

House Calendar

FRIDAY, JANUARY 30, 2009

24th DAY OF ADJOURNED SESSION

House Convenes at 9:30 A. M.

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ORDERS OF THE DAY

ACTION CALENDAR

Favorable with Amendment

H. 6

An act relating to the sale of engine coolants and antifreeze.

Rep. Young of St. Albans City, for the Committee on **Natural Resources and Energy**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 9 V.S.A. chapter 76, subchapter 1 is added to read:

Subchapter 1. Hydraulic Brake Fluids

Sec. 2. 9 V.S.A. chapter 76, subchapter 2 is added to read:

Subchapter 2. Sale of Engine Coolants and Antifreeze

§ 2841. AVERSIVE AGENT REQUIRED

As of January 1, 2011, a person shall not sell or offer to sell in this state any engine coolant or antifreeze that contains more than 10 percent ethylene glycol unless the engine coolant or antifreeze includes denatonium benzoate at a minimum of 30 parts per million and a maximum of 50 parts per million as an aversive agent within the product so as to render it unpalatable, except that this subchapter shall not apply to product inventory purchased by retailers prior to January 1, 2011.

§ 2842. RECORDS OF MANUFACTURER AND PACKAGER

Any manufacturer or packager of engine coolant or antifreeze subject to this subchapter shall maintain a record of the trade name, the scientific name, and the active ingredients of the aversive agent used pursuant to this subchapter. Information and documentation maintained pursuant to this subchapter must be furnished to any member of the public upon request.

§ 2843. LIMITATION OF LIABILITY

A manufacturer, distributor, recycler, or seller of any engine coolant or antifreeze that contains denatonium benzoate as required under this subchapter is not liable to any person for any personal injury, death, property damage, damage to the environment or natural resources, or economic loss that results from the inclusion of denatonium benzoate if included in concentrations mandated by this subchapter. This section does not provide immunity to any

person for liability to the extent that the cause of liability is not related to the inclusion of denatonium benzoate in any engine coolant or antifreeze as required by this subchapter.

§ 2844. MISCONDUCT NEGATES LIMITATION OF LIABILITY

The limitation of liability under section 2843 of this title does not apply if the personal injury, death, property damage, damage to the environment or natural resources, or economic loss results from willful or reckless misconduct by the manufacturer, the distributor, the recycler or the seller of the ethylene glycol engine coolant or antifreeze.

§ 2845. EXCEPTIONS

This subchapter does not apply to the sale of a motor vehicle that contains engine coolant or antifreeze.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.

(Committee vote: 11-0-0)

Joint Resolution to be Offered

J.R.H. 5

Joint house resolution supporting the candidacy of Linda M. Perham to serve as national commander of the American Legion

Offered by: Representatives Obuchowski of Rockingham, Krawczyk of Bennington, Morrissey of Bennington, Acinapura of Brandon, Adams of Hartland, Aswad of Burlington, Baker of West Rutland, Canfield of Fair Haven, Fagan of Rutland City, O'Donnell of Vernon, Potter of Clarendon and Winters of Williamstown

Whereas, the American Legion is an organization composed of veterans of our nation's military services that works to ensure they are not forgotten, and

Whereas, the American Legion promotes patriotism and loyalty to our nation and its values, and

Whereas, the men and women who are American Legion members belong to local posts throughout the United States, including Vermont, and

Whereas, the highest officer in the American Legion is the national commander, who represents the organization before many forums in both government and the private sector, and

Whereas, the national commander has never been a Vermonter and has always been a male, and

Whereas, Linda Perham, who grew up in Bellows Falls, is a superb candidate for the office of American Legion national commander who, if elected, would become both the first Vermonter and the first woman to reach the pinnacle of the American Legion's leadership, and

Whereas, the national commander visits American Legion Posts and addresses foreign dignitaries and troops both at home and overseas, and

Whereas, Linda Perham is a graduate of Bellows Falls High School and Southern Vermont College, from which she earned an associate degree magna cum laude in nursing, and

Whereas, she is a life member of American Legion Post #37, and

Whereas, for 13 years, Linda Perham served in the U.S. Army as a combat medic, licensed practical nurse, and registered nurse, and

Whereas, within the Vermont Department of the American Legion, she rose to the rank of department commander, and

Whereas, nationally, Linda Perham has served as an American Legion leader of great distinction, performing many roles including national vice commander, and

Whereas, the Vermont Department of the American Legion has enthusiastically endorsed her candidacy and is assisting her in the campaign process, and

Whereas, Linda Perham's selection as the national commander of the American Legion would be a historic milestone for women members of the American Legion and its posts in the state of Vermont, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly expresses its support for the candidacy of Linda Perham to serve as national commander of the American Legion, and be it further

Resolved: That the secretary of state be directed to send a copy of this resolution to Team Vermont in Bennington and to Linda Perham.

CONSENT CALENDAR

Concurrent Resolutions for Notice Under Joint Rule 16

The following concurrent resolutions have been introduced for approval by the House and Senate and have been printed in the Senate and House Addendum to today's calendars. These will be adopted automatically unless a member requests floor consideration before the end of the session of the next

legislative day. Requests for floor consideration should be communicated to the Clerk of the House or to a member of his staff.

(For text of Resolutions, see Addendum to House and Senate Notice Calendar for Friday, January 30, 2009)

H.C.R. 30

House concurrent resolution honoring the judicial career of Bennington Probate Judge Doris S. Buchanan

H.C.R. 31

House concurrent resolution recognizing the work of the National Alliance of Mental Illness

H.C.R. 32

House concurrent resolution commending the leadership of Central Vermont Public Service and the support of other electric companies and state offices in restoring electric power in southern Vermont following the December 2008 ice storm

H.C.R. 33

House concurrent resolution in memory of Mary Jane Shriver of Barre Town

H.C.R. 34

House concurrent resolution congratulating the 2008 Williston All Stars state championship Little League Baseball team

H.C.R. 35

House concurrent resolution congratulating the Fraternal Order of Eagles' Bennington Aerie #1861 on its centennial anniversary

S.C.R. 7.

Senate concurrent resolution celebrating the 75th anniversary of the Vermont Farm Show.

S.C.R. 8.

Senate concurrent resolution recognizing the greater weather fortitude of the Vermont General Assembly in comparison to the New Hampshire General Court.

PUBLIC HEARINGS

Tuesday, February 10, 2009 – Room 11 – 4:00 P.M. – Deployment of National Guard – House Committee on General, Housing and Military Affairs

Joint Public Hearing on Fiscal Year 2010 budget on Vermont Interactive Television

Appropriations Committees

Monday, February 9, 2009, 4:30 - 7:00 p.m. – The House and Senate Appropriations Committees will hold a joint public hearing on Vermont Interactive Television (V.I.T.) to give Vermonters throughout the state an opportunity to express their views about the State budget for fiscal year 2010. All V.I.T. sites will be available for the hearing: Bennington, Brattleboro, Castleton, Johnson, Lyndonville, Middlebury, Montpelier, Newport, Randolph Center, Rutland, Springfield, St. Albans, Waterbury, White River Junction and Williston. V.I.T.'s web site has an up-to-date location listing, including driving directions, addresses and telephone numbers.

For information about the format of this event, interested parties may call the House Appropriations Committee office at 802/828-5970. Requests for interpreters should be made to the office by 12:00 noon on Friday, January 23, 2009.

Joint Committee Hearing

Friday, February 6, 2009 - Room 10 – Rest Areas Discussion – House and Senate Committees on Transportation

HOUSE BILL INTRODUCTION DEADLINES

To All House Members:

Request Deadline - All requests for introduction of bills drafted in *standard* form must be submitted to the Legislative Council by Friday, January 30, 2009.

During the first year of the biennium, a member may request introduction of a bill drafted in *short* form and submitted to the Legislative Council anytime during the session.

Introduction Deadline - Except with prior consent of the Committee on Rules, all bills drafted in standard form, shall be introduced by February 27, 2009.

During the first year of the biennium Committee bills may be introduced at anytime.

JOINT ASSEMBLY

Thursday, February 19, 2009 – 10:30 A.M. – House Chamber –Election of a Sergeant at Arms, of an Adjutant and Inspector General, and of three (3) trustees for the University of Vermont, and Vermont and State Agricultural College.

Candidates for the positions of Sergeant at Arms and of Adjutant and Inspector General, and legislative candidates for UVM trustees must notify the Secretary of State **in writing** of their candidacies not later than Thursday, February 12, 2009, by 5:00 P.M., pursuant to the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.

NOTICE

Training Schedule re: Sexual Harassment

Friday, February 6 – 1:00 p.m. - 2:15 p.m.

Friday, February 6 – 3:00 p.m. - 4:15 p.m.

Wednesday, February 11 – 3:00 p.m. - 4:15 p.m.

Meeting rooms to be announced.

Reports Received

The Clerk of the House has received the following reports, copies of which may be ordered from his office:

REPORTS 2009

The following reports can be found on the State of Vermont webpage, www.leg.state.vt.us. Please note that some reports have been filed electronically and must be downloaded if you prefer a hard copy.

Act 154, Sec.3 Agricultural, Forestry, and Horticultural Education
Vermont Department of Education

Economic Development and Workforce Development, Vermont Department of Education

2009 Legislative Report on Conservation Plates

Vermont Fish & Wildlife Department

Signage for Bridge Projects

Vermont Agency of Transportation

Report to the 2009 General Assembly

Vermont Department of Buildings and General Services

2009 Legislative Report on Complimentary Licenses Table

Department of Fish and Wildlife

Service Planning for High School Graduates with Developmental Disabilities

Department of Disabilities, Aging & Independent Living & Department of Education

Performance Indicators for the Vermont Weatherization Assistance

Program Vermont Agency of Human Services

Management of Deer Herd

Vermont Fish & Wildlife Department

Enhanced Driver License Program

Vermont Agency of Transportation

2009 Annual Report Bridge Programs

Vermont Agency of Transportation

Transportation of Individuals in the Custody of Commissioner of Mental Health

Vermont Department of Mental Health

Implementation of Act. 114

Vermont Department of Mental Health

Rail Crossing Summer Study

Vermont Agency of Transportation

Route Performance Reviews

Vermont Agency of Transportation

Families Receipt of Reach Up Assistance in Excess of 60 Months

Agency of Human Services

Report to the 2009 General Assembly

Department of Buildings and General Services

Fair Contracting Standards Workgroup Report, Act 203, Sec.31, 2009

Vermont Medical Society

Vermont Housing Budget and Investment Report, 2009
Department of Housing and Community Affairs

Connecticut River Valley Tourism District Annual Status Report
Department of Tourism & Marketing

Report on 3 V.S.A. Section 2222(1) and 2008 Act 206 Section 7(1)
Administration Agency

State Surplus Land and its Potential for Housing Development
Agency of Commerce & Community Development D

Revolving Loan Fund Report
Agency of Commerce & Community Development

Independent Study of the Administration of Involuntary Non-Emergency Medications During 2008 Flint Springs Associates

Enhanced 9-1-1 Report
Enhanced 9-1-1 Board

Issuance of Distinctive Registration Plates - 2009
Department of Motor Vehicles

Three-year Forecast of Vermont Health Care Expenditures 2009
Department of Banking, Insurance, Securities and health Care Administration

Health Insurance Survey of Vermont Households, 2008
Department of Banking, Insurance, Securities, and Health Care Administration

Brownfield's Advisory Committee 2009 Legislative Report
Vermont Agency of Natural Resources

Workers' Compensation Workgroup Report 2009
Vermont Medical Society

Vermont Blueprint for Health Annual Report 2009
Vermont Department of Health

The Vermont Approach, A Strategic Plan for Comprehensive, Collaborative Sexual Violence Prevention, 2009
Anti-Violence Partnership at UVM and the Sexual Violence Prevention Task Force

Vermont Tobacco Evaluation and Review Board
Agency of Human Services and the Department of Health

VTRANS' Plans for Maintenance Facilities in Chittenden & Addison Counties
Vermont Agency of Transportation, Operations Division

Vermont Long Term Care Partnership Program
BISCHA, Division of Health Care Administration

2009-01 Vermont Tax Expenditure Report
Vermont Department of Taxes

Basic Needs Budget and the Livable Wage
Joint Fiscal Office, Technical Advisory Council

Lead Poisoning Prevention
Vermont Department of Health, Agency of Human Services

Flavored Malt Beverage Study
Vermont Department of Liquor Control

Sixth Annual Report on Archival and Records Management
Secretary of State

2009 Tax Increment Financing District Annual Report
Town of Milton

Community High School of Vermont (CHSVT)
Department of Corrections

Goals and Measures 2008 Annual Report
Next Generation Workforce Leadership Committee

School Environmental Health Annual Report
Vermont Department of Health, Agency of Human Services

Vermont Spay-Neuter Incentive Program (VSNIP)
Agency of Agriculture, Food and Markets

VDH-ADAP Strategic Plan
Vermont Department of Health, Agency of Human Services

Funding and Management Plan for Rail Trails
Vermont Agency of Transportation, Operations Division

Patient Safety, Surveillance, and Improvement System, VT 2008
Vermont Department of Health, Agency of Human Services

Vermont Prescription Monitoring Program
Vermont Department of Health

Use of Military EMS Personnel, VT 2008
Vermont Department of Health, Agency of Human Services

Healthy Living Initiatives 2008
Vermont Department of Health, Agency of Human Services

2008 Inventory of Coordinated School Health Programs
Vermont Department of Health, Agency of Human Services

Consumer Information Regarding Fertilizer Use on Nonagricultural Turf
Vermont Agency of Agriculture

2009 Insurer Mental Health & Substance Abuse Report Card
Department of BISHCA, Mental Health & Substance Abuse Task Force

Workforce Report Fiscal Year 2008 and Department of Human Resources
Annual Report 2008
Department of Human Resources

Report on Progress Benchmarks
Vermont Department of Corrections

Tobacco Compliance Tests Conducted During Calendar year 2008
Department of Liquor Control

Juvenile Justice Committee Report
Department for Children & Families

VDOL Workforce Education & Training Fund Report
Vermont Department of Labor & Training

Medicaid for Working People with Disabilities
Department of Disabilities, Aging & Independent Living

Insurer Mental Health & Substance Abuse Report Card
Department of Banking, Insurance, Securities, & Health Care Administration

Transportation of Children in State Custody
Department for Children & Families

2007 Annual Report of Banking and Insurance Commissioner
Department of Banking, Insurance, Securities & Health Care Administration