington,

House bill, entitled

An act relating to the transport of election ballots by town clerks after a recount;

To the committee on Government Operations.

### **H. 68**

By Rep. Till of Jericho,

House bill, entitled

An act relating to continuing medical education requirements;

To the committee on Human Services.

### **H. 69**

By Reps. Dickinson of St. Albans Town, Koch of Barre Town and Moran of Wardsboro,

House bill, entitled

An act relating to licensed alcohol and drug abuse counselors as participating providers in Medicaid;

To the committee on Human Services.

**H. 70**

By Reps. Frank of Underhill, Burditt of West Rutland, Cheney of Norwich, French of Randolph, Koch of Barre Town, Krowinski of Burlington, McFaun of Barre Town, Trieber of Rockingham and Wilson of Manchester,

House bill, entitled

An act relating to prohibiting smoking in a motor vehicle when a child is present;

To the committee on Transportation.

**H. 71**

By Reps. Frank of Underhill and Krowinski of Burlington,

House bill, entitled

An act relating to tobacco products;

To the committee on Human Services.

**H. 72**

By Rep. O'Brien of Richmond,

House bill, entitled

An act relating to accessory dwellings in flood hazard areas;

To the committee on Fish, Wildlife & Water Resources.

**H. 73**

By Rep. Pugh of South Burlington,

House bill, entitled

An act relating to the Office of the Child Advocate;

To the committee on Human Services.

**H. 74**

By Reps. Moran of Wardsboro and Grad of Moretown,

House bill, entitled

An act relating to nonjudicial discipline;

To the committee on General, Housing and Military Affairs.

**H. 75**

By Rep. Clarkson of Woodstock,

House bill, entitled

An act relating to returning unused property tax adjustment funds to the Education Fund;

To the committee on Ways and Means.

**H. 76**

By Reps. Donahue of Northfield, Batchelor of Derby, Bissonnette of Winooski, Botzow of Pownal, Branagan of Georgia, Burditt of West Rutland, Burke of Brattleboro, Buxton of Tunbridge, Champion of Bennington, Carr of Brandon, Christie of Hartford, Consejo of Sheldon, Dakin of Chester, Davis of Washington, Deen of Westminster, Devereux of Mount Holly, Dickinson of St. Albans Town, Donaghy of Poultney, Donovan of Burlington, Ellis of Waterbury, Emmons of Springfield, Fisher of Lincoln, French of Randolph, Grad of Moretown, Haas of Rochester, Head of South Burlington, Hebert of Vernon, Jerman of Essex, Keenan of St. Albans City, Kilmartin of Newport City, Kitzmiller of Montpelier, Klein of East Montpelier, Koch of Barre Town, Komline of Dorset, Krowinski of Burlington, Lenex of Shelburne, Lewis of Berlin, Lippert of Hinesburg, Malcolm of Pawlet, Marek of Newfane, Martin of Springfield, Martin of Wolcott, Masland of Thetford, McFaun of Barre Town, Mrowicki of Putney, Myers of Essex, O'Brien of Richmond, O'Sullivan of Burlington, Pearson of Burlington, Poirier of Barre City, Potter of Clarendon, Pugh of South Burlington, Russell of Rutland City, Savage of Swanton, Scheuermann of Stowe, Shaw of Pittsford, Shaw of Derby, Stevens of Waterbury, Strong of Albany, Stuart of Brattleboro, Terenzini of Rutland Town, Till of Jericho, Townsend of Randolph, Townsend of South Burlington, Trieber of Rockingham, Waite-Simpson of Essex, Weed of Enosburgh and Wizowaty of Burlington,

House bill, entitled

An act relating to preservation of the Vermont State Hospital cemetery;

To the committee on Corrections and Institutions.

**H. 77**

By Rep. Till of Jericho,

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House bill, entitled

An act relating to health insurance prior authorizations;

To the committee on Health Care.

**H. 78**

By Reps. Fagan of Rutland City, Cupoli of Rutland City, Gage of Rutland City, Russell of Rutland City and Terenzini of Rutland Town,

House bill, entitled

An act relating to bail, conditions of release, and the possession of a dangerous or deadly weapon;

To the committee on Judiciary.

**H. 79**

By Reps. Fagan of Rutland City, Cupoli of Rutland City, Gage of Rutland City, Russell of Rutland City and Terenzini of Rutland Town,

House bill, entitled

An act relating to penalties for the sale of regulated drugs in a dwelling;

To the committee on Judiciary.

**H. 80**

By Reps. Pugh of South Burlington, Head of South Burlington, Kupersmith of South Burlington and Townsend of South Burlington,

House bill, entitled

An act relating to the creation of a tax increment financing district;

To the committee on Ways and Means.

**H. 81**

By Rep. Stevens of Waterbury,

House bill, entitled

An act relating to reconsideration or rescission of votes taken by Australian ballot;

To the committee on Government Operations.

**H. 82**

By Reps. Hubert of Milton, Bouchard of Colchester, Devereux of Mount Holly, Dickinson of St. Albans Town, Evans of Essex, Gage of Rutland City,

Hebert of Vernon, Juskiewicz of Cambridge, Lewis of Berlin, Martin of Wolcott, Mitchell of Fairfax, Mook of Bennington, Myers of Essex, Savage of Swanton, Strong of Albany, Sweaney of Windsor, Townsend of Randolph and Townsend of South Burlington,

House bill, entitled

An act relating to adopting a statewide calendar for public schools;

To the committee on Education.

**H. 83**

By Reps. Yantachka of Charlotte and McCullough of Williston,

House bill, entitled

An act relating to green burials;

To the committee on General, Housing and Military Affairs.

**H. 84**

By Reps. Stevens of Waterbury, Conquest of Newbury, Consejo of Sheldon, McCarthy of St. Albans City, Savage of Swanton, Webb of Shelburne and Zagar of Barnard,

House bill, entitled

An act relating to the Office of Native American Affairs;

To the committee on General, Housing and Military Affairs.

**H. 85**

By Reps. Grad of Moretown, Buxton of Tunbridge, Krowinski of Burlington, Ram of Burlington, Donahue of Northfield, French of Randolph, Lenes of Shelburne and Moran of Wardsboro,

House bill, entitled

An act relating to Medicaid benefits for U visa holders;

To the committee on Human Services.

**House Resolution Referred to Committee**

**H.R. 5**

House resolution, entitled

House resolution to amend Rule 25 of the Rules of the House of Representatives pertaining to the jurisdiction of the Committee on Government Operations

Offered by: Representatives Sweaney of Windsor, Hubert of Milton, and Martin of Wolcott

Whereas, it is the policy of the State of Vermont to provide for free and open examination of records in order to ensure government accountability, and

Whereas, it is also the policy of the State of Vermont to protect a citizen's right to privacy in his or her personal and economic pursuits unless specific information is needed to review the action of a government officer, and

Whereas, to ensure that the policy of government accountability is properly balanced by the policy of a citizen's right to privacy, the Committee on Government Operations should have jurisdiction over public policy related to open meeting and public records issues, now therefore be it

Resolved by the House of Representatives:

That this legislative body moves to amend Rule 25 of the Rules of the House of Representatives to read:

25. At the beginning of each regular session, standing committees shall be appointed having the following names, number of members, and duties:

|                  |                |                                     |           |
|------------------|----------------|-------------------------------------|-----------|
| <u>Committee</u> | <u>Members</u> | <u>To Consider Matters Relating</u> | <u>to</u> |
|------------------|----------------|-------------------------------------|-----------|

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|--|-----------------------------------|
|  | Government Operations             |
|  | 11                                |
|  | Organization,                     |
|  | oversight and conduct of state    |
|  | government, compensation of       |
|  | state officials and employees,    |
|  | pensions, law enforcement,        |
|  | public safety,                    |
|  | reapportionment, municipal        |
|  | corporations, suffrage,           |
|  | nominations, elections and the    |
|  | election of members; local,       |
|  | county, and regional              |
|  | governmental structures;          |
|  | relations between state and       |
|  | local governments; <u>open</u>    |
|  | <u>meeting issues; and public</u> |
|  | <u>records issues.</u>            |

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Which was read and referred to the committee on Rules.

**Favorable Report; Third Reading Ordered**

**H. 26**

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

An act relating to technical corrections

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.

**Joint Resolution Adopted**

**J.R.H. 1**

Joint resolution, entitled

Joint resolution relating to the history and legacy of the Vermont State Hospital and the preservation of its cemetery;

Was taken up and adopted on the part of the House.

**Adjournment**

At one o'clock and fifteen minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.