

# House Calendar

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FRIDAY, MARCH 27, 2009

80th DAY OF BIENNIAL SESSION

House Convenes at 9:30 A. M.

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ORDERS OF THE DAY

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**ACTION CALENDAR**

**Third Reading**

**H. 213**

An act relating to provide fairness to tenants in cases of contested housing security deposit withholding.

**H. 435**

An act relating to palliative care.

**Amendment to be offered by Rep. McAllister of Highgate to H. 435**

moves to amend the bill as follows:

First: In Sec. 3, 18 V.S.A. § 1871, by adding a subsection (f) to read:

(f) Upon admission to a hospital in this state, a patient has the right to be informed of and receive a list of all physicians credentialed at the hospital who received training in palliative care and pain management within the last five years. In addition, all patients have the right to access on the website of the department of health an updated list of the physicians licensed in this state who received training in palliative care and pain management within the last five years.

Second: By inserting a new Sec. 4 to read:

Sec. 4. DEPARTMENT OF HEALTH WEBSITE

The department of health shall maintain on its website a list, to be updated at least once every three months, of the physicians licensed in this state who received training in palliative care and pain management within the last five years.

Third: By striking the existing Sec. 18 in its entirety and inserting in lieu thereof the following:

Sec. 18. 26 V.S.A. § 1400 is amended to read:

§ 1400. RENEWAL OF LICENSE; CONTINUING EDUCATION

(a) Every person licensed to practice medicine and surgery by the board shall apply biennially for the renewal of his or her license. One month prior to the date on which renewal is required, the board shall send to each licensee a license renewal application form and notice of the date on which the existing

license will expire. On or before the renewal date, the licensee shall file an application for license renewal and pay the required fee. The board shall register the applicant and issue the renewal license. Within one month following the date renewal is required, the board shall pay the license renewal fees into the medical practice board special fund and shall file a list of licensees with the department of health.

(b) As a condition of renewal, a licensee, during the preceding two-year period, shall have completed a minimum of four hours of continuing medical education, approved by the board by rule, in the fields of palliative care or pain management or both.

(c) A person who practices medicine and surgery and who fails to renew his or her license in accordance with the provisions of this section shall be deemed an illegal practitioner and shall forfeit the right to so practice or to hold himself or herself out as a person licensed to practice medicine and surgery in the state until reinstated by the board, but nevertheless a person who was licensed to practice medicine and surgery at the time of his or her induction, call on reserve commission or enlistment into the armed forces of the United States, shall be entitled to practice medicine and surgery during the time of his or her service with the armed forces of the United States and for 60 days after separation from such service.

~~(e)~~(d) Any person who allows a license to lapse by failing to renew the same in accordance with the provisions of this section may be reinstated by the board by payment of the renewal fee and the late renewal penalty.

and by renumbering the bill sections to be numerically correct

#### **H. 436**

An act relating to decommissioning and decommissioning funds of nuclear energy generation plants.

#### **For Action Under Rule 52**

#### **J. R. H. 15**

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

**(For text see House Journal March 26, 2009)**

**Action Postponed Until Tuesday, March 31, 2009**

#### **H. 147**

An act relating to the operation of a motor vehicle by junior operators and primary safety belt enforcement

## NOTICE CALENDAR

### H. 438

An act relating to the state's transportation program.

**(Rep. Westman of Cambridge will speak for the Committee on Transportation.)**

**Rep. Howard of Rutland City**, for the Committee on **Ways and Means**, recommends the bill be amended as follows:

First: In Sec. 31, 23 V.S.A. § 3032, by striking the section in its entirety and inserting in lieu thereof the following:

#### § 3032. INFLATION INDEX ADJUSTMENT; DIESEL FUEL TAX

Starting on July 1, 2012 and effective each July 1 thereafter, the tax imposed on diesel fuel pursuant to section 3003(a) of this chapter, but not the petroleum distributor license fee imposed pursuant to 10 V.S.A. § 1942 or the motor fuels distributor infrastructure assessment imposed pursuant to section 3003(a) of this chapter, shall be annually increased or decreased by the percentage change in the gross domestic product price index during the preceding calendar year as reported by the Bureau of Economic Analysis of the United States Department of Commerce (the GDP price index). The tax rate effective on July 1 of a fiscal year shall be equal to the product of the tax rate effective during the expiring fiscal year and the index ratio, rounded to the nearest one-tenth of a cent. "Index ratio" means: the ratio of the value of the GDP price index for the fourth quarter of the prior calendar year over the corresponding value of the GDP price index for the fourth quarter one year earlier. Each year in April the commissioner of motor vehicles shall determine and publish the tax rate to take effect the following July 1 using, relative to the time of determination, the latest gross domestic product report for the fourth quarter of the prior calendar year available from the Bureau of Economic Analysis. Subsequent revisions to gross domestic product data shall not affect a tax rate so determined.

Second: In Sec. 32, 23 V.S.A. § 3175, by striking the section in its entirety and inserting in lieu thereof the following:

#### § 3175. INFLATION INDEX ADJUSTMENT; GASOLINE AND MOTOR FUELS TAX

Starting on July 1, 2012 and effective each July 1 thereafter, the tax imposed on gasoline and other motor fuels pursuant to subsection 3106(a) of this chapter, but not the petroleum distributor license fee imposed under section 3106a of this chapter or the motor fuels distributor infrastructure assessment imposed under subsection 3106(a) of this chapter, shall be annually

increased or decreased by the percentage change in the gross domestic product price index during the preceding calendar year as reported by the Bureau of Economic Analysis of the United States Department of Commerce (the GDP price index). The tax rate effective on July 1 of a fiscal year shall be equal to the product of the tax rate effective during the expiring fiscal year and the index ratio, rounded to the nearest one-tenth of a cent. "Index ratio" means: the ratio of the value of the GDP price index for the fourth quarter of the prior calendar year over the corresponding value of the GDP price index for the fourth quarter one year earlier. Each year in April the commissioner of motor vehicles shall determine and publish the tax rate to take effect the following July 1 using, relative to the time of determination, the latest gross domestic product report for the fourth quarter of the prior calendar year available from the Bureau of Economic Analysis. Subsequent revisions to gross domestic product data shall not affect a tax rate so determined.

Third: In Sec. 39, 32 V.S.A. Chapter 13, subchapter 4, by adding section 980 to read:

§ 980. MOTOR FUEL DISTRIBUTOR INFRASTRUCTURE  
ASSESSMENT EXPIRATION

After all principal and interest have been paid on the transportation infrastructure bonds issued pursuant to this subchapter, and all obligations with respect to such bonds have been discharged, the motor fuel distributor infrastructure assessments imposed by 23 V.S.A. §§ 3003(a) and 3106(a) shall be reduced to zero on July 1 of the fiscal year succeeding the fiscal year in which all such principal, interest, and obligations have been discharged.

**(Committee vote: 9-2-0)**

## **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.

#### **H.C.R. 83**

House concurrent resolution congratulating the 2009 Essex High School Hornets Division I championship girls' ice hockey team

**H.C.R. 84**

House concurrent resolution congratulating the 2009 Essex High School Hornets state gymnastics championship team

**H.C.R. 85**

House concurrent resolution congratulating Essex High School gymnast Mary Krug on winning four consecutive all-around state championship competitions

**H.C.R. 86**

House concurrent resolution congratulating the 2009 Proctor High School Phantoms' Division IV championship boys' basketball team

**H.C.R. 87**

House concurrent resolution honoring Olympic runner and model sportsman Andrew Wheating of Norwich

**H.C.R. 88**

House concurrent resolution celebrating the success of the education-based after-school programs in Vermont

**H.C.R. 89**

House concurrent resolution commending the leadership of Green Mountain Power Corporation and other electric companies and state offices in restoring electric power in southern Vermont following the December 2008 ice storm