

House Calendar

FRIDAY, FEBRUARY 13, 2009

38th DAY OF BIENNIAL SESSION

House Convenes at 9:30 A.M.

TABLE OF CONTENTS

	Page No.
ACTION CALENDAR	
Third Reading	
H. 24 Insurance Coverage for Colorectal Cancer Screening	90
Rep. Donahue of Northfield Amendment	90
Rep. Donahue of Northfield Amendment	90
H. 28 Relating to Temporary Wastewater System Permits.....	90
H. 31 Amendments to Charter Town of Williston	90
H. 64 Eligibility for the State Youth Hunting Program	91
J.R.S. 14 Protection of the Civil War Battlefield.....	91
For Action Under Rule 52	
H.R. 9 Urging Congress to Adopt Universal Health Care	91
NOTICE CALENDAR	
Favorable with Amendment	
H. 6 Relating Engine Coolants and Antifreeze	91
Rep. Young of St. Albans City for Natural Resources and Energy	
Favorable	
H. 69 Approval of amendments to the charter of City of Rutland	92
Rep. Devereux of Mount Holly for Government Operations	
CONSENT CALENDAR	
(See Addendum to House and Senate Calendar)	
H.C.R. 44 In Memory of Capitol Police Chief David Alan Janawicz.....	93
H.C.R. 45 Congratulating Robert Matteson Accomplished Master Runner	93
H.C.R. 46 Honoring Retired Fish and Wildlife Director Robert J. Rooks ..	93
H.C.R. 47 Memory of American Military from March '08-January '09.....	93
H.C.R. 48 Commending Vermont 2-1-1 Telephone Support System	93
H.C.R. 49 Congratulating Republic of Kosovo on First Anniversary	93
H.C.R. 50 Congratulating Green Mtn Council Eagle Scout Class of '08....	93
H.C.R. 51 In Memory of Sherry Walter Belknap of Bloomfield	93
H.C.R. 52 Honoring Mark Tucci and Silent Heat	93
H.C.R. 53 Honoring Kitty Langlois of People's Health & Wellness Clinic	94

ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 24

An act relating to insurance coverage for colorectal cancer screening.

Amendment to be offered by Rep. Donahue of Northfield to H. 24

Moves the bill as amended be further amended as follows:

First: In Sec. 2, by adding a subsection (e) to read:

(e) Notwithstanding the provisions of subsections 4513(c), 4584(c), and 5104(b) of this title, no health care professional, hospital, or other health care provider shall charge a patient or insurer for colorectal cancer screening in excess of an amount ten percent greater than the fee schedule amount paid for colorectal cancer screening under the Medicare program in 2009. Payments based on Medicare methodologies under this subsection shall be indexed to the Medicare economic index developed annually by the Centers for Medicare and Medicaid Services.

Second: By striking Sec. 4 and renumbering the remaining Secs. to be numerically correct

Amendment to be offered by Rep. Donahue of Northfield to H. 24

moves that the bill, as amended by the Committee on Health Care, be further amended in Sec. 2 by adding a subsection (e) to read:

(e) For a patient covered under the Medicare program, the patient's out-of-pocket expenditure for a colorectal cancer screening shall not exceed \$25.00, with the hospital or other health care facility where the screening is performed absorbing the difference between the Medicare payment and the Medicare negotiated rate for the screening.

H. 28

An act relating to temporary wastewater systems permits.

H. 31

An act relating to approval of amendments to the charter of the town of Williston.

H. 64

An act relating to eligibility for the state youth hunting programs.

J. R. S. 14

Joint resolution relating to concerning the protection of The Wilderness Civil War battlefield, an historic site important to the State of Vermont, the Commonwealth of Virginia, and all of the United States of America.

For Action Under Rule 52

H. R. 9

House resolution urging Congress to adopt a system of universal Health care.

(For text see House Journal House Journal of February 12, 2009)

NOTICE CALENDAR

Favorable with Amendment

H. 6

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

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

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

Subchapter 1. Hydraulic Brake Fluids

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

Subchapter 2. Sale of Engine Coolants and Antifreeze

§ 2841. AVERSIVE AGENT REQUIRED

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

§ 2842. RECORDS OF MANUFACTURER AND PACKAGER

Any manufacturer or packager of engine coolant or antifreeze subject to this subchapter shall maintain a record of the trade name, the scientific name, and

the active ingredients of the aversive agent used pursuant to this subchapter. Information and documentation maintained pursuant to this subchapter must be furnished to any member of the public upon request.

§ 2843 ~~2844~~. LIMITATION OF LIABILITY

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

§ 2844. MISCONDUCT NEGATES LIMITATION OF LIABILITY

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

§ 2844 ~~§ 2845~~. EXCEPTIONS

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

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.

(Committee vote: 10-0-1)

Favorable

H. 69

An act relating to amendments to the charter of the city of Rutland.

Rep. Devereux of Mount Holly, for the Committee on **Government Operations**, recommends the bill ought to pass.

(Committee Vote: 10-0-1)

CONSENT CALENDAR

Concurrent Resolutions for Notice Under Joint Rule 16

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

(For text of Resolutions, see Addendum to House and Senate Notice Calendar for Friday, February 13, 2009)

H.C.R. 44

House concurrent resolution in memory of Capitol Police Chief David Alan Janawicz

H.C.R. 45

House concurrent resolution congratulating Robert Matteson of Bennington on his extraordinary accomplishments as a masters runner

H.C.R. 46

House concurrent resolution honoring the exemplary public service of retired Department of Fish and Wildlife Director of Law Enforcement Robert J. Rooks

H.C.R. 47

House concurrent resolution in memory of the American military personnel who have died in the service of their nation in Iraq from March 26, 2008 to January 20, 2009

H.C.R. 48

House concurrent resolution commending the work of the Vermont 2-1-1 telephone support system

H.C.R. 49

House concurrent resolution congratulating the Republic of Kosovo on the first anniversary of its independence and the Vermont National Guard Troops who have served in Kosovo since 1999

H.C.R. 50

House concurrent resolution congratulating the Green Mountain Council Boy Scout Eagle Class of 2008

H.C.R. 51

House concurrent resolution in memory of Sherry Walter Belknap of Bloomfield

H.C.R. 52

House concurrent resolution honoring Mark Tucci and Silent Heat

H.C.R. 53

House concurrent resolution honoring Katherine (Kitty) Langlois for her work at the People's Health & Wellness Clinic in Barre City and in the civic affairs of the town of Berlin

PUBLIC HEARINGS

Tuesday, February 17, 2009 – Well of the House – 7:00 – 9:00 P. M. – House and Senate Committees on Agriculture – The Future of Vermont Food and Farming - The public is invited to discuss issues related to:

- Identifying new opportunities and challenges
- Specific concerns that can be addressed by legislation
- Farm and rural economic development issues

Thursday, February 19, 2009 – Room 11 – 7:00 – 8:00 P. M. – Joint Judicial Retention – Judges: Hon. Geoffrey Crawford, Hon. Brian Grearson, Hon. Mary Teachout and Hon. Howard Van Beuthuysen

Tuesday, February 24, 2009 – Room 11 – 9:00 A.M. – 12 Noon – House Committee on Appropriations – FY 2010 State Budget

Wednesday, February 25, 2009 - Room 11 – 2:30 P.M. – 4:30 P.M. – House Committee on Appropriations – FY 2010 State Budget

JOINT ASSEMBLY

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

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

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

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

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