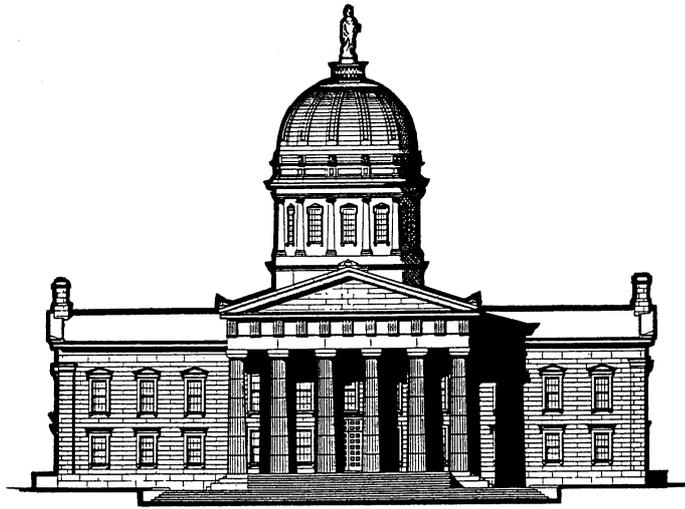


STATE OF VERMONT



SUMMARY OF THE ACTS AND RESOLVES

OF THE

2010 VERMONT GENERAL ASSEMBLY

PREPARED BY THE STAFF OF THE
LEGISLATIVE COUNCIL

**SUMMARY OF THE
ACTS AND RESOLVES
OF THE
2010 VERMONT GENERAL ASSEMBLY**

**Prepared by the Staff of the
Legislative Council**

The materials in this booklet summarize and highlight major features of legislation and resolutions enacted or adopted during the 2010 Session of the Vermont General Assembly. The purpose of this publication is to provide the public with general information about the various subject matter areas addressed by the general assembly. The summaries should not be relied upon as a substitute for reading the actual text of the 2010 Acts and Resolves, which is posted on the legislative website (www.leg.state.vt.us) or may be obtained from the Legislative Council (802-828-2231).

TABLE OF CONTENTS
PART I

AGRICULTURE.....	iii
ALCOHOLIC BEVERAGES	iii
APPROPRIATIONS AND FINANCE.....	iii
BANKING.....	iii
COMMERCE AND TRADE.....	iv
CONSERVATION AND LAND DEVELOPMENT	iv
CONSUMER PROTECTION.....	iv
CORRECTIONS	v
CRIMES AND CRIMINAL PROCEDURES.....	v
DOMESTIC RELATIONS.....	v
ECONOMIC DEVELOPMENT	v
EDUCATION	v
ELECTIONS.....	vi
EXECUTIVE BRANCH	vi
FISH AND WILDLIFE	vi
GENERAL PROVISIONS	vi
HEALTH	vii
HOUSING	vii
HUMAN SERVICES	vii
INSURANCE.....	viii
JUDICIARY	viii
LABOR.....	viii
LEGISLATURE.....	viii
MOTOR VEHICLES	ix
MUNICIPAL GOVERNMENT AND CHARTERS.....	ix
PROFESSIONS AND OCCUPATIONS.....	x
PROPERTY	x
PUBLIC RECORDS	x
PUBLIC SAFETY.....	x
PUBLIC SERVICE.....	x
RETIREMENT	x
TAXATION AND FEES.....	x
TOBACCO PRODUCTS	xi
TRANSPORTATION	xi
JOINT RESOLUTIONS RELATING TO USE OF THE STATE HOUSE	xi
CONCURRENT RESOLUTIONS AS COMMEMORATIONS, MEMORIALS, AND SENTIMENTS	xi
JOINT RESOLUTIONS RELATING TO SESSIONS AND ADJOURNMENT.....	xx
JOINT RESOLUTIONS RELATING TO PETITIONS, ISSUES, AND POLICY DIRECTIVES	xx
SENATE RESOLUTIONS.....	xxi
HOUSE RESOLUTIONS.....	xxi

PART II

SUMMARY OF THE 2010 ACTS (No. 63–161), MUNICIPAL ACTS (No. M-14–M-24), VETOED LEGISLATION NOT ENACTED (H.485), AND RESOLUTIONS (R-264–R-512 and Adopted Senate and House Resolutions).....	1
2010 TRANSFER TABLES	121
SUMMARY OF BIENNIAL AND SPECIAL SESSION ACTIVITIES 2009/2010.....	126

PART I

AGRICULTURE

Agricultural development director; agricultural development board; livestock care standards advisory council; humane slaughter; animal welfare; medical certificate, Act No. 158 (S.295)..... 74

Conservation and development; agriculture; land use; composting, Act No. 141 (H.614) 56

Dairy hauling costs, Act No. 148 (S.264)..... 61

Economic development; agricultural innovation center, Act No. 101 (H.765)..... 22

Farm employee housing, Act No. 89 (H.680)..... 16

Farmers’ markets, Act No. 109 (H.725) 26

Nursery dealers; nursery inspection, Act No. 144 (H.769)..... 58

Preliminary incubation (PI) count in raw milk; harvesting of trees, Act No. 147 (S.207) 60

Use value appraisal program, VETOED (H.485) 91

ALCOHOLIC BEVERAGES

Alcoholic beverages, Act No. 102 (H.772)..... 22

Licenses; premises, Act No. 77 (H.695)..... 6

APPROPRIATIONS AND FINANCE

Appropriations, Act No. 156 (H.789)..... 70

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792).. 60

Capital appropriations; bonding; school construction funding, Act No. 161 (H.790)..... 85

FY2010 budget adjustment, Act No. 67 (H.534)..... 3

Miscellaneous tax provisions, Act No. 160 (H.783)..... 77

Renewable energy, Act No. 159 (H.781)..... 75

State government; administration and policy implementation; service and performance; reduced spending; accountability, Act No. 68 (S.286) 3

Transportation; transportation program; motor vehicles, Act No. 123 (H.784) 35

BANKING

Banking; captive insurance; securities; health care administration, Act No. 137 (S.278) 55

Banking; loan servicers; licensing; regulation, Act No. 96 (S.287) 20

Commerce and trade; banking and finance; mortgages; prescreened trigger lead solicitations, Act No. 100 (H.622)..... 22

Commerce and trade; investments by state treasurer, Act No. 76 (H.600) 5

Unfair business practices of credit card companies and fraudulent use of scanning devices and re-encoders, Act No. 116 (S.138).....	30
---	----

COMMERCE AND TRADE

Banking and finance; mortgages; prescreened trigger lead solicitations, Act No. 100 (H.622).....	22
Housing; common interest communities, Act No. 155 (H.689)	70
Investments by state treasurer, Act No. 76 (H.600).....	5
Ticket scalping; farm-to-plate investment, Act No. 143 (H.722).....	58
Transfers of mobile homes and rent-to-own transactions, Act No. 140 (H.542).....	56
Unfair business practices of credit card companies and fraudulent use of scanning devices and re-encoders, Act No. 116 (S.138).....	30
Vermont Benefit Corporations Act, Act No. 113 (S.263)	29

CONSERVATION AND LAND DEVELOPMENT

Agriculture; land use; composting, Act No. 141 (H.614).....	56
Agriculture; preliminary incubation (PI) count in raw milk; harvesting of trees, Act No. 147 (S.207).....	60
Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792)..	60
Fish; didymo; felt-soled boots and waders; prohibition, Act No. 130 (H.488)	47
Municipal government; public service; growth center designation process, findings, and reconsideration; utility line burial in growth centers, Act No. 136 (S.64).....	53
Potable water supply and wastewater system permits; notification, Act No. 145 (H.779)	59
Public waters; docks and encroachments, Act No. 117 (H.462)	31
Renewable energy, Act No. 159 (H.781).....	75
Retiring outdoor wood-fired boilers that do not meet the 2008 emission standard for particulate matter, Act No. 94 (S.239).....	19
Salvage yards; permitting; operational standards, Act No. 93 (S.237).....	17
Solid waste; electronic waste collection and recycling, Act No. 79 (S.77)	7
Use value appraisal program, VETOED (H.485)	91
Water resources; water quality, Act No. 110 (H.763)	26

CONSUMER PROTECTION

Health; public health; toxic substances; bisphenol A, Act No. 112 (S.247).....	29
Mediation in foreclosure proceedings, Act No. 132 (H.590)	47

CORRECTIONS

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792).. 60
Term probation; right to bail; medical care of inmates; reduction in the number of nonviolent prisoners, probationers, and detainees; sex offenders; employment separation agreements, Act No. 157 (S.292)..... 71

CRIMES AND CRIMINAL PROCEDURES

Corrections; term probation; right to bail; medical care of inmates; reduction in the number of nonviolent prisoners, probationers, and detainees; sex offenders; employment separation agreements, Act No. 157 (S.292) 71
Human trafficking, Act No. 85 (S.272) 13
Interference with or cruelty to a service animal, Act No. 121 (H.524) 34
Judiciary; judicial reorganization, Act No. 154 (H.470) 68
Public safety; constables; criminal records; education; motor vehicles; human services, Act No. 108 (S.161) 25
Sex offenders, Act No. 66 (S.163) 2
Statute of limitations, Act No. 99 (S.165) 22
Unfair business practices of credit card companies and fraudulent use of scanning devices and re-encoders, Act No. 116 (S.138)..... 30
Voyeurism, Act No. 111 (S.218) 28

DOMESTIC RELATIONS

Military parents’ rights, Act No. 69 (H.533) 3

ECONOMIC DEVELOPMENT

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792).. 60
ARRA appropriations; commerce; trade, Act No. 78 (S.288) 6
Miscellaneous tax provisions, Act No. 160 (H.783)..... 77

EDUCATION

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792).. 60
Corrections; term probation; right to bail; medical care of inmates; reduction in the number of nonviolent prisoners, probationers, and detainees; sex offenders; employment separation agreements, Act No. 157 (S.292) 71
Education; merger; graduation activities for special education students, Act No. 153 (H.66) 65
Human services; education; nutrition; assistance; summer meals; snacks, Act No. 87 (H.408)..... 14

Miscellaneous tax provisions, Act No. 160 (H.783).....	77
Postsecondary education and training; prekindergarten–16 council; commission on higher education funding; higher education endowment trust fund, Act No. 133 (H.709)	48
Postsecondary schools; harassment; hazing, Act No. 106 (H.648)	24
Public safety; constables; criminal records; education; motor vehicles; human services, Act No. 108 (S.161)	25

ELECTIONS

Early voter absentee ballots; sorting, Act No. 70 (H.598).....	4
Local elections; representative annual meetings, Act No. 125 (S.90).....	42
Primary elections, Act No. 73 (S.117).....	5
Statewide office; county office; state senate; recounts, Act No. 98 (S.122)	21

EXECUTIVE BRANCH

Appropriations, Act No. 156 (H.789).....	70
Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792)	60
Boards and commissions, Act No. 135 (H.760)	53
Executive branch fees, Act No. 134 (H.759).....	49
FY2010 budget adjustment, Act No. 67 (H.534).....	3
Judiciary; state employees; cost-savings incentive program, Act No. 149 (S.97).....	61
State government; administration and policy implementation; service and performance; reduced spending; accountability, Act No. 68 (S.286)	3

FISH AND WILDLIFE

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792)..	60
Conservation and development; fish; didymo; felt-soled boots and waders; prohibition, Act No. 130 (H.488)	47
Conservation and development; fish; Lake Champlain reciprocal fishing license, Act No. 64 (H.477)	2
Game; youth hunting, Act No. 122 (H.555)	35
Licenses; mentored hunting license, Act No. 120 (H.243).....	34

GENERAL PROVISIONS

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792)..	60
Native American affairs, Act No. 107 (S.222)	25

HEALTH

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792)...	60
Deaths, burials, autopsies, Act No. 151 (H.281)	62
Health; system; design; insurance; prescription drugs, Act No. 128 (S.88).....	44
Health care; home health services; certificate of need, Act No. 83 (H.658)	12
Health insurance; autism spectrum disorders, Act No. 127 (S.262).....	43
Human services; organ donation; Revised Uniform Anatomical Gift Act; adult protective services; mental health; forensic examinations, Act No. 119 (S.205).....	32
Public health; toxic substances; bisphenol A, Act No. 112 (S.247)	29
Reportable diseases; HIV, Act No. 81 (H.766)	12
Retiring outdoor wood-fired boilers that do not meet the 2008 emission standard for particulate matter, Act No. 94 (S.239).....	19

HOUSING

Agriculture; farm employee housing, Act No. 89 (H.680)	16
Commerce and trade; housing; common interest communities, Act No. 155 (H.689).....	70
Mediation in foreclosure proceedings, Act No. 132 (H.590)	47
Termination of tenancy; security deposits, Act No. 129 (H.213).....	46
Transfers of mobile homes and rent-to-own transactions, Act No. 140 (H.542).....	56

HUMAN SERVICES

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792)..	60
Children; building bright futures council, Act No. 104 (S.268)	23
Education; nutrition; assistance; summer meals; snacks, Act No. 87 (H.408).....	14
Fuel; public benefits, Act No. 88 (H.456)	15
Health; health insurance; autism spectrum disorders, Act No. 127 (S.262).....	43
Health; organ donation; Revised Uniform Anatomical Gift Act; adult protective services; mental health; forensic examinations, Act No. 119 (S.205)	32
Health care; home health services; certificate of need, Act No. 83 (H.658)	12
Judiciary; guardianship; foster care, Act No. 97 (H.507)	21
Low income heating assistance; eligibility; retroactive effective date, Act No. 65 (H.515)	2
Public safety; constables; criminal records; education; motor vehicles; human services, Act No. 108 (S.161).....	25

INSURANCE

Automobile; volunteer drivers, Act No. 80 (H.639)..... 11
Banking; captive insurance; securities; health care administration, Act No. 137 (S.278) 55
Health; health insurance; autism spectrum disorders, Act No. 127 (S.262)..... 43
Health; system; design; insurance; prescription drugs, Act No. 128 (S.88)..... 44
Municipal government; fire departments; costs; recovery, Act No. 90 (H.527) 16

JUDICIARY

Crimes; criminal procedure; sex offenders, Act No. 66 (S.163) 2
Executive; judiciary; state employees; cost-savings incentive program, Act No. 149 (S.97)..... 61
Housing; termination of tenancy; security deposits, Act No. 129 (H.213)..... 46
Human services; guardianship; foster care, Act No. 97 (H.507) 21
Judicial reorganization, Act No. 154 (H.470)..... 68
Mediation in foreclosure proceedings, Act No. 132 (H.590) 47
Probate; estates, Act No. 75 (H.461) 5
Renewable energy, Act No. 159 (H.781)..... 75
Trusts; jurisdiction, Act No. 92 (S.173)..... 17

LABOR

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792).. 60
Corrections; term probation; right to bail; medical care of inmates; reduction in the number of nonviolent prisoners, probationers, and detainees; sex offenders; employment separation agreements, Act No. 157 (S.292) 71
Human trafficking, Act No. 85 (S.272) 13
Payment of wages; payroll cards, Act No. 115 (S.58)..... 30
Unemployment compensation, Act No. 124 (S.290)..... 41
Unemployment compensation; disclosure of experience rating records, Act No. 118 (S.182)..... 32
Workers’ compensation, Act No. 142 (H.647) 57

LEGISLATURE

Health; system; design; insurance; prescription drugs, Act No. 128 (S.88)..... 44

MOTOR VEHICLES

Commercial driver’s license; operating records; renewal; disqualification; out-of-service order; miscellaneous fees; dealers; accident reports; inspection of trailers; title certificate retention; registration renewal; siren and light permit transfer, Act No. 152 (S.282)	63
Commercial vehicles; interstate operation; weight violations, Act No. 63 (S.93)	1
Disabled parking; fine; signage, Act No. 82 (S.150)	12
DUI; ignition interlock devices; restricted driver’s licenses; policy study; implementation plan; pilot program, Act No. 126 (S.103)	42
Public safety; constables; criminal records; education; motor vehicles; human services, Act No. 108 (S.161)	25
Texting; prohibition; junior operators; use of portable electronic devices; safety belts; primary enforcement, Act No. 150 (S.280)	61
Transportation; transportation program; motor vehicles, Act No. 123 (H.784)	35
Vulnerable users; passing; crowding; bicycles; lane usage; hand signals; nighttime equipment, Act No. 114 (H.540)	29

MUNICIPAL GOVERNMENT AND CHARTERS

Audits, Act No. 95 (S.187)	20
Barre, city of; municipal charters; amendment, Act No. M-20 (H.770).....	89
Berlin, town of; municipal charters; amendment, Act No. M-21 (H.788).....	89
Burlington, city of; municipal charters; amendment, Act No. M-17 (H.773)	88
Cabot; municipal charters; merger; town of Cabot; village of Cabot, Act No. M-24 (H.794).....	90
Chittenden County Transportation Authority; municipal charter; codification; amendment, Act No. 71 (H.607).....	4
Conservation and development; public service; growth center designation process, findings, and reconsideration; utility line burial in growth centers, Act No. 136 (S.64)..	53
Elections; local elections; representative annual meetings, Act No. 125 (S.90)	42
Enosburg Falls, village of; municipal charters; amendment, Act No. M-15 (H.517).....	88
Essex Junction, village of; municipal charters; amendment, Act No. M-22 (H.793).....	90
Fire departments; costs; recovery, Act No. 90 (H.527)	16
Hartford, town of; municipal charters; amendment, Act No. M-16 (H.539).....	88
Interference with or cruelty to a service animal, Act No. 121 (H.524)	34
South Burlington, city of; municipal charters; amendment, Act No. M-19 (H.774).....	89
St. Albans, city of; municipal charters; amendment, Act No. M-23 (H.780).....	90
Stowe, town of; municipal charters; amendment, Act No. M-18 (H.771).....	89

Westminster; merger of municipalities; charters; village of North Westminster; town of Westminster, Act No. M-14 (H.483)	88
--	----

PROFESSIONS AND OCCUPATIONS

Landscape architects; licensure, Act No. 84 (S.28)	13
Professions and occupations, Act No. 103 (H.562)	23

PROPERTY

Highways; private roads; road maintenance, Act No. 131 (H.498)	47
Mediation in foreclosure proceedings, Act No. 132 (H.590)	47
Miscellaneous tax provisions, Act No. 160 (H.783)	77
Use value appraisal program, VETOED (H.485)	91

PUBLIC RECORDS

Government operations; access to records; records management, Act No. 91 (H.775) ...	16
--	----

PUBLIC SAFETY

Constables; criminal records; education; motor vehicles; human services, Act No. 108 (S.161)	25
Crimes; criminal procedure; sex offenders, Act No. 66 (S.163)	2
Interference with or cruelty to a service animal, Act No. 121 (H.524)	34
Internal security and public safety; prevention and investigation of fires; boilers and pressure vessels, Act No. 86 (S.293)	14
Municipal government; fire departments; costs; recovery, Act No. 90 (H.527)	16
State law enforcement officers, Act No. 105 (H.578)	24

PUBLIC SERVICE

Renewable energy, Act No. 159 (H.781)	75
---	----

RETIREMENT

Education; teachers; retirement, Act No. 74 (H.764)	5
State employees; teachers; municipal employees; retirees, Act No. 139 (H.778)	55

TAXATION AND FEES

Appropriations; government services; “Challenges for Change,” Act No. 146 (H.792)..	60
Executive branch fees, Act No. 134 (H.759)	49
Miscellaneous tax provisions, Act No. 160 (H.783)	77
Motor vehicles; commercial driver’s license; operating records; renewal; disqualification; out-of-service order; miscellaneous fees; dealers; accident reports; inspection of trailers;	

title certificate retention; registration renewal; siren and light permit transfer, Act No. 152 (S.282).....	63
Renewable energy, Act No. 159 (H.781).....	75
Use value appraisal program, VETOED (H.485).....	91

TOBACCO PRODUCTS

Miscellaneous tax provisions, Act No. 160 (H.783).....	77
--	----

TRANSPORTATION

Chittenden County Transportation Authority; municipal charter; codification; amendment, Act No. 71 (H.607).....	4
Federal Railroad Administration; High-Speed Intercity Passenger Rail Program; grants; appropriation, Act No. 72 (H.761).....	4
Highways; private roads; road maintenance, Act No. 131 (H.498).....	47
Motor vehicles; commercial driver’s license; operating records; renewal; disqualification; out-of-service order; miscellaneous fees; dealers; accident reports; inspection of trailers; title certificate retention; registration renewal; siren and light permit transfer, Act No. 152 (S.282).....	63
Motor vehicles; commercial vehicles; interstate operation; weight violations, Act No. 63 (S.93).....	1
State property; John H. Boylan state airport; sale or lease, Act No. 138 (S.296).....	55
Transportation program; motor vehicles, Act No. 123 (H.784)	35

JOINT RESOLUTIONS RELATING TO USE OF THE STATE HOUSE

Green Mountain Boys’ State Program, No. R-378 (J.R.H.38)	104
Green Mountain Girls’ State Program, No. R-379 (J.R.H.44)	104

**CONCURRENT RESOLUTIONS AS COMMEMORATIONS, MEMORIALS,
AND SENTIMENTS**

Afghanistan, Iraq, military personnel who have died, January 1, 2010 to April 10, 2010, in memory, No. R-485 (H.C.R.347)	116
Afghanistan, Iraq, military personnel who have died, January 21, 2009 to December 31, 2009, in memory, No. R-302 (H.C.R.219)	97
Afterschool Program Day, designating, No. R-392 (H.C.R.280).....	106
Albarelli, Henry P., Sr., in memory, No. R-375 (S.C.R.44).....	104
Albert D. Lawton Intermediate School MATHCOUNTS championship, No. R-459 (H.C.R.299).....	113
Alzheimer’s Awareness Day, family caregivers, honoring, No. R-355 (H.C.R.256)	102
American Craft Beer Week, recognizing, No. R-464 (H.C.R.331).....	113

Arts Council of Windham County, 35th anniversary, No. R-414 (H.C.R.295).....	108
Asian Lunar New Year 4708, recognizing, No. R-331 (H.C.R.238).....	99
Association of Africans Living in Vermont, Inc., congratulating, No. R-466 (H.C.R.338)	113
Barber, Jayne, congratulating, No. R-310 (H.C.R.221).....	97
Barnes, John, 50th anniversary, No. R-287 (H.C.R.201)	95
Barney, Albert Wilkins, Jr., in memory, No. R-506 (H.C.R.370).....	118
Bellows Free Academy-St. Albans Comets Division I championship girls' ice hockey, No. R-406 (H.C.R.287).....	107
Bevacqua, Mario, honoring, No. R-450 (H.C.R.334).....	112
Black River High School Presidents Division IV championship boys' soccer, No. R-348 (H.C.R.253).....	101
Blueberry Management Area, Moosalamoo National Recreation Area, Goshen, Wild Blueberry Capital of Vermont, recognizing, No. R-454 (H.C.R.340).....	112
Boy Scouts of America, centennial anniversary, No. R-336 (H.C.R.244)	100
Branagan, Carolyn, congratulating, No. R-417 (H.C.R.300)	108
Brandt, Wilmer, 90th birthday, No. R-312 (H.C.R.223)	97
Bridges, Ted, in memory, No. R-288 (H.C.R.205).....	95
Brill, Julie, congratulating, No. R-373 (S.C.R.43)	104
Cambridge, Sheldon, Swanton, Enosburg, Fairfield, Highgate, St. Albans Town, volunteer fire departments, honoring, No. R-347 (H.C.R.250)	101
Carlson, Kristin, congratulating, No. R-382 (H.C.R.241)	105
Central Vermont Public Service Corporation, congratulating, No. R-457 (S.C.R.51)...	112
Chard, Nancy, in memory, No. R-371 (S.C.R.41).....	104
Chernick, Michael J., honoring, No. R-498 (H.C.R.366).....	117
Child caretakers, educators, and advocates, honoring, No. R-396 (H.C.R.284)	106
Clark, Jennifer, commending, No. R-359 (H.C.R.260)	102
Clark, Kelly, congratulating, No. R-384 (S.C.R.45).....	105
Clark, Peter S., in memory, No. R-357 (H.C.R.258)	102
Coe, Peter James, in memory, No. R-351 (H.C.R.251).....	102
Colchester High School Lakers Division II championship football, No. R-354 (H.C.R.183).....	102
Cook, George, honoring, No. R-362 (H.C.R.263).....	103
Corey, Lyndon, honoring, No. R-344 (H.C.R.247)	101

Cueto, Jeffrey R., honoring, No. R-273 (H.C.R.182)	94
Daniels, Robert V., in memory, No. R-476 (H.C.R.346)	115
Deerfield Valley, Blueberry Capital of Vermont, designating, No. R-448 (H.C.R.332)	111
DeMasi, Michael A., in memory, No. R-445 (H.C.R.327).....	111
Dewey, C. Walter, honoring, No. R-504 (H.C.R.368)	118
Divis, Craig, congratulating, No. R-297 (H.C.R.213)	96
Dover, bicentennial anniversary, No. R-451 (H.C.R.335).....	112
Dover, Whitingham, Wilmington, honoring, No. R-353 (H.C.R.255).....	102
Dow, Tanner, honoring, No. R-350 (H.C.R.231)	102
Dupuis, Alisa, and Dammy Mustapha, congratulating, No. R-299 (H.C.R.215)	96
Dutcher, Katie Ann, and Gabriella Pacht, congratulating, No. R-486 (H.C.R.352).....	116
Earth Hour, designating, No. R-416 (H.C.R.298)	108
Enosburg, Sheldon, Swanton, Cambridge, Fairfield, Highgate, St. Albans Town, volunteer fire departments, honoring, No. R-347 (H.C.R.250)	101
Essex High School Hornets championship girls' indoor track and field, No. R-410 (H.C.R.291).....	108
Essex High School Hornets championship gymnastics, No. R-411 (H.C.R.292)	108
Essex High School Hornets Division I championship boys' basketball, No. R-412 (H.C.R.293).....	108
Essex High School Hornets Division I championship boys' golf, No. R-286 (H.C.R.199)	95
Essex High School Hornets Division I championship football, No. R-323 (H.C.R.206).	99
Essex High School Hornets Division I championship girls' track and field, No. R-284 (H.C.R.197).....	95
Essex High School Hornets Division I championship softball, No. R-285 (H.C.R.198)	95
Essex High School Hornets Division I cochampionship boys' indoor track and field, No. R-413 (H.C.R.294).....	108
Fair Housing Month, designating, No. R-430 (H.C.R.308).....	110
Fairbanks-Williams, Edna, in memory, No. R-505 (H.C.R.369)	118
Fairfield, Sheldon, Swanton, Cambridge, Enosburg, Highgate, St. Albans Town, volunteer fire departments, honoring, No. R-347 (H.C.R.250)	101
Federal TRIO programs, honoring, No. R-389 (H.C.R.276).....	105
Ferris, Molly, honoring, No. R-467 (H.C.R.341)	114
Forrest, Mildred Fern Beattie, 100th birthday, No. R-279 (S.C.R.35)	94
Fortin, Joseph Douglas, in memory, No. R-418 (H.C.R.301)	108

Front Porch Forum, Inc., 10th anniversary, No. R-381 (H.C.R.235)	104
Gandin, Dan, congratulating, No. R-291 (H.C.R.200)	95
Gauthier, Richard B., in memory, No. R-477 (H.C.R.348)	115
Gawlik, Brian, in memory, No. R-395 (H.C.R.283).....	106
Gilbert, Brittany, honoring, No. R-329 (H.C.R.236).....	99
Good Beginnings of Central Vermont, honoring, No. R-321 (S.C.R.40).....	98
Goodrich, Sally and Don, honoring, No. R-473 (H.C.R.343)	114
Goshen, Blueberry Management Area, Moosalamoo National Recreation Area, Wild Blueberry Capital of Vermont, recognizing, No. R-454 (H.C.R.340).....	112
GospelFest, 20th anniversary, No. R-334 (H.C.R.242).....	100
Great Falls Community Kitchen, 20th anniversary, No. R-296 (H.C.R.212).....	96
Greaves, Winona, 100th birthday, No. R-319 (S.C.R.38)	98
Green Mountain Club, centennial anniversary, No. R-383 (H.C.R.271).....	105
Green Mountain Council Boy Scout Eagle Class of 2009, congratulating, No. R-335 (H.C.R.243).....	100
Green Mountain Glades USA Hockey Tier 1 New England Regional Squirt Division championship ice hockey, No. R-405 (H.C.R.286)	107
Green Up Day, 40th anniversary, No. R-500 (S.C.R.52)	117
Grout, Harold and Marion, 70th anniversary, No. R-282 (H.C.R.193).....	94
GW Plastics, congratulating, No. R-481 (H.C.R.353).....	115
Hamilton, David L., in memory, No. R-360 (H.C.R.261)	103
Harris, Ben and Rosalie, congratulating, No. R-280 (S.C.R.36)	94
Hartford High School Hurricanes Division I championship baseball, No. R-340 (H.C.R.187).....	100
Hartford High School Hurricanes Division I championship field hockey, No. R-338 (H.C.R.185).....	100
Hartford High School, digital architectural history project, honoring, No. R-339 (H.C.R.186).....	100
Hartford High School, High Five mural, congratulating, No. R-314 (H.C.R.226)	98
Harwood, Junior, in memory, No. R-478 (H.C.R.349)	115
Harwood Union High School Highlanders Division II championship girls' and boys' cross-country, No. R-349 (H.C.R.204).....	101
Hazen Union High School Wildcats Division III championship boys' basketball, No. R-407 (H.C.R.288).....	107
Healthy Living Natural Foods Market, congratulating, No. R-345 (H.C.R.248)	101

Heath, Martha P., congratulating, No. R-368 (H.C.R.270)	103
Henrich, Emo, in memory, No. R-490 (H.C.R.358).....	116
Henry, Franklin D., honoring, No. R-366 (H.C.R.268).....	103
Highgate, Cambridge, Sheldon, Swanton, Enosburg, Fairfield, St. Albans Town, volunteer fire departments, honoring, No. R-347 (H.C.R.250)	101
Higley, Richard, honoring, No. R-364 (H.C.R.265).....	103
Howard, Kelsey, congratulating, No. R-449 (H.C.R.333).....	112
Howard, Tom, honoring, No. R-475 (H.C.R.345).....	114
Hube, Richard, in memory, No. R-326 (H.C.R.232)	99
Hult, Kathryn, honoring, No. R-493 (H.C.R.361)	116
Huneck, Stephen, in memory, No. R-320 (S.C.R.39).....	98
Hunter, Charles, congratulating, No. R-463 (H.C.R.330)	113
Hurley, Stephanie, honoring, No. R-277 (H.C.R.192)	94
Iraq, Afghanistan, military personnel who have died, January 1, 2010 to April 10, 2010, in memory, No. R-485 (H.C.R.347)	116
Iraq, Afghanistan, military personnel who have died, January 21, 2009 to December 31, 2009, in memory, No. R-302 (H.C.R.219)	97
Jackman, Ralph J., in memory, No. R-308 (H.C.R.203)	97
Jersey, Alice, 101st birthday, No. R-488 (H.C.R.356)	116
Jewett, Richard, honoring, No. R-361 (H.C.R.262)	103
Johnson, Carl, honoring, No. R-438 (H.C.R.317)	110
Johnson, Tim, congratulating, No. R-317 (H.C.R.229).....	98
Jr. Iron Chef Vermont, congratulating winners, No. R-453 (H.C.R.339)	112
Kearney, Hannah, congratulating, No. R-367 (H.C.R.269).....	103
Kimball, Ray, congratulating, No. R-316 (H.C.R.228)	98
Kinzel, Bob, congratulating, No. R-315 (H.C.R.227)	98
Kunin, Madeleine May, celebrating, No. R-402 (H.C.R.252).....	107
Lamoille Union High School Lady Lancers Division II championship girls' basketball, No. R-387 (H.C.R.274).....	105
Langrock, Peter, 50th anniversary, No. R-385 (S.C.R.46)	105
Langston, Brittany, congratulating, No. R-298 (H.C.R.214).....	96
Le Scouezec, Mael, congratulating, No. R-422 (H.C.R.306)	109
League of Women Voters, 90th anniversary, No. R-343 (H.C.R.245).....	101

Legislative staff, department of buildings and general services guards, custodial staff, cafeteria employees, thanking, No. R-499 (H.C.R.367).....	117
Leland & Gray Union High School Division III championship baseball, No. R-333 (H.C.R.240).....	100
Libertoff, Ken, honoring, No. R-492 (H.C.R.360)	116
Long, Dale, in memory, No. R-309 (H.C.R.220)	97
Lumbermens Merchandising Corporation, 75th anniversary, No. R-270 (S.C.R.34)	93
Lund Family Center, 120th anniversary, No. R-404 (H.C.R.285).....	107
MacDonald, Gregory, congratulating, No. R-501 (S.C.R.53)	117
Manazir, Theodore, honoring, No. R-346 (H.C.R.249).....	101
Marshfield, Martin Covered Bridge, restoration, congratulating citizens, No. R-268 (S.C.R.32)	93
Marshfield, volunteer firefighting service, commemorating, No. R-269 (S.C.R.33).....	93
Matteau, Jim, honoring, No. R-356 (H.C.R.257)	102
McCaffrey, Rita Whalen, honoring, No. R-435 (S.C.R.49)	110
McLaine, Ruth (Riddick), 100th birthday, No. R-372 (S.C.R.42)	104
McNeil, Brian William, in memory, No. R-352 (H.C.R.254)	102
Mikkelsen, Edith, 100th birthday, No. R-275 (H.C.R.189).....	94
Milton High School Yellow Jackets Division II championship girls' soccer, No. R-276 (H.C.R.191).....	94
Milton High School, Thetford Academy, Vermont Drama Festival cochampions, No. R-491 (H.C.R.359).....	116
Missisquoi Valley Union High School Thunderbirds Division II championship boys' ice hockey, No. R-393 (H.C.R.281)	106
Moosalamoo National Recreation Area, Goshen, Blueberry Management Area, Wild Blueberry Capital of Vermont, designating, No. R-454 (H.C.R.340)	112
Morrill, Justin Smith, commemorating, No. R-388 (H.C.R.275)	105
Mount Anthony Union High School Interact Club, congratulating, No. R-474 (H.C.R.344).....	114
Mount Anthony Union High School Patriots championship wrestling, No. R-420 (H.C.R.303).....	109
Mount Anthony Union High School Patriots Division I championship boys' Nordic ski team, No. R-419 (H.C.R.302)	109
Mount Anthony Union High School Patriots Division I championship girls' Nordic ski team, No. R-421 (H.C.R.304)	109

Mount Mansfield Union High School Cougars Division I championship boys' cross-country, No. R-307 (H.C.R.196).....	97
Mustapha, Dammy, and Alisa Dupuis, congratulating, No. R-299 (H.C.R.215)	96
National reading examination, Vermont students, recognizing, No. R-484 (H.C.R.324)	115
National Speleological Society convention, welcoming, No. R-497 (H.C.R.365).....	117
National Tree Farmer Convention, welcoming No. R-434 (H.C.R.313).....	110
National Walk@Lunch Day, designating, No. R-440 (H.C.R.319)	111
Newton, Cathleen, congratulating, No. R-341 (H.C.R.188).....	100
Nonprofit organizations, recognizing, No. R-332 (H.C.R.239).....	100
Norwich University Cadets ECAC East Division III championship women's ice hockey, No. R-460 (H.C.R.305).....	113
Norwich University Cadets NCAA Division III championship men's ice hockey, No. R-461 (H.C.R.323).....	113
Nuckols, Patricia Kenworthy, honoring, No. R-423 (S.C.R.48)	109
Nurse Anesthetists Week in Vermont, recognizing, No. R-290 (H.C.R.218)	95
Nurses, recognizing, No. R-429 (H.C.R.307).....	110
O'Day, Mike, congratulating, No. R-295 (H.C.R.211)	96
Olympics, competing Vermonters, congratulating, No. R-330 (H.C.R.237)	99
Operation Phoenix, Vermont National Guard, honoring, No. R-274 (H.C.R.184)	94
Orton, Mildred Ellen, in memory, No. R-507 (H.C.R.371).....	118
Pacht, Gabriella, and Katie Ann Dutcher, congratulating, No. R-486 (H.C.R.352).....	116
Peacham Library, bicentennial anniversary, No. R-495 (H.C.R.363)	117
Pownal, 250th anniversary, No. R-272 (H.C.R.181)	93
Public Works Week, designating, No. R-465 (H.C.R.336)	113
Ralph, Linda, in memory, No. R-365 (H.C.R.266)	103
Rice Memorial High School Green Knights Division III championship field hockey, No. R-342 (H.C.R.224).....	101
Rinck, Jane, in memory, No. R-432 (H.C.R.310).....	110
Rivers, Charles, 50th anniversary, No. R-283 (H.C.R.194)	94
Roberts, Robin, in memory, No. R-502 (S.C.R.54).....	117
Robertson, Martha, Ski for Heat, 10th anniversary, No. R-293 (H.C.R.207)	96
RockTenn, congratulating, No. R-324 (H.C.R.210).....	99
Rogers, Andrea, congratulating, No. R-446 (H.C.R.328).....	111

Rowe, Hannah, congratulating, No. R-292 (H.C.R.202).....	95
Rutland Gift-of-Life Marathon, congratulating, No. R-311 (H.C.R.222)	97
Rutland High School Raiders championship boys' alpine ski team, No. R-409 (H.C.R.290).....	107
Rutland High School Raiders girls' alpine ski team, fourth consecutive state champions, No. R-408 (H.C.R.289).....	107
Rutland Regional Medical Center, congratulating, No. R-482 (H.C.R.354).....	115
Sanville, Raymond and Bill Spriggs, commemorating, No. R-444 (H.C.R.326).....	111
Schmoll, Pauline, honoring, No. R-289 (H.C.R.208).....	95
Shelburne Community School Wind Ensemble, congratulating, No. R-328 (H.C.R.234).....	99
Sheldon, Swanton, Enosburg, Cambridge, Fairfield, Highgate, St. Albans Town, volunteer fire departments, honoring, No. R-347 (H.C.R.250)	101
Skakel, Mark Richard, in memory, No. R-447 (H.C.R.329)	111
Ski for Heat, Martha Robertson, 10th anniversary, No. R-293 (H.C.R.207)	96
Slater, S. Michael, honoring, No. R-443 (H.C.R.322).....	111
Slusky, Richard, honoring, No. R-494 (H.C.R.362).....	117
Smith, Donna, congratulating, No. R-489 (H.C.R.357)	116
South Burlington High School Rebels Division I championship lacrosse, No. R-294 (H.C.R.209).....	96
Southwest Vermont Supervisory Union, retiring educators, honoring, No. R-479 (H.C.R.350).....	115
Spaulding High School Crimson Tide Division I championship boys' ice hockey, No. R-415 (H.C.R.296).....	108
Spriggs, Bill and Raymond Sanville, commemorating, No. R-444 (H.C.R.326).....	111
Springfield High School Cosmos Division II championship boys' soccer, No. R-313 (H.C.R.225).....	98
St. Albans Town, Cambridge, Sheldon, Swanton, Enosburg, Fairfield, Highgate, volunteer fire departments, honoring, No. R-347 (H.C.R.250)	101
St. Johnsbury Academy Hilltoppers Division I championship girls' basketball, No. R-394 (H.C.R.282).....	106
Stafford Technical Center "Act Out Loud," congratulating, No. R-433 (H.C.R.311) ...	110
Sumner, Meredith, honoring, No. R-441 (H.C.R.320)	111
Swanson, Philip, congratulating, No. R-462 (H.C.R.325).....	113
Swanton, Sheldon, Enosburg, Cambridge, Fairfield, Highgate, St. Albans Town, volunteer fire departments, honoring, No. R-347 (H.C.R.250)	101
Swope, Lucy, honoring, No. R-401 (H.C.R.246)	107

Thetford Academy, Milton High School, Vermont Drama Festival cochampions, No. R-491 (H.C.R.359).....	116
Thompson, Louise, honoring, No. R-301 (H.C.R.217)	96
Trombley, Henry Ira, in memory, No. R-380 (H.C.R.190)	104
U-32 Raiders Division II championship boys' basketball, No. R-427 (H.C.R.273)	109
U-32 Raiders Division II championship girls' ice hockey, No. R-428 (H.C.R.278).....	109
University of Vermont Catamounts America East Conference championship men's basketball, No. R-469 (H.C.R.314).....	114
University of Vermont Catamounts America East Conference championship women's basketball, No. R-470 (H.C.R.315).....	114
University of Vermont Catamounts men's ice hockey, congratulating, No. R-471 (H.C.R.316).....	114
Vermont Fallen Families, Vermont's Global War on Terror Memorial, Vermont Veterans Memorial Cemetery, No. R-456 (S.C.R.50)	112
Vermont Food Education Every Day (VT FEED), honoring, No. R-397 (S.C.R.47)	106
Vermont National Guard, Operation Phoenix, honoring, No. R-274 (H.C.R.184)	94
Vermont Prudential Spirit of Community Award winners; congratulating, No. R-512 (H.C.R.267).....	118
Vermont Pumpkin Carving Day, designating, No. R-391 (H.C.R.279)	105
Vermont Veterans Memorial Cemetery, Vermont Fallen Families, Vermont's Global War on Terror Memorial, No. R-456 (S.C.R.50)	112
Vermont Youth Conservation Corps, 25th anniversary, No. R-472 (H.C.R.342).....	114
Vermont's Global War on Terror Memorial, Vermont Fallen Families, Vermont Veterans Memorial, No. R-456 (S.C.R.50).....	112
Von Ohlsen, Marje, honoring, No. R-403 (H.C.R.272).....	107
Waltien, Stevenson H., Jr., in memory, No. R-480 (H.C.R.351)	115
Welch, Michael A., honoring, No. R-487 (H.C.R.355).....	116
West, Bonnie, and family, honoring, No. R-358 (H.C.R.259)	102
West Rutland High School Golden Horde Division IV championship girls' basketball, No. R-458 (H.C.R.297).....	113
Whitingham, Wilmington, Dover, honoring, No. R-353 (H.C.R.255).....	102
Williamstown Blue Devils Division IV championship boys' basketball, No. R-390 (H.C.R.277).....	105
Wilmington, Dover, Whitingham, honoring, No. R-353 (H.C.R.255)	102
Winchester, E. Anne, honoring, No. R-442 (H.C.R.321)	111

Windsor High School Yellow Jackets Division II championship field hockey, No. R-327 (H.C.R.233).....	99
Windsor High School Yellow Jackets Division III championship football, No. R-325 (H.C.R.230).....	99
Windsor High School Yellow Jackets Division III championship girls' basketball, No. R-439 (H.C.R.318).....	110
Wing, Joan, in memory, No. R-318 (S.C.R.37).....	98
Wood, Irene, honoring, No. R-363 (H.C.R.264)	103
Woodford Elementary School, bicentennial anniversary, No. R-452 (H.C.R.337).....	112
Woodford SnoBusters snowmobile club, silver anniversary, No. R-431 (H.C.R.309)..	110
Woodstock Union High School Wasps Division II championship boys' Nordic ski team, No. R-468 (H.C.R.312).....	114
Wright, Peter M., honoring, No. R-496 (H.C.R.364)	117
Yellow Barn Music School & Festival, 40th anniversary, No. R-300 (H.C.R.216).....	96

JOINT RESOLUTIONS RELATING TO SESSIONS AND ADJOURNMENT

Budget message of the governor, joint assembly, No. R-266 (J.R.S.39).....	93
Final adjournment of the General Assembly in 2010, No. R-511 (J.R.S.66)	118
Retention of two Superior Judges and one Environmental Judge, joint assembly, No. R-369 (J.R.S.51).....	104
State-of-the-State message from the governor, joint assembly, No. R-264 (J.R.S.36)	93
Town Meeting adjournment, No. R-265 (J.R.S.37).....	93
Vermont State Colleges Corporation, legislative trustees, election, joint assembly, No. R-303 (J.R.S.43)	97
Weekend adjournment. No. R-267 (J.R.S.40), R-278 (J.R.S.41), R-281 (J.R.S.42), R-305 (J.R.S.45), R-306 (J.R.S.46), R-322 (J.R.S.48), R-337 (J.R.S.49), R-370 (J.R.S.52), R-374 (J.R.S.53), R-376 (J.R.S.55), R-386 (J.R.S.58), R-398 (J.R.S.59), R-426 (J.R.S.61), R-436 (J.R.S.62), R-437 (J.R.S.63)	93

**JOINT RESOLUTIONS RELATING TO PETITIONS, ISSUES, AND
POLICY DIRECTIVES**

Concurrent resolutions, designation of commemorative observances, No. R-271 (J.R.H.15).....	93
Consumer protection, state regulatory authority, insurance industry, national banks, No. R-399 (J.R.H.35).....	106
Dairy hauling costs, payment of, No. R-508 (J.R.S.54)	118
Eagle Point Farm, acquisition, No. R-455 (J.R.S.50).....	112
F-35 aircraft to the Vermont Air National Guard, supporting the assignment,	

No. R-503 (J.R.H.51).....	118
Forests, Parks and Recreation, Groton State Forest, rights-of-way, No. R-483 (J.R.S.57)	115
Google Fiber for Communities, Vermont, No. R-424 (J.R.H.45)	109
Groton State Forest, Commissioner of Forests, Parks and Recreation, rights-of-way, No. R-483 (J.R.S.57).....	115
Health insurance, state lines, No. R-400 (J.R.H.39).....	106
Insurance, state regulatory authority, consumer protection, national banks, No. R-399 (J.R.H.35).....	106
International port of entry at Morses Line and the proposed federal acquisition of land belonging to the Rainville family farm, No. R-509 (J.R.S.64).....	118
New England Secondary School Consortium, in support, No. R-377 (J.R.H.34).....	104
Republic of Turkey, recognize the right to religious freedom, strongly urging, No. R-510 (J.R.S.47)	118
Vermont State Colleges Corporation, legislative trustees, election procedure, No. R-304 (J.R.S.44)	97
Women veterans, recognition, health care services, support services, No. R-425 (J.R.S.60)	109

SENATE RESOLUTIONS

Dairy farmers, United States Secretary of Agriculture, milk price volatility, S.R.18	119
Electronic waste, S.77, recycling and disposal, S.R.22	119
Inter-Rwandan Dialogue, S.R. 24.....	119
Meyerhof, Nina Lynn, honoring, S.R.21	119
Milk prices, volatility, United States Secretary of Agriculture, S.R.18.....	119
Northeast Great Waters, support federal appropriation, S.R.19	119
Nuclear weapons, President Barack Obama, abolition treaty, S.R.20.....	119
Project Labor Agreement, Lake Champlain Bridge, S.R.23.....	119
Public Health Service Act to establish the Nurse-Managed Health Clinic Investment Program, S.R.26.....	119
Senate, meeting dates, S.R.16.....	119
Underage consumption of alcohol, S.R.17	119

HOUSE RESOLUTIONS

Aviation, general, importance of, H.R.33.....	120
Dairy farmers, United States Secretary of Agriculture, milk price volatility, H.R.27....	120

Equal rights, diverse community, H.R.26.....	120
Haiti, relief efforts, H.R.28	120
Milk prices, volatility, United States Secretary of Agriculture, H.R.27	120
Northeast Great Waters, support federal appropriation, H.R.29.....	120
O'Connor, Timothy J., Jr., honoring, H.R.22	120
Rules of the House, adoption of constitutional amendments, H.R.32	120
Rules of the House, bills materially affecting municipality revenue, H.R.30	120
School Lunch Program, School Breakfast Program, federal support, H.R.24.....	120

PART II

SUMMARY OF THE 2010 ACTS (No. 63–161), MUNICIPAL ACTS (No. M-14–M-24), VETOED LEGISLATION NOT ENACTED (H.485), AND RESOLUTIONS (R-264–R-512 and Adopted Senate and House Resolutions)

ACTS

Act No. 63 (S.93)

Motor vehicles; commercial vehicles; interstate operation; weight violations

This act:

- (1) In general implements federal legislation creating a pilot program allowing trucks to operate on the interstate highway system according to the same weight standards applicable to state highways. Interstate 189 is excluded, however, unless otherwise authorized by federal law.
- (2) In general eliminates differences in the availability of annual permits to bear loads above 80,000 pounds for transporters of different commodities.
- (3) Makes consistent tire and axle weight limits on Vermont highways and interstate highways.
- (4) Makes applicable to interstate highways certain weight limits applicable to Vermont highways with respect to three- and four-axle vehicles.
- (5) For five-axle vehicles makes an annual permit allowing operators to haul 90,000 pounds available to operators hauling any commodity and makes such a permit available for use on interstate highways.
- (6) For five-axle vehicles hauling dairy products eliminates different tire and axle weight limits for interstate highways.
- (7) For six-axle vehicles makes an annual permit allowing operators to haul 99,000 pounds available to operators hauling any commodity and makes the permit available for use on interstate highways. The act thus also repeals a provision applicable to six-axle vehicles providing for an annual permit to haul up to 90,000 pounds.
- (8) Would cause Vermont law partially to revert back to its prior state by reinstating exclusions relating to weight limits on the interstate highway system if and when the federal pilot program expires.

Date Signed by the Governor: January 13, 2010

Effective Date: On passage (January 13, 2010, the date on which the governor signed the bill)

Act No. 64
(H.477)

**Conservation and development; fish; Lake Champlain
reciprocal fishing license**

This act reauthorizes the Lake Champlain reciprocal fishing license, under which a person holding a New York fishing license may fish in the Vermont portion of Lake Champlain and a person holding a Vermont fishing license may fish in the New York portion of Lake Champlain without being subject to penalty for fishing without a license in the state in which the person does not hold a license.

Date Signed by the Governor: January 19, 2010

Effective Date: On passage (January 19, 2010, the date on which the governor signed the bill)

Act No. 65
(H.515)

**Human services; low income heating assistance; eligibility;
retroactive effective date**

This act amends the effective date of two sections of an act from the prior year which expanded eligibility for low income heating assistance ("LIHEAP") and makes those provisions retroactive to July 1, 2008.

Date Signed by the Governor: February 2, 2010

Effective Date: On passage (February 2, 2010, the date on which the governor signed the bill)

Act No. 66
(S.163)

Crimes; criminal procedure; sex offenders

This act makes two technical corrections to No. 1 and No. 58 of the Acts of 2009. The act: (1) clarifies the legislative intent of No. 1 by providing that prior law goes back into effect when the act's provisions regarding depositions of sensitive witnesses are repealed in 2011; and (2) addresses an omission made in No. 58 by including on the Internet sex offender registry offenders who commit a registrable offense outside Vermont. The act also provides offenders who commit registrable offenses outside Vermont with the same ability to appeal their inclusion on the Internet sex offender registry that Vermont offenders have.

Date Signed by the Governor: February 24, 2010

Effective Date: On passage (February 24, 2010, the date on which the governor signed the bill) except for Sec. 1, which takes effect on July 1, 2011.

Act No. 67
(H.534)

FY2010 budget adjustment

This act is the fiscal year 2010 Budget Adjustment Act. It adjusts the amounts appropriated for the support of government for fiscal year 2010 by No. 1 of the Acts of the Special Session of 2009 and other acts.

Date Signed by the Governor: February 25, 2010

Effective Date: On passage (February 25, 2010, the date on which the governor signed the bill) except Catamount expansion effective July 1, 2011.

Act No. 68
(S.286)

State government; administration and policy implementation; service and performance; reduced spending; accountability

This act challenges policy-makers, administrators, service providers, and school administrators to design outcome-driven changes in service and performance, to implement these changes with reduced state funding, and to maintain accountability for meeting goals through clear measures of outcome achievement.

Date Signed by the Governor: February 25, 2010

Effective Date: On passage (February 25, 2010, the date on which the governor signed the bill)

Act No. 69
(H.533)

Domestic relations; military parents' rights

This act establishes court procedures to address parental rights and responsibilities and parent-child contact when a military parent is deployed for service unaccompanied by family members. A military parent who is planning deployment or his or her co-parent may seek a temporary order from the family court which establishes conditions for the time of deployment and a transition schedule for when the deploying parent returns, after which time the original orders would resume effect.

The court may assign temporarily the deploying parent's parent-child contact rights to another family member or person with whom the child has a significant relationship if it is in the child's best interests. Orders may make accommodations for the deploying parent to participate in court proceedings via electronic means and may require the nondeploying parent to make the child reasonably available to the deploying parent when the deploying parent has leave and to facilitate opportunities for communication with the deploying parent while he or she is deployed.

Date Signed by the Governor: March 3, 2010

Effective Date: On passage (March 3, 2010, the date on which the governor signed the bill)

Act No. 70
(H.598)

Elections; early voter absentee ballots; sorting

This act allows the town clerk of a municipality with at least 300 registered voters on its checklist to direct two election officials to open the outside envelope in order to sort early voter absentee ballots by ward and district, to data enter the return of the ballots by the voter, to determine that the certificate has been signed, and to place the inside envelopes in various secure containers to be transported to the polling places on election day.

Date Signed by the Governor: March 30, 2010
Effective Date: July 1, 2010

Act No. 71
(H.607)

**Transportation; Chittenden County Transportation Authority;
municipal charter; codification; amendment**

This act codifies and amends the charter of the Chittenden County Transportation Authority to change it to a regional transit authority and allows it to combine with non-Chittenden County transit services.

Date Signed by the Governor: March 30, 2010
Effective Date: July 1, 2010

Act No. 72
(H.761)

**Transportation; Federal Railroad Administration; High-Speed Intercity Passenger
Rail Program; grants; appropriation**

This act:

(1) Adds two grants awarded to Vermont under the federal High-Speed Intercity Passenger Rail Program (HSIPR) to the fiscal year 2010 transportation program: a \$50 million grant for improvements along the New England Central Railroad line and a \$500,000.00 planning grant for Vermont and New York to jointly develop a corridor service plan for an intercity passenger route between Albany, NY and Rutland, VT.

(2) Appropriates \$15.7 million of the \$50 million grant to authorize spending within fiscal year 2010.

Date Signed by the Governor: March 30, 2010
Effective Date: On passage (March 30, 2010, the date on which the governor signed the bill)

Act No. 73
(S.117)

Elections; primary elections

This act moves the date of the primary election from the second Tuesday in September to the fourth Tuesday in August. All other filing dates are moved to correspond to the new primary election date.

Date Signed by the Governor: Governor did not sign the bill and allowed the bill to become law without his signature

Effective Date: On passage (April 7, 2010, the date on which the governor allowed the bill to become law without his signature)

Act No. 74
(H.764)

Education; teachers; retirement

This act changes the state teachers' retirement system of Vermont as follows: (1) adjusts the duration of service needed before a teacher qualifies for a normal retirement allowance; (2) increases the employees' share of the costs of the system; (3) increases the percentage of "average final compensation" teachers may be paid in retirement; (4) makes available to teachers, upon retirement and in exchange for increased length of service, a health benefit component for their spouses; (5) reduces the state's actuarially determined annual required contribution to the system; (6) strengthens the annual obligation of the state to fund the system to the level actuarially determined to be necessary; and (7) tightens standards for determining average final compensation.

Date Signed by the Governor: April 7, 2010

Effective Date: July 1, 2010

Act No. 75
(H.461)

Probate; estates

This act broadens the range of estates which can qualify for treatment as small estates by permitting the probate court to hold small estate proceedings for a decedent who dies with surviving parents but without a surviving spouse or child.

Date Signed by the Governor: April 13, 2010

Effective Date: July 1, 2010

Act No. 76
(H.600)

Commerce and trade; investments by state treasurer

This act authorizes the state treasurer to invest state funds in community development credit unions.

Date Signed by the Governor: April 13, 2010

Effective Date: On passage (April 13, 2010, the date on which the governor signed the bill)

Act No. 77
(H.695)

Alcoholic beverages; licenses; premises

This act allows a manufacturer of malt beverages to hold a license allowing the sale of alcoholic beverages to the public at up to two establishments located on the contiguous real estate of the manufacturer if the manufacturer owns or has direct control of those establishments.

Date Signed by the Governor: April 13, 2010

Effective Date: On passage (April 13, 2010, the date on which the governor signed the bill)

Act No. 78
(S.288)

Economic development; ARRA appropriations; commerce; trade

This act establishes short-term economic stimulus to certain sectors of the Vermont economy and investment in long-term strategies consistent with the four principal goals of economic development identified by the commission on the future of economic development.

From the \$8.66 million available in federal, state fiscal stabilization funds under the American Recovery and Reinvestment Act of 2009 (ARRA), it appropriates funds to the following programs: the entrepreneurs' seed capital fund; the Vermont telecommunications authority (for rural broadband development); the Vermont employment training program; tourism and marketing; the Vermont economic development authority (VEDA), for the agricultural debt consolidation program and the Vermont jobs fund; the Vermont seal of quality program; the farm-to-plate investment program; the farm-to-school program; Vermont agricultural fairs; the Vermont association of conservation districts; the Addison County economic development corporation; the job start loan fund; the individual development account program; the micro-business development program; the downtown and village center program; the Burlington International Airport; the Vermont film corporation; and the Vermont Technical College for development of a paramedic-level training program.

In addition, the act requires the state auditor to develop an audit strategy; requires the joint fiscal office to report on the Vermont training program; increases the state's moral obligation for the Vermont jobs fund; permits greater inter-fund lending among VEDA programs; extends VEDA's economic recovery and opportunity program; provides for public outreach regarding ARRA-funded private-activity and municipal bonds; establishes legislative priorities for the awarding of competitive ARRA funds; requests a study on state purchases of local goods; authorizes digital nonprofit corporations; expands the authority of the Vermont public power supply authority; establishes a

process for obtaining legislative input on international trade agreements; increases the membership of the commission on international trade and state sovereignty; and authorizes a study on the creation of a redevelopment authority.

Date Signed by the Governor: April 15, 2010

Effective Date: On passage (April 15, 2010, the date on which the governor signed the bill)

Act No. 79

(S.77)

Conservation and development; solid waste; electronic waste collection and recycling

This act establishes a program in the agency of natural resources (ANR) for the collection and recycling of electronic waste (e-waste) in Vermont.

The act requires ANR to develop by January 1, 2011, a standard plan for the collection and recycling of e-waste in the state.

At a minimum, the ANR standard plan must:

- Site at least three permanent facilities in each county for e-waste collection unless ANR determines that collection is adequate in a county and three facilities are not necessary.
- Site at least one permanent e-waste collection facility in each city or town with a population of 10,000 or more.
- Ensure that e-waste recyclers comply with ANR's recycling standards.
- Ensure public education and outreach regarding e-waste disposal.
- Require e-waste collection facilities to be staffed and open to the public at a frequency needed to meet the needs of the area.

Beginning July 1, 2010, a manufacturer of a covered electronic device is prohibited from selling a covered electronic device in the state unless the manufacturer registers with the state, labels its covered electronic device with its brand, and pays the relevant registration and implementation fee. The act defines a covered electronic device as a television, computer, computer monitor, printer, or cathode ray tube device.

The act defines a manufacturer of a covered electronic device as a person who:

- Manufactures a covered electronic device under the person's own brand for sale in the state;
- Sells in the state under the person's brand a covered electronic device produced by another supplier;
- Owns a brand that the person licenses or licensed to another person for use on a covered electronic device;
- Imports covered electronic devices into the U.S. for sale;

- Manufactures covered electronic devices for sale in the state without affixing a brand; or
- Assumes a manufacturer's responsibilities, obligations, and liabilities.

A manufacturer who sells less than 20 covered electronic devices in a program year is exempt from the requirements of the program.

A manufacturer's registration must include:

- A list of the manufacturer's brands;
- Contact information for a person responsible for the manufacturer's compliance;
- An estimate of the manufacturer's covered electronic devices sold during the previous program year;
- An estimate of the aggregate total weight of the manufacturer's covered electronic devices sold during the previous year based on national sales data; and
- Beginning July 1, 2011, a certification that the manufacturer is seeking coverage under the ANR standard plan or is implementing an independent plan approved by ANR.

A manufacturer may opt out of the standard plan and implement an individual plan approved by ANR. A manufacturer's individual plan must:

- Provide for each county the number of collection methods required under the standard plan.
- Describe the collection, transportation, and recycling to be used.
- Document the audits of each recycler used in its plan.
- Describe the accounting and reporting systems that will be used.
- Include a time line for start-up and implementation.
- Include a public information campaign to inform consumers of how to dispose of or recycle their e-waste.
- Meet the manufacturer's program goal for e-waste collection.

The program goal for a manufacturer that submits an individual plan is: The statewide recycling goal multiplied by the individual manufacturer's market share of covered electronic devices.

If a manufacturer operating under an individual plan fails to meet its program goal, it is assessed a surcharge to pay for the cost of collecting that portion of e-waste that the manufacturer failed to collect.

Manufacturers operating under an individual plan must report annually to ANR. The report must include:

- The type of e-waste collected.

- The aggregate total weight of e-waste the manufacturer recycled during the program year.
- A list of recyclers utilized by the manufacturer.
- A description of the process and methods used to recycle e-waste.
- A summary of the educational and outreach activities undertaken by the manufacturer.

Any collection facility operated under a manufacturer's individual plan must be staffed and open to the public at a frequency that meets the needs of the area being served.

Households, charities, school districts, or businesses in the state that employ fewer than 10 people will not be charged for e-waste collection under the standard plan or an individual manufacturer's plan.

Collection facilities under the standard plan or an individual plan may not refuse to accept e-waste from households, charities, school districts, or businesses in the state that employ fewer than 10 people.

Each manufacturer registered under the standard plan or under an individual plan must pay a registration fee.

- The registration fee will cover ANR's costs in administering the e-waste program.
- The registration fee in the first year (July 1, 2010, through June 30, 2011) is \$5,000 or \$1,250 for a manufacturer that sells less than 100 covered electronic devices in the state.
- After the first year, the registration fee is determined by multiplying the manufacturer's market share by ANR's cost of administering the program.

Each manufacturer operating under the standard plan will pay an implementation fee.

- The implementation fee is intended to pay for the costs of collecting e-waste either by ANR's own collection or by ANR contracting with others for collection.
- The implementation fee is assessed quarterly and is determined by multiplying the manufacturer's market share by the prior quarter's costs of implementing the collection and recycling activities under the e-waste program.

The act establishes a statewide recycling goal by which to measure performance of the e-waste collection and recycling program.

- The statewide recycling goal is measured in pounds of e-waste collected.
- For July 1, 2011, through June 30, 2012: The statewide goal is calculated by multiplying Vermont's population by 5.5 pounds.
- For July 1, 2012, through June 30, 2013: The statewide goal is calculated by multiplying Vermont's population by 6.0 pounds.

- For July 1, 2013, through June 30, 2014, and annually thereafter, the statewide recycling goal is the product of the base weight multiplied by the goal attainment percentage.

The “base weight” is the average of all electronic waste collected under the standard plan and any individual plan for the previous two program years. The goal attainment percentage is set in the act as follows:

- 90 percent if the base weight is less than 90 percent of the statewide recycling goal.
- 95 percent if the base weight is 90 percent or greater but not more than 95 percent of the statewide recycling goal.
- 100 percent if the base weight is 95 percent or greater but not more than 105 percent of the statewide recycling goal.
- 105 percent if the base weight is 105 percent or greater but not more than 110 percent of the statewide recycling goal.
- 110 percent if the base weight is 110 percent of or greater than the statewide recycling goal.

Beginning July 1, 2010, no retailer will be allowed to sell a covered electronic device unless the device is labeled by the manufacturer and the manufacturer of the device is registered with ANR.

- Retailers can review an ANR website to determine which manufacturers are properly registered.
- A retailer is not responsible for an unlawful sale if the retailer took possession of a device prior to July 1, 2010, or if the manufacturer’s registration expired or was revoked after the retailer took possession and the unlawful sale occurred within six months of expiration or revocation.
- Beginning July 1, 2011, retailers who sell covered electronic devices must provide customers with information regarding the proper disposal of e-waste.

Beginning July 1, 2010, e-waste recyclers must register with ANR. Registration is valid for five years. The recycler must provide ANR with contact information and evidence of financial assurance sufficient for the cleanup of the recycler’s facility.

Beginning August 1, 2012, a recycler of e-waste must submit an annual report to ANR. The report must include:

- The type of e-waste collected.
- The total weight of e-waste recycled during the preceding program year.
- Whether e-waste was collected under the standard plan or an individual plan.
- A certification that the recycler has complied with ANR’s recycling guidelines.

Beginning July 1, 2010, collectors and transporters of e-waste must register with ANR. Beginning August 1, 2012, a collector of e-waste must report annually to ANR.

The report is to include: the type of e-waste collected; the total weight of e-waste recycled during the preceding program year; and whether e-waste was collected under a standard or an individual plan.

Beginning August 1, 2012, a transporter of e-waste that will not be recycled in Vermont must report annually to ANR the total pounds of e-waste collected and whether it was collected under the standard or an individual plan.

The act establishes responsibilities for ANR. The responsibilities include:

- Adopting and administering the standard plan.
- Collecting data submitted by manufacturers, recyclers, collectors, and transporters.
- Determining whether the statewide recycling goal should be changed.
- Beginning February 15, 2012, annually reporting to the general assembly regarding implementation of the e-waste program. The report must include the total weight of e-waste collected; a summary of the various e-waste collection programs used; information about e-waste disposed of in landfills; and an accounting of the program.
- Maintaining a website that includes the names of manufacturers with current, valid registrations and the manufacturers' brands listed in the manufacturer's registration.
- Establishing guidelines for the environmental sound management of consumer electronics.
- Identifying approved transporters, collectors, and recyclers.

ANR may contract for implementation and administration of the e-waste program, and ANR may adopt rules to implement the e-waste program.

The act bans the disposal of electronic devices in landfills.

Date Signed by the Governor: April 19, 2010

Effective Date: On passage (April 19, 2010, the date on which the governor signed the bill)

Act No. 80
(H.639)

Insurance; automobile; volunteer drivers

This act prohibits insurers from refusing to issue motor vehicle liability insurance to an applicant solely because the applicant is a volunteer driver for a nonprofit corporation or a charitable organization pursuant to a written agreement. It also prohibits insurers from imposing a surcharge or increasing rates based solely on an insured's status as a volunteer driver. The act applies to all policies and contracts offered, issued, or renewed on and after September 1, 2010.

Date Signed by the Governor: April 20, 2010
Effective Date: July 1, 2010

Act No. 81
(H.766)

Health; reportable diseases; HIV

This act provides a narrow exception to the prohibition on disclosing public health records relating to HIV/AIDS without notice to the individual subject of the record. The act allows disclosure of such records to other states' infectious disease surveillance programs without notifying the individual for the sole purpose of determining whether the record duplicates a record in the other state. The act requires the record to be shared using the least identifying information first, with the individual's name used only as a last resort.

Date Signed by the Governor: April 20, 2010
Effective Date: On passage (April 20, 2010, the date on which the governor signed the bill)

Act No. 82
(S.150)

Motor vehicles; disabled parking; fine; signage

This act:

(1) Increases from \$100 to \$200 the fine for illegally using a parking space reserved for disabled persons.

(2) Amends accessibility standards relating to parking spaces reserved for disabled persons to specify that such spaces must be designated with a clearly visible sign that cannot be obscured by a vehicle parked in the space and provides that parking spaces must otherwise conform with ADAAG (Americans with Disabilities Act Accessibility Guidelines) standards.

Date Signed by the Governor: April 20, 2010
Effective Date: July 1, 2010

Act No. 83
(H.658)

Health care; home health services; certificate of need

This act requires the commissioner of the department of banking, insurance, securities, and health care administration (BISHCA) and the commissioner of the department of disabilities, aging, and independent living (DAIL) to convene a work group of interested parties to develop objective criteria for certificate of need (CON) decisions regarding home health services and to report the work group's recommendations to the house committee on health care and the senate committee on health and welfare by December 15, 2011. The act prohibits anyone from granting a CON for the offering of home health services or for a new home health agency between the effective date of the

act and June 30, 2013, unless the general assembly lifts the moratorium earlier. The act provides for two exceptions to the moratorium: for a continuing care retirement community operating under a certificate of authority and for a new home health agency if the commissioners of BISHCA and of DAIL certify that a serious and substantial lack of access to home health services exists in a particular county and the agencies serving that county have been given notice and an opportunity to either challenge the certification or remediate the problem.

The act specifies that it should not be construed to prevent existing home health agencies from seeking approval from BISHCA or DAIL to expand or contract their designated geographical regions or from merging; nor should it be construed to prevent the BISHCA commissioner from granting a CON to a home health agency that had filed a letter of intent or had a CON application pending before the effective date of the act. To the criteria necessary for the BISHCA commissioner to grant any CON application, regardless of whether or not the application is for a new home health agency, for home health services, or for another service, the act adds a requirement that the applicant must demonstrate and the commissioner must find that the applicant has adequately considered the availability of affordable, accessible patient transportation services to any facility proposed in the application.

Date Signed by the Governor: April 21, 2010

Effective Date: On passage (April 21, 2010, the date on which the governor signed the bill)

Act No. 84
(S.28)

Professions and occupations; landscape architects; licensure

This act creates a system for regulating and licensing landscape architects.

Date Signed by the Governor: April 21, 2010

Effective Date: July 1, 2010

Act No. 85
(S.272)

Human trafficking

This act establishes a temporary human trafficking task force to raise public awareness about human trafficking, identify resources for victims of human trafficking, recommend to the public ways to identify and report acts of human trafficking, and make findings and potential legislative recommendations to the general assembly. The task force will report legislative proposals, if any, to the committees of jurisdiction on or before November 15, 2010. The task force will report its recommendations and findings to the general assembly on or before January 15, 2011.

The act also directs the commissioner of public safety to report to the existing law enforcement advisory board on the status of efforts by Vermont law enforcement to respond to issues regarding the crime of human trafficking and possible legislative

recommendations for the committees of jurisdiction on or before November 15, 2010. The law enforcement advisory board will include its recommendations and findings in its annual report to the general assembly and the governor.

Date Signed by the Governor: April 27, 2010

Effective Date: On passage (April 27, 2010, the date on which the governor signed the bill)

Act No. 86

(S.293)

Internal security and public safety; prevention and investigation of fires; boilers and pressure vessels

This act allows installation of a boiler or pressure vessel under the state fire code when the boiler or pressure vessel has been designed, manufactured, and assembled according to the standards of: (1) the American Society of Mechanical Engineers; (2) the Canadian Standards Association; (3) the European Committee for Standardization for a boiler with a maximum water jacket size of 60 gallons, a maximum input of 250,000 Btu, and a maximum relief valve setting of 30 pounds per square inch gauge; or (4) the European Committee for Standardization, when approved by the commissioner of public safety, for boilers of pressure vessel with an input greater than 250,000 Btu or a water jacket size greater than 60 gallons. The bill also requires a boiler or pressure vessel regulated by the fire code to include the design, instruction, data plates, and warning labels in English.

Date Signed by the Governor: April 27, 2010

Effective Date: On passage (April 27, 2010, the date on which the governor signed the bill)

Act No. 87

(H.408)

Human services; education; nutrition; assistance; summer meals; snacks

This act expands access to federally funded nutrition programs for low-income Vermonters by requiring:

- the department for children and families to maximize participation of seniors and people with disabilities through federal options or waivers
- after-school programs funded with 21st Century funds to partner with school districts to provide snack programs for low-income children
- the Hunger Task Force to look at methods for further expanding federally funded snack programs
- schools with at least 50 percent of students receiving free or reduced-price meals that offer summer educational or recreational programs for 15 or more hours a week to provide summer meals
 - schools may apply for an exemption to this requirement using the same criteria as the exemption for school lunch programs

- the department of education to track and by October 1, 2010, to report on schools offering summer educational or recreational programs
- the department of education and the department for children and families to continue to improve the process of automatically finding a child eligible for school lunch if the family receives 3SquaresVT or other benefits as provided for under federal law

Date Signed by the Governor: April 28, 2010

Effective Date: On passage (April 28, 2010, the date on which the governor signed the bill)

Act No. 88
(H.456)

Human services; fuel; public benefits

This act revises the statute governing the fuel assistance program funded with federal Low Income Home Energy Assistance Program (LIHEAP) monies and administered by the department for children and families. There are a number of minor changes relating to reformatting existing law. All changes may be done by expedited rule.

The substantive changes to the seasonal fuel program are:

- The current *net* income test of 125 percent of the federal poverty level (FPL) is modified to a *gross* income test at 185 percent of FPL, based on the rules in 3SquaresVT with any additional exclusions required for LIHEAP.
- The asset allowance is eliminated.
- The fuel cost table used in the seasonal fuel program will be done by procedure instead of by rule. The department for children and families will provide a draft of the fuel cost table to the home energy assistance task force prior to its being finalized. The sources of information for the table are also broadened.
- The act makes several changes to the way benefits are calculated: the special benefit level for households for which heat is included is eliminated; benefits are provided on proportionally higher maximums for lower-income households; and the calculation for determining the benefit amount is modified to reflect removal of separate benefit levels as noted above. The calculation is also now based on a projection of participation in order to allow for rolling eligibility determinations, and a nominal \$3.00 benefit for food stamp households which are otherwise not eligible is added.
- The department for children and families may now accept applications on an ongoing basis beginning April 1, 2010, to reflect the modernization of the department's eligibility system, which will allow for online applications and ongoing enrollment.

- The act clarifies that there is an exception from certification for firewood and wood-pellet suppliers and provides that payment to suppliers is made after delivery and billing to the beneficiary.

The act modifies the crisis fuel program by changing income eligibility from a *net* income test at 150 percent of FPL to a *gross* income test at 200 percent based on the rules in 3SquaresVT with any additional exclusions required for LIHEAP.

Date Signed by the Governor: April 29, 2010

Effective Date: On passage (April 29, 2010, the date on which the governor signed the bill); the secretary of human services has until September 1, 2011 to implement the payment system changes.

Act No. 89
(H.680)

Agriculture; farm employee housing

This act governs farm employee housing that is provided to an employee as a benefit of employment. The act provides that farm employee housing may be terminated at the same time employment is terminated and sets out the rights of employer and employee upon termination of the housing benefit. The act adds a new 9 V.S.A. § 4469a, which is identical to the former 9 V.S.A. § 4469 that expired in 2003.

Date Signed by the Governor: April 28, 2010

Effective Date: On passage (April 28, 2010, the date on which the governor signed the bill)

Act No. 90
(H.527)

Municipal government; fire departments; costs; recovery

This act creates the municipal cost recovery study committee to evaluate whether or not, or to what extent, to allow municipalities to recover the costs of fire department response to emergencies and nonemergencies on class 1 and federal highways.

Date Signed by the Governor: May 5, 2010

Effective Date: July 1, 2010

Act No. 91
(H.775)

Government operations; access to records; records management

This act makes technical changes to the records management authority of the Vermont state archives and records administration. The act deletes statutory references to the records management authority of the commissioner of buildings and general services that was repealed in a previous legislative session and substitutes reference to the authority of the Vermont state archives and records administration. In addition, the act deletes obsolete statutory requirements for retention of certain records or the approved format of

certain records.

Date Signed by the Governor: May 6, 2010

Effective Date: On passage (May 6, 2010, the date on which the governor signed the bill)

Act No. 92

(S.173)

Judiciary; trusts; jurisdiction

This act makes technical corrections to the Vermont trust code. Specifically, it clarifies that the probate court has jurisdiction over the administration of trusts pursuant to the Vermont trust code. The act also makes certain corrections to the trust code to ensure that uniform terms are used throughout the code, particularly that the term “settlor” is used instead of the term “grantor.”

Date Signed by the Governor: May 7, 2010

Effective Date: July 1, 2010

Act No. 93

(S.237)

**Conservation and development; salvage yards;
permitting; operational standards**

This act establishes interim standards for the operation of salvage yards and authorizes the agency of natural resources (ANR) to adopt permanent standards for the operation of salvage yards. The act:

1. Establishes interim standards for salvage yards until March 31, 2011, at which point ANR is required to adopt by rule specific operational standards.
2. Requires salvage yards, under the interim standards, to:
 - o Comply with existing screening and fencing requirements.
 - o Drain a vehicle of fluids prior to crushing and within 365 days of receipt unless the vehicle has obvious signs of leaking fluid, at which point it must be drained immediately.
 - o Drain and crush vehicles in one of two ways: (1) on a surface that is designed to retain draining fluids or would prevent releases to the environment; or (2) by a crusher with an onboard fluid recovery system that prevents releases to the environment.
 - o Be set 100 feet back from a Class I or Class II wetland if the salvage yard is issued a certificate of registration after July 1, 2010. The setback does not apply to existing, validly registered salvage yards seeking a renewal of registration.
 - o Be set 300 feet back from a potable water supply other than the yard’s own supply or unless approved by ANR if the salvage yard is issued a certificate of registration after July 1, 2010. The setback does not apply to existing, validly registered salvage yards seeking a renewal of registration.

3. Requires the ANR rules on salvage yards to be adopted by March 31, 2011. The ANR rules must address:

- The siting of salvage yards, including setback from surface waters, wetlands, and potable water supplies. Siting requirements may include site-specific requirements for salvage yards operating under a valid certificate of registration, provided such site-specific conditions prevent releases to the environment.
- Exemptions from the requirement to obtain a certificate of registration.
- When financial responsibility may be required to remediate potential or existing environmental contamination from a salvage yard or to assure proper management of a salvage yard upon closure.
- Removal and proper disposal of solid waste and tires.
- Establishment and maintenance of fencing.
- Proper closure of a salvage yard.
- Postclosure monitoring.
- Classes or categories of salvage yards.
- Additional measures ANR deems necessary to protect public health and the environment.

4. The act authorizes ANR to issue a general permit for the regulation of salvage yards. The general permit may allow salvage yards to self-certify compliance. If the secretary adopts a general permit for salvage yards, the secretary may require the owner or operator of a salvage yard to obtain an individual certificate of registration if certain criteria are met.

5. The act prohibits a person from delivering salvage vehicles or operating a mobile crusher at a salvage yard without a certificate of registration from ANR. All salvage yards must post a copy of the certificate of registration at each entrance to the salvage yard.

6. The requirement to drain vehicles of fluids under the interim standards or under ANR's rules will not apply to salvage yards that as of January 1, 2010, conduct business handling total-loss vehicles from insurance companies.

7. The act amends the definition of salvage yard to mean a scrap metal facility; a place where junk is stored, kept, processed, or sold; or an automobile graveyard.

8. An automobile graveyard is defined as an outdoor area where four or more junk motor vehicles are stored or deposited. An automobile graveyard is not:

- An area used by an automobile hobbyist.
- An area used for storage of motor vehicles that are exempt from registration under motor vehicle law, such as farm tractors, farm trucks, and construction equipment.
- Motor vehicles on car dealer lots.

- An area where out-of-service operational vehicles are stored prior to returning to service.
9. The definition of “junk motor vehicle” is amended to include a discarded, dismantled, wrecked, scrapped, or ruined motor vehicle other than an on-premise utility vehicle which is allowed to remain uninspected for a period of 90 days from the date of discovery of the motor vehicle.
 10. Authorizes the secretary of ANR to require a person to obtain a certificate of registration for a salvage yard after a determination that a person has taken action to circumvent the requirements of this subchapter.
 11. Exempts municipal regulation of salvage yards from the 15-year statute of limitations on enforcing municipal bylaws.
 12. Corrects cross-references in the statutory *Bianchi* fix to ensure that violations of municipal bylaws—including those for salvage yards—are not an encumbrance on title.
 13. Amends the definition of “municipal and use permits” to include certificates of approval for salvage yards.
 14. Repeals the statutory interim operational standards for salvage yards on March 31, 2011.

Date Signed by the Governor: May 7, 2010

Effective Date: July 1, 2010

Act No. 94
(S.239)

**Retiring outdoor wood-fired boilers that do not meet the
2008 emission standard for particulate matter**

This act requires the secretary of natural resources to establish a change-out program at the earliest feasible date to purchase retirement of inefficient, high-emission outdoor wood-fired boilers (OWB) with OWBs or other heating appliances that have substantially lower emissions and higher efficiency. It also requires the retirement by December 31, 2012 of some older, unregulated OWBs, as described below.

The act contains findings that describe a settlement in the air pollution case of *United States, et al. v. American Elec. Power Service Corp., et al.* (AEP settlement), under which funds are allocated to the plaintiff states, including Vermont, for mitigation projects that pertain to energy efficiency, pollution reduction, or both. The findings cite the risks to human health of emissions from the inefficient combustion design of OWBs. They detail the secretary’s adoption of rules to regulate OWB emissions and the exemption from the secretary’s rules or “grandfathering” of some previously purchased OWBs. They find that it is appropriate to establish a change-out program for grandfathered OWBs and to use AEP settlement money for this program.

The act requires the secretary to establish a change-out program at the earliest feasible date and to fund the program using at least \$500,000 of AEP settlement funds and any other amounts that may be appropriated or available by grant, contribution, or donation.

OWBs eligible to be replaced must have emissions that exceed the secretary's adopted emission limits. However, the secretary may develop additional eligibility criteria, including granting an exception to allow the program to support replacing an OWB with emissions that do not exceed those limits.

OWBs accepted into the change-out program must be replaced by OWBs or other heating appliances with an emission rate that does not exceed the secretary's adopted limits and must be retired within a specified period not to exceed six months.

The act requires the secretary to give priority to replacing eligible OWBs that have resulted in valid complaints and have the highest emission rates, cause nuisance, or are within 200 feet of a residence, school, or health care facility. If an eligible OWB is less than the required setback distance under the secretary's regulations, the replacement OWB may be less than that setback distance unless such location will cause nuisance as defined by the act or will not comply with local bylaws.

The secretary may require an eligible OWB to be replaced by a heating appliance that is not an OWB (e.g., a furnace) if, based on consideration of relevant factors, the secretary determines that a replacement OWB would cause nuisance as defined by the act.

The act requires the retirement by December 31, 2012, of any OWB in the state that is not certified as meeting the secretary's adopted emission limits if the OWB is located within 200 feet of a residence, school, or health care facility not served by the OWB or has resulted or results in a complaint regarding emissions that the secretary determines is valid.

Date Signed by the Governor: May 7, 2010

Effective Date: On passage (May 7, 2010, the date on which the governor signed the bill)

Act No. 95

(S.187)

Municipal government; audits

This act modernizes Vermont law on municipal audits and requires municipal audits to be conducted in accordance with generally accepted government auditing standards, including the issuance of a report of internal controls over financial reporting that shall be provided to recipients of the financial statements.

Date Signed by the Governor: May 8, 2010

Effective Date: July 1, 2010

Act No. 96

(S.287)

Banking; loan servicers; licensing; regulation

This act requires persons who service residential mortgage loans in Vermont to be licensed and regulated by the commissioner of banking, insurance, securities, and health care administration.

Date Signed by the Governor: May 8, 2010
Effective Date: January 1, 2011

Act No. 97
(H.507)

Human services; judiciary; guardianship; foster care

This act makes several changes in response to the federal Fostering Connections to Success Act of 2008 and also amends the voluntary guardianship process.

The act modifies the existing standard for permanent guardianship to provide that the child must be in foster care for at least six months and also creates a new subsidy program for families who become permanent guardians of children in foster care (including kin). (Secs. 1–2)

The act aligns state law on services provided to youth in foster care who are nearing their 18th birthday with federal law provisions and ensures that transition plans for these youths commence at least a year before a youth turns 18. The act also ensures that family members seeking custody of a related child receive information about options available through foster care and permanent guardianship. (Secs. 3–4; 8)

The act modifies voluntary guardianship law to remove the prohibition on individuals with a developmental disability or with mental health needs from agreeing to a voluntary guardianship. The act establishes a process to protect these individuals and ensure that the choice is voluntary. (Sec. 9)

The act makes technical or conforming changes in Secs. 5–7.

Date Signed by the Governor: May 8, 2010
Effective Date: July 1, 2010

Act No. 98
(S.122)

Election; statewide office; county office; state senate; recounts

This act provides that in an election for a statewide office, county office, or state senate, if the difference between the number of votes cast for a winning candidate and the number of votes cast for a losing candidate is less than two percent of the total votes cast for all the candidates for an office, divided by the number of persons to be elected, the losing candidate shall have the right to have the votes for that office recounted. This act also makes adjustments to filing dates due to the change in the primary election date established in No. 73 of the Acts of the 2009 Adj. Sess. (2010).

Date Signed by the Governor: May 10, 2010
Effective Date: On passage (May 10, 2010, the date on which the governor signed the bill)

Act No. 99
(S.165)

Criminal procedure; statute of limitations

This act provides that if a defendant knowingly and voluntarily waives the statute of limitations in writing and with the consent of the prosecution, the court shall have jurisdiction over the offense and the proceedings shall be valid.

Date Signed by the Governor: May 10, 2010
Effective Date: July 1, 2010

Act No. 100
(H.622)

Commerce and trade; banking and finance; mortgages; prescreened trigger lead solicitations

This act requires certain disclosures to a consumer during a trigger lead solicitation and authorizes a private right of action by a financial institution whose name or trademark has been misrepresented in a trigger lead solicitation.

Date Signed by the Governor: May 10, 2010
Effective Date: July 1, 2010

Act No. 101
(H.765)

Agriculture; economic development; agricultural innovation center

This act establishes the Vermont agricultural innovation center to promote agriculture and the business of agriculture in the state. The agricultural innovation center will acquire state, federal, and private financial assistance for distribution in Vermont and will administer grant monies for the promotion of agriculture and the production or marketing of value-added agricultural products. The act also repeals the agricultural development commission in the agency of agriculture, food and markets.

Date Signed by the Governor: May 11, 2010
Effective Date: January 15, 2011

Act No. 102
(H.772)

Alcoholic beverages

This act makes numerous changes to the liquor laws. It clarifies that a hotel is responsible for ensuring that access to a minibar is restricted to guests of legal drinking age. It allows restaurant customers to take home resealed unfinished bottles of specialty beer. It increases the number of special event permits that can be issued to a person holding a manufacturer's or rectifier's license from 12 to 36 per year. It increases the number of alcohol tasting events that may be conducted by the holder of a second class license from 30 to 48 per year.

The act also creates a new promotional railroad tasting permit which allows the operator of a railroad to hold tastings of Vermont-produced alcoholic beverages in a dining car and creates a \$15.00 fee for the railroad tasting permit.

The act sets the minimum fee for a keg deposit at \$25.00.

Finally, the act allows a Vermont manufacturer to receive bulk shipments of alcoholic beverages to rectify with the manufacturer's own product, provided that the resulting product contains no more than 25 percent of the imported beverage.

Date Signed by the Governor: May 11, 2010

Effective Date: On passage (May 11, 2010, the date on which the governor signed the bill)

Act No. 103
(H.562)

Professions and occupations

This act modifies statutory provisions relating to the office of professional regulation and the following professions and occupations: opticians, pharmacists, chiropractors, dentists, nurses, optometrists, osteopathic physicians, land surveyors, radiological assistants, psychologists, private investigative and security services, real estate appraisers, dieticians, electrologists, and motor vehicle racing.

Date Signed by the Governor: May 12, 2010

Effective Date: July 1, 2010; except Secs. 55, 19a, 19b, 19c, 19d, and 19e (radiologist assistants) which take effect on passage (May 12, 2010, the date on which the governor signed the bill).

Act No. 104
(S.268)

Human services; children; building bright futures council

This act creates in statute the Building Bright Futures Council, which had previously existed by executive order. It specifies the composition of the council, which comprises no more than 23 individuals and includes members of the governor's administration, members of the general assembly, the Head Start collaboration office director, and 12 at-large members selected on the basis of their commitment to early childhood well-being and representing a range of perspectives and geographic diversity. The act details the council's powers and duties and specifies that the members of the council serving as of the effective date of the act will continue to serve on the council after that date and directs them to adopt bylaws for the council's governance and procedures.

Date Signed by the Governor: May 12, 2010

Effective Date: On passage (May 12, 2010, the date on which the governor signed the bill)

Act No. 105
(H.578)

Public safety; state law enforcement officers

This act requires the commissioner of public safety to develop and execute a memorandum of understanding with the commissioners of fish and wildlife, of motor vehicles, and of liquor control and their respective directors of law enforcement. The memorandum of understanding shall be reviewed at least every two years and shall at a minimum address:

(1) Maximizing collective resources by reducing or eliminating redundancies and implementing a methodology that will enhance overall coordination and communication while supporting the mission of individual enforcement agencies.

(2) Providing for an overall statewide law enforcement strategic plan supported by quarterly planning and implementation strategy sessions to improve efficiencies and coordination on an operational level and ensure interagency cooperation and collaboration of programs funded through grants. The strategic plan should identify clear goals and measurable performance outcomes as well as specific strategic plans for individual enforcement agencies.

(3) Creating a task force concept that will provide for the sharing and disseminating of information and recommendations involving various levels of statewide law enforcement throughout Vermont that will benefit all law enforcement agencies as well as citizens.

(4) Developing an integrated and coordinated approach to multiagency special teams with the goal of creating a force multiplier, where feasible. These teams will be coordinated by the Vermont state police during training and deployments.

(5) Providing for the commissioner of public safety, with the approval of the governor and in consultation with the commissioners of motor vehicles, of fish and wildlife, and of liquor control, to assume the role of lead coordinator of statewide law enforcement units in the event of elevated alerts, critical incidents, and all-hazard events. The lead coordinator shall maintain control until in his or her judgment the event no longer requires coordinated action to ensure the public safety.

Date Signed by the Governor: May 13, 2010

Effective Date: On passage (May 13, 2010, the date on which the governor signed the bill)

Act No. 106
(H.648)

Education; postsecondary schools; harassment; hazing

This act amends current law so that the statutory requirements for postsecondary schools to adopt hazing and harassment prevention policies are located in a different chapter than similar requirements relating to elementary and secondary schools.

Date Signed by the Governor: May 13, 2010

Effective Date: On passage (May 13, 2010, the date on which the governor signed the bill); postsecondary schools must adopt all policies and procedures required by the act by July 1, 2010.

Act No. 107
(S.222)

Native American affairs

This act sets out the process and criteria for Native American groups or bands to apply for and obtain formal state recognition as a Native American Indian tribe. The act requires the Vermont commission on Native American affairs to create three-member panels to review applications for recognition. The full commission is then required to vote on whether to formally recommend to the general assembly that an applicant be recognized as a Native American Indian tribe. An applicant for recognition would be recognized if the general assembly approves the recommendation or if the general assembly takes no action on the recommendation within two years.

The act also amends the composition and duties of the Vermont commission on Native American affairs. The act increases the number of commission members from seven to nine and requires that the members be residents of Vermont and reflect a diversity of affiliations and geographic locations within the state. The act also requires that the commission provide technical assistance to applicants for state recognition and assist recognized Native American Indian tribes in securing social services and developing and marketing Vermont Native American fine arts and crafts.

Date Signed by the Governor: May 14, 2010

Effective Date: On passage (May 14, 2010, the date on which the governor signed the bill)

Act No. 108
(S.161)

**Public safety; constables; criminal records; education;
motor vehicles; human services**

This act:

- Ratifies the National Crime Prevention and Privacy Compact. The compact requires participating states to provide criminal history records to requesting states for noncriminal justice purposes.
- Expands background checks on school employees to include any out-of-state convictions.
- Prospectively prohibits the initial issuance of a commercial driver's license to a person who has had a conviction for a serious motor vehicle violation such as DUI within three years prior to application for the license.
- Directs the commissioner of motor vehicles to examine the administrative tasks and costs associated with implementing legislation requiring motor

vehicle registration to be made conditional on receipt of proof of financial responsibility and requires the commissioner to report back to the committees of jurisdiction by January 15, 2011.

- Provides an additional two years for constables to acquire law enforcement training in order to be permitted to exercise law enforcement powers. Constables will now have until July 1, 2012, to obtain the appropriate training.
- Permits local governments to require an applicant for a local license or vendor permit to provide a copy of his or her criminal conviction record.
- Requires the Vermont Criminal Information Center and the defender general to report on the legal, policy, and procedural issues involved with broadening access to fingerprint-supported national record checks.
- Adopts the Interstate Compact for Juveniles. The compact provides for the return of runaways and the supervision of juveniles on probation and establishes a uniform system of data collection among the states and procedures for managing interstate movement of juvenile offenders.

Date Signed by the Governor: May 14, 2010

Effective Date: The motor vehicle sections of the act take effect July 1, 2011, and the remainder of the act takes effect July 1, 2010.

Act No. 109
(H.725)

Agriculture; farmers' markets

This act authorizes Vermont farmers' markets that meet certain criteria to join the Vermont Farmers' Market Association.

Date Signed by the Governor: May 18, 2010

Effective Date: On passage (May 18, 2010, the date on which the governor signed the bill)

Act No. 110
(H.763)

Conservation and development; water resources; water quality

This act amends multiple provisions of state law regarding river corridor management planning, water quality, agricultural water quality, and stream alteration permits. The act:

1. Requires the agency of natural resources (ANR) to establish a shoreland management program to aid municipalities in adopting municipal shoreland bylaws. On or before February 1, 2011, ANR must develop voluntary best management practices for management of shorelands, including buffers within shorelands.

2. Requires ANR to establish a river corridor management program to aid and support municipal adoption of river corridor bylaws and buffer bylaws. Upon request of a municipality, ANR must provide the municipality with maps of designated river

corridors within the municipality. A river corridor map provided by ANR will delineate a buffer based on site-specific conditions. A river corridor map or its delineated buffer does not become a requirement unless a municipality voluntarily adopts a river corridor or buffer bylaw. ANR must develop voluntary best management practices for river corridor and buffer management.

3. No later than February 1, 2011, the secretary of administration must offer financial incentives to municipalities to encourage municipal adoption and implementation of zoning bylaws that protect shorelands, river corridors, and buffers.

4. Amends the discretionary zoning authority of municipalities to provide municipalities with explicit and clear authority to adopt bylaws regarding river corridor and buffer management and use.

5. Amends the requirements for financial incentives for agricultural best management practices to make temporary fencing for livestock exclusion an activity eligible for financial assistance.

6. Amends the Vermont agricultural buffer program to allow land next to ditch networks to be enrolled in the program.

7. Amends the farm agronomic practices program to authorize alternative manure application and additional soil erosion reduction practices as activities eligible for financial assistance under the program.

8. Directs the Vermont housing and conservation board to maximize state participation in the federal wetlands reserve program when seeking federal funds to protect and conserve farmland.

9. Amends the requirements for stream alteration permits to delete the condition that a permit is required only on a watercourse draining 10 square miles and to require a permit from ANR when more than 10 cubic yards of sediment in a watercourse are disturbed. The definition of "watercourse" is amended so that it means only perennial streams. The act grants ANR authority to adopt general permits for stream alteration. The stream alteration general permit may include self-reporting requirements. The amended stream alteration program does not take effect until the general assembly has reviewed the proposed general permit for the program.

10. Requires the agency of transportation (AOT) to work with ANR and municipalities to revise the AOT's town and bridge standards in order to incorporate practical, cost-effective best management practices for the construction and maintenance of existing and future town and state highways. The best management practices must be designed to address activities having the potential to cause pollutants to enter groundwater and the waters of the state. ANR must approve the new AOT best management practices. Beginning January 15, 2013, and every four years thereafter, AOT in consultation with municipalities is to review and revise the town and bridge standards. ANR must approve all revisions.

11. Reduces the local match under the highway structures program to 10 percent if the town has submitted an annual certification of compliance for town road and bridge standards. Without such a certification, the local match is 20 percent.

12. Reduces the local match under the highway roadway program to 20 percent if a town has submitted an annual certification of compliance for town road and bridge standards. Without such a certification, the local match is 30 percent.

13. Repeals the 2011 sunset of the Vermont agricultural buffer program.

14. Amends the effective date of the presumption that wetlands proposed to be significant are significant and therefore not subject to development until new wetlands rules and maps are updated. The effective date is changed from 45 days after the new wetlands rules and maps are updated to January 1, 2010.

Date Signed by the Governor: May 18, 2010

Effective Date: The sections regarding financial incentives for temporary livestock fencing, changes to the Vermont agricultural buffer program, changes to the farm agronomic practices program, agricultural land preservation by the Vermont housing conservation board, the agency of transportation's best management practices, the repeal of the sunset on the Vermont agricultural buffer program, and the effective date of the wetlands transition language take effect upon passage (May 18, 2010, the date on which the governor signed the bill).

The sections regarding river corridor findings, navigable waters and shorelands policy, navigable waters and shorelands definitions, shoreland protection bylaws, the ANR river corridor buffer management program, zoning bylaws, permissible types of zoning regulations, and the ANR report on river corridor and shoreland zoning take effect February 1, 2011.

The sections that redefine the term "watercourse" under the stream alteration permit program and that amend the jurisdictional trigger for stream alteration permits go into effect March 31, 2011.

The section granting ANR general permit authority for the stream alteration permit program goes into effect February 15, 2011.

Act No. 111
(S.218)

Crimes and criminal procedure; voyeurism

This act clarifies that it is illegal under the voyeurism statute for a person who is engaged in consensual sexual conduct with another to surreptitiously film or make a recording of that person's intimate areas without his or her knowledge and consent. The bill also clarifies that it is illegal to display or disclose such a film or recording to a third party.

Date Signed by the Governor: May 18, 2010

Effective Date: July 1, 2010

Act No. 112
(S.247)

Health; public health; toxic substances; bisphenol A

This act restricts the manufacture, sale, or distribution of certain products containing bisphenol A. Beginning July 1, 2012, it prohibits anyone from manufacturing, selling, or distributing in commerce in Vermont any reusable food or beverage container containing bisphenol A or any infant formula or baby food stored in a plastic container or jar containing bisphenol A. Beginning July 1, 2014, it also prohibits anyone from manufacturing, selling, or distributing in commerce in Vermont any infant formula or baby food stored in a can containing bisphenol A.

The act requires manufacturers to use the least toxic alternative when replacing bisphenol A and bars them from using as a replacement A, B, or C carcinogens; substances on the U.S. Environmental Protection Agency's (EPA) list of substances that are known or likely carcinogens, known human carcinogens, likely to be carcinogens, or suggestive of being carcinogens; or reproductive toxicants that the EPA has identified as causing birth defects, reproductive harm, or developmental harm.

A violation of the act is deemed a violation of Vermont's Consumer Fraud Act, and the act gives the attorney general the same authority and private parties the same rights as they have under the Consumer Fraud Act. The act also requires the department of health to identify as soon as possible one or more bisphenol A-free containers, including cans, for use in Vermont's Women, Infants, and Children (WIC) program and to report to the general assembly on the availability of such containers by January 15, 2012.

Date Signed by the Governor: May 19, 2010
Effective Date: July 1, 2010

Act No. 113
(S.263)

Vermont Benefit Corporations Act

This act authorizes for-profit corporations to elect treatment as a "benefit corporation." Under the act, a benefit corporation must have as part of its corporate purpose the creation of "general public benefit" and is further required to have at least one independent benefit director and issue an annual benefit report to its shareholders.

Date Signed by the Governor: May 19, 2010
Effective Date: July 1, 2011

Act No. 114
(H.540)

**Motor vehicles; vulnerable users; passing; crowding; bicycles;
lane usage; hand signals; nighttime equipment**

This act:

- (1) Establishes a definition of "vulnerable user" that includes pedestrians; highway

and agricultural equipment operators; persons operating wheelchairs and other personal mobility devices; bicyclists and other operators of nonmotorized means of transport; and persons riding, driving, or herding animals.

(2) Requires the drivers of motor vehicles to exercise due care (which includes increasing clearance) when approaching and passing vulnerable users and repeals current pedestrian passing standards.

(3) Prohibits operators of motor vehicles from crowding a vulnerable user and from throwing any object or substance at a vulnerable user.

(4) Authorizes bicyclists to use their right hands when signaling right-hand turns.

(5) Lists circumstances under which bicyclists must use left lanes.

(6) Requires bicyclists at night to use rear red lights or reflective rear-facing material or reflectors or both totaling at least 20 square inches.

Date Signed by the Governor: May 20, 2010

Effective Date: July 1, 2010

Act No. 115

(S.58)

Labor; payment of wages; payroll cards

This act allows employers to pay their employees by depositing their wages into a payroll card account under certain conditions. It requires that an employee consent to the payroll card account; that the employee be provided with a written disclosure of all the terms and conditions of the account in a language that the employee understands; that the account allow at least three free withdrawals during each pay period at a location convenient to the place of employment; and that the payroll card be branded and that it can be used at PIN-based or signature-based outlets. The act requires that the employee be provided with a free written transaction history each month. The act also allows the department of banking, insurance, securities, and health care administration to make rules regarding payroll card accounts.

Date Signed by the Governor: May 21, 2010

Effective Date: On passage (May 21, 2010, the date on which the governor signed the bill)

Act No. 116

(S.138)

Unfair business practices of credit card companies and fraudulent use of scanning devices and re-encoders

This act prohibits electronic payment systems from imposing requirements, conditions, penalties, or fines in a contract with a Vermont merchant for:

- Providing or displaying a discount or other benefit for payment through use of a card from another electronic payment system or another form of payment with lower fees;
- Setting a minimum dollar amount no more than \$10.00 for acceptance of payment, provided the minimum is displayed in a certain way; and
- Accepting one brand of credit cards at one or more of its locations but not at others.

The act establishes a civil penalty of \$10,000.00 per fine levied in violation of the prohibitions and mandates that violators reimburse affected merchants for fines collected in violation of the provisions. It creates a private right of action for merchants whose rights under the act have been violated and provides that a violation of the act is also a violation of the state's Consumer Fraud Act. The act also requires the department of banking, insurance, securities, and health care administration to conduct a study relating to credit card interchange fees and to report to the general assembly on or before December 15, 2011, on its findings, recommendations, and legislative proposals, if any.

The act makes it a crime for a person, knowingly and with the intent to defraud, to possess or use a credit card skimming device or re-encoder. Any skimming device, computer, or computer software which is used in the commission of the crime is subject to forfeiture, and it must be permanently cleared of illegally obtained information.

Date Signed by the Governor: Governor did not sign the bill and allowed the bill to become law without his signature

Effective Date: On passage (May 21, 2010, the date on which the governor allowed the bill to become law without his signature) for skimming device provisions; January 1, 2011, for electronic payment system prohibitions.

Act No. 117
(H.462)

Conservation and development; public waters; docks and encroachments

This act requires a person to obtain a permit from the agency of natural resources prior to installing or building a commercial dock or pier that encroaches on: (1) the boatable tributaries of Lake Champlain and Lake Memphremagog upstream to the first barrier to navigation; and (2) the Connecticut River impoundments and boatable tributaries of such impoundments upstream to the first barrier to navigation. Noncommercial docks and piers are exempt from the permit requirement established by the act provided that the dock or pier has a horizontal distance that does not exceed 50 feet and an aggregate surface area that does not exceed 500 square feet.

Date Signed by the Governor: May 24, 2010

Effective Date: July 1, 2010

Act No. 118
(S.182)

**Labor; unemployment compensation; disclosure of
experience rating records**

This act allows an individual or an employer that acquires another employer's business, organization, or assets to receive a copy of that employer's experience rating record.

Date Signed by the Governor: May 24, 2010
Effective Date: July 1, 2010

Act No. 119
(S.205)

**Health; human services; organ donation; Revised Uniform Anatomical Gift Act;
adult protective services; mental health; forensic examinations**

This act makes numerous changes to Vermont's laws on anatomical gifts. It also requires an evaluation, if funding becomes available, of Vermont's adult protective services, creates a detailed process for individuals undergoing a forensic examination, and establishes a work group to examine issues regarding forensic examinations.

Anatomical Gifts

The act expands the list of persons who may make an anatomical gift and the methods for making such a gift. It clarifies the processes for amending, revoking, or refusing to make an anatomical gift and specifies the preclusive effect of a gift, amendment, or revocation on the actions that others may take. The act identifies the purposes for which anatomical gifts may be made and details the process for assigning gifts to appropriate recipient organizations upon the donor's death. It specifies the rights and duties of procurement organizations and others upon the death of a potential donor and provides immunity for individuals relying in good faith on a document of gift in a donor registry, a signed statement by a donor in an advance directive, or a donor card. The act requires the department of health to ensure that a donor registry is developed and maintained, authorizes the commissioner of motor vehicles to enter into a data-use agreement with an organ procurement organization to transmit to the organization information identifying people who authorize a document of gift when getting or renewing a driver's license in order to create the donor registry, and requires the department of motor vehicles to report to the general assembly by January 15, 2011, on its implementation of the data-use agreement. The act requires the state's chief medical examiner to cooperate with procurement organizations to maximize opportunities to recover anatomical gifts, except when the chief medical examiner believes such cooperation would be inconsistent with death investigation procedures or would adversely affect a death investigation. And the act specifies that a donor's intent to make an anatomical gift after death must be honored and directs health care providers and procurement organizations to act in accordance with the donor's decision and to take steps to effect the gift.

Adult protective services evaluation

If an interested party identifies sources of funding for an evaluation of the adult protective services provided by the department of disabilities, aging, and independent living (DAIL) and prepares the documents necessary to obtain the funds, the act requires the agency of human services to cooperate with the interested party to take the steps needed to secure the funds. If the agency receives federal funds for the purposes of protecting vulnerable adults, the act requires those funds to be used to conduct the evaluation, up to the full cost of the evaluation. The act requires the agency to update the committees of jurisdiction by March 15 of each year regarding the status of efforts to secure funding and issuance of a request for proposals to conduct the evaluation.

If funding is secured, the act directs the agency of human services to issue a request for proposals to conduct an independent evaluation of the adult protective services provided by DAIL's division of licensing and protection. The act details the areas on which the evaluation must focus, including the effectiveness of services provided, the division's responsiveness to complaints, the adequacy of training for staff, and the ability of vulnerable adults to access adult protective services. The act requires the entity conducting the evaluation to report its findings and recommendations to the committees of jurisdiction upon completion of the evaluation but no later than January 15, 2015.

Forensic examinations

The act details several possible outcomes for an individual required by a court to undergo an inpatient examination at the Vermont State Hospital or a designated hospital. It addresses the next steps if a Vermont State Hospital or designated hospital psychiatrist finds prior to admitting the individual to the hospital that a defendant is not in need of inpatient hospitalization, and it addresses what happens if the psychiatrist finds the defendant does need inpatient hospitalization. In all cases, the act requires a defendant to be returned to court for further appearance within two business days after the commissioner notifies the court that the examination has been completed unless the defendant's terms of release allow the individual to be released from custody.

The act creates a work group to address issues relating to forensic examinations of mental health patients and defendants. It requires the commissioner of mental health to report to the committees of jurisdiction by January 31, 2012, with recommendations on disposition of defendants found at or after the time of admission not to meet the standards for hospitalization; any statutory revisions needed to enable designated hospitals to accept referrals of defendants for inpatient forensic examinations; means to enable forensic examinations to occur during a voluntary inpatient hospitalization; appropriate discharge plan requirements; and the capacities that may be required to address the treatment needs of persons who were previously served with secure, subacute care at the Vermont State Hospital following a forensic evaluation. The act also allows the work group to discuss relationships between programs within the continuum of care in the department of mental health for the purposes of providing input to the agency of human services. And the act requires the department of mental health to collect data on the outcomes of patients referred for inpatient examinations at the Vermont State Hospital and designated hospitals between July 1, 2010, and December 31, 2011, and to report

such information to the committees of jurisdiction by January 31, 2012.

Date Signed by the Governor: May 24, 2010

Effective Date: July 1, 2010

Act No. 120

(H.243)

Fish and wildlife; licenses; mentored hunting license

This act establishes a mentored hunting license under which a person who does not possess a valid hunting license may hunt in Vermont provided that the person is accompanied by an individual who is 21 years of age or older and who holds a valid Vermont hunting license. The licensed hunter accompanying the mentored hunter must have direct control and supervision of the mentored hunter and must be within 15 feet of the mentored hunter at all times. A mentored hunting license can be issued only twice to any one individual. The mentored hunting license is valid until December 31 of the year for which the license was issued. A mentored license may not be issued to any individual who has held a valid hunting license. A mentored license cannot be issued to a person under the age of 16 without the written consent of the applicant's parent or legal guardian.

A mentored hunter is subject to the bag limit of the licensed hunter accompanying the mentored hunter, and the mentored hunter may not take moose.

This act doubles the fine assessed for violation of the mentored hunting requirements, and it provides that the fine will be assessed against the licensed hunter accompanying the mentored hunter. The points assessed for a violation of the mentored hunting requirements are also assessed against the licensed hunter accompanying the mentored hunter.

The license fee for a mentored hunting license is \$10.00.

The act also requires the department of fish and wildlife to report annually to the general assembly regarding implementation of the mentored hunting license program.

Date Signed by the Governor: May 26, 2010

Effective Date: January 1, 2011

Act No. 121

(H.524)

Interference with or cruelty to a service animal

This act establishes both criminal and civil penalties for recklessly injuring or interfering with a guide dog. Restitution may be considered by the court at sentencing if the owner or user of the guide dog suffered material loss because of the criminal action.

The act also revises the procedures that local governments must follow for impounding or holding stray dogs and revises the timeline for when such dogs may be destroyed.

Finally, the act expands the definition of "humane officer" to include elected animal

control officers and animal control officers appointed by the legislative body of a municipality.

Date Signed by the Governor: May 26, 2010

Effective Date: July 1, 2010

Act No. 122

(H.555)

Fish and wildlife; game; youth hunting

This act amends the requirements for youth deer hunting and youth turkey hunting weekends and amends how penalties for violations of the youth hunting weekends are assessed.

A youth hunter must be 15 years of age on the weekend of the hunt, and the youth hunter must hold a youth deer hunting or youth turkey hunting tag.

The licensed hunter accompanying a youth hunter must have direct control and supervision of the youth hunter, and the licensed adult can accompany no more than two youth hunters at a time.

The act doubles the scheduled fine for a violation of youth deer hunting weekend or youth turkey hunting weekend, and the fine will be assessed against the licensed adult accompanying the youth hunter.

The points assessed for violation of youth deer hunting weekend or youth turkey hunting season shall be assessed against the licensed adult accompanying the youth hunter.

The fish and wildlife board is required to report to the general assembly in 2011 with a recommendation as to whether a youth hunting or youth deer hunting weekend should be limited to the taking of one deer prior to the youth's turning 16 years of age.

The act also amends the definition of "fur-bearing animal" to include weasel, opossum, lynx, and wolf so that the fish and wildlife board can adopt rules to regulate or prohibit hunting of those animals.

The act repeals the statutory dates for muskrat season in order to allow the fish and wildlife board to set the season by rule.

Date Signed by the Governor: May 26, 2010

Effective Date: July 1, 2010

Act No. 123

(H.784)

Transportation; transportation program; motor vehicles

This act:

(1) Adopts the agency of transportation's ("agency") proposed fiscal year 2011 budget to the extent federal, state, and local funds are available and makes certain amendments to the agency's personal services spending budget and to the following

programs: rail; the department of motor vehicles; program development – roadway; program development – interstate bridge; program development – bike and pedestrian facilities; aviation; town highway – Vermont local roads; and public transit.

(2) Directs the secretary of transportation (“secretary”) to use \$1,949,321 in transportation infrastructure bond (“TIB”) funds to replace state transportation fund money and to use \$130,000 in federal toll credits to replace state transportation fund money.

(3) Authorizes the secretary to transfer appropriations as necessary to meet the maintenance of effort requirements of the American Recovery and Reinvestment Act.

(4) Authorizes issuance of \$13.5 million in transportation infrastructure bonds, grants conditional authority to increase the bond issuance to \$16.5 million if needed to fund required reserves, and appropriates bond proceeds to the program development spending category.

(5) Authorizes issuance of up to \$15 million of additional TIB funds upon approval of the general assembly or the joint transportation oversight committee (“JTOC”) and authorizes appropriation of the bond proceeds.

(6) Authorizes the agency to apply for a Federal Railroad Administration High-Speed Intercity Passenger Rail grant to cover the cost of upgrading the state’s western rail corridor for intercity passenger rail service, adds the rail project to the fiscal year 2011 transportation program if the grant is awarded, and authorizes the spending of federal grant funds and transportation infrastructure bond proceeds in the event the grant is awarded.

(7) Provides that after funding of the transportation fund budget stabilization reserve, any remaining surplus in the transportation fund after the close of fiscal year 2010 up to \$3 million be transferred to the TIB fund and that, in the event the July 2010 consensus revenue forecast for the transportation fund is increased above the January forecast, any increase up to \$3 million be transferred to the TIB fund.

(8) Authorizes the secretary to transfer fiscal years 2010 and 2011 appropriations, other than appropriations for the town highway state aid, structures, and class 2 roadway programs, as necessary to satisfy TIB bond and debt service reserve requirements. However, the authority to reduce appropriations is limited to reductions that will not have the effect of significantly delaying the planned work schedule of the project which formed the basis of the project’s funding in either fiscal year 2010 (in the case of fiscal year 2010 reductions) or fiscal years 2011 and 2012 (in the case of fiscal year 2011 reductions).

(9) Transfers \$1,120,000 from the transportation fund to the central garage fund and repeals an annual report on central garage activities and equipment rental rates that the agency is required to submit to JTOC.

(10) Amends the annual transportation budget process by requiring that the agency’s proposed annual transportation program include a report with respect to the most recently closed fiscal year summarizing actual expenditures in the closed fiscal year and all unexpended funds carried forward into the next fiscal year and that the report

include a separate section highlighting any new projects proposed to be added to the state transportation program. In addition, the act requires notification when the secretary exercises authority to undertake projects to resolve emergency or safety issues.

(11) Amends the statute concerning JTOC activities to eliminate mandatory meetings and instead provide that meetings be convened by the chair as needed. Reports on the status of the state's transportation finances and transportation programs are required to be transmitted electronically to the joint fiscal office for distribution to JTOC members if a JTOC meeting is not convened on the scheduled date of a joint fiscal committee meeting.

(12) Repeals the bridge maintenance program (with the effect that maintenance spending on interstate, state, and town bridges will appear as separate line items in the agency's budget); adds to statute a provision that one-half of vehicle inspection sticker revenue be reserved for bridge maintenance activities and repeals corresponding session law; and provides that any unexpended funds remaining in the bridge maintenance program at the end of fiscal year 2010 be carried forward to the agency's program development program category and be expended on bridge maintenance projects.

(13) Specifies that the transportation board has appellate review over transportation-related contract disputes whether the contract is awarded by the agency or awarded by municipalities working with the agency.

(14) Replaces a requirement that the agency advertise and award contracts of more than \$50,000 to the lowest qualified bidder with a requirement that the agency in its solicitation and award of contracts follow procurement standards approved by the secretary of administration as well as applicable federal laws and regulations.

(15) Requires a municipality or other local sponsor managing a project under a grant agreement with the agency to repay federal funds required by the federal government to be repaid if the municipality or other local sponsor cancels the project due to circumstances wholly or partially within its control, and provides that the municipality or other local sponsor may seek review before the transportation board to challenge the agency's determination that it is responsible for such repayments.

(16) Expands the scope of an exemption regarding the agency's obligation to file land conveyance documents with the secretary of state to include all transportation-related conveyance documents.

(17) Removes the transportation board from the list of entities that annually receive copies of municipal reports.

(18) Provides that the latest version of the Federal Highway Administration's Manual on Uniform Traffic Control Devices ("MUTCD") is adopted upon its effective date except that the agency shall have the flexibility to use the version of the MUTCD in effect at the time a project is designed if the project is beyond a preliminary state of design and is anticipated to be constructed within two years of the latest MUTCD revision.

(19) Specifies that school zone signs conform to standards set forth in the MUTCD and provides that the term “school” include school district-operated prekindergarten program facilities owned or leased by a school district.

(20) Authorizes the secretary to accept ownership from Air Now of an existing hangar building at the William H. Morse State Airport and authorizes certain amended lease conditions.

(21) Authorizes the secretary to sell state-owned railroad property (other than rail property within 33 feet of the centerline of main line track) with an appraised value below \$100,000 without first obtaining approval of the general assembly while requiring advance approval of sales of such property appraised at \$100,000 or above. The act also requires the secretary to provide advance notice of a decision to place a rail line in railbanked status.

(22) Authorizes the sale for fair market value of two segments of the Fonda Branch of the former Central Vermont Railway, Inc., in the town of Swanton.

(23) Provides that an out-of-state law enforcement and first responder vehicle properly permitted in its home state or province may use sirens and signals in Vermont when responding to an emergency despite lacking a permit authorizing such use from the Vermont department of motor vehicles.

(24) Specifies that when declaring speed limits based on engineering and traffic investigations, the traffic committee must take into account safe speeds within school zones when children are traveling to or from schools or facilities and expands the traffic committee’s authority to declare speed limits based on such investigations to include interstate highways.

(25) Specifies that during special occasions and when town highway maintenance is under way, towns may make special regulations as to motor vehicle operation and may exclude motor vehicles from “town highways” rather than “certain public highways” and provides that the public must be given as much notice as possible of such special regulations.

(26) Eliminates language requiring that gasoline retailers install “new” triple data encryption standard (TDES) gasoline dispensers when replacing existing dispensers in order to qualify for an exemption from stage II vapor recovery rules so as to allow installation of new or used TDES dispensers.

(27) Authorizes the agency of transportation to enter into an agreement with the town of Belvidere to relinquish to the town’s jurisdiction over a segment of former Vermont Route 109; authorizes the agency to enter into an agreement with the town of Norwich to relinquish to the town’s jurisdiction a segment of Vermont Route 10A and a segment of U.S. Route 5; and authorizes the agency to enter into an agreement with the town of Bennington to relinquish a segment of U.S. Route 7 and to accept from the town a segment of Vermont Route 9.

(28) Repeals the definition of “short range public transit plan” as well as another statutory reference to such plans which were eliminated in Sec. 73 of No. 50 of the Acts of 2009.

(29) Requires the agency to examine the functions of the rail, aviation, and public transit modal councils and the scenery preservation council in consultation with each council and to make any recommendations to improve each council's efficiency and effectiveness by January 15, 2011.

(30) Updates the description of the scenery preservation council's duties to describe its present-day functions; eliminates references to the "state planning office," which no longer exists; eliminates legislative members of the council; and specifies the frequency of council meetings.

(31) Changes the time period in which the transportation board must issue an order following a condemnation hearing and in which the agency must file a copy of this order and tender payment to the landowner from a single 45-day period to separate 30-day periods.

(32) Authorizes the commissioner of buildings and general services (BGS) to negotiate and contract with businesses interested in providing travel information services near Exit 7 of Interstate 91 for the purpose of establishing a privately operated travel information center.

(33) Authorizes the commissioner of BGS to evaluate cross-border opportunities regarding advertising at information centers and joint operation of information centers.

(34) Directs the secretary of transportation and the commissioner of fish and wildlife to make plans regarding the upgrade of fishing access facilities at the Lake Champlain bridge at Crown Point and directs the secretary and the commissioner of BGS to work together in seeking potential federal funding for renovations of Chimney Point State Historic Site facilities and for fishing facilities.

(35) Reduces from \$125 to \$100 the annual renewal fees for full and half-sized official business directional signs.

(36) Repeals the Rest Area Advisory Committee.

(37) Makes permanent the authority of the commissioner of motor vehicles to issue annual permits for oversize and overweight low-bed trailers.

(38) Allows a sign directing traffic to the facilities of a postsecondary educational institution to be erected at the intersection of U.S. Route 4 Western Bypass and U.S. Route 7 in the city of Rutland.

Date Signed by the Governor: May 26, 2010

Effective Dates:

(1) Secs. 12–13 (state funding effort for transportation maintenance; authority to issue transportation infrastructure bonds), 15–16 (transportation fund surplus transferred to transportation infrastructure bond fund and pay fiscal year 2011 bonding obligations), 40–41 (traffic committee establishing speed limits within school zones and on interstate highways), 43 (gasoline vapor recovery requirements), and 56 (low-bed truck trailer permits) take effect on passage (May 26, 2010, the date on which the governor signed the bill)

(2) All other sections take effect on July 1, 2010.

H.784 FY 11 Transportation Program	Authorized Spending
Administration-finance-planning	
Central Admin & Finance	12,842,977
Policy & Planning	9,400,266
Transportation Board	86,544
Department of Motor Vehicles	24,226,470
Sub-total	46,556,257
Facilities	
Rest Areas	4,820,000
AOT Buildings	2,467,500
Sub-total	7,287,500
Alternate modes	
Public Transit	24,739,704
Aviation	22,746,342
Pedestrian & Bike Facilities	8,853,405
Park & Ride	3,142,926
Multi-Modal Facilities	0
Rail infrastructure	46,679,883
Amtrak	5,050,000
Sub-total	111,212,260
Highway Infrastructure	
Maintenance	67,381,887
Paving	93,422,949
Roadway	67,233,489
State bridges	60,748,053
Interstate bridges	33,395,951
Town bridges	19,089,340
Bridge Maintenance Program	0
Traffic Operations	12,197,275
PD Admin & Tech Services	14,483,921
Sub-total	367,952,865
Town programs	
TH Aid	24,982,744
TH Class 2	7,248,750
TH Structures	5,833,500
TH Class 1 supplemental grants	128,750
Enhancements	3,431,980
TH Emergency fund	750,000
FEMA grant program	200,000
TH VT Local Roads	390,000
Municipal mitigation grants	2,112,998
Sub-total	45,078,722
Agency wide measures	-686,400
Total All Programs - Actual cash spending	577,401,204
+ Central Garage Internal Service Funds	17,477,863
- Bond proceeds (appropriated in H.784)	-13,297,500
= Big Bill Transportation Appropriations	581,581,567

Act No. 124
(S.290)

Labor; unemployment compensation

This act makes changes to the unemployment compensation statutes affecting the amount of contributions paid by employers into the trust fund and the amount of benefits a claimant can receive. It makes changes to the laws regarding misconduct and gross misconduct. It also requires the department of labor to make an annual report on the health of the unemployment trust fund to the appropriate legislative committees.

Impacts on employers

The act increases the taxable wage base to \$13,000.00 in 2011 and to \$16,000.00 in 2012. After reaching \$16,000.00 the taxable wage base is indexed to the growth of the annual average wage when the trust fund has a positive balance. When the contribution rate schedule is reduced to schedule III, the contribution amount is decreased by \$2,000.00 and then indexed. When the rate schedule is reduced to schedule I, the contribution amount is reduced by \$2,000.00 and then indexed.

Impacts on claimants

The act freezes the maximum weekly benefit amount at \$425.00 until the trust fund has a positive balance, at which point the weekly benefit is increased annually by the percentage change in the state annual average weekly wage. When the unemployment contribution rate schedule is at schedule III, the benefit amount is increased to an amount equal to 57 percent of the state annual average weekly wage.

Beginning in 2012, the act implements a one-week waiting period before an individual may receive benefits. The waiting period is repealed in 2017 or when the unemployment fund has a positive balance, whichever occurs later.

The act would change the earnings disregard from 30 percent of the benefit amount to 30 percent of wages. This would allow a claimant who is partially unemployed to earn up to 30 percent of his or her weekly wage before seeing a reduction in benefits.

The act limits the maximum yearly benefit an individual can receive to the lesser of either 26 weeks of benefits or 46 percent of the total wages paid to the individual during his or her base period. The act also disqualifies a claimant from receiving severance pay and benefits at the same time.

Misconduct provisions

The act limits benefits to 23 weeks for a claimant fired for misconduct. It expands the period that an individual can be disqualified from receiving benefits for committing misconduct up to 15 weeks. It clarifies the definition of "gross misconduct" and prohibits a person who is fired for gross misconduct from using the wages paid by that employer to qualify for benefits.

Study, reports, and department of labor provisions

The act creates a committee to study the feasibility of implementing a self-employment assistance program. It requires the department of labor to make a report

on January 15, 2015, on the implementation of the one-week waiting period and to work with the joint fiscal office to improve the office's ability to model changes to the unemployment trust fund. It also requires the department of labor to make an annual report to the appropriate legislative committees on the health of the unemployment trust fund.

Date Signed by the Governor: May 24, 2010

Effective Date: The one-week waiting period and disregarded earnings provisions take effect on July 1, 2012. The sections regarding weekly benefits, variable duration, elimination of severance pay, and disqualification from benefits for misconduct take effect July 1, 2011. The sections regarding the definition of "gross misconduct" and the period of disqualification for misconduct take effect on passage (May 24, 2010, the date on which the governor signed the bill). All other sections take effect on July 1, 2010.

Act No. 125
(S.90)

Elections; local elections; representative annual meetings

This act enables municipalities with populations of 5,000 or greater to hold representative annual meetings.

Date Signed by the Governor: May 27, 2010

Effective Date: July 1, 2010

Act No. 126
(S.103)

Motor vehicles; DUI; ignition interlock devices; restricted driver's licenses; policy study; implementation plan; pilot program

This act authorizes issuance of ignition interlock restricted driver's licenses (RDLs) effective July 1, 2011, to eligible DUI offenders and specifies the terms and conditions of operation under an ignition interlock RDL. Those whose DUI offense involves refusal to submit to an officer's reasonable request for an evidentiary test or results in death or serious bodily injury to another are not eligible.

Those issued an RDL may operate only noncommercial vehicles with a device installed. Operators are prohibited from tampering with or circumventing the device or operating a vehicle after failing a retest.

First-time offenders otherwise subject to a 90-day suspension or those under 21 subject to a civil six-month suspension may operate under an RDL after a 30-day period. Reinstatement of the operator's regular license requires operation under a valid RDL for six months, among other requirements.

Second-time offenders otherwise subject to an 18-month suspension may operate under an RDL after a 90-day period. Reinstatement of the operator's regular license requires operation under a valid RDL for 18 months, among other requirements.

Third or subsequent offenders otherwise subject to a life suspension may operate

under an RDL after a one-year suspension period. Reinstatement of the operator's regular license requires operation under a valid RDL for three years, among other requirements.

The act requires the commissioner of motor vehicles to study: the creation of an indigent fund to defray the costs of ignition interlock devices; coordinating use of ignition interlock devices with other types of monitoring equipment; the relative success of ignition interlock programs in other states; and appropriate fees to cover program costs. The commissioner also is required to develop an implementation plan and to report to the committees of jurisdiction by January 15, 2011.

The act establishes a six-month pilot project starting no later than January 1, 2011. Those under the supervision of the intensive substance abuse program of the department of corrections ("DOC") will be eligible to obtain an ignition interlock RDL under the pilot program subject to meeting eligibility criteria and approval from DOC.

The act requires the commissioner of motor vehicles to study the effectiveness of ignition interlock legislation after full implementation and to report to the committees of jurisdiction by January 15, 2013.

Date Signed by the Governor: May 27, 2010

Effective Date:

(1) Secs. 9 (ignition interlock restricted driver's license and penalties), 12 (study of interlock devices and implementation planning), 13 (establishment of pilot project using the devices), and 15 (effective dates) take effect on passage (May 27, 2010, the date on which the governor signed the bill).

(2) All other sections take effect on July 1, 2011.

Act No. 127
(S.262)

Health; health insurance; autism spectrum disorders

This act requires health insurance plans, including private insurance, Medicaid, and the Vermont health access plan, to provide coverage for the diagnosis and treatment of autism spectrum disorders for children starting at 18 months of age and continuing until they reach age six or enter the first grade, whichever occurs first. It prohibits a plan from limiting the number of visits a covered child may have with an autism services provider or from imposing greater cost-sharing requirements for coverage of autism spectrum disorders than apply to any other physical or mental health condition under the plan.

The act directs the agencies of administration and of human services and the department of education to evaluate the feasibility and budget impacts of expanding the coverage mandate to include all children under the age of 18 who have been diagnosed with an autism spectrum disorder. It also requires them to assess the availability of providers of services across Vermont for individuals with autism spectrum disorders and to report to the committees of jurisdiction on both of these issues by January 15, 2011.

The act directs the agencies and the department to work together in preparing their fiscal year 2012 budget proposals to identify savings, reductions in spending trends, and avoided costs to be achieved by reducing duplications of effort and maximizing

efficiencies in the provision of services to children with autism spectrum disorders and to report these findings to the committees of jurisdiction by February 15, 2011. They must estimate the amount of savings and avoided costs to be realized by the state as a result of the coverage mandate, collaborate with the joint fiscal office, and include in their fiscal year 2012 budget proposals projected offsets for the state's share of expenditures resulting from the mandate. If the report or the findings of the committees of jurisdiction indicate there will not be sufficient funds to offset the state's share of expenditures, the act expresses the legislature's intent to consider whether or not to allow the coverage mandate to be implemented.

Date Signed by the Governor: May 27, 2010

Effective Date: On passage (May 27, 2010, the date on which the governor signed the bill), except that the coverage mandate takes effect July 1, 2011, and applies to all health insurance plans on and after July 1, 2011, on such date as a health insurer offers, issues, or renews the health insurance plan, but in no event later than July 1, 2012.

Act No. 128

(S.88)

Health; system; design; insurance; prescription drugs

This act has several major components:

- A health care system design options and implementation plan with associated goals and principles (Secs. 1, 2, 3, 6, 7, and 8)
 - A consultant is to be hired to produce three or more design options, including one single-payer option and one public-insurance option. The components for each option are described in detail in Sec. 6 of the act.
 - The health care reform commission (HCRC) is to make a recommendation to the joint fiscal committee (JFC) on the consultant choice and JFC is to hire the consultant. The HCRC will monitor the study and act as a resource to the consultant.
 - The consultant will produce a draft report by January 1, 2011, for public input and finalize the report by February 1, 2011.
 - The report will include a comparison between the options and the current state of health care in Vermont, plus the new federal reform options.
- Delegation of time-limited authority to state agencies on implementing immediate federal health care reform initiatives, such as applying for grants and certain waivers from Medicare and Medicaid (Sec. 9, 10, and 17)
- Expansions to the Blueprint for Health to make it a statewide program (Secs. 11–13, 15, 16, and 19)

- The act revises the description of the Blueprint for Health program, including providing guidance on what a medical home is and how it interacts with a community care team.
 - The act requires participation by hospitals and insurers and provides for enforcement mechanisms and appeal processes.
- A payment reform pilot project (Sec. 14)
 - The department of Vermont health access will hire a director to create payment reform pilot projects.
 - The director will provide a strategic plan to the committees of jurisdiction by February 1, 2011.
- Immediate cost-containment provisions relating to hospital budgets and health insurance rates (Secs. 20–30)
 - The department of banking, insurance, securities, and health care administration (BISHCA) will limit hospital rate increases to an amount below this year’s increase and will limit net patient revenue to an increase of 4.5 percent for 2011 and 4.0 percent for 2012. BISHCA may exempt certain revenue and expenses from the calculation.
 - BISHCA’s authority relating to corporations affiliated with a hospital is clarified.
 - Hospitals must report administrative costs in more detail as part of the budgeting process and must identify a new project in the capital plan at least two years before requesting a certificate of need for that project.
 - BISHCA will be more aggressive in reducing health insurance rate increases and may request more detailed reporting from insurers as part of the rate-filing process.
 - The minimum loss ratios required under the new federal Health Care Reform Act will be extended to insurers subcontracting to cover mental health conditions.
- A primary care workforce study by the department of Vermont health access with a report due to the HCRC on November 15, 2010 (Sec. 31)
- Two new health insurance provisions requiring coverage for anesthesia for certain dental procedures (Sec. 34) and up to one three-month supply per year of tobacco cessation products (Sec. 35)
- Revisions to Vermont’s law regarding disclosure by manufacturers of prescribed products and a gift ban (Secs. 32 and 33) to include a confidential disclosure of free samples to the attorney general’s office if data similar to those reported to the federal government are not available to the state for research purposes and to allow small gifts of food and other items at conferences.

- A menu-labeling provision similar to a provision in the federal Health Care Reform Act.

In addition, the act adds two new public members to the commission on health care reform (Secs. 4 and 5) and designates October as health care career awareness month (Sec. 31a).

Date Signed by the Governor: Governor did not sign the bill and allowed the bill to become law without his signature

Effective Date: Varies.

(a) Secs. 1 (findings), 2 (principles), 3 (goals), 4 (health care reform commission membership), 5 (appointments), 6 (design options), 7 (grants), 8 (public good), 9 (federal health care reform; BISHCA), 10 (federal health care reform; AHS), 11 (intent), 17 (demonstration waivers), 20 through 24 (hospital budgets), 25 (CON prospective need), 29 (rules; insurers), 31 (primary care study), 32 and 33 (pharmaceutical expenditures), and 38 (obesity report) take effect on passage (May 27, 2010, the date on which the governor allowed the bill to become law without his signature).

(b) Secs. 12 and 13 (Blueprint for Health), 14 (payment reform pilots), 15 (8 V.S.A. § 4088h), 16 (hospital certification), 19 (Blueprint Expansion), 26 through 28 (insurer rate review), 31a (health care career awareness month), 36 and 37 (citation corrections), 39 (position), and 40 (appropriations) take effect on July 1, 2010.

(c) Sec. 30 (8 V.S.A. § 4089b; loss ratio) takes effect on January 1, 2011, and applies to all health insurance plans on and after January 1, 2011, on such date as a health insurer offers, issues, or renews the health insurance plan, but in no event later than January 1, 2012.

(d) Secs. 34 and 35 take effect on October 1, 2010, and apply to all health insurance plans on and after October 1, 2010, on such date as a health insurer offers, issues, or renews the health insurance plan, but in no event later than October 1, 2011.

(e) Secs. 38a (statutory revision) and 38b (menu labeling) take effect on January 1, 2011.

Act No. 129

(H.213)

Housing; termination of tenancy; security deposits

This act excludes activity relating to security deposits for residential rental units from the “accord and satisfaction” section under the Uniform Commercial Code (Title 9A) to provide tenants with immediate access to the undisputed portion of a security deposit withheld by a landlord at the termination of a tenancy while preserving the tenant’s right to contest the withholding.

Date Signed by the Governor: May 29, 2010

Effective Date: July 1, 2010

Act No. 130
(H.488)

**Conservation and development; fish; didymo; felt-soled boots
and waders; prohibition**

This act prohibits the use of external felt-soled boots or external felt-soled waders in the waters of Vermont by any person other than a state or federal employee or emergency personnel engaged in the discharge of official duties. Under this act, a violation of the prohibition against the use of felt-soled boots and felt-soled waders is a minor fish and game violation subject to monetary fines and points on a fishing license. Prior to the prohibition going into effect, the agency of natural resources must provide education and outreach to the public regarding the prohibition, how didymo and other aquatic nuisance diseases are spread by felt-soled boots and felt-soled waders, and how to prevent such spread.

Date Signed by the Governor: May 29, 2010

Effective Date: Sec. 1, the prohibition against the use of felt-soled waders in the waters of Vermont, and Sec. 2, which makes such use a minor fish and game violation, take effect April 1, 2011. Sec. 3, which pertains to education and outreach regarding the felt-soled prohibition, takes effect upon passage (May 29, 2010, the date on which the governor signed the bill).

Act No. 131
(H.498)

Highways; private roads; road maintenance

This act:

(1) Establishes a five-member committee to look into the issue of creating default statutory requirements defining the responsibilities of property owners for the maintenance and repair of private roads and to formulate recommended legislation.

(2) Directs the committee to report its findings and recommended legislation to the senate committees on finance and on transportation and to the house committee on commerce and economic development no later than January 15, 2011.

Date Signed by the Governor: May 29, 2010

Effective Date: On passage (May 29, 2010, the date on which the governor signed the bill)

Act No. 132
(H.590)

Mediation in foreclosure proceedings

This act establishes a required mediation program in foreclosure proceedings. The act applies only to foreclosure actions on dwelling houses of four units or less occupied by the owner as his or her principle residence and to foreclosure actions involving loans that are subject to the federal Home Affordable Modification Program (“HAMP”) guidelines.

The act establishes mediator qualifications, requirements for when notice of the opportunity to mediate must occur, and criteria for providing notice to the homeowner who is subject to foreclosure.

The act also establishes the participants who must attend the mediation, the qualifications of loan servicers who attend, the actions and calculations that must be performed prior to or during the mediation, and criteria that must be included in the mediator's report.

Under the act, the court is the compliance officer for the mediation program. If the mediation requirements are not met, the court may impose appropriate sanctions on the noncomplying party.

The act's last sections pertain to real property and essentially clean up the provisions from amendments passed in prior legislative sessions. The sections propose a number of changes related to the laws governing real property, including:

- (1) validating a power of attorney with respect to a real estate transaction validly executed in another state;
- (2) adding proper witnessing to the list of deficits that can be cured if an instrument has been recorded for at least 15 years;
- (3) requiring a plaintiff to file a new and independent action instead of seeking to reopen the original action in order to renew a court judgment;
- (4) requiring that copies of the complaint in actions to foreclose judgment liens be recorded in order for the action to extend the duration of the lien; and
- (5) establishing a 15-year limitations period after which enforcement actions or other proceedings may not be brought by a municipality relating to the failure to obtain or comply with the terms or conditions of required highway permits.

Date Signed by the Governor: May 29, 2010

Effective Date: July 1, 2010 for the mediation sections; on passage (May 29, 2010, the date on which the governor signed the bill) for the real property sections

Act No. 133
(H.709)

Education; postsecondary education and training; prekindergarten–16 council; commission on higher education funding; higher education endowment trust fund

This act repeals the statutory commission on higher education funding and replaces it with the prekindergarten–16 council. The new council is created to coordinate and better align the efforts of the prekindergarten–12 education system with the higher education community in order to increase postsecondary aspirations, enrollment, and completion rates and to increase public awareness of the economic, intellectual, and societal benefits of higher education. The former duties of the commission on higher education funding in connection with the higher education endowment trust fund will be performed by the secretary of administration and a subcommittee of the council.

Date Signed by the Governor: May 29, 2010

Effective Date: July 1, 2010

Act No. 134
(H.759)

Executive branch fees

This act affects executive branch fees as follows:

1. Department of public safety.
 - a. Increases the cap on permit fees for construction in public buildings from \$135,000.00 to \$185,000.00.
 - b. Adds new fees for certifying individuals performing activities related to fire or life safety.
 - c. Adds a \$1,000.00 fee for certifying cigarette brands as fire-safe.
 - d. Adds a new \$150.00 fee for a three-year authorization to conduct boiler inspections.
 - e. Increases electrician license fees as follows: master electrician license from \$120.00 to \$150.00; journeyman's license from \$90.00 to \$115.00; and type-S journeyman's license from \$90.00 to \$115.00.
 - f. Increases plumber license fees as follows: master plumber license from \$100.00 to \$120.00; journeyman license from \$70.00 to \$90.00; and specialist license from \$40.00 to \$50.00.
 - g. Increases the fee for receiving a set of fingerprints from \$15.00 to \$25.00.
2. Agency of agriculture, food and markets.
 - a. Increases the fee for commercial feed registration from \$70.00 to \$75.00 per product registered.
 - b. Increases the fee for pesticide product registration from \$92.00 to \$100.00 per product registered.
 - c. Increases the fees for a pesticide dealer license as follows: for class A and B dealer licenses from \$25.00 to \$30.00; and for a pesticide company license from \$50.00 to \$60.00.
 - d. Changes the fee for meat inspections of food products derived from bison and cervidae from \$20.00 per hour to a rate equal to the rate for reimbursable inspection services provided under the Vermont meat and poultry inspection program.
 - e. Adds a new license fee for meat-cutting vendors as follows: \$30.00 for vendors with meat-cutting space of less than 300 square feet or meat display space of less than 20 linear feet and \$60.00 for vendors with 300 or more square feet of meat-cutting space and 20 or more feet of meat display space.
 - f. Increases the license fee for a public weighmaster from \$12.00 to \$15.00.
 - g. Increases the licensing fee for dealers of weighing and measuring devices from \$25.00 to \$50.00.

- h. Increases the license fee to operate hopper scales from \$75.00 to \$100.00.
 - i. Adds new fees for retail point-of-sale laser scanning devices of \$10.00 per device in retail stores with more than three scanning points.
3. Department of banking, insurance, securities, and health care administration.
- a. Adds a \$50.00 license fee for mortgage loan originators.
 - b. Adds a \$25.00 license fee on businesses providing money transmission services for each authorized delegate of the business.
 - c. Adds an annual assessment upon businesses providing money transmission services equal to \$0.0001 per dollar volume of money-services activity performed for or sold or issued to Vermont customers.
 - d. Enacts a simplified licensing procedure for commercial lenders and adds a new \$500.00 annual licensing fee for commercial lenders.
 - e. Increases the captive insurance licensing fee from \$200.00 to \$500.00.
4. Department of health.
- a. Clarifies that hospital license fees are annual fees.
 - b. Changes the fee on X-ray equipment from a \$300.00 triannual fee to an annual fee of \$30.00 per piece of X-ray equipment.
5. Department of labor. Increases the workers' compensation administration fund employer/insurer contribution from 0.96 to 1.37 percent of annual workers' compensation premiums.
6. Department of fish and wildlife.
- a. Increases hunting and fishing license fees for Vermont residents as follows:
 - i. Hunting and fishing licenses from \$20.00 to \$22.00.
 - ii. Combination hunting and fishing license from \$32.00 to \$35.00.
 - iii. Archery, muzzle-loader, and turkey licenses from \$17.00 to \$20.00.
 - b. Increases hunting and fishing license fees for nonresidents as follows:
 - i. Fishing license from \$41.00 to \$45.00.
 - ii. One-day fishing license from \$15.00 to \$20.00.
 - iii. Hunting license from \$90.00 to \$100.00.
 - iv. Combination hunting and fishing from \$120.00 to \$130.00.
 - v. Archery and turkey licenses from \$25.00 to \$35.00.
 - vi. Muzzle-loader license from \$25.00 to \$40.00.
 - vii. Small-game licenses from \$40.00 to \$50.00.
 - viii. Three-day fishing license from \$20.00 to \$22.00.

- ix. Archery-only license from \$60.00 to \$75.00.
 - c. Increases from one to three the number of free moose-hunting permits awarded to children with life-threatening illnesses.
7. Department of environmental conservation. Increases department of environmental conservation fees as follows:
- a. Air contaminant fees:
 - i. Permit to construct or modify major stationary source from \$11,500.00 to \$12,500.00; and permit to construct or modify nonmajor stationary source from \$750.00 to \$1,000.00.
 - ii. Engineering review fee for nonmajor stationary source from \$1,460.00 to \$1,750.00.
 - iii. Air quality impact analysis fee from \$1,170.00 to \$1,250.00.
 - iv. Annual registration base fee from \$924.00 to \$1,000.00.
 - b. Stormwater permits:
 - i. Stormwater discharges into class B waters operating permit from \$300.00 to \$360.00 per acre of impervious area; minimum fee increased from \$150.00 to \$180.00 per application.
 - ii. Permit for construction activities:
 - A. Low risk to waters of the state from \$30.00 to \$36.00 per project.
 - B. Moderate risk to waters of the state from \$250.00 to \$300.00.
 - C. Projects requiring an individual permit from \$500.00 to \$600.00.
 - iii. Stormwater discharges associated with industrial activities from \$150.00 to \$180.00 per facility.
 - iv. New \$1,000.00 fee for permits for stormwater discharges associated with municipal sewer systems.
 - c. Discharge permit annual operating fees:
 - i. For industrial, cooling water, and thermal discharges fee increased from \$0.0009 to \$0.001 per gallon of design capacity; maximum fee cap increases from \$27,500.00 to \$105,000.00.
 - ii. For municipal discharges from \$0.0027 to \$0.003 per gallon of actual flows; fee cap increases from \$11,000.00 to \$12,500.00.
 - iii. Pretreatment discharges from \$0.0315 to \$0.0385 per gallon of design capacity.
 - iv. Stormwater discharges:
 - A. Discharges to class B waters from \$55.00 to \$66.00 per acre of impervious area.

B. Discharges associated with industrial activities from \$55.00 to \$66.00 per facility.

C. New fee for discharges associated with municipal sewer systems \$66.00 per system.

d. Sewage individual permits from \$385.00 to \$400.00; and from \$0.0317 to \$0.035 per gallon of design capacity above 6,500 gallons.

e. Water source permit applications:

i. Adds new transient noncommunity water permit application fee of \$250.00 per source.

ii. Adds new nontransient, noncommunity water permit application fee of \$500.00 per source.

f. Bottled water permit fee increased from \$550.00 to \$900.00 per permitted facility.

g. Adds a new annual groundwater withdrawal permit of \$1,500.00 per facility.

h. Lakes and ponds permit fees increased as follows:

i. Structural erosion control permit from \$155.00 to \$250.00 per application.

ii. All other encroachment permits from \$155.00 to \$300.00 per application.

i. Stream alteration permit fee increased from \$105.00 to \$225.00 per application.

j. Sludge or septic facility permit fees increased as follows:

i. For facilities that reduce pathogens from \$840.00 to \$950.00 per application.

ii. For all other types of facilities from \$95.00 to \$110.00 per application.

k. Wetland permit fees increased as follows:

i. From \$0.07 to \$0.12 per square foot of proposed impact to Class I or II wetlands.

ii. From \$0.05 to \$0.09 per square foot of proposed impact to Class I or II wetland buffers.

l. Adds new salvage yard fees as follows:

i. \$1,250.00 for facilities that crush or shred junk motor vehicles.

ii. \$750.00 for facilities that accept or dismantle junk motor vehicles.

iii. \$350.00 for facilities that manage junk onsite excluding motor vehicles.

iv. \$300.00 for facilities the primary activity of which is handling total-loss vehicles from insurance companies.

m. Reduces fee for facilities that burn wood using an electrostatic precipitator from \$0.103 to \$0.025 per ton burned.

8. Natural resource board fees:

Act 250 fees increased as follows:

- a. For projects involving construction from \$4.75 to \$5.40 for each \$1,000.00 of the first \$15,000,000.00 of construction costs and from \$2.25 to \$2.50 for each \$1,000.00 of costs above \$15,000,000.00.
- b. For projects involving extraction of earth resources from \$0.10 to \$0.20 per cubic yard of maximum estimated annual extraction.
- c. Cap on maximum permit fee increased from \$135,000.00 to \$150,000.00.

The act also places the “fee bill” back on its annual three-year cycle; requires the department of finance and management to make a report to the committees on ways and means and on finance regarding the use of bill-backs in state government; and expresses the general assembly’s intent that excess funds raised by the cigarette certification fee be used for the purpose of smoking cessation.

Date Signed by the Governor: May 29, 2010

Effective Date: The act is effective July 1, 2010. The fish and wildlife hunting and fishing fees are effective January 1, 2011. The salvage yard fees are effective on passage (May 29, 2010, the date on which the governor signed the bill).

Act No. 135

(H.760)

Executive; boards and commissions

This act repeals or revises certain boards and commissions of the executive branch of state government.

Date Signed by the Governor: May 29, 2010

Effective Date: July 1, 2010

Act No. 136

(S.64)

**Conservation and development; municipal government; public service;
growth center designation process, findings, and reconsideration;
utility line burial in growth centers**

This act makes changes to the existing process for designating growth centers under 24 V.S.A. chapter 76A (the downtown chapter) and to the board that makes those designations.

Sec. 1 removes the word “substantially” from the definition of “growth center” in existing law, 24 V.S.A. § 2791(12)(A). Under prior law, a growth center had to have “substantially” the characteristics listed in the definition.

Sec. 2 repeals the so-called “expanded” downtown development board that, under prior law, decided applications for growth center designations. For such applications, the existing downtown development board was enlarged by three appointees who otherwise

did not serve on the board.

Sec. 2 provides that the additional appointees who previously served solely on growth center applications are full members of the downtown development board, serving on all applications under the downtown chapter.

Sec. 3 makes mandatory a preapplication process that was optional under prior law. It also repeals a “planning coordination group” consisting of state agency staff who, under prior law, provided comments on the potential application during the preapplication process. Under Sec. 3, those comments are to come from a growth center subcommittee consisting of designated members of the downtown development board. State agency staff will retain support and other coordination functions.

Sec. 3 also removes from 24 V.S.A. § 2793c(d) (application requirements) language that duplicated language in subsection (e) of the same statute (findings required for designation) and instead requires that the application show that each of the findings in (e) is met.

Sec. 3 further adds requirements for growth center applications and reorganizes, clarifies, and adds to the findings that are required for a growth center designation, including:

- the state board may designate a growth center that does not meet one, but no more than one, of the defined characteristics of a growth center if it finds that the growth center will nonetheless comply with the purposes of the downtown chapter;
- if a growth center is associated with a new town center, areas zoned predominantly for retail and office space will be in the new town center;
- if a growth center is associated with a designated downtown or village center, the applicant has taken all reasonable measures to ensure that growth is encouraged first in any designated downtown or village center and second in the proposed growth center, and areas zoned predominantly for retail and office space will serve as a logical expansion of those centers through such means as shared infrastructure;
- the applicant municipality has adopted bylaws that ensure that land development in the growth center will comply with smart growth principles and specified minimum development densities; and
- the growth center is sized, using a 20-year planning period, to accommodate no more than 150 percent of projected residential growth and no more than 100 percent of projected commercial and industrial growth.

Sec. 3 also provides for reconsideration requests by a person or entity that submitted written or oral comments during the designation process.

Sec. 4 consists of technical changes to reflect the repeal of the “expanded” downtown board.

Sec. 5 requires the public service board to convene a workshop by November 1, 2010, and the department of public service to report to committees of jurisdiction by December 15, 2010, on the issue of who pays for burying utility lines in areas designated

under the downtown development chapter.

Sec. 6 is the effective date section. Secs. 5 and 6 of the act are effective on passage. Sec. 6(b) requires that new members of the downtown board be designated by July 1, 2010. Secs. 1 through 4 are effective on July 1, 2010, and apply to applications for growth center designations on and after that date.

Date Signed by the Governor: May 29, 2010

Effective Date: Secs. 1-4: July 1, 2010; Secs. 5-6: On passage (May 29, 2010, the date on which the governor signed the bill)

Act No. 137

(S.278)

Banking; captive insurance; securities; health care administration

This act codifies various statutory amendments proposed by the department of banking, insurance, securities, and health care administration as part of its annual housekeeping bill. The amendments impact each division of the department, including banking, insurance, captive insurance, securities, and health care administration.

Date Signed by the Governor: May 29, 2010

Effective Date: On passage (May 29, 2010, the date on which the governor signed the bill), July 1, 2010, and October 1, 2010, as indicated.

Act No. 138

(S.296)

State property; John H. Boylan state airport; sale or lease

This act authorizes the secretary of transportation to sell or lease the John H. Boylan state airport in Brighton to the town of Brighton or to the Vermont Renewable Energy Company. The land may be used only for storing and processing of logs for a pellet manufacturing operation in the former Ethan Allen facility in Brighton.

Date Signed by the Governor: May 29, 2010

Effective Date: On passage (May 29, 2010, the date on which the governor signed the bill)

Act No. 139

(H.778)

Retirement; state employees; teachers; municipal employees; retirees

This act makes miscellaneous adjustments to Vermont's three public retirement systems, including: (1) adding one more member to the Vermont pension investment committee who will chair the committee; (2) increasing the contribution rate for group C members of the Vermont municipal employees' retirement system; (3) ensuring that teachers who were hired prior to July 1, 2009, are not required to be licensed in order to participate as members in the state teachers' retirement system of Vermont; and (4) changing the composition of the Vermont municipal employees retirement system's board of trustees.

Date Signed by the Governor: Governor did not sign the bill and allowed the bill to become law without his signature

Effective Date: July 1, 2010, except Secs. 8 (retirement board; medical board; actuary; rates of contribution; safekeeping of securities) and 8a (VMERS board of trustees transitional provisions) which take effect on June 30, 2010, and Sec. 11 (state teachers' retirement system of Vermont; membership) which takes effect on passage (May 29, 2010, the date on which the governor allowed the bill to become law without his signature).

Act No. 140
(H.542)

Transfers of mobile homes and rent-to-own transactions

This act generally amends 9 V.S.A. § 2602 governing the transfer of mobile homes that are not treated as real property. The act sets out the chronological steps for transferring a mobile home, including filing requirements, notice to owners of real property, and payment of tax liens. The act also amends the requirements for the mobile home uniform bill of sale and creates a definition and imposes requirements for the valid transfer of a mobile home on a "rent-to-own" basis.

Date Signed by the Governor: June 1, 2010

Effective Date: September 1, 2010

Act No. 141
(H.614)

Conservation and development; agriculture; land use; composting

This act provides that the following six categories of composting storage, preparation, and sale do not constitute development and, therefore, do not require an Act 250 permit:

1. Production of compost from no more than 100 cubic yards of material per year.
2. Compost principally produced from inputs grown on the farm, which means that more than 50 percent of the ingredients of the compost are from the farm.
3. Compost principally used on the farm where it is produced, which means that more than 50 percent of the compost is used on the farm.
4. Compost produced on a farm primarily used to raise livestock, and the compost is produced only from manure from the farm and bulking agents from any source.
5. Compost is produced on a livestock farm only from manure produced on the farm, unlimited bulking agents, and up to 2,000 cubic yards of organic inputs a year, including food residuals and manure from other farms. To qualify for this exemption, the annual gross income from traditional farming on the parcel where the composting occurs must exceed the annual gross income from composting, and the compost operation must use no more than 10 acres or 10 percent of the parcel, whichever is smaller.

6. Compost is produced on a farm primarily used for the cultivation of crops, the compost facility complies with ANR's solid waste rules—which require a categorical solid waste certification—and the facility uses only 5,000 cubic yards per year of inputs, which may include up to 2,000 cubic yards of food residuals. To qualify for this exemption, the annual gross income from traditional farming on the parcel where the composting occurs must exceed the annual gross income from composting, and the compost operation must use no more than four acres or 10 percent of the parcel, whichever is smaller.

The act also authorizes the chair of an Act 250 district commission to determine, based on information available to the chair, that a composting facility requires an Act 250 permit because the person operating the composting facility has taken action to circumvent the Act 250 permit requirements.

The act also clarifies that if an Act 250 permit is required for a compost facility, land owned by the compost facility operator that is not part of the compost facility but which provides ingredients for the compost will not be considered land that supports the development and will not be included under the Act 250 permit.

Date Signed by the Governor: June 1, 2010

Effective Date: On passage (June 1, 2010, the date on which the governor signed the bill)

Act No. 142
(H.647)

Labor; workers' compensation

This act makes numerous changes to the workers' compensation statutes. The act requires the commissioner of the department of labor to issue a stop-work order against an employer that fails to carry workers' compensation insurance. The act allows the commissioner to stay the stop-work order if the order would cause an immediate threat to public health or safety. The act also increases the penalties for employers that fail to carry required workers' compensation insurance.

The act prohibits an employer that has been issued a stop-work order or that has made a false representation in order to avoid carrying workers' compensation insurance from contracting with the state or any of its subdivisions for a period up to three years. It requires the department of labor to maintain a confidential online employee misclassification reporting system that allows individuals to report suspected cases of employee misclassification, and it prohibits an employer from retaliating against an employee who has reported a violation of the workers' compensation statutes. The act also directs the agency of administration to ensure that all state agencies and departments work cooperatively to reduce employee misclassification.

The act also imposes a 0.055 percent surcharge on the contributions paid by employers into the workers' compensation administration fund in order to fund an additional fraud investigator position at the department of labor.

When workers' compensation benefits are not in dispute, the act requires an employer to establish a weekday on which the benefits are paid and imposes a late fee of \$10.00 or

five percent of the benefit amount for each weekly payment made after the established day. The act allows an injured worker to make a video or audio recording of any examination performed by an insurer's physician or surgeon. When an employer notifies the department of the intention to discontinue benefit payments, the act requires the employer to file with the notice all relevant evidence regarding the discontinuance. If the commissioner finds by a preponderance of the evidence that the discontinuance is not supported, the act requires that benefit payments continue until a hearing is held.

The act also increases the penalties on employers that fail to file required unemployment compensation insurance reports with the department.

Finally, the act makes changes to the statutes regarding the licensing of emergency medical technicians, so that an individual who is certified on the National Registry of Emergency Medical Technicians as an EMT-basic, intermediate, or paramedic may receive Vermont EMT certification without the need for further testing, provided that the individual is affiliated with an ambulance service, a fire department, or a rescue service or is serving as a medic with the Vermont National Guard.

Date Signed by the Governor: June 1, 2010

Effective Date: The provisions regarding the establishment of the online misclassification reporting system, the prohibition on employer retaliation, the filing of evidence with an employer's notice to discontinue benefits, and the certification of EMTs are effective on passage (June 1, 2010, the date on which the governor signed the bill). All remaining sections are effective July 1, 2010.

Act No. 143
(H.722)

Ticket scalping; farm-to-plate investment

This act creates a civil violation and penalty for a person who intentionally uses a computer program or other software intended to interfere with or circumvent an equitable ticket buying process on a ticket seller's website.

This act provides that grant funds from the farm-to-plate investment program may be awarded to for-profit entities.

Date Signed by the Governor: June 1, 2010

Effective Date: July 1, 2010

Act No. 144
(H.769)

Agriculture; nursery dealers; nursery inspection

This act consolidates and clarifies licensing requirements for nursery dealers and growers in the state. Under the act, a nursery dealer or nursery grower is required to obtain an annual nursery dealer license from the agency of agriculture, food and markets. The fee for the license will be \$50.00 if the nursery grower or nursery dealer owns or controls: (1) a nursery of one-half acre or more; (2) a greenhouse space of 25,000 square feet or more; or (3) retail space of 25,000 square feet or more. The license fee for all

others will be \$20.00.

In addition, the act authorizes the secretary of agriculture, food and markets to inspect nursery stock in the possession of a nursery grower or nursery dealer. The act requires the secretary of agriculture, food and markets to charge a fee for any inspection of a nursery grower or nursery dealer that is unlicensed.

Licensed nursery dealers or nursery growers are provided with one free inspection per year and are charged a fee for subsequent inspections. The secretary may not charge an inspection fee when responding to consumer complaints or responding to requests for technical assistance for the management of plant pests.

Date Signed by the Governor: June 1, 2010

Effective Date: July 1, 2010

Act No. 145
(H.779)

**Conservation and land development; potable water supply
and wastewater system permits; notification**

This act requires an applicant for a potable water supply or wastewater permit to notify affected property owners when an isolation distance surrounding the applicant's proposed water supply or wastewater system extends onto property other than the property on which the proposed system will be located. Any permit applicant required to notify affected property owners of isolation distances extending onto their property must certify to the agency of natural resources (ANR) that the applicant has provided notice and must identify all affected landowners. If a permit applicant is required to provide notice to landowners affected by a proposed water supply or wastewater system, ANR may not issue a potable water supply or wastewater permit until seven calendar days after the permit applicant certifies that affected landowners have been notified.

The act also authorizes a municipality to adopt a bylaw that establishes an application process for a zoning or subdivision permit under which a municipality may condition the issuance of a final zoning or subdivision permit upon issuance from ANR of a wastewater or potable water supply permit. In addition, the act requires the potable water supply and wastewater technical advisory committee (TAC) to reconvene to recommend to the general assembly a technical standard for the installation of potable water supplies or wastewater systems that limits isolation distances extending onto property other than the property on which a system is located.

The act also authorizes a food establishment that prepares and serves food for off-premises uses to provide temporary outdoor seating for up to 16 persons from May 1 to October 31 without providing patron toilet or handwashing facilities.

Date Signed by the Governor: June 1, 2010

Effective Date: On passage (June 1, 2010, the date on which the governor signed the bill)

Act No. 146
(H.792)

Appropriations; government services; “Challenges for Change”

This act makes changes in Vermont law which will allow the creation of better methods for providing government services, while spending less money and still achieving the outcomes specified in this act and Act 68 of 2010, the “Challenges for Change” legislation. A more detailed summary of the act is available from the Office of Legislative Council.

Date Signed by the Governor: June 1, 2010

Effective Date: various effective dates throughout the act

Act No. 147
(S.207)

Agriculture; preliminary incubation (PI) count in raw milk; harvesting of trees

This act addresses preliminary incubation (PI) count problems in the raw milk supply and it addresses the unlawful cutting of trees.

The act prohibits purchasers of raw milk from rejecting a milk supply based solely on a preliminary incubation count.

It requires the agency of agriculture, food and markets to conduct a study and issue a report to the house and senate committees on agriculture regarding the extent to which milk quality problems, including preliminary incubation count, exist in Vermont’s milk supply and any potential regulatory and legislative solutions to address these problems.

It provides that a person who unlawfully cuts trees may be assessed a civil penalty. The amount of the civil penalty is based on the diameter of a tree or trees that are unlawfully cut, felled, destroyed, or substantially damaged.

It requires a landowner who authorizes a timber harvest to clearly and accurately mark the harvest unit before the harvest begins and assigns a civil penalty of not less than \$250.00 and not more than \$1,000.00 to any landowner whose failure to clearly and accurately mark a harvest unit results in the unlawful cutting of trees.

The act exempts under certain conditions the agency of transportation, municipalities, authorized harvesters, railroads, and surveyors from penalties or liability for the unlawful cutting of trees.

It clarifies that a person injured by the unlawful cutting of trees may recover the greater of treble damages or the civil penalty for each tree.

It allows a cause of action for damages to be brought against a landowner whose failure to clearly and accurately mark the timber harvest results in damages to the property of another person.

Finally, the act provides that the unlawful cutting of trees and the improper marking of harvest units is a judicial bureau offense.

Date Signed by the Governor: June 1, 2010

Effective Date: Sections pertaining to preliminary incubation count findings and the milk quality study are effective on passage (June 1, 2010, the date on which the governor signed the bill). The prohibition against using preliminary incubation count as the sole basis for rejecting a milk supply takes effect on July 1, 2011. Sections pertaining to the unlawful cutting of trees and the marking of harvest units take effect July 1, 2010.

Act No. 148
(S.264)

Agriculture; dairy hauling costs

This act amends the law governing payment of stop and hauling charges and provides that purchasers of milk will be responsible for paying the costs of hauling, but only when New York adopts a law that imposes the same requirement. This act also directs the secretary of agriculture, food and markets to work collaboratively with other northeastern states to implement a policy whereby milk purchasers, rather than farmers, pay dairy hauling costs.

Date Signed by the Governor: June 1, 2010

Effective Date: This act takes effect on passage (June 1, 2010, the date on which the governor signed the bill), except that Sec. 2 (amendment to 6 V.S.A. § 2676, mandating that cost of hauling be paid by the buyer) takes effect when New York requires, by legislative or administrative enactment of statewide applicability and enforcement, that dairy hauling costs be paid by the purchaser of cows' milk rather than the producer of the milk.

Act No. 149
(S.97)

Executive; judiciary; state employees; cost-savings incentive program

This act creates an incentive program for state employees whose adopted suggestions result in financial savings for state government.

Date Signed by the Governor: Governor did not sign the bill and allowed the bill to become law without his signature (June 1, 2010)

Effective Date: July 1, 2010

Act No. 150
(S.280)

Motor vehicles; texting; prohibition; junior operators; use of portable electronic devices; safety belts; primary enforcement

This act:

(1) Prohibits texting on a portable electronic device while operating a moving motor vehicle on a highway, imposes \$100 for a first offense and \$250 for a second or subsequent offense, imposes a two-point assessment for first offenses and a five-point assessment for second and subsequent offenses, and imposes a 90-day recall of a learner's permit or junior operator's license for a first offense.

(2) Directs the commissioner of motor vehicles to formulate a plan to educate operators as to the dangers of and penalties associated with operating while texting.

(3) Expands primary enforcement of safety belt requirements from applying to occupants under age 16 to those under age 18.

(4) Prohibits persons under age 18 from using portable electronic devices while operating a moving motor vehicle on a highway except when necessary to place an emergency 911 call.

Date Signed by the Governor: June 1, 2010

Effective Date: On passage (June 1, 2010, the date on which the governor signed the bill)

Act No. 151

(H.281)

Health; deaths, burials, autopsies

This act requires that a law enforcement agency be notified when an unmarked burial site is first discovered. If the law enforcement agency determines that the site does not constitute evidence of a crime, then the agency is required to notify the state archeologist, who is authorized to take appropriate action regarding the site. The act also creates an unmarked burial site treatment plan committee. The committee is required to develop treatment plans for dealing with unmarked burial sites. The treatment plans include: methods for determining the presence of an unmarked burial site; methods for excavating the site; methods for protecting and preserving the site and any associated human remains; and methods for resolving disputes. The committee is required to issue a report outlining the treatment plans to the house committee on general, housing and military affairs and the senate committee on economic development, housing and general affairs on or before January 15, 2011.

The act also expands the list of people who may object to the removal of bodily remains to include a descendant of the deceased and the cemetery commissioner of the municipality in which the remains are located.

The act adds provisions regulating the removal of marked historic remains. The act defines "historic remains" as the remains of a human being who has been deceased for 100 years or more and which are located in a publicly known or marked burial ground or cemetery. The act outlines procedures for removing historic remains, including notice and objection provisions, and gives the probate court jurisdiction to grant or deny permits for removing historic remains.

Finally, the act allows funeral directors and crematory owners to issue burial permits and allows licensed health care professionals to fill out death certificates.

Date Signed by the Governor: June 1, 2010

Effective Date: The act is effective on passage (June 1, 2010, the date on which the governor signed the bill), except that the provision allowing licensed health care professionals to fill out death certificates is effective January 1, 2012.

Act No. 152
(S.282)

Motor vehicles; commercial driver’s license; operating records; renewal; disqualification; out-of-service order; miscellaneous fees; dealers; accident reports; inspection of trailers; title certificate retention; registration renewal; siren and light permit transfer

This act:

- (1) Clarifies that all United States Department of Defense vehicles—not just “military” vehicles—are exempt from the definition of commercial motor vehicle.
- (2) Revises an incorrect reference to the Code of Federal Regulations.
- (3) Specifies that renewal of a commercial driver’s license may be done no earlier than six months prior to its expiration and requires the surrender of the previous license upon renewal.
- (4) Clarifies that an application for a hazardous materials license endorsement shall be revoked or denied if a security threat assessment of the applicant results in an initial or final adverse determination.
- (5) Specifies that the commissioner of motor vehicles must fulfill a request for the operating record of a person currently or previously licensed in Vermont within 30 days.
- (6) Establishes a 10-day limit in which the commissioner of motor vehicles must report to a commercial driver license holder’s licensing jurisdiction a conviction under Vermont law for any violation of state or local law governing motor vehicle traffic control.
- (7) Requires disqualifications for persons convicted of serious traffic violations to be served consecutively.
- (8) Clarifies that a commercial motor vehicle may not be operated in violation of an out-of-service order.
- (9) Provides that the penalties for violations of out-of-service orders conform to federal minimum penalty requirements.
- (10) Clarifies that commercial driver records and data are retained in accordance with federal requirements.
- (11) Updates references to various federal agencies as well as to Code of Federal Regulations sections that authorize the adoption and enforcement of rules for the transportation of hazardous materials and for motor carrier safety.
- (12) Increases a motor vehicle department record copying fee.
- (13) Enlarges from three business to 15 calendar days the time a motor vehicle dealer has to provide notice to the commissioner of motor vehicles of issuance of temporary validation stickers, number plates, or decals and to forward to the commissioner of motor vehicles registration, tax, and title applications and registration fees.

(14) Increases motor vehicle dealers' bonding obligations from a range of \$5,000 to \$15,000 up to a range of \$20,000 to \$35,000.

(15) Raises from \$1,000 to \$3,000 the level of property damage that triggers an obligation to submit a written report to the commissioner of motor vehicles about an accident.

(16) Exempts from inspection requirements registered trailers or semi-trailers with a gross weight of trailer and load of less than 1,500 pounds.

(17) Specifies a 15-year limit to retention of title certificates by the department of motor vehicles.

(18) Eliminates by repeal the motorcycle rider training program advisory committee and the interstate compact for motor vehicle safety equipment.

(19) Authorizes the use of paper receipts of an electronic registration renewal to serve as a temporary registration for 10 days.

(20) Authorizes permits for the use of sirens and lights by emergency and enforcement vehicles to be transferred in the same manner as motor vehicle registrations are transferred.

(21) Changes the term "moped" to be "motor-driven cycle" and eliminates the requirement that such vehicles have foot pedals to permit muscular propulsion.

Date Signed by the Governor: June 1, 2010

Effective Dates:

(1) Sec. 3 (renewal of commercial driver license): July 1, 2011.

(2) Secs. 1–2 (definition of commercial motor vehicle; application for commercial driver license—certification of not having suspensions or disqualifications) and 4–18 (Sec. 4—request for driving record; Sec. 5—notification to another state of a motor vehicle conviction in Vermont; Sec. 6—disqualification period for operating vehicle; Secs. 7 and 8—compliance with out-of-service orders and penalties; Sec. 9—DMV commissioner to maintain commercial driver records and driver identification data; Sec. 10—regulations published by the Pipeline and Hazardous Materials Safety Administration; Sec. 11—cross reference clarifications; Sec. 12—cost to obtain records; Sec. 13—new and used car dealer surety bond requirements; Sec. 14—notice from motor vehicle dealer to commissioner of DMV of issuance of registration plates; Sec. 15—trailers exempt from registration; Sec. 16—DMV records for certificates of title; Sec. 17—repeal of motorcycle rider training program advisory committee; Sec. 18—validating stickers on registration plates): July 1, 2010.

(3) Secs. 19a–19l (Sec. 19a—definition of motor-driven cycle; Sec. 19b and 19c—registration and financial responsibility for motor-driven cycles; Sec. 19d through 19l—operation and titling of motor-driven cycles): September 1, 2010.

(4) Sec. 19 (transferring permits for sirens and colored signal lights): On passage (June 1, 2010, the date on which the governor signed the bill).

Act No. 153
(H.66)

Education; merger; graduation activities for special education students

This act creates an incentive program to encourage voluntary merger by school districts; requires supervisory unions to perform certain common duties, including providing special education services on behalf of member districts; requires that any student with an IEP or 504 Plan be permitted to participate in graduation ceremonies with his or her peers; and makes other changes to education law as follows.

Voluntary Merger

Financial and other incentives are available to encourage school districts to merge voluntarily to form a union school district (called “the regional education district” or “RED” for purposes of the incentive program) under the current processes in Title 16. Districts must merge by July 1, 2017, to receive incentives. Merging districts may be from different supervisory unions.

In order to receive the incentives, the RED must have a combined average daily membership of 1,250 or must result from the merger of four districts or both. Districts may request a waiver from either of these requirements. Contiguity is not required.

In general, a RED must maintain one or more schools offering elementary and secondary education for its resident students in order to receive the incentives (a unified union school district). Two exceptions exist:

Exception #1 For districts that do not operate secondary schools, if the RED will maintain one or more schools offering K–6 for resident pupils, then the districts may merge and receive the incentives available under this program if they will either (A) designate an independent or public high school or (B) pay tuition for all students in grades 7–12.

Exception #2 For districts that do not operate any schools, if the RED will continue to pay tuition for all resident pupils, then the districts may merge and receive the incentives available under this program.

If a RED created under Exception #1 or #2 later wants to limit options, then each town votes on the proposal per 16 V.S.A. § 706n(a).

All plans of merger must include a cost-benefit analysis concerning cost efficiencies and improved educational outcomes. This analysis is presented to the state board of education for approval with the plan of merger per 16 V.S.A. § 706.

The RED must have a single elected board and must provide the opportunity for public participation in budget and policy development.

The plan for merger must address enrollment options among schools operated by the RED. A grandfather clause provides that if the voters of a district that pays tuition for one or more grades choose to join other districts to create a RED that will operate a school for any of those grades, then the RED will continue to pay tuition for any student enrolled in a school for which the RED would not ordinarily pay tuition.

A RED may not close a school within the first four years of merger unless the town in which the school is located consents to the closure.

The state board of education will either declare that the RED is its own supervisory district or assign it to a supervisory union (“SU”). If any districts from an existing supervisory union remain after merger of other districts in the SU, then the state board will assign them to a SU.

All SU boards are required to discuss by December 1, 2010, and vote by October 1, 2012, whether to explore the formation of a RED.

Pursuant to existing law regarding union school formation (Title 16, chapter 11), districts that choose to consider merger in more depth will create a subcommittee to analyze all aspects. If the subcommittee determines that merger is advisable, then it will prepare a detailed merger proposal to present to the voters of each participating district. A RED is created only if the voters of each district that has been determined to be “necessary” to the merger plan approve the plan of merger. Votes are not commingled for this vote.

The department of education will provide a template for merger under Title 16, chapter 11, with links to essential data (financial, demographic, etc.) and other information.

Incentives Available to Merged Districts

Tax Rates. Equalized homestead property tax rates will be reduced by \$0.08 in year one; \$0.06 in year two; \$0.04 in year three; and \$0.02 in year four. During this period, the equalized homestead property tax rate for each municipality in the RED will not decrease or increase by more than five percent annually. Each town within the RED continues to have its own common level of appraisal (CLA).

Capital Debt. From FY18 forward, if a district merging into a RED has capital construction debt for which state aid remains due, then the state will pay the interest on the state portion of the debt.

Sale of Buildings. If sale of a school building is part of the merger plan to which the host town has consented, then statutory requirements to refund a portion of state construction aid are waived.

Merger Support Grants. Because small-school grants are based on numbers within a *district*, a RED would be ineligible for small-school grants even if one or more of the merging districts received them prior to merger. This incentive will continue payment of these amounts to the RED during the first five years of merger, in the form of a merger support grant, in an amount equal to the small-school grants the merging district(s) received two years prior to merger.

Consulting Services Grant. Merging districts are eligible to receive up to \$20,000 in reimbursement for legal, consulting, and other services necessary for analyzing whether to merge and preparing the merger plan presented to the voters.

Multi-Year Budgets. The merger plan may provide authority for the RED board to propose multi-year budgets.

Transition Aid. The July 1, 2010 sunset on grants that help merging districts transition into a new, single district is extended to 2014. Grants are available in the lesser of five percent of the base education amount based on combined enrollment or \$150,000. Grants received under this section are reduced by any amounts received under the Consulting Services Grant incentive.

Recent Merger. Addison Northwest Unified Union School District is eligible to receive any of these benefits if it is formed on or before July 1, 2010.

Related Analysis and Reports

The commissioner will ask the Regional Educational Laboratory – Northeast and Islands to study the possibility of making tuition vouchers available statewide.

The UVM Jeffords Center will work with the department of education and merging school districts to collect and analyze data regarding financial and operational efficiencies and student learning opportunities and outcomes in the REDs. In addition to interim reports, there will be a final report in January 2018 containing recommendations of the actions, if any, that should be taken to encourage or require merger by nonparticipating districts.

Supervisory Union Duties, Reports, and Other Issues

Supervisory Unions will perform common functions, including the provision of special education services to all schools within the SU; supervisory unions may seek a waiver. The effective date is on passage, but the new requirements must be fully implemented by July 1, 2012.

Superintendents are required to assume more responsibility and oversight for hiring and firing decisions. They will also assume all responsibility for financial reporting on behalf of the supervisory union and the districts. The effective date is on passage, but the new requirements must be fully implemented by July 1, 2012.

Exemptions to the general requirement of supervisory union-wide collective bargaining are repealed.

Superintendents will be required to work with school district boards to develop and implement minimum and optimal average class size policies.

The commissioner is required to collect data regarding student-to-staff ratios to inform potential legislative decisions regarding ratios in the future.

The commissioner is required to develop an integrated process, including consistent policies and practices, for financial management and reporting.

The department of education is required to review and analyze what results the current law regarding tuition overcharges and undercharges has had in practice and suggest any changes to the current law.

The commissioner of education will develop a proposal to identify districts that would be eligible for small-school support due to geographic necessity; calculate the support necessary to enable an education that complies with state and federal requirements; and withdraw small-school support gradually from other districts.

Districts' authority to contract with distance learning programs is expanded to include accredited out-of-state programs and postsecondary programs.

Existing session law that permits Pawlet, Rupert, and Wells to designate an out-of-state public school is codified, as is Wells's current practice of paying tuition to other nondesignated schools in an amount other than that permitted by 16 V.S.A. § 827.

Students with special needs may participate in graduation ceremonies and activities with their peers even if they have not yet completed graduation requirements.

Date Signed by the Governor: Governor did not sign the bill and allowed the bill to become law without his signature (June 3, 2010)

Effective Date: Various.

Act No. 154

(H.470)

Judiciary; judicial reorganization

This act substantially reorganizes the state judiciary in response to the recommendations of the Vermont commission on judicial operation. The general assembly created the commission and asked it to recommend steps to reduce the judiciary's budget and enhance the efficient and effective delivery of judicial services, addressing such issues as consolidation of staff, regionalization of court administrative functions, improvement of resource flexibility, and reallocation of jurisdiction between courts.

The act establishes a unified court system by consolidating the superior, district, family, probate, and environmental courts into one unified superior court under the administrative control of the supreme court. The superior court would have five divisions: civil, criminal, family, probate, and environmental, which would have the same subject matter jurisdiction currently had by the superior, district, family, probate, and environmental courts. Consolidation takes place on July 1, 2010, except that the probate court does not become part of the unified superior court until February 1, 2011.

The newly unified superior court is divided into 14 units drawn along county lines, except that the environmental division remains a court of statewide jurisdiction. A superior court is maintained in each unit, and venue for court actions remains as provided by law; court proceedings are heard in the unit where the case is brought. The supreme court is permitted to promulgate rules allowing for changes in venue if the parties agree, if the proceeding is minor and nonevidentiary or if a change in venue is necessary to ensure access to justice for the parties or is required for the fair and efficient administration of justice.

The act requires the administrative judge to designate a presiding superior judge for each unit and permits one superior judge to be assigned to multiple units. The court administrator appoints a superior court clerk for each unit, and one person may be the clerk for multiple units. The superior court clerk hires the court staff in each unit with the approval of the court administrator. The superior court clerk may not also serve as the county clerk unless the assistant judges and the court administrator so agree. However, a superior court staff person may serve as the county clerk if the assistant judges and the

court administrator enter into a memorandum of understanding to that effect.

The act makes the probate court a division of the unified superior court effective February 1, 2011. The existing 14 probate districts are maintained so that each county continues to elect a probate judge, but the compensation of some of the judges is adjusted to take into account differences in the number of probate cases filed in each county. The act requires the court administrator to conduct a study every three years compiling and analyzing data regarding the number of cases filed and permits the study to be used to make adjustments to probate judge compensation. The act requires probate judges to be attorneys, although the requirement does not apply to probate judges holding office on July 1, 2010, and permits the administrative judge to assign probate judges to hear cases in other districts. The act requires the court administrator to appoint a register for each probate district in consultation with the probate judge and permits the probate judge to request that the court administrator designate one or more staff persons as additional registers.

The act permits assistant judges to hear and decide all judicial bureau matters; prior to passage of the act, traffic violations were the only judicial bureau matters heard by assistant judges. The act repeals the requirement that an assistant judge serve in office for a minimum of two years before hearing judicial bureau proceedings and requires the court administrator, in consultation with the association of assistant judges, to develop and provide training and education to assistant judges regarding judicial bureau matters. Effective January 31, 2011, the act repeals the jurisdiction of assistant judges to hear small claims cases, provided that small claims cases may continue to be heard by assistant judges who are in office on July 1, 2010 in Essex, Caledonia, Rutland, and Bennington Counties. Compensation for an assistant judge sitting as a fact-finder with a superior judge is paid by the county, and compensation for an assistant judge sitting alone is paid by the state.

The act makes the full judicial retention process applicable to magistrates, replacing the process of gubernatorial reappointment and senate confirmation. The terms of existing magistrates are extended in order to stagger the years in which the magistrates come up for retention. The act also expands the jurisdiction of magistrates, permitting them to hear and decide parentage proceedings and proceedings to establish temporary parental rights and responsibilities and parent-child contact.

The act makes a number of changes to court fee provisions. Small claims filing fees go to the state instead of the county if the state owns the county courthouse; if not, small claims fees are divided evenly between the county and the state. Notary fees are increased from \$20.00 to \$30.00 and are divided evenly between the state and the county, and the act repeals the provision that counties keep notary fees in lieu of collecting fee-for-space payments from the state for use of county courthouses. Probate fees are increased for guardianships and name changes, and new probate fees are instituted for partial decrees and licenses to sell real estate. A five-percent surcharge is placed on all court fees collected during the three years following passage of the act.

The act includes a number of other provisions in addition to the restructuring of the judiciary. The act requires the court, state's attorneys, public defenders, law enforcement

agencies, and the departments of corrections and of public safety to develop and implement an automated victim notification system but requires that a report on the costs of the system be made to the general assembly prior to implementation. The act requires the court administrator and the commissioner of the department of buildings and general services to report to the general assembly on the status of courthouse compliance with the Americans with Disabilities Act. The act permits a law enforcement officer to amend a judicial bureau complaint whether or not it is amended to a lesser included offense, expresses the general assembly's intent that the Vermont crime laboratory remain continuously accredited by an accreditation organization, clarifies that it is not unlawful for law enforcement officers, department of fish and wildlife employees, or members of the Vermont National Guard to use gun silencers in connection with official duties, and requires proposals from law enforcement agencies and others regarding eyewitness identification best practices, preservation of evidence, and recording custodial interrogations.

Date Signed by the Governor: June 3, 2010

Effective Date: July 1, 2010, except that the provisions related to consolidation of the probate court into the unified superior court take effect on February 1, 2011, and the provisions related to innocence protection (Sec. 238(b)–(f)) and the election of probate and assistant judges (Secs. 17a and 237(f)) take effect on passage (June 3, 2010, the date on which the governor signed the bill).

Act No. 155
(H.689)

Commerce and trade; housing; common interest communities

This act adopts the most recent amendments and multiple new sections of the Uniform Common Interest Ownership Act, codified as Title 27A of the Vermont Statutes Annotated. The act clarifies the scope and applicability of the uniform law and updates the rights and responsibilities of a declarant of a common interest community, its officers and board of directors, and its members. The act is designed to ensure greater access to information, to enable better participation in governance, and to provide increased minimum protections to owners in common interest communities.

Date Signed by the Governor: June 3, 2010

Effective Date: January 1, 2012

Act No. 156
(H.789)

Appropriations

This act is the Fiscal Year 2011 Appropriations Act, which provides appropriations for the support of state government during the upcoming fiscal year; it is referred to as the “Big Bill.” In addition to providing appropriations, this act also amends and adds substantive provisions affecting state laws and programs. For details and summaries of the amounts appropriated and other provisions, see the explanatory documents and letter of intent prepared by the Joint Fiscal Office, available from the Joint Fiscal Office or at

www.leg.state.vt.us/jfo.

Date Signed by the Governor: June 3, 2010

Effective Date: Most provisions are effective only for Fiscal Year 2011 and become effective July 1, 2010, unless otherwise stated.

Act No. 157

(S.292)

Corrections; term probation; right to bail; medical care of inmates; reduction in the number of nonviolent prisoners, probationers, and detainees; sex offenders; employment separation agreements

This act addresses three topics: Sex offenders, corrections policy, and employment separation agreements concerning conduct jeopardizing the safety of a minor or a vulnerable adult. The corrections sections of the act are a companion to Act No. 146 (H.792), An act relating to implementation of challenges for change.

Regarding sex offenders, the act:

- Includes attempts to commit a sexual offense as crimes that require an offender's information to be posted on the state's Internet sex offender registry.
- Creates an exemption to the requirement that a sex offender's address be posted on the state's Internet sex offender registry if the offender has a developmental disability and resides in a 24-hour supervised location equipped with alarms.
- Repeals a state audit of the state's sexual abuse response system as required by No. 1 of the Acts of the 2009 Adj. Sess. (2010), and requires the auditor to work with the Vermont Network Against Sexual and Domestic Violence to report to the senate and house committees on judiciary no later than February 1, 2011, as to the best approach to conducting such an audit while protecting victim confidentiality.
- Adds the commissioner of the department for children and families to the special investigative unit grants board.

On the topic of corrections policy, the act:

- Designates the executive committee of the Vermont sheriffs association and the executive director of the department of state's attorneys and sheriffs as jointly having authority for the assignment of position locations in the counties of state-paid deputy sheriffs as that assignment relates to the transportation of prisoners and mentally ill persons.
- Grants nonviolent offenders the right to bail for a technical violation of probation.

- Requires the department of corrections to provide an inmate with his or her medication upon lodging until a department medical practitioner can assess the inmate.
- Establishes a new sentencing option, home confinement furlough, for sentences of 180 days or less. The offender would be confined to a preapproved residence continuously, except for authorized absences, and would be subject to appropriate supervision, including electronic monitoring, and conditions such as prohibitions on use of alcohol or possession of firearms.
- Establishes as a policy of the state that a lack of appropriate community housing shall not be the sole factor in denying furlough to a nonviolent offender who has completed his or her minimum sentence and any required programming.
- Requires the department of corrections (DOC) to request that the court discharge from probation offenders who on July 1, 2010:
 - (1) have served at least two years of an unlimited term of probation for a nonviolent misdemeanor and have completed all court-ordered services or programming designed to reduce the risk of recidivism; and
 - (2) have less than six months of term probation remaining for a nonviolent misdemeanor or a nonviolent felony, except those who are on probation pursuant to 23 V.S.A. § 1210(d) and who have completed all court-ordered services or programming designed to reduce the risk of recidivism.
- Directs DOC, during the first three months of the fiscal year to release to furlough inmates who on July 1, 2010, are incarcerated for nonviolent misdemeanors and nonviolent felonies, except those who are serving a sentence pursuant to 23 V.S.A. § 1210(d) who have served at least their minimum sentence and who:
 - (1) have not been released because of lack of housing; and
 - (2) have completed or are not required to complete a program designed to ensure successful reintegration into the community.
- Directs that a portion of the money saved through implementation of the discharge from probation and release to furlough as required by the act shall be used to provide grants to community justice centers and similar programs to support offenders who are released pursuant to the act to reintegrate into the community and to community providers for transitional beds, support services, and residential treatment services for offenders reentering the community.
- Directs the court administrator, the administrative judge of the trial courts, the commissioner of the department of corrections, the executive director of the department of state's attorneys and sheriffs, and the defender general to work cooperatively to reduce, to the extent possible, the average daily number of incarcerated detainees to 300 persons or less by January 1, 2011, and to maintain the average daily number at this level.

- Directs the commissioner of corrections, the administrative judge of the trial courts, the court administrator, the executive director of the department of state's attorneys and sheriffs, and the defender general to collaborate on strategies to reduce the number of people entering the custody of the commissioner of corrections and to minimize the time served of those who do enter the commissioner's custody, consistent with public safety, and to report to the general assembly on such matters on or before March 15, 2011.
- Requires the office of alcohol and drug abuse programs to develop a uniform screening tool which can be used to determine whether or not an inebriated person is incapacitated or in need of medical or other treatment and to develop supervised two-bed units for location of incapacitated persons taken into custody pursuant to 33 V.S.A. § 708.
- Requires the commissioner of corrections to examine department policies with regard to the use of mail, telephone, and personal visits and to revise them to promote quality relations between inmates and their families as appropriate and to report on or before January 15, 2011, to the senate committee on judiciary and the house committee on corrections and institutions on information gathered and actions taken in response to the examination.

And the act addresses employment issues related to minors and vulnerable adults as follows:

- It prohibits employment separation agreements to inhibit disclosure of factual information concerning conduct jeopardizing the safety of a minor or vulnerable adult. It requires the disclosure of information by former or current employers regarding the same (effective April 1, 2011).
- It requires legislative counsel to review potential impacts on hiring practices if the state were to grant civil immunity to employers for requesting or disclosing information concerning conduct jeopardizing the safety of a minor or vulnerable adult. A report is due to the general assembly by January 15, 2011.
- Requires a report on the effectiveness of the existing memorandum of understanding between the department of education and the department for children and families regarding sharing reports concerning the alleged behavior of educators. The report is due to the committees on education and judiciary by December 15, 2010.

Date Signed by the Governor: June 3, 2010

Effective Date: Sec. 18 is effective on April 1, 2011. Secs. 17, 19, 20, 21, and 22 are effective on passage (June 3, 2010, the date on which the governor signed the bill). All other sections take effect on July 1, 2010.

Act No. 158
(S.295)

**Agriculture; agricultural development director; agricultural development board;
livestock care standards advisory council; humane slaughter; animal welfare;
medical certificate**

This act:

1. Replaces the appointed deputy commissioner of agricultural development position within the agency of agriculture, food and markets with a new, classified agricultural development director position;
2. Establishes an agricultural development board to make policy recommendations regarding agricultural development and to implement a long-term agricultural development plan for the state;
3. Establishes a livestock care standards advisory council to evaluate state laws and to make policy recommendations regarding the care and handling of livestock to the secretary of agriculture, food and markets;
4. Amends the secretary of agriculture, food and markets' licensing authority for commercial slaughter facilities to authorize the secretary to: impose terms and conditions on a license, including video monitoring; deny an application for or renewal of a commercial slaughter license to any person who has been convicted of a felony or of a misdemeanor involving cruelty to animals or who has been found in violation of the state's prohibition against inhumane slaughter more than once; deny a license to any facility that has a partner, officer, director, holder, or owner of 10 percent or more of the voting stock or a managerial or executive employee who has been convicted of a felony or of a misdemeanor involving cruelty to animals or who has been found in violation of the state's prohibition against inhumane slaughter more than once;
5. Requires applicants for licensure or relicensure of a commercial slaughter facility to submit a written humane-slaughter handling plan to the secretary of agriculture, food and markets and requires licensees to adhere to the plan;
6. Requires commercial slaughter facilities licensed by the agency of agriculture, food and markets to submit to the agency any U.S. Department of Agriculture documentation related to violations of the Federal Humane Slaughter Act and rules adopted thereunder within five days of receipt of any such documents;
7. Makes funds available for training Vermont-licensed slaughter facility employees in the humane treatment of animals;
8. Increases the maximum imprisonment term and the monetary amounts of the penalties that may be imposed upon conviction of a violation of state humane slaughter requirements and clarifies that the secretary of agriculture, food and markets may refer a violation to the attorney general or the state's attorney or may use any of the agency of agriculture, food and markets' enforcement tools to pursue a violation;

9. Defines an animal “rescue organization” as any organization that finds homes for animals commonly kept as pets and requires such organizations to register with the secretary of agriculture, food and markets or face penalties for failure to register;
10. Authorizes the secretary of agriculture, food and markets to deny or revoke a rescue organization’s license; and
11. Requires a dog, cat, ferret, or wolf-hybrid imported into the state for sale, resale, exchange, or donation to be accompanied by an official health certificate issued by a veterinarian in the state or country of origin that certifies that the animal is free of visible signs of infection or disease and that the animal is vaccinated for rabies if appropriate for the breed and if the animal is three months or older.

Date Signed by the Governor: June 3, 2010

Effective Date: The sections of the bill that pertain to the livestock care standards advisory council, slaughterhouse licensing and training, and humane slaughter take effect on passage (June 3, 2010, the date on which the governor signed the bill). The sections of the bill that pertain to agricultural development, rescue organizations, and animal importation requirements take effect July 1, 2010.

Act No. 159
(H.781)

Renewable energy

This act contains various provisions on renewable energy.

Sec. 1 allows net metering for renewable energy plants of 2.2 megawatts (MW) or less installed by the National Guard or state military department.

Secs. 2 and 3 address existing farm methane plants that support renewable pricing programs.

Sec. 2 contains findings that cite unique benefits received from these plants. The findings also state that the plants are experiencing serious losses because of a drop in the market price for power while new agricultural methane projects are receiving a standard offer at a substantially higher price.

Sec. 3 amends existing law to require the public service board to make available a standard offer for the existing farm methane plants that support renewable pricing programs. The price of the required standard offer must be the same as for new farm methane plants.

Sec. 4 clarifies existing law to state that a retail utility that has at least 25 percent of its supply from Sustainably Priced Energy Enterprise Development (SPEED) resources is exempt from the allocation of standard offer costs.

Secs. 5 through 7 address simplified procedures for permitting and interconnection to the utility grid of small renewable energy plants. Under prior law, the public service board created simplified procedures for permit review and interconnection for net metering systems of 150 kW or less. The act requires the board to use the same procedures for all renewable energy plants of 150 kW or less and states that this

requirement supersedes any contrary provisions of the board's rules. For renewable plants that range from 150 kW through 2.2 MW, the board must simplify application and interconnection procedures by rule or order, issuing an initial order with simplified procedures by September 1, 2010.

Sec. 8 amends existing law to allow a plant owner in the standard offer program to transfer to a retail electric utility all rights associated with a standard offer contract that has been offered to the plant without affecting the plant's status under the program.

Secs. 9 through 11 amend existing law regarding business solar energy tax credits. They extend existing prospective repeals of these credits from January 1, 2011, to January 1, 2012. They cap the credits at \$9.4 million total, with eligibility to be certified by the clean energy development board (CEDB). Two sets of systems can receive the credits. First, solar standard offer systems can receive the credits if by July 15, 2010, they file a complete application with the public service board and provide data to the CEDB and by September 1, 2011, they complete construction. Second, solar thermal systems that do not require public service board approval and net metering systems can qualify if they are 150 kW or less, provide data to the CEDB by December 15, 2010, and make the investments by December 31, 2010. The CEDB is required to set aside part of the \$9.4 million in available credits for the second set of systems.

Sec. 12 of the bill is deleted.

Sec. 13 removes language from the existing definition of renewable energy stating that hydroelectric generation is renewable only if it comes from a facility of 200 MW or less and inserts language clarifying that if a purchase of electricity is from a system of resources that includes both renewable and nonrenewable technologies, only that portion of the purchase that is actually from renewable technologies qualifies as "renewable." Under Sec. 19 of the bill, this section goes into effect on July 1, 2012.

Sec. 13a requires the public service board by October 1, 2011, to submit to the legislative committees of jurisdiction a report on the potential development of a renewable portfolio standard (RPS) and the potential adoption of, instead of an RPS, revisions to the SPEED program. It contains findings that explain existing law and facts related to an RPS and the SPEED program and how removing the capacity limit on hydroelectric generation might affect an RPS or the statutory SPEED goals. The report is to address the overall issues of whether or not to adopt an RPS or, in lieu of an RPS, revised SPEED goals and requirements and is to evaluate a range of associated questions, including the impact of declaring large-capacity resources to be renewable and the manner in which Vermont would require third-party certification that a resource is renewable or has low environmental impact. The board must submit its recommendations and a potential RPS and potential SPEED revisions for consideration.

Sec. 13b requires the public service board to determine the disposition, allocation, and use of revenues received by an electric utility that are from the sale of environmental attributes related to renewable energy from a system greater than 200 MW and that are received by the utility as part of an agreement under which those revenues or the rights to those attributes are transferred to the utility. The allowed uses must promote state energy policy and renewable energy, greenhouse gas reduction, and building efficiency goals as

stated in existing statute. The allowed uses include development of in-state renewables, energy efficiency, rate reduction, and alternative transportation.

Sec. 14 amends Vermont's existing efficiency standard for medium voltage dry-type distribution transformers to be the same as the federal standard.

Sec. 15 amends Act 54 of this biennium to extend from January 15, 2010, to February 1, 2011, the deadline for the department of environmental conservation to amend its stormwater rules to include alternative guidance for renewable energy projects located at high elevations.

Secs. 16 through 18 transfer jurisdiction over appeals of agency of natural resources permits from the environmental court to the public service board if the appeals concern renewable energy plants for which the board must issue a certificate of public good under 30 V.S.A. § 248 and provide for the potential consolidation of those appeals with the board's section 248 process. In the appeals, the board must use the same substantive and participation standards as the environmental court did and must apply environmental court precedent. The transfer of appellate jurisdiction would not apply to hydroelectric facilities licensed by the Federal Energy Regulatory Commission.

Sec. 18a amends existing law to authorize the Clean Energy Development Fund to support natural gas vehicles and associated fueling infrastructure.

Sec. 18b amends existing law concerning residential building energy standards to conform the definition of "residential construction" to the International Energy Conservation Code of 2009, as required by the federal American Recovery and Reinvestment Act of 2009.

Sec. 18c requires the governor, relevant state agencies, and the efficiency utility to act promptly to secure the greatest possible benefit for Vermont from the pending federal Home Energy Retrofit Act of 2010 and to use the efficiency utility for implementation of that act.

Sec. 18d amends existing law to exempt from electric licensing requirements the installation of solar electric modules and racking on complex structures to the point of connection to field-fabricated wiring and erection of net-metered wind turbines.

Under Sec. 19 (effective date), the act takes effect on passage, except that Sec. 13 takes effect on July 1, 2012.

Date Signed by the Governor: June 4, 2010

Effective Date: Sec. 13 – July 1, 2012; all other sections – on passage (June 4, 2010, the date on which the governor signed the bill)

Act No. 160
(H.783)

Miscellaneous tax provisions

The following is a section-by-section summary of this act.

Sec. 1. The act amends the definition of a tax expenditure to include items of

exclusion, deduction, credit, or other adjustment at the federal level that flow through to Vermont taxable income.

Sec. 2. The act sets forth additional tax expenditures that are to be included in the next three biannual reports and requires the department of taxes, the joint fiscal office, and the legislative council to report to the general assembly by January 15, 2012, on additional tax expenditures that may be identified and quantified.

Sec. 3. The act amends Sec. B.503 of the Big Bill, H.789 (Act No. 156). The amount of \$15,700,000 in an appropriation for grants for state-placed students is amended to be \$15,300,000.

Sec. 4. The act authorizes the commissioner of the department of taxes to charge travel expenses and a reasonable per diem to companies that are unable or unwilling to provide books and records for audit at either the department's Montpelier office or at an in-state location of the company.

Sec. 5. The act allows municipalities to transmit tax rate information to the department of taxes in forms other than electronic media.

Sec. 6. The act amends the state's offset statute to provide that the fee is taken out of the taxpayer's refund instead of from the general fund. The amendment also allows the department of taxes to annually adjust the per-offset fee.

Sec. 7. The act allows the department of taxes to enter into reciprocity agreements with other states to offset refunds.

Sec. 8. The act sets the per-return administrative fee for local option taxes at \$9.52 and makes the fee subject to review in the fee bill.

Sec. 9. The act allows a municipality to place a lien on an uninhabitable property in order to recoup expenses associated with keeping the property safe.

Sec. 10. The act amends the recapture provisions in the Vermont Employment Growth Incentive (VEGI) tax credits as follows:

1. It changes "year" to "period" to prevent businesses from eliminating half of their workforce in one calendar year and half in the next calendar year without triggering recapture of benefits;
2. It clarifies how the recapture applies to a start-up business;
3. It allows a penalty to be assessed at the time recapture and interest are assessed;
4. It changes the assessment trigger date to allow the department of taxes to initiate recapture prior to notification by a business of a drop in payroll; and
5. It makes general withholding provisions applicable to amounts taken as credit against wage withholding under the VEGI program, including the personal liability provision.

The changes in this section take effect retroactively on January 1, 2010.

Sec. 11. The act requires the director of property valuation and review to meet with listers and other stakeholders regarding increases or decreases in the assessed value of

land based on whether the land includes or abuts recreation trails such as those maintained by the Vermont Association of Snow Travelers. The director is to report the results of that meeting to the house committee on ways and means and the senate committee on finance no later than January 15, 2011.

Sec. 12. The act amends the definition of “development” for purposes of the use value appraisal program in chapter 124 of Title 32. The subdivision of land that creates a parcel of less than 25 acres constitutes development under current law, but an exception exists if the subdivision results from a transfer to a specified close relative and the transferee/relative re-enrolls the newly created parcel. The act amends the law so that if it is the transferor’s parcel that is less than 25 acres following subdivision and the land is re-enrolled, the exception will also apply.

Sec. 13. The act deems the current use advisory board’s methodology for calculating land use values to have the force and effect of rules adopted pursuant to the rulemaking process and requires that any modification to the methodology be subject to the rulemaking process.

Sec. 14. The act provides that the fair market value of property in a tax increment financing district is to be used in equalization studies rather than the original taxable value. This change will apply to equalization studies in 2010 and after.

Sec. 15. The act makes technical amendments to clarify when towns must refund an excess property tax adjustment amount to a taxpayer (20 days after notification of the adjustment amount) and corrects the source of the notice (from the commissioner of the department of taxes, not the commissioner of the department of education).

Sec. 16. The act amends the statutes concerning the property transfer tax (PTT) to make the PTT payable to the department of taxes instead of the town clerk of the town in which the property is located. The act also makes the PTT payment due on transfer rather than on recording. This section and Secs, 17, 18, 19, and 20 all take effect on January 1, 2012.

Sec. 17. The act provides that the PTT return must be delivered to the town clerk at the same time as the deed. The act also eliminates the requirement that all buyers and sellers must sign the return, and it replaces the dollar amount of the recording fee with a reference to the statute in which the fee is set out.

Sec. 18. The act deletes the requirement that the return be “complete and regular on its face.”

Sec. 19. The act deletes the reference to “tax payment” in 32 V.S.A. § 9608 to conform with the change to the law that the tax be paid to the department of taxes and not to the town clerk.

Sec. 20. The act makes conforming changes to 32 V.S.A. § 9610(a) and provides for electronic transmission of the deed but allows the commissioner to make an exception for paper-filed returns because some towns will not have the capacity for electronic transmission immediately.

Sec. 21. The act allows the town of Clarendon to receive an adjustment to its

education payment amount. The lower amount received from the department of education last year was due to a filing error.

Sec. 22. The act extends for the 2011 fiscal year the education property tax exemption for skating rinks that are used by a school.

Sec. 23. The act doubles the amount of interest and dividend income above \$10,000 when modified adjusted gross income is calculated for purposes of property tax adjustments and renter rebates. This will apply to homeowner adjustment claims in 2010, 2011, and 2012 and to renter rebate claims in 2011 and 2012.

Sec. 24. For all claims in 2011 and after, the act amends the definition of modified adjusted gross income to add back several deductions that are taken before adjusted gross income on the federal Form 1040. The act also amends the definition of household income so that it may not be reduced below zero and changes the term “rent constituting property taxes” to “qualifying rent.” Additionally, the act amends the definition of “qualifying rent” to be 21 percent of gross rent in every case, removing the alternative calculation of “rent constituting property taxes. These changes take effect for claims filed in 2011 and after.

Sec. 25. The act amends the property tax adjustment calculation for income sensitivity on the equalized value of a housesite in excess of \$500,000. This change applies to claims filed in 2010, 2011, and 2012. The act also removes the \$10 per-acre adjustment amount for up to five additional acres for claimants with household income under \$90,000. This change applies to claims filed in 2010 and after.

Sec. 26. The act amends the requirement for a landlord to provide a tenant with a certificate of rent as follows: (1) it changes from four or more to two or more the number of units the landlord rents to require the landlord to provide the certificate; (2) it increases penalties from \$100 per act to \$200 per act for landlords who fail to provide the certificate or provide a falsified certificate; and (3) it removes language allowing a tenant to waive rights to a certificate. This change will affect landlords beginning in 2011.

Sec. 27. The act directs the legislative council to amend statutes to conform to the changes made in Sec. 24 regarding “qualifying rent.”

Sec. 28. The act sets the education property tax rates for fiscal year 2011 as follows: \$1.35 for nonresidential property and \$0.86 multiplied by the district spending adjustment for homestead property. The act also sets the applicable percentage in 32 V.S.A. § 6066(a)(2) at 1.8 percent.

Sec. 29. The act links Vermont’s income tax laws to the federal government’s income tax laws, except for the tax rates. This section is effective retroactively to January 1, 2009.

Sec. 30. The act amends the downtown and village center tax credit program to allow insurance companies to accept credit certificates in the same manner as banks. This section and Sec. 31 take effect retroactively on January 1, 2010.

Sec. 31. The act amends the downtown and village tax credit recapture provisions to track the change made in Sec. 30.

Sec. 32. The act amends an estate tax provision to clarify that interest on refunds is due only from the date the amended return is filed. This change conforms the estate tax interest provision to the provision for interest on income tax refunds.

Sec. 33. The act amends the estate tax exclusion amount for decedents dying in 2011 by increasing the amount from \$2.0 million to \$2.75 million. The act further provides legislative intent that the legislature plans to “re-couple” to the federal estate tax system if the federal government adopts a system that is similar to the one in place in 2001, prior to when the state “de-coupled” from the federal estate tax.

Sec. 34. The act provides a definition of a “cigar” as a roll of tobacco wrapped in leaf tobacco or in any substance containing tobacco. This section and Secs. 34 and 35 take effect on July 1, 2010.

Sec. 35. The act amends the amount of roll-your-own tobacco that constitutes a cigarette for tax purposes. Prior to enactment of this act, the amount of tobacco that constituted a cigarette was 0.09 ounces. This act lowers that amount to 0.0325 ounces.

Sec. 36. The act increases tax on snuff and new smokeless tobacco to approximate the tax increase on cigarettes made in 2009. The new rates are \$1.87 per ounce for snuff and \$1.87 per ounce of new smokeless tobacco or \$2.24 per package of new smokeless tobacco if sold in packages containing less than 1.2 ounces. The tax on cigars is as follows:

1. If the wholesale price is \$1.08 or less, the tax is 92 percent of the wholesale price.
2. If the wholesale price is between \$1.09 and \$9.99, the tax is \$2.00 per cigar.
3. If the wholesale price is greater than \$10.00, the tax is \$4.00 per cigar.

Sec. 37. The act increases the percentage from 0.0004 to 0.0008 of Vermont adjusted gross income that is acceptable to report as the alternative use tax on individual income tax returns. This change will apply to income tax returns for tax year 2010 and after.

Sec. 38. The act changes the term “amusement” to “entertainment” for purposes of the sales and use tax. This change takes effect on April 1, 2011.

Sec. 39. The act requires the legislative council to make the necessary statutory revision regarding the change of the term “amusement” in Sec. 38.

Sec. 40a. The act provides for transition rules that abate certain assessments made by the commissioner of the department of taxes for performances for which the sales tax was not collected.

Sec. 40b. The act provides nonprofit organizations with guidance until the changes in Sec. 41 concerning the tax on entertainment charges by a nonprofit organization take effect on April 1, 2011.

Sec. 41. The act amends the definition of organizations not covered in the sales and use tax chapter by: making technical corrections to statutory references in 32 V.S.A. § 9743(4), which deals with sales of building materials for governmental structures and development corporations; clarifying that schools and municipalities are exempt from collecting and remitting sales tax, but that vendors who sell on school or municipal

property must collect and remit the sales tax; and amending the statute for nonprofit organizations so that if a nonprofit organization's gross ticket sales in the previous calendar year were \$50,000 or more, the nonprofit will collect and remit the sales tax on all of its entertainment charges in the current year. The first two changes take effect upon passage and the last change takes effect on April 1, 2011.

Sec. 42. The act increases the amount of money that may be spent from the motor fuel account of the petroleum cleanup fund on any one site from \$990,000 to \$1,240,000. This change affects all sites currently under remediation and all future remediation activities.

Sec. 43. The act increases the per-gallon heating fuel fee from one-half cent to one cent that is to be collected and deposited in the petroleum cleanup fund heating fuel account. The act also establishes triggers for when the petroleum distributor licensing fee is not to be collected: If the motor fuel fund balance is \$7 million or more on May 15, the motor fuel fee will not be collected during the next fiscal year; if the heating fuel fund balance is \$3 million or more on May 15, the heating fuel fee will not be collected. These changes take effect on July 1, 2010.

Sec. 44. The act amends the fuel gross receipts tax to apply only to dyed fuels delivered to a business or residence. Under the law amended in the 2009 session, all dyed diesel fuel "not used to propel a motor vehicle" was taxable. That change was a response to the fact that such fuel is starting to be used for heating purposes. However, it swept in all dyed diesel fuel used for nonheating purposes and was administratively difficult for sellers who would not necessarily know how the fuel was going to be used. This change takes effect on July 1, 2010.

Sec. 45. The act requires the department of taxes to provide to the general assembly by January 15, 2011, a plan to develop a system of collecting the education property tax at the state level.

Sec. 46. The act requires the Blue Ribbon Tax Structure Commission created pursuant to Sec. H.56 of No. 1 of the Acts of 2009 (Spec. Sess.) to study and report on the short-term and long-term goals of Vermont education and financing.

Sec. 47. The act amends the homestead declaration statute so that a declaration filed in 2010 will remain in effect until the declarant transfers all or a portion of the homestead or until a change in the use of the homestead affects eligibility. A taxpayer who fails to file a declaration or fails to notify the department of taxes of a change to a declaration will pay a penalty equal to: three percent of the taxpayer's education property tax bill if the nonresidential property tax rate in the taxpayer's municipality is higher than the homestead rate; or seven percent of the taxpayer's education property tax bill in all other situations.

Sec. 48. The act establishes a special fund to benefit Vermont veterans through grants and other support, including: long-term care, aid for homeless veterans, transportation services, other veterans' services, recognition, and direct monetary assistance for veterans. The fund will consist of revenues paid in from a check-off on Vermont income tax returns and from other contributions.

Sec. 49. The act creates a checkoff box on the Vermont income tax return for making contributions to the Vermont veterans' fund created in Sec. 48. This checkoff box will be on individual income tax returns for tax years 2010 and after.

Sec. 50. The act amends 32 V.S.A. § 5402b to require the commissioner of taxes to provide additional data on December 1 regarding education property tax rates and income sensitivity adjustments. This requirement is repealed on April 15, 2011.

Sec. 51. The act repeals the following:

1. The taxability of certain support payments for developmentally disabled persons.
2. Income tax credit for income from a dramatic performance in a commercial film production.

The act repeals for claims filed in 2013 the interest and dividend test and add-back (32 V.S.A. § 6061(5)(D)) and the housesite value limitation (32 V.S.A. § 6066(a)) provided for in Secs. 23 and 25 of the act.

The act repeals the campaign finance checkoff box on individual income tax returns for tax year 2010 and after.

The act repeals on April 15, 2011, the requirement for additional information regarding education property tax rates and income sensitivity adjustments set forth in Sec. 50.

The act repeals a 1981 municipal act relating to tax sharing and joint municipal development between the town of Clarendon and Rutland City.

Sec. 52. The act states that it is the intent of the general assembly that the money saved by the repeal of the tax expenditure in Sec. 51(a)(1) will be appropriated to the department of disabilities, aging, and independent living.

Sec. 53. The act repeals income tax provisions related to income received for a dramatic performance in a commercial film production.

Sec. 54. The act provides an additional \$600,000 in sales and use tax reallocation to the village and downtown credits program.

Sec. 55. The act creates a start-up business competition committee comprising the following:

1. The commissioner of the department of economic, housing and community development;
2. The president of the Vermont technology council;
3. A member of the faculty of Champlain College or a member of its BYOBiz program;
4. A member of the faculty of Johnson State College;
5. A member of the faculty of Middlebury College or a member of its Middlebury Solutions Group;
6. A member of the faculty of Norwich University;

7. A member of the faculty of the University of Vermont.

The act directs the committee to develop a business plan competition and to report to the general assembly by January 15, 2011, on its results.

Sec. 56. The act directs the commissioner of finance and management to disburse \$5,000 from the campaign finance fund to the fire department of East Montpelier to assist individuals affected by the May flood in the Village of Adamant.

Sec. 57. The act allows the city of Rutland to increase the fees it charges for water and sewer reconnection.

Sec. 58. The act provides findings regarding the fluctuations in the valuation of hydroelectric generating facilities.

Sec. 59. The act freezes grand list values of hydroelectric generating facilities for two years at no less than the April 1, 2009, valuation. The act directs the commissioner of the department of taxes to report to the general assembly no later than January 15, 2011, on varying valuation methodologies for hydroelectric generating facilities including using three- to five-year income averaging.

Sec. 60. The act amends the tax treatment of certain capital gains as follows: Beginning in 2011, taxpayers will have a choice for capital gains:

1. They may either reduce their taxable income by the first \$5,000 of any capital gain; or
2. They may reduce taxable income by 40 percent of capital gain from assets held more than three years which are:
 - a. Business/investment real estate;
 - b. Farm real estate, farm business equipment, and other farm capital assets; and
 - c. Standing timber.

The 40 percent option cannot be applied to:

1. The taxpayer's primary residence or other home in which the taxpayer resides;
2. Nonfarm business equipment; or
3. Sales of most securities.

Sec. 61. The act amends Sec. E.100.4 of the Big Bill (H.789) as follows:

Sec. E.100.4 of the budget bill provides that if the governor decides to cut the state workforce by more than one percent when the legislature is not in session, then the secretary of administration may not implement that one percent cut unless he or she presents the plan to the joint fiscal committee and it meets the criteria set forth in Sec. E.100.4. Sec. E.100.4 provides that the one percent is measured cumulatively from July 1, 2010. This act amends that section to provide that the one percent is measured cumulatively from the date of passage of the Big Bill.

Sec. 62. This section provides various effective dates for sections of the act. The act

takes effect upon passage except where noted above in this summary.

Date Signed by the Governor: June 4, 2010

Effective Date: On passage (June 4, 2010, the date on which the governor signed the bill) except where noted otherwise; see section-by-section summary above.

Act No. 161
(H.790)

Capital appropriations; bonding; school construction funding

This act appropriates capital funds and authorizes their financing with state bonding.

Monetary Provisions

The act appropriates \$76,180,032. Of this amount, \$2,355,032 is from proceeds from unspent capital appropriations from previous years, \$71,825,000 requires the issuance of new long-term general obligation bonds, and \$2,000,000 is transferred from the Clean Energy Development Fund for a geothermal project at the Bennington State Office Building.

Of the total amount appropriated:

1. \$26,774,704 is for renovation and repairs to state buildings, including \$8,025,579 for statewide major maintenance, \$2,465,785 for architectural and engineering costs, and \$8,958,340 for the Bennington State Office Building and Courthouse.
2. \$4,500,000 is to expand broadband service to underserved areas.
3. \$1,456,280 is for the Vermont Integrated Eligibility Workflow System (VIEWS).
4. \$4,700,000 is to colocate the new state health laboratory with the UVM health laboratory.
5. \$1,105,000 is for building communities grants.
6. \$7,000,000 is for K–12 and technical center school construction projects.
7. \$2,000,000 will go to each of the University of Vermont and the Vermont State Colleges.
8. \$2,375,400 is for municipal water supply, pollution abatement, and sewer projects.
9. \$2,175,660 is for the drinking water state revolving fund.
10. \$2,500,000 is for rehabilitation of state parks infrastructure.
11. \$3,215,000 is for renovations to the public safety headquarters in Waterbury.
12. \$5,000,000 is for the Vermont housing and conservation board.
13. Each of the remaining appropriations is for a project of less than \$2,000,000.

Nonmonetary Provisions

The act:

1. Authorizes the commissioner of buildings and general services to:
 - Purchase land for the new state health laboratory in Colchester and to negotiate with the University of Vermont for colocation of the lab with the university laboratory;
 - Sell or lease Building 617 in Essex, the former armory building in Rutland, and a house and barn in St. Albans;
 - Work with the town of Windsor to develop a plan for use of state land;
 - Work with the city of Montpelier to determine whether the state steam plant could provide electricity and heat to the city;
 - Improve and upgrade certain equipment and infrastructure associated with the Southern State Correctional Facility in Springfield; and
 - Lease a portion of the President Calvin Coolidge State Historic Site for use as an educational center.
2. Updates standards for energy efficiency in state buildings.
3. Establishes that all building communities grants will require a one-to-one match.
4. Allows vessels of less than 50 feet to secure to a buoy at an underwater historic preserve for remotely operating vehicle diving.
5. Removes the cap on Vermont Economic Development Authority remediation loans.
6. Directs the Vermont Telecommunications Authority to report on activities related to use of general obligation and private activity bonds.
7. Exempts water softeners and pollution reduction devices added to a water system from the requirement to obtain a permit.
8. Directs the agency of natural resources to direct any unused Clean Water Capitalization Funds to large projects.
9. Authorizes the secretary of natural resources to:
 - Forgive up to 50 percent of a loan made to a municipality for sewer and drinking water projects if the award is made from certain federal funds; and
 - Make a grant to a municipality for sewer and drinking water projects for up to 100 percent of the project cost.
10. Allocates unused dam reconstruction funds to Curtis Pond Dam.
11. Directs the department of mental health to continue planning to replace the functions now provided in the Vermont State Hospital using funds allocated in past years and provides that those funds will be replaced with federal case load reserve funds, if

available.

12. Extends a sunset on increased aid for school consolidation projects for one year.

13. Directs the Vermont Telecommunications Authority to target funds to projects in underserved areas which will result in a combined download and upload speed of at least five megabits per second.

14. Establishes a task force to consider optimal ways to provide correctional services.

Date Signed by the Governor: June 4, 2010

Effective Date: On passage (June 4, 2010, the date on which the governor signed the bill)

MUNICIPAL ACTS

Act No. M-14

(H.483)

Municipal government; merger of municipalities; charters; village of North Westminster; town of Westminster

This act approves the merger of the village of North Westminster and the town of Westminster and approves and codifies the charter of the town of Westminster.

Date Signed by the Governor: March 17, 2010

Effective Date: On passage (March 17, 2010, the date on which the governor signed the bill)

Act No. M-15

(H.517)

Municipal government; municipal charters; village of Enosburg Falls; amendment

This act approves an amendment to the charter of the village of Enosburg Falls that would allow the village trustees to determine the date of the annual meeting of the village.

Date Signed by the Governor: March 18, 2010

Effective Date: On passage (March 18, 2010, the date on which the governor signed the bill)

Act No. M-16

(H.539)

Municipal government; municipal charters; amendment; town of Hartford

This act amends the charter of the town of Hartford.

Date Signed by the Governor: April 21, 2010

Effective Date: On passage (April 21, 2010, the date on which the governor signed the bill)

Act No. M-17

(H.773)

Municipal government; municipal charters; amendment; city of Burlington

This act approves amendments to the charter of the city of Burlington.

Date Signed by the Governor: April 24, 2010

Effective Date: On passage (April 24, 2010, the date on which the governor signed the bill)

Act No. M-18
(H.771)

**Municipal government; municipal charters; amendment;
town of Stowe**

This act approves amendments to the charter of the town of Stowe.

Date Signed by the Governor: May 5, 2010

Effective Date: On passage (May 5, 2010, the date on which the governor signed the bill)

Act No. M-19
(H.774)

**Municipal government; municipal charters; amendment;
city of South Burlington**

This act approves amendments to the charter of the city of South Burlington.

Date Signed by the Governor: May 5, 2010

Effective Date: On passage (May 5, 2010, the date on which the governor signed the bill)

Act No. M-20
(H.770)

**Municipal government; municipal charters; amendment;
city of Barre**

This act approves amendments to the charter of the city of Barre.

Date Signed by the Governor: May 12, 2010

Effective Date: July 1, 2010

Act No. M-21
(H.788)

**Municipal government; municipal charters; amendment;
town of Berlin**

This act approves amendments to the charter of the town of Berlin.

Date Signed by the Governor: May 19, 2010

Effective Date: On passage (May 19, 2010, the date on which the governor signed the bill)

Act No. M-22
(H.793)

**Municipal government; municipal charters; amendment;
village of Essex Junction**

This act approves amendments to the charter of the village of Essex Junction.

Date Signed by the Governor: May 19, 2010

Effective Date: On passage (May 19, 2010, the date on which the governor signed the bill)

Act No. M-23
(H.780)

**Municipal government; municipal charters; amendment;
city of St. Albans**

This act approves amendments to the charter of the city of St. Albans.

Date Signed by the Governor: May 20, 2010

Effective Date: On passage (May 20, 2010, the date on which the governor signed the bill)

Act No. M-24
(H.794)

**Municipal government; municipal charters; merger;
town of Cabot; village of Cabot**

This act approves the merger of the town of Cabot and the village of Cabot.

Date Signed by the Governor: May 20, 2010

Effective Date: On passage (May 20, 2010, the date on which the governor signed the bill)

VETOED LEGISLATION NOT ENACTED

(H.485)

Use value appraisal program

This bill would have made changes to the use value appraisal program set forth in chapter 124 of Title 32. The following is a section-by-section summary of the bill as passed by the house and senate.

Sec. 1. The bill would have imposed a one-time assessment of \$128 on each owner of land enrolled in the use value appraisal program, which assessment would be included and shown separately on 2010 property tax bills. The bill provided that municipalities would collect the assessment and remit it to the state treasurer no later than May 1, 2011.

Sec. 2. The bill amended the calculation of the land use change tax (LUCT) that is due when enrolled land is developed. The new LUCT would have been calculated as 10 percent of the fair market value of the withdrawn parcel instead of 20 percent of the prorated value of the larger parcel. In cases where the LUCT was due as a result of an arm's length transfer, however, the LUCT would be 10 percent of transfer price. The bill removed the 10 percent special treatment for land enrolled for 10 years or more. The bill also amended the time that the LUCT is calculated from the time the land is no longer eligible for enrollment to when the land is developed or at an earlier date if the owner so desired.

The bill amended the LUCT statute so that appraisals would be done by the local assessing official in accordance with local land schedule instead of by the director of property valuation and review (PV&R). The bill provided for notice and appeal.

The bill made the LUCT payable to the municipality instead of the commissioner of the department of taxes, but the municipality would have to remit one-half of the LUCT to the commissioner. The bill required the municipality to give notice to the commissioner, the register of deeds, the secretary of agriculture, food and markets if the enrolled land is classified as agricultural land, and the commissioner of the department of forests, parks and recreation if the land is classified as forestland.

Sec. 3. The bill amended the appeal procedures from a denial of enrollment, classification different than the one for which the landowner applied, or change in eligibility. These changes tracked the changes in Sec. 2 of the act regarding the change of some functions to local assessing officials from the director of PV&R.

Sec. 4. The bill amended 32 V.S.A. § 9602(2) to remove the preferential property transfer tax rate applied to enrolled land. The rate would have increased from 0.5 percent to 1.25 percent (with principal residence exemption).

Sec. 5. The bill appropriated in fiscal year 2011 \$300,000 to the current use special fund for improving the program and implementing information technology upgrades. The bill also stated that it is the intent of the general assembly to continue this appropriation in fiscal years 2012 and 2013.

Sec. 6. The bill required the director of PV&R to timely notify all owners of enrolled parcels of the changes being made by the act. Owners who applied to enroll land by the September 1, 2009, deadline could have withdrawn the application and left the land on the municipal grand list of April 1, 2010, at fair market value assessment. To withdraw the application, an owner had to notify the director by July 1, 2010.

Sec. 7. The bill waived the requirement that listers obtain selectboard approval to correct errors on the grand list that are solely a result of land withdrawn pursuant to Sec. 6 of the bill.

Sec. 8. The bill created a study committee comprising the following:

1. The director of property valuation and review, who would serve as chair.
2. The secretary of the agency of agriculture, food and markets or designee.
3. The commissioner of forests, parks and recreation or designee.
4. A representative of the Vermont League of Cities and Towns.
5. A representative of the Vermont Assessors and Listers Association.
6. Three members of the public, one each appointed respectively by the governor, the speaker of the house, and the committee on committees.
7. A member of the current use advisory board, appointed by its chair.

The study committee would have provided an interim report to the general assembly no later than January 15, 2011, and a final report no later than January 15, 2012. The reports would have addressed the following specific issues relating to the use value appraisal program:

1. The state's formula for calculating municipal reimbursement payments.
2. The extent and degree to which enrolled land may be over-assessed.
3. Whether there is a need to create incentives for owners to keep enrolled land open for public recreation and, if so, what those incentives should be.
4. The feasibility of allowing enrollees to omit on an initial application or to withdraw from the program an undesignated two-acre housesite that would be assessed at the highest value.
5. Deferral of the land use change tax payment for development of on-farm housing.
6. Eligibility requirements for agricultural parcels smaller than 25 acres.

Sec. 8a. The bill allowed an owner of enrolled land to withdraw an entire enrolled parcel without being required to pay the first \$100,000 of the land use change tax. To take advantage of this section, the owner had to withdraw the entire enrolled parcel before September 1, 2010. A parcel withdrawn pursuant to this section could not be re-enrolled for five years.

Sec. 8b. The bill limited the withdrawal provided for in Sec. 8a to land that has not been developed or otherwise disqualified from enrollment prior to the effective date of the act.

Sec. 9. The effective date would have been upon passage except as follows:

1. The effective date of the changes to the land use change tax in Secs. 2 and 3 would have been November 1, 2010. The bill would have further provided that enrolled land withdrawn prior to the November 1, 2010, effective date of Secs. 2 and 3 would have been subject to the land use change tax that was in effect at the time of the withdrawal.
2. The change to the property transfer tax in Sec. 4 would have applied to transfers of enrolled land on and after July 1, 2010.

Vetoed by the Governor: May 27, 2010; Effective Date: Not applicable.

JOINT RESOLUTIONS

Relating to weekend adjournment. Nos. R-267 (J.R.S.40), R-278 (J.R.S.41), R-281 (J.R.S.42), R-305 (J.R.S.45), R-306 (J.R.S.46), R-322 (J.R.S.48), R-337 (J.R.S.49), R-370 (J.R.S.52), R-374 (J.R.S.53), R-376 (J.R.S.55), R-386 (J.R.S.58), R-398 (J.R.S.59), R-426 (J.R.S.61), R-436 (J.R.S.62), R-437 (J.R.S.63).

No. R-264
(J.R.S.36)

Joint resolution to provide for a Joint Assembly to receive the State-of-the-State message from the Governor.

No. R-265
(J.R.S.37)

Joint resolution relating to Town Meeting adjournment.

No. R-266
(J.R.S.39)

Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

No. R-268
(S.C.R.32)

Senate concurrent resolution congratulating the citizens of Marshfield on the successful restoration and rededication of the Martin Covered Bridge.

No. R-269
(S.C.R.33)

Senate concurrent resolution commemorating a century of outstanding community-based volunteer firefighting service in the town of Marshfield.

No. R-270
(S.C.R.34)

Senate concurrent resolution congratulating Lumbermens Merchandising Corporation on its 75th anniversary.

No. R-271
(J.R.H.15)

Joint resolution relating to the designation of commemorative observances in concurrent resolutions.

No. R-272
(H.C.R.181)

House concurrent resolution congratulating Pownal on the 250th anniversary of its municipal charter.

No. R-273
(H.C.R.182)

House concurrent resolution honoring Jeffrey R. Cueto for his outstanding public service as chief hydrologist at the agency of natural resources.

No. R-274
(H.C.R.184)

House concurrent resolution honoring the public service of Vermont National Guard members being deployed in Operation Phoenix.

No. R-275
(H.C.R.189)

House concurrent resolution extending joyful 100th-birthday wishes to Edith (Cameron) Mikkelsen of Williamstown.

No. R-276
(H.C.R.191)

House concurrent resolution congratulating the Milton High School Yellow Jackets 2009 Division II championship girls' soccer team.

No. R-277
(H.C.R.192)

House concurrent resolution honoring Milton High School soccer coach Stephanie Hurley.

No. R-279
(S.C.R.35)

Senate concurrent resolution congratulating Mildred Fern Beattie Forrest on her 100th birthday.

No. R-280
(S.C.R.36)

Senate concurrent resolution congratulating Ben and Rosalie Harris on being named the recipients of the 2009 David Rahr Community Service Award.

No. R-282
(H.C.R.193)

House concurrent resolution congratulating Harold and Marion Grout of Springfield on their 70th wedding anniversary.

No. R-283
(H.C.R.194)

House concurrent resolution congratulating former Brandon volunteer fire department chief Charles Rivers on the 50th anniversary of his firefighting service.

No. R-284
(H.C.R.197)

House concurrent resolution congratulating the 2009 Essex High School Rebels Division I girls' championship track and field team.

No. R-285
(H.C.R.198)

House concurrent resolution congratulating the 2009 Essex High School Hornets Division I championship softball team.

No. R-286
(H.C.R.199)

House concurrent resolution congratulating the 2009 Essex High School Division I championship boys' golf team.

No. R-287
(H.C.R.201)

House concurrent resolution congratulating John Barnes on the 50th anniversary of his service as a Brandon volunteer firefighter.

No. R-288
(H.C.R.205)

House concurrent resolution in memory of Ted Bridges.

No. R-289
(H.C.R.208)

House concurrent resolution honoring retired Winooski city clerk-treasurer Pauline Schmoll.

No. R-290
(H.C.R.218)

House concurrent resolution recognizing Nurse Anesthetists Week in Vermont.

No. R-291
(H.C.R.200)

House concurrent resolution congratulating U-32 Raiders boys' basketball coach Dan Gandin on his induction into the New England Basketball Hall of Fame.

No. R-292
(H.C.R.202)

House concurrent resolution congratulating Hannah Rowe of St. Johnsbury Academy on her interscholastic cross-country running accomplishments.

No. R-293
(H.C.R.207)

House concurrent resolution honoring Ski for Heat founder Martha Robertson on the event's 10th anniversary.

No. R-294
(H.C.R.209)

House concurrent resolution congratulating the 2009 South Burlington High School Rebels Division I championship lacrosse team.

No. R-295
(H.C.R.211)

House concurrent resolution congratulating South Burlington High School Athletic Director Mike O'Day on his receipt of the 2009 Thomas E. Frederick Award of Excellence.

No. R-296
(H.C.R.212)

House concurrent resolution congratulating the Great Falls Community Kitchen on its 20th anniversary.

No. R-297
(H.C.R.213)

House concurrent resolution congratulating Craig Divis on being named the 2010 Vermont Teacher of the Year.

No. R-298
(H.C.R.214)

House concurrent resolution congratulating Brittany Langston on her singing appearance at Fenway Park.

No. R-299
(H.C.R.215)

House concurrent resolution congratulating Dammy Mustapha and Alisa Dupuis on winning the male and female championship, respectively, at the 2009 Knights of Columbus Decathlon and Heptathlon.

No. R-300
(H.C.R.216)

House concurrent resolution congratulating the Yellow Barn Music School & Festival on its 40th anniversary.

No. R-301
(H.C.R.217)

House concurrent resolution honoring Louise Thompson as the oldest resident in the village of Saxtons River.

No. R-302
(H.C.R.219)

House concurrent resolution in memory of the American military and Central Intelligence Agency personnel who have died in the service of their nation in Iraq or Afghanistan from January 21, 2009 to December 31, 2009.

No. R-303
(J.R.S.43)

Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation.

No. R-304
(J.R.S.44)

Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2010.

No. R-307
(H.C.R.196)

House concurrent resolution congratulating the 2009 Mount Mansfield Union High School Cougars Division I championship boys' cross-country team.

No. R-308
(H.C.R.203)

House concurrent resolution in memory of retired Vergennes fire chief Ralph J. Jackman.

No. R-309
(H.C.R.220)

House concurrent resolution in memory of Dale Long.

No. R-310
(H.C.R.221)

House concurrent resolution congratulating Bellows Falls Union High School former girls' basketball coach Jayne Barber on her induction into the New England Basketball Hall of Fame.

No. R-311
(H.C.R.222)

House concurrent resolution congratulating the 2009 Rutland Gift-of-Life Marathon.

No. R-312
(H.C.R.223)

House concurrent resolution recognizing Wilmer Brandt's commitment to preserving the natural world and promoting social justice as he celebrates his 90th birthday.

No. R-313
(H.C.R.225)

House concurrent resolution congratulating the 2009 Springfield High School Cosmos Division II championship boys' soccer team.

No. R-314
(H.C.R.226)

House concurrent resolution congratulating the students and staff of Hartford High School on their creation of the High Five mural.

No. R-315
(H.C.R.227)

House concurrent resolution congratulating Bob Kinzel on his receipt of the 2009 Vermont Association of Broadcasters' Distinguished Service Award.

No. R-316
(H.C.R.228)

House concurrent resolution congratulating Ray Kimball on his being named a 2009 recipient of the Vermont Association of Broadcasters' Alan Noyes Community Service Award.

No. R-317
(H.C.R.229)

House concurrent resolution congratulating Tim Johnson on his receipt of the Vermont Association of Broadcasters' Distinguished Service Award.

No. R-318
(S.C.R.37)

Senate concurrent resolution in memory of Joan Wing.

No. R-319
(S.C.R.38)

Senate concurrent resolution congratulating Winona Greaves of Montpelier on her 100th birthday.

No. R-320
(S.C.R.39)

Senate concurrent resolution in memory of Vermont artist Stephen Huneck of St. Johnsbury.

No. R-321
(S.C.R.40)

Senate concurrent resolution honoring Good Beginnings of Central Vermont and its outstanding volunteer support programs for families of newborn and adopted infants.

No. R-323
(H.C.R.206)

House concurrent resolution congratulating the 2009 Essex High School Hornets Division I championship football team.

No. R-324
(H.C.R.210)

House concurrent resolution congratulating RockTenn of Sheldon Springs on its receipt of the 2009 Franklin County Industrial Development Corporation's business award.

No. R-325
(H.C.R.230)

House concurrent resolution congratulating the 2009 Windsor High School Yellow Jackets Division III championship football team.

No. R-326
(H.C.R.232)

House concurrent resolution in memory of Representative Richard Hube of Londonderry.

No. R-327
(H.C.R.233)

House concurrent resolution congratulating the Windsor High School Yellow Jackets 2009 Division II field hockey championship team.

No. R-328
(H.C.R.234)

House concurrent resolution congratulating the Shelburne Community School Wind Ensemble on its selection as a participant in the 25th annual Walt Disney World's Magic Music Days.

No. R-329
(H.C.R.236)

House concurrent resolution honoring Brittany Gilbert for her remarkable humanitarian work in Haiti.

No. R-330
(H.C.R.237)

House concurrent resolution congratulating all Vermonters competing for the United States in the 2010 Olympics in British Columbia.

No. R-331
(H.C.R.238)

House concurrent resolution recognizing the celebration in the town of Rochester of the Asian Lunar New Year 4708.

No. R-332
(H.C.R.239)

House concurrent resolution recognizing the important role of nonprofit organizations in Vermont.

No. R-333
(H.C.R.240)

House concurrent resolution congratulating the Leland & Gray Union High School 2009 Division III championship baseball team.

No. R-334
(H.C.R.242)

House concurrent resolution congratulating GospelFest on its 20th anniversary.

No. R-335
(H.C.R.243)

House concurrent resolution congratulating the Green Mountain Council Boy Scout Eagle Class of 2009.

No. R-336
(H.C.R.244)

House concurrent resolution commemorating the Boy Scouts of America's centennial anniversary and the establishment of Boy Scouting in Vermont.

No. R-338
(H.C.R.185)

House concurrent resolution congratulating the 2009 Hartford High School Hurricanes Division I championship field hockey team.

No. R-339
(H.C.R.186)

House concurrent resolution honoring the Hartford High School digital architectural history project.

No. R-340
(H.C.R.187)

House concurrent resolution congratulating the Hartford Hurricanes 2009 Division I championship baseball team.

No. R-341
(H.C.R.188)

House concurrent resolution congratulating Cathleen Newton on being named the 2009 Vermont winner of the Presidential Award for Excellence in Mathematics and Science Teaching.

No. R-342
(H.C.R.224)

House concurrent resolution congratulating the Rice Memorial High School Green Knights 2009 Division III championship field hockey team.

No. R-343
(H.C.R.245)

House concurrent resolution congratulating the League of Women Voters on its 90th anniversary.

No. R-344
(H.C.R.247)

House concurrent resolution honoring Lyndon Corey for his half-century of remarkable leadership and service at the Fairfield Fire Department.

No. R-345
(H.C.R.248)

House concurrent resolution congratulating Healthy Living Natural Foods Market of South Burlington on winning the Vermont Grocers' Association Retailer of the Year award.

No. R-346
(H.C.R.249)

House concurrent resolution honoring Theodore Manazir for his exemplary 29 years of public service as a member of the South Burlington school board upon his retirement from the board.

No. R-347
(H.C.R.250)

House concurrent resolution honoring the exemplary performance of the volunteer fire departments of Sheldon, Swanton, Enosburg, Cambridge, Fairfield, Highgate, and St. Albans Town in combating the August 2009 RockTenn Mill blaze in Sheldon Springs.

No. R-348
(H.C.R.253)

House concurrent resolution congratulating the 2009 Black River High School Presidents boys' soccer team on winning the school's third consecutive Division IV championship.

No. R-349
(H.C.R.204)

House concurrent resolution congratulating the 2009 Harwood Union High School Highlanders girls' and boys' Division II championship cross-country teams.

No. R-350
(H.C.R.231)

House concurrent resolution honoring Tanner Dow for his artistic and literary accomplishments.

No. R-351
(H.C.R.251)

House concurrent resolution in memory of Shoreham firefighter Peter James Coe.

No. R-352
(H.C.R.254)

House concurrent resolution in memory of Colchester Selectman Brian William McNeil.

No. R-353
(H.C.R.255)

House concurrent resolution honoring the towns and citizens of Dover, Whitingham, and Wilmington for their creativity in establishing a mutually beneficial economic development model that other communities can adopt.

No. R-354
(H.C.R.183)

House concurrent resolution congratulating the 2009 Colchester High School Lakers Division II championship football team.

No. R-355
(H.C.R.256)

House concurrent resolution honoring family caregivers of persons with Alzheimer's and related diseases on the 2010 Alzheimer's Awareness Day at the state house.

No. R-356
(H.C.R.257)

House concurrent resolution honoring Jim Matteau on his retirement from the Windham Regional Commission.

No. R-357
(H.C.R.258)

House concurrent resolution in memory of Peter S. Clark of Londonderry.

No. R-358
(H.C.R.259)

House concurrent resolution honoring Bonnie West and her family for their dedication to serving the citizens of Jamaica.

No. R-359
(H.C.R.260)

House concurrent resolution commending Jennifer Clark for her nursing work in Haiti.

No. R-360
(H.C.R.261)

House concurrent resolution in memory of former Jamaica selectboard member David L. Hamilton.

No. R-361
(H.C.R.262)

House concurrent resolution honoring Chester selectboard chair Richard Jewett.

No. R-362
(H.C.R.263)

House concurrent resolution honoring George Cook for his civic and community leadership in the town of Chester.

No. R-363
(H.C.R.264)

House concurrent resolution honoring Irene Wood for her public service on behalf of the town of Chester.

No. R-364
(H.C.R.265)

House concurrent resolution honoring Chester town auditor Richard Higley.

No. R-365
(H.C.R.266)

House concurrent resolution in memory of Linda Ralph and honoring her proprietorship of the Danby Four Corners Store.

No. R-366
(H.C.R.268)

House concurrent resolution honoring Norton selectboard chair Franklin D. Henry for over a half-century of outstanding public service.

No. R-367
(H.C.R.269)

House concurrent resolution congratulating Hannah Kearney on winning the 2010 women's skiing moguls Olympic gold medal.

No. R-368
(H.C.R.270)

House concurrent resolution congratulating Representative Martha P. Heath as a recipient of the New England Board of Higher Education's 2010 David C. Knapp Award for Trusteeship.

No. R-369
(J.R.S.51)

Joint resolution providing for a Joint Assembly to vote on the retention of two Superior Judges and one Environmental Judge.

No. R-371
(S.C.R.41)

Senate concurrent resolution in memory of former Representative and Senator Nancy Chard.

No. R-372
(S.C.R.42)

Senate concurrent resolution congratulating Ruth (Riddick) McLaine of St. Johnsbury on her 100th birthday.

No. R-373
(S.C.R.43)

Senate concurrent resolution congratulating Julie Brill on her confirmation as a member of the Federal Trade Commission.

No. R-375
(S.C.R.44)

Senate concurrent resolution in memory of Henry P. Albarelli, Sr. of Burlington.

No. R-377
(J.R.H.34)

Joint resolution in support of the New England Secondary School Consortium.

No. R-378
(J.R.H.38)

Joint resolution relating to the use of the state house for the Green Mountain Boys' State Program.

No. R-379
(J.R.H.44)

Joint resolution authorizing the Green Mountain Girls' State Program to use the state house on June 23, 2010.

No. R-380
(H.C.R.190)

House concurrent resolution in memory of Representative Henry Ira Trombley.

No. R-381
(H.C.R.235)

House concurrent resolution congratulating Front Porch Forum, Inc. on its 10th anniversary.

No. R-382
(H.C.R.241)

House concurrent resolution congratulating WCAX television news and reporter Kristin Carlson on receipt of a 2010 Alfred I. duPont-Columbia University Award.

No. R-383
(H.C.R.271)

House concurrent resolution commemorating the Green Mountain Club on its centennial anniversary.

No. R-384
(S.C.R.45)

Senate concurrent resolution congratulating Kelly Clark on her snowboarding triumphs at the 2010 Winter Olympics and the United States Open.

No. R-385
(S.C.R.46)

Senate concurrent resolution honoring Middlebury attorney Peter Langrock on the 50th anniversary of his being admitted to the bar.

No. R-387
(H.C.R.274)

House concurrent resolution congratulating the 2010 Lamoille Union High School Lady Lancers Division II championship girls' basketball team.

No. R-388
(H.C.R.275)

House concurrent resolution commemorating the 200th anniversary of the birth of Senator Justin Smith Morrill, the father of America's land-grant colleges.

No. R-389
(H.C.R.276)

House concurrent resolution honoring the federal TRIO programs in Vermont.

No. R-390
(H.C.R.277)

House concurrent resolution congratulating the 2010 Williamstown Blue Devils Division IV championship boys' basketball team.

No. R-391
(H.C.R.279)

House concurrent resolution designating October 16, 2010, as Vermont Pumpkin Carving Day.

No. R-392
(H.C.R.280)

House concurrent resolution designating March 25, 2010, as Afterschool Program Day at the state house.

No. R-393
(H.C.R.281)

House concurrent resolution congratulating the 2010 Missisquoi Valley Union High School Thunderbirds Division II championship boys' ice hockey team.

No. R-394
(H.C.R.282)

House concurrent resolution congratulating the 2010 St. Johnsbury Academy Hilltoppers Division I championship girls' basketball team.

No. R-395
(H.C.R.283)

House concurrent resolution in memory of Burr & Burton Academy film and technology teacher Brian Gawlik.

No. R-396
(H.C.R.284)

House concurrent resolution honoring the outstanding efforts of those who care for, educate, and advocate for our young children in Vermont.

No. R-397
(S.C.R.47)

Senate concurrent resolution honoring Vermont Food Education Every Day (VT FEED) as an innovative partnership facilitating statewide farm to school programs emphasizing the importance of food and nutrition education for the health of our communities.

No. R-399
(J.R.H.35)

Joint resolution urging Congress not to diminish any aspect of the existing state regulatory authority over the insurance industry or consumer protection policy with respect to national banks.

No. R-400
(J.R.H.39)

Joint resolution urging Congress not to pursue legislation allowing individuals or small groups to purchase health insurance across state lines or permitting health insurance companies to offer individual or small group health insurance policies to residents of a state if the company is not authorized by that state to offer those policies.

No. R-401
(H.C.R.246)

House concurrent resolution honoring book artist Lucy Swope of West Fairlee.

No. R-402
(H.C.R.252)

House concurrent resolution celebrating the 25th anniversary of the inauguration of Vermont's first woman governor, Madeleine May Kunin.

No. R-403
(H.C.R.272)

House concurrent resolution honoring the South Burlington Community Library children's librarian, Marje Von Ohlsen.

No. R-404
(H.C.R.285)

House concurrent resolution congratulating the Lund Family Center in Burlington on its 120th anniversary.

No. R-405
(H.C.R.286)

House concurrent resolution congratulating the 2010 Green Mountain Glades USA Hockey Tier 1 New England Regional Squirt Division championship ice hockey team.

No. R-406
(H.C.R.287)

House concurrent resolution congratulating the 2010 Bellows Free Academy-St. Albans Comets Division I girls' championship ice hockey team.

No. R-407
(H.C.R.288)

House concurrent resolution congratulating the 2010 Hazen Union High School Wildcats Division III championship boys' basketball team.

No. R-408
(H.C.R.289)

House concurrent resolution congratulating the 2010 Rutland High School Raiders girls' alpine ski team on winning a fourth consecutive state championship.

No. R-409
(H.C.R.290)

House concurrent resolution congratulating the 2010 Rutland High School Raiders championship boys' alpine skiing team.

No. R-410
(H.C.R.291)

House concurrent resolution congratulating the 2010 Essex High School Hornets girls' indoor track and field championship team.

No. R-411
(H.C.R.292)

House concurrent resolution congratulating the 2010 Essex High School Hornets championship gymnastics team.

No. R-412
(H.C.R.293)

House concurrent resolution congratulating the 2010 Essex High School Hornets Division I boys' basketball team.

No. R-413
(H.C.R.294)

House concurrent resolution congratulating the 2010 Essex High School Hornets Division I cochampionship boys' indoor track team.

No. R-414
(H.C.R.295)

House concurrent resolution congratulating the Arts Council of Windham County on its 35th anniversary.

No. R-415
(H.C.R.296)

House concurrent resolution congratulating the 2010 Spaulding High School Crimson Tide Division I championship boys' ice hockey team.

No. R-416
(H.C.R.298)

House concurrent resolution designating March 27, 2010, at 8:30 p.m.–9:30 p.m. (EDT) as Earth Hour.

No. R-417
(H.C.R.300)

House concurrent resolution congratulating Representative Carolyn Branagan on being named the 2010 Vermont Mother of the Year.

No. R-418
(H.C.R.301)

House concurrent resolution in memory of U.S. Army 2nd Lt. Joseph Douglas Fortin of St. Johnsbury.

No. R-419
(H.C.R.302)

House concurrent resolution congratulating the 2010 Mount Anthony Union High School Patriots Division I championship boys' Nordic ski team.

No. R-420
(H.C.R.303)

House concurrent resolution congratulating the 2010 Mount Anthony Union High School Patriots championship wrestling team.

No. R-421
(H.C.R.304)

House concurrent resolution congratulating the 2010 Mount Anthony Union High School Patriots Division I championship girls' Nordic ski team.

No. R-422
(H.C.R.306)

House concurrent resolution congratulating Craftsbury Academy student Mael Le Scouezec on winning the 2010 Vermont State Individual Spelling Bee.

No. R-423
(S.C.R.48)

Senate concurrent resolution honoring Patricia Kenworthy Nuckols of Manchester on being presented a Congressional Gold Medal for her extraordinary military service as a member of the World War II Women Airforce Service Pilots (WASP).

No. R-424
(J.R.H.45)

Joint resolution urging Google Incorporated to give all due consideration to Vermont applicants for selection to participate in the Google Fiber for Communities project.

No. R-425
(J.R.S.60)

Joint resolution honoring women veterans and requesting that state and federal officials work cooperatively to assure that women veterans receive the recognition, the health care services and other support services they need and deserve.

No. R-427
(H.C.R.273)

House concurrent resolution congratulating the 2010 U-32 Raiders Division II championship boys' basketball team.

No. R-428
(H.C.R.278)

House concurrent resolution congratulating the 2010 U-32 Raiders Division II championship girls' ice hockey team.

No. R-429
(H.C.R.307)

House concurrent resolution recognizing the role of registered nurses in the delivery of health care in Vermont.

No. R-430
(H.C.R.308)

House concurrent resolution designating April as Fair Housing Month in Vermont.

No. R-431
(H.C.R.309)

House concurrent resolution congratulating the Woodford SnoBusters snowmobile club on its silver anniversary.

No. R-432
(H.C.R.310)

House concurrent resolution in memory of Jane Rinck of Pawlet.

No. R-433
(H.C.R.311)

House concurrent resolution congratulating the 2010 Stafford Technical Center “Act Out Loud” contest team as one of the 20 national competition finalists.

No. R-434
(H.C.R.313)

House concurrent resolution welcoming the 2010 National Tree Farmer Convention to Vermont.

No. R-435
(S.C.R.49)

Senate concurrent resolution honoring former Senator Rita Whalen McCaffrey on her career accomplishments at Dismas of Vermont, Inc.

No. R-438
(H.C.R.317)

House concurrent resolution honoring Carl Johnson for his outstanding half-century of public service as a law enforcement officer and for his dedicated work as a Franklin County historian.

No. R-439
(H.C.R.318)

House concurrent resolution congratulating the 2010 Windsor High School Yellow Jackets Division III girls’ basketball championship team.

No. R-440
(H.C.R.319)

House concurrent resolution designating April 28, 2010, as National Walk@Lunch Day in Vermont.

No. R-441
(H.C.R.320)

House concurrent resolution honoring Meredith Sumner for her dedicated public service as a legislative council attorney.

No. R-442
(H.C.R.321)

House concurrent resolution honoring E. Anne Winchester's extraordinary public service as a legislative council drafter and policy analyst.

No. R-443
(H.C.R.322)

House concurrent resolution honoring S. Michael Slater on the conclusion of his outstanding legislative council career.

No. R-444
(H.C.R.326)

House concurrent resolution commemorating the World War II friendship and military service of Raymond Sanville and Bill Spriggs.

No. R-445
(H.C.R.327)

House concurrent resolution in memory of the Rev. Michael A. DeMasi.

No. R-446
(H.C.R.328)

House concurrent resolution congratulating Andrea Rogers on 30 years of extraordinary leadership and commitment to artistic excellence and community involvement.

No. R-447
(H.C.R.329)

House concurrent resolution in memory of Mark Richard Skakel.

No. R-448
(H.C.R.332)

House concurrent resolution designating the Deerfield Valley as the Blueberry Capital of Vermont.

No. R-449
(H.C.R.333)

House concurrent resolution congratulating Kelsey Howard as the Boys & Girls Club 2010 Vermont State Youth of the Year.

No. R-450
(H.C.R.334)

House concurrent resolution honoring Mario Bevacqua on his two decades of exemplary educational leadership in the Weathersfield School District.

No. R-451
(H.C.R.335)

House concurrent resolution commemorating the bicentennial of the town of Dover.

No. R-452
(H.C.R.337)

House concurrent resolution congratulating the Woodford Elementary School on its bicentennial anniversary.

No. R-453
(H.C.R.339)

House concurrent resolution congratulating the 2010 winning teams of the Jr. Iron Chef Vermont competition.

No. R-454
(H.C.R.340)

House concurrent resolution recognizing the town of Goshen and the Blueberry Management Area in the Moosalamoo National Recreation Area as the Wild Blueberry Capital of Vermont.

No. R-455
(J.R.S.50)

Joint resolution urging expedited federal initiation of the National Environmental Policy process relating to the proposed federal acquisition of Eagle Point Farm in Derby, Vermont.

No. R-456
(S.C.R.50)

Senate concurrent resolution recognizing the efforts of the Vermont Fallen Families in building Vermont's Global War on Terror Memorial at the Vermont Veterans Memorial Cemetery in Randolph Center, Vermont.

No. R-457
(S.C.R.51)

Senate concurrent resolution congratulating Central Vermont Public Service Corporation on its designation as one of Forbes' 100 Most Trustworthy Companies.

No. R-458
(H.C.R.297)

House concurrent resolution congratulating the 2010 West Rutland High School Golden Horde Division IV girls' basketball championship team.

No. R-459
(H.C.R.299)

House concurrent resolution congratulating the 2010 Albert D. Lawton Intermediate School Vermont MATHCOUNTS competition championship team.

No. R-460
(H.C.R.305)

House concurrent resolution congratulating the 2010 Norwich University Cadets ECAC East women's ice hockey championship team.

No. R-461
(H.C.R.323)

House concurrent resolution congratulating the 2010 Norwich University Cadets championship NCAA Division III men's ice hockey team.

No. R-462
(H.C.R.325)

House concurrent resolution congratulating Philip Swanson on the 25th anniversary of his exemplary public service as Woodstock's town and village manager.

No. R-463
(H.C.R.330)

House concurrent resolution congratulating Charles Hunter on being named the Great Falls Regional Chamber of Commerce Person of the Year.

No. R-464
(H.C.R.331)

House concurrent resolution recognizing American Craft Beer Week in Vermont.

No. R-465
(H.C.R.336)

House concurrent resolution honoring municipal public works departments' employees and designating May 16–22 as Public Works Week in Vermont.

No. R-466
(H.C.R.338)

House concurrent resolution congratulating the Association of Africans Living in Vermont, Inc. on its 10th anniversary.

No. R-467
(H.C.R.341)

House concurrent resolution honoring Molly Ferris for her dedicated peace advocacy, her leadership in theatrical circles, and her outstanding community volunteer work.

No. R-468
(H.C.R.312)

House concurrent resolution congratulating the 2010 Woodstock Union High School Wasps Division II championship boys' Nordic ski team.

No. R-469
(H.C.R.314)

House concurrent resolution congratulating the 2010 University of Vermont Catamounts America East Conference championship men's basketball team.

No. R-470
(H.C.R.315)

House concurrent resolution congratulating the 2010 University of Vermont Catamounts on their second consecutive America East Conference women's basketball championship and historic first NCAA tournament win.

No. R-471
(H.C.R.316)

House concurrent resolution congratulating the 2010 University of Vermont Catamounts men's ice hockey team on its performances in the Hockey East and NCAA tournaments.

No. R-472
(H.C.R.342)

House concurrent resolution congratulating the Vermont Youth Conservation Corps on its 25th anniversary.

No. R-473
(H.C.R.343)

House concurrent resolution honoring Sally and Don Goodrich on the occasion of The Goodrich Dragonfly Celebration.

No. R-474
(H.C.R.344)

House concurrent resolution congratulating the Mount Anthony Union High School Interact Club on winning a 2010 Governor's Award for Outstanding Community Service.

No. R-475
(H.C.R.345)

House concurrent resolution honoring Tom Howard of East Montpelier for his career accomplishments in youth services.

No. R-476
(H.C.R.346)

House concurrent resolution in memory of University of Vermont history professor emeritus and former senator Robert V. Daniels of Burlington.

No. R-477
(H.C.R.348)

House concurrent resolution honoring retiring Bennington Police Chief Richard B. Gauthier.

No. R-478
(H.C.R.349)

House concurrent resolution in memory of Junior Harwood of Shaftsbury.

No. R-479
(H.C.R.350)

House concurrent resolution honoring the outstanding educators who are retiring from the Southwest Vermont Supervisory Union.

No. R-480
(H.C.R.351)

House concurrent resolution in memory of Stevenson H. Waltien, Jr., of Shelburne.

No. R-481
(H.C.R.353)

House concurrent resolution congratulating GW Plastics on being named *Plastic News* magazine's 2010 Plastics Processor of the Year.

No. R-482
(H.C.R.354)

House concurrent resolution congratulating the Rutland Regional Medical Center on its receipt of the American Nurses Credentialing Center's Magnet designation and the Vermont Council on Quality's 2009 Governor's Award for Performance Excellence.

No. R-483
(J.R.S.57)

Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to proceed with an exchange of rights-of-way in Groton State Forest.

No. R-484
(H.C.R.324)

House concurrent resolution recognizing Vermont students' excellent performance on the national reading examination.

No. R-485
(H.C.R.347)

House concurrent resolution in memory of the American military personnel who have died in the service of their nation in Iraq or Afghanistan from January 1, 2010 to April 10, 2010.

No. R-486
(H.C.R.352)

House concurrent resolution congratulating Gabriella Pacht of Thetford and Katie Ann Dutcher of Bennington on earning the Girl Scout Gold Award.

No. R-487
(H.C.R.355)

House concurrent resolution honoring the municipal public service of St. Johnsbury town manager Michael A. Welch.

No. R-488
(H.C.R.356)

House concurrent resolution congratulating Alice Jersey on her 101st birthday.

No. R-489
(H.C.R.357)

House concurrent resolution congratulating Donna Smith on her receipt of the 2010 Patricia Cummings Pierce Excellence in Teaching Award.

No. R-490
(H.C.R.358)

House concurrent resolution in memory of Stratton Mountain Ski Resort skiing legend Emo Henrich.

No. R-491
(H.C.R.359)

House concurrent resolution congratulating the Milton High School and Thetford Academy 2010 Vermont Drama Festival cochampions.

No. R-492
(H.C.R.360)

House concurrent resolution honoring Vermont Association for Mental Health Executive Director Ken Libertoff for his exemplary work as a mental health care advocate.

No. R-493
(H.C.R.361)

House concurrent resolution honoring the Reverend Kathryn Hult of Bellows Falls for her compassionate community leadership.

No. R-494
(H.C.R.362)

House concurrent resolution honoring Richard Slusky's career and civic service in Windsor County.

No. R-495
(H.C.R.363)

House concurrent resolution congratulating the Peacham Library on its bicentennial anniversary.

No. R-496
(H.C.R.364)

House concurrent resolution honoring Dr. Peter M. Wright for his leadership in public education.

No. R-497
(H.C.R.365)

House concurrent resolution welcoming the National Speleological Society to Vermont for its 2010 national convention.

No. R-498
(H.C.R.366)

House concurrent resolution honoring Michael J. Chernick for his dedicated service to the Vermont State House.

No. R-499
(H.C.R.367)

House concurrent resolution thanking legislative staff, the department of buildings and general services guards and custodial staff, and the cafeteria employees.

No. R-500
(S.C.R.52)

Senate concurrent resolution honoring Green Up Day on its 40th anniversary.

No. R-501
(S.C.R.53)

Senate concurrent resolution congratulating Gregory MacDonald on being named the Northeast Kingdom Chamber of Commerce 2010 Citizen of the Year.

No. R-502
(S.C.R.54)

Senate concurrent resolution in memory of Baseball Hall of Famer and Vermont Mountaineers' board member Robin Roberts.

No. R-503
(J.R.H.51)

Joint resolution supporting the assignment of the F-35 aircraft to the Vermont Air National Guard.

No. R-504
(H.C.R.368)

House concurrent resolution honoring former Randolph selectboard member C. Walter Dewey of Randolph.

No. R-505
(H.C.R.369)

House concurrent resolution in memory of Edna Fairbanks-Williams of Hubbardton.

No. R-506
(H.C.R.370)

House concurrent resolution in memory of Vermont Chief Justice Honorable Albert Wilkins Barney, Jr.

No. R-507
(H.C.R.371)

House concurrent resolution in memory of Mildred Ellen Orton.

No. R-508
(J.R.S.54)

Joint resolution relating to the payment of dairy hauling costs.

No. R-509
(J.R.S.64)

Joint resolution relating to the future of the international port of entry at Morses Line and the proposed federal acquisition of land belonging to the Rainville family farm.

No. R-510
(J.R.S.47)

Joint resolution strongly urging the Republic of Turkey to recognize the right to religious freedom for all its residents and to end all discriminatory policies directed against the Ecumenical Patriarchate of the Orthodox Church.

No. R-511
(J.R.S.66)

Joint resolution relating to final adjournment of the General Assembly in 2010.

No. R-512
(H.C.R.267)

House concurrent resolution congratulating the 2010 Vermont Prudential Spirit of Community Award winners.

SENATE RESOLUTIONS

S.R.16

Senate resolution relating to meeting dates of the Senate.

S.R.17

Senate resolution relating to problems associated with underage consumption of alcohol.

S.R.18

Senate resolution urgently imploring United States Secretary of Agriculture Tom Vilsack to exercise dynamic and innovative leadership in addressing the volatility in the price of milk paid to Vermont's dairy farmers.

S.R.19

Senate resolution urging Congress to support a fiscal year 2011 federal appropriation for the Northeast Great Waters.

S.R.20

Senate resolution urging President Barack Obama to initiate negotiations for a nuclear weapons abolition treaty.

S.R.21

Senate resolution honoring Dr. Nina Lynn Meyerhof for her international leadership as an educator and peace advocate.

S.R.22

Senate resolution relating to S.77, An act relating to the recycling and disposal of electronic waste.

S.R.23

Senate resolution urging the Douglas administration to reconsider its decision to reject the implementation of a Project Labor Agreement for the new Lake Champlain Bridge.

S.R.24

Senate resolution supporting continuing implementation of the Inter-Rwandan Dialogue.

S.R.26

Senate resolution urging Congress to enact H.R. 2754 that would amend the Public Health Service Act to establish the Nurse-Managed Health Clinic Investment Program.

HOUSE RESOLUTIONS

H.R.22

House resolution honoring the historic legislative service of former Speaker of the House Timothy J. O'Connor, Jr.

H.R.24

House resolution urging Congress to enact a financial increase in federal support for the National School Lunch Program and School Breakfast Program and to suspend temporarily any additional state matching requirement.

H.R.26

House resolution calling for full equal rights and treatment for all members of our diverse community.

H.R.27

House resolution urgently imploring U.S. Secretary of Agriculture Tom Vilsack to exercise dynamic and innovative leadership in addressing the volatility in the price of milk paid to Vermont's dairy farmers.

H.R.28

House resolution urging Vermonters to support relief efforts in Haiti.

H.R.29

House resolution urging Congress to support a fiscal year 2011 federal appropriation for the Northeast Great Waters.

H.R.30

House resolution amending the Rules of the House of Representatives relating to a bill materially affecting the revenue of one or more municipalities.

H.R.32

House resolution amending the Rules of the House of Representatives relating to the adoption of constitutional amendments.

H.R.33

House resolution supporting the importance of general aviation.

2010 TRANSFER TABLES
Converts Senate Bill Nos. to Public Act Nos.

Bill No.	Act No.	Bill No.	Act. No.	Bill No.	Act No.
S.28	No. 84	S.163	No. 66	S.264	No. 148
S.58	No. 115	S.165	No. 99	S.268	No. 104
S.64	No. 136	S.173	No. 92	S.272	No. 85
S.77	No. 79	S.182	No. 118	S.278	No. 137
S.88	No. 128	S.187	No. 95	S.280	No. 150
S.90	No. 125	S.205	No. 119	S.282	No. 152
S.93	No. 63	S.207	No. 147	S.286	No. 68
S.97	No. 149	S.218	No. 111	S.287	No. 96
S.103	No. 126	S.222	No. 107	S.288	No. 78
S.117	No. 73	S.237	No. 93	S.290	No. 124
S.122	No. 98	S.239	No. 94	S.292	No. 157
S.138	No. 116	S.247	No. 112	S.293	No. 86
S.150	No. 82	S.262	No. 127	S.295	No. 158
S.161	No. 108	S.263	No. 113	S.296	No. 138

2010 TRANSFER TABLES
Converts House Bill Nos. to Public Act Nos.

Bill No.	Act No.	Bill No.	Act. No.	Bill No.	Act No
H.66.....	No. 153	H.555.....	No. 122	H.764.....	No. 74
H.213.....	No. 129	H.562.....	No. 103	H.765.....	No. 101
H.243.....	No. 120	H.578.....	No. 105	H.766.....	No. 81
H.281.....	No. 151	H.590.....	No. 132	H.769.....	No. 144
H.408.....	No. 87	H.598.....	No. 70	H.770.....	No. M-20
H.456.....	No. 88	H.600.....	No. 76	H.771.....	No. M-18
H.461.....	No. 75	H.607.....	No. 71	H.772.....	No. 102
H.462.....	No. 117	H.614.....	No. 141	H.773.....	No. M-17
H.470.....	No. 154	H.622.....	No. 100	H.774.....	No. M-19
H.477.....	No. 64	H.639.....	No. 80	H.775.....	No. 91
H.483.....	No. M-14	H.647.....	No. 142	H.778.....	No. 139
H.488.....	No. 130	H.648.....	No. 106	H.779.....	No. 145
H.498.....	No. 131	H.658.....	No. 83	H.780.....	No. M-23
H.507.....	No. 97	H.680.....	No. 89	H.781.....	No. 159
H.515.....	No. 65	H.689.....	No. 155	H.783.....	No. 160
H.517.....	No. M-15	H.695.....	No. 77	H.784.....	No. 123
H.524.....	No. 121	H.709.....	No. 133	H.788.....	No. M-21
H.527.....	No. 90	H.722.....	No. 143	H.789.....	No. 156
H.533.....	No. 69	H.725.....	No. 109	H.790.....	No. 161
H.534.....	No. 67	H.759.....	No. 134	H.792.....	No. 146
H.539.....	No. M-16	H.760.....	No. 135	H.793.....	No. M-22
H.540.....	No. 114	H.761.....	No. 72	H.794.....	No. M-24
H.542.....	No. 140	H.763.....	No. 110		

2010 TRANSFER TABLES

Converts Joint and Concurrent Resolution Senate Nos. to Resolution Nos.

JRS/SCR No.	Res. No.	JRS/SCR No.	Res. No.	JRS/SCR No.	Res. No.
J.R.S.36	No. R-264	J.R.S.54	No. R-508	S.C.R.38	No. R-319
J.R.S.37	No. R-265	J.R.S.55	No. R-376	S.C.R.39	No. R-320
J.R.S.39	No. R-266	J.R.S.57	No. R-483	S.C.R.40	No. R-321
J.R.S.40	No. R-267	J.R.S.58	No. R-386	S.C.R.41	No. R-371
J.R.S.41	No. R-278	J.R.S.59	No. R-398	S.C.R.42	No. R-372
J.R.S.42	No. R-281	J.R.S.60	No. R-425	S.C.R.43	No. R-373
J.R.S.43	No. R-303	J.R.S.61	No. R-426	S.C.R.44	No. R-375
J.R.S.44	No. R-304	J.R.S.62	No. R-436	S.C.R.45	No. R-384
J.R.S.45	No. R-305	J.R.S.63	No. R-437	S.C.R.46	No. R-385
J.R.S.46	No. R-306	J.R.S.64	No. R-509	S.C.R.47	No. R-397
J.R.S.47	No. R-510	J.R.S.66	No. R-511	S.C.R.48	No. R-423
J.R.S.48	No. R-322	S.C.R.32	No. R-268	S.C.R.49	No. R-435
J.R.S.49	No. R-337	S.C.R.33	No. R-269	S.C.R.50	No. R-456
J.R.S.50	No. R-455	S.C.R.34	No. R-270	S.C.R.51	No. R-457
J.R.S.51	No. R-369	S.C.R.35	No. R-279	S.C.R.52	No. R-500
J.R.S.52	No. R-370	S.C.R.36	No. R-280	S.C.R.53	No. R-501
J.R.S.53	No. R-374	S.C.R.37	No. R-318	S.C.R.54	No. R-502

2010 TRANSFER TABLES

Converts Joint and Concurrent Resolution House Nos. to Resolution Nos.

JRH/HCR No.	Res. No.	JRH/HCR No.	Res. No.	JRH/HCR No.	Res. No.
J.R.H. 15	No. R-271	H.C.R.214	No. R-298	H.C.R.254	No. R-352
J.R.H.34	No. R-377	H.C.R.215	No. R-299	H.C.R.255	No. R-353
J.R.H.35	No. R-399	H.C.R.216	No. R-300	H.C.R.256	No. R-355
J.R.H.38	No. R-378	H.C.R.217	No. R-301	H.C.R.257	No. R-356
J.R.H.39	No. R-400	H.C.R.218	No. R-290	H.C.R.258	No. R-357
J.R.H.44	No. R-379	H.C.R.219	No. R-302	H.C.R.259	No. R-358
J.R.H.45	No. R-424	H.C.R.220	No. R-309	H.C.R.260	No. R-359
J.R.H.51	No. R-503	H.C.R.221	No. R-310	H.C.R.261	No. R-360
H.C.R.181	No. R-272	H.C.R.222	No. R-311	H.C.R.262	No. R-361
H.C.R.182	No. R-273	H.C.R.223	No. R-312	H.C.R.263	No. R-362
H.C.R.183	No. R-354	H.C.R.224	No. R-342	H.C.R.264	No. R-363
H.C.R.184	No. R-274	H.C.R.225	No. R-313	H.C.R.265	No. R-364
H.C.R.185	No. R-338	H.C.R.226	No. R-314	H.C.R.266	No. R-365
H.C.R.186	No. R-339	H.C.R.227	No. R-315	H.C.R.267	No. R-512
H.C.R.187	No. R-340	H.C.R.228	No. R-316	H.C.R.268	No. R-366
H.C.R.188	No. R-341	H.C.R.229	No. R-317	H.C.R.269	No. R-367
H.C.R.189	No. R-275	H.C.R.230	No. R-325	H.C.R.270	No. R-368
H.C.R.190	No. R-380	H.C.R.231	No. R-350	H.C.R.271	No. R-383
H.C.R.191	No. R-276	H.C.R.232	No. R-326	H.C.R.272	No. R-403
H.C.R.192	No. R-277	H.C.R.233	No. R-327	H.C.R.273	No. R-427
H.C.R.193	No. R-282	H.C.R.234	No. R-328	H.C.R.274	No. R-387
H.C.R.194	No. R-283	H.C.R.235	No. R-381	H.C.R.275	No. R-388
H.C.R.196	No. R-307	H.C.R.236	No. R-329	H.C.R.276	No. R-389
H.C.R.197	No. R-284	H.C.R.237	No. R-330	H.C.R.277	No. R-390
H.C.R.198	No. R-285	H.C.R.238	No. R-331	H.C.R.278	No. R-428
H.C.R.199	No. R-286	H.C.R.239	No. R-332	H.C.R.279	No. R-391
H.C.R.200	No. R-291	H.C.R.240	No. R-333	H.C.R.280	No. R-392
H.C.R.201	No. R-287	H.C.R.241	No. R-382	H.C.R.281	No. R-393
H.C.R.202	No. R-292	H.C.R.242	No. R-334	H.C.R.282	No. R-394
H.C.R.203	No. R-308	H.C.R.243	No. R-335	H.C.R.283	No. R-395
H.C.R.204	No. R-349	H.C.R.244	No. R-336	H.C.R.284	No. R-396
H.C.R.205	No. R-288	H.C.R.245	No. R-343	H.C.R.285	No. R-404
H.C.R.206	No. R-323	H.C.R.246	No. R-401	H.C.R.286	No. R-405
H.C.R.207	No. R-293	H.C.R.247	No. R-344	H.C.R.287	No. R-406
H.C.R.208	No. R-289	H.C.R.248	No. R-345	H.C.R.288	No. R-407
H.C.R.209	No. R-294	H.C.R.249	No. R-346	H.C.R.289	No. R-408
H.C.R.210	No. R-324	H.C.R.250	No. R-347	H.C.R.290	No. R-409
H.C.R.211	No. R-295	H.C.R.251	No. R-351	H.C.R.291	No. R-410
H.C.R.212	No. R-296	H.C.R.252	No. R-402	H.C.R.292	No. R-411
H.C.R.213	No. R-297	H.C.R.253	No. R-348	H.C.R.293	No. R-412

2010 TRANSFER TABLE

Converts Joint and Concurrent Resolution House Nos. to Resolution Nos.

JRH/HCR No.	Res. No.	JRH/HCR No.	Res. No.	JRH/HCR No.	Res. No.
H.C.R.294	No. R-413	H.C.R.320	No. R-441	H.C.R.346	No. R-476
H.C.R.295	No. R-414	H.C.R.321	No. R-442	H.C.R.347	No. R-485
H.C.R.296	No. R-415	H.C.R.322	No. R-443	H.C.R.348	No. R-477
H.C.R.297	No. R-458	H.C.R.323	No. R-461	H.C.R.349	No. R-478
H.C.R.298	No. R-416	H.C.R.324	No. R-484	H.C.R.350	No. R-479
H.C.R.299	No. R-459	H.C.R.325	No. R-462	H.C.R.351	No. R-480
H.C.R.300	No. R-417	H.C.R.326	No. R-444	H.C.R.352	No. R-486
H.C.R.301	No. R-418	H.C.R.327	No. R-445	H.C.R.353	No. R-481
H.C.R.302	No. R-419	H.C.R.328	No. R-446	H.C.R.354	No. R-482
H.C.R.303	No. R-420	H.C.R.329	No. R-447	H.C.R.355	No. R-487
H.C.R.304	No. R-421	H.C.R.330	No. R-463	H.C.R.356	No. R-488
H.C.R.305	No. R-460	H.C.R.331	No. R-464	H.C.R.357	No. R-489
H.C.R.306	No. R-422	H.C.R.332	No. R-448	H.C.R.358	No. R-490
H.C.R.307	No. R-429	H.C.R.333	No. R-449	H.C.R.359	No. R-491
H.C.R.308	No. R-430	H.C.R.334	No. R-450	H.C.R.360	No. R-492
H.C.R.309	No. R-431	H.C.R.335	No. R-451	H.C.R.361	No. R-493
H.C.R.310	No. R-432	H.C.R.336	No. R-465	H.C.R.362	No. R-494
H.C.R.311	No. R-433	H.C.R.337	No. R-452	H.C.R.363	No. R-495
H.C.R.312	No. R-468	H.C.R.338	No. R-466	H.C.R.364	No. R-496
H.C.R.313	No. R-434	H.C.R.339	No. R-453	H.C.R.365	No. R-497
H.C.R.314	No. R-469	H.C.R.340	No. R-454	H.C.R.366	No. R-498
H.C.R.315	No. R-470	H.C.R.341	No. R-467	H.C.R.367	No. R-499
H.C.R.316	No. R-471	H.C.R.342	No. R-472	H.C.R.368	No. R-504
H.C.R.317	No. R-438	H.C.R.343	No. R-473	H.C.R.369	No. R-505
H.C.R.318	No. R-439	H.C.R.344	No. R-474	H.C.R.370	No. R-506
H.C.R.319	No. R-440	H.C.R.345	No. R-475	H.C.R.371	No. R-507

SUMMARY OF BIENNIAL AND SPECIAL SESSION ACTIVITIES 2009/2010

January 7, 2009 through May 9, 2009	Special Session
Senate - 50 actual days - 123 calendar days	June 2, 2009 through June 3, 2009
House - 70 actual days - 123 calendar days	
January 5, 2010 through May 12, 2010	Veto Session
Senate - 61 actual days - 128 calendar days	June 9, 2010
House - 76 actual days - 128 calendar days	

	2009	2009 Spec. Sess.	2009 Total	2010 Total	2010 Total	Cum. Total
HOUSE BILLS INTRODUCED	457	000		337		
SENATE BILLS INTRODUCED	<u>146</u>	<u>001</u>		<u>152</u>		
			604		489	1,093
HOUSE RESOLUTIONS INTRODUCED	232	013		217		
SENATE RESOLUTIONS INTRODUCED	<u>081</u>	<u>008</u>		<u>066</u>		
			334		289	623
HOUSE RESOLUTIONS ADOPTED	217	012		207		
SENATE RESOLUTIONS ADOPTED	<u>076</u>	<u>008</u>		<u>061</u>		
			313		268	581
HOUSE BILLS PASSED (Signed by Governor)	049	001		066		
SENATE BILLS PASSED (Signed by Governor)	<u>023</u>	<u>001</u>		<u>038</u>		
			074		104	178
HOUSE BILLS PASSED (Enacted without Governor's signature)	002	000		002		
SENATE BILLS PASSED (Enacted without Governor's signature)	<u>000</u>	<u>000</u>		<u>004</u>		
			002		006	008
HOUSE BILLS VETOED BY GOVERNOR	002	000		001		
SENATE BILLS VETOED BY GOVERNOR	<u>001</u>	<u>000</u>		<u>000</u>		
			003		001	004
HOUSE BILLS GOVERNOR'S VETO OVERRIDDEN	000	001		000		
SENATE BILLS GOVERNOR'S VETO OVERRIDDEN	<u>001</u>	<u>000</u>		<u>000</u>		
			002		000	002
HOUSE BILLS REJECTED	000	000		000		
SENATE BILLS REJECTED	<u>000</u>	<u>000</u>		<u>001</u>		
			000		001	001
HOUSE BILLS WITHDRAWN	000	000		001		
SENATE BILLS WITHDRAWN	<u>000</u>	<u>000</u>		<u>000</u>		
			000		001	001
2009 – Drafting Requests – 1,338						
2009 Special Session – Drafting Requests - 15						
2010 – Drafting Requests – 986						