

House Calendar

Thursday, January 21, 2010

17th DAY OF ADJOURNED SESSION

House Convenes at 1:00 P.M.

TABLE OF CONTENTS

	Page No.
ACTION CALENDAR	
Action Postponed Until January 21, 2010	
Favorable	
Proposal 5 Right to vote in primary elections	63
Committee Bill for Second Reading	
H. 534 An act relating to fiscal year 2010 budget adjustment	63
Rep. Heath Amendment	
NOTICE CALENDAR	
Favorable with Amendment	
H. 461 An act relating to small estates	64
Ordered to Lie	
H.R. 19 House resolution urging the agency of natural resources to retain delegated authority to administer the federal Clean Water Act in Vermont ...	65

ORDERS OF THE DAY

ACTION CALENDAR

Action Postponed Until January 21, 2010

Favorable

Proposal 5

Right to vote in primary elections

Rep. Consejo of Sheldon, for the Committee on **Government Operations**, recommends the proposal ought to be adopted.

(**Committee Vote: 10-1-0**)

ACTION CALENDAR

Committee Bill for Second Reading

H. 534

An act relating to fiscal year 2010 budget adjustment.

(**Rep. Heath of Westford** will speak for the Committee on **Appropriations**.)

Amendment to be offered by Rep. Heath of Westford to H. 534

First: On page 30, in Sec. 49, on line 12, by striking out the figure "1,373,068" and inserting in lieu thereof the figure 1,153,070 and on line 13, by striking out the figure "2,823,199" and inserting in lieu thereof the figure 3,043,197

Second: On page 31, in Sec. 50, on line 3, by striking out the figure "14,518,406" and inserting in lieu thereof the figure 14,298,408 and on line 4, by striking out the figure "12,495,863" and inserting in lieu thereof the figure 12,715,861

Action Postponed Until May 28, 2010

Governors Veto

H. 436

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

Pending Question: Shall the House sustain the Governor's veto?

NOTICE CALENDAR
Favorable with Amendment
H. 461

An act relating to small estates

Rep. Koch of Barre Town, for the Committee on **Judiciary**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following::

Sec. 1. 14 V.S.A. § 1901 is amended to read:

§ 1901. FILING INVENTORY AND BOND CONDITIONED UPON
PAYMENT OF FUNERAL EXPENSE WITH PETITION

When application ~~shall be~~ is made to the judge of probate for the appointment of an administrator or executor of an estate, there may accompany the petition; the following:

(1) A true and complete inventory of the estate of ~~said the~~ the deceased, appraised under oath at its true cash value ~~by one or more competent persons or by a disinterested person if deemed necessary by the court;~~

(2) A receipt showing that the funeral expenses of the deceased have been paid, or a personal bond running to the judge of probate in the penal sum of not less than \$300.00, with such surety or sureties as the judge of probate may approve in an amount determined by the judge of probate to be reasonable, conditioned for the payment of the funeral expenses of said the deceased, within one year from the date of death; and

(3) The will, if any.

Sec. 2. 14 V.S.A. § 1902 is amended to read:

§ 1902. LETTERS OF ADMINISTRATION AND LETTERS
TESTAMENTARY, SMALL ESTATES, NOTICE

(a) Upon receiving and filing such petition, the judge of probate may make such investigation of the circumstances of the case and the facts set forth in the petition, as he or she deems proper and necessary. ~~If from the petition and the investigation it shall appear to the satisfaction of the court that the deceased left a surviving spouse, or children of any age, or both, that the deceased died seized of no real estate, and that the personal estate of such deceased, appraised at its true cash value as of the date of death, amounts to not more than the sum of \$10,000.00, the~~

(b) The court may ~~thereupon~~ grant administration of the estate to the

petitioner or some other suitable person forthwith without further notice, and may issue letters of administration to the administrator or letters testamentary to the executor without requiring further bonds, if from the petition and the investigation it appears to the satisfaction of the court that:

(1)(A) the deceased left a surviving spouse or children of any age, or both; or

(B) the deceased left a surviving parent or parents but no spouse or child;

(2) the deceased died seized of no real estate; and

(3) the personal estate of the deceased, appraised at its true cash value as of the date of death, amounts to not more than the sum of \$10,000.00.

Sec. 3. 14 V.S.A. § 1903 is amended to read:

§ 1903. SAME; DISCHARGE UPON PAYMENT OF FUNERAL EXPENSES ~~AND BALANCE TO WIDOW, CHILDREN; RESIDUE~~

(a) In intestate estates whenever it shall appear to the satisfaction of the judge of probate that an administrator appointed under sections 1901 and 1902 of this title has paid or caused to be paid the funeral and burial expenses of said deceased, and has paid over all the balance and residue of said estate in accordance with the provisions of ~~chapters 41 and 45~~ chapter 42 of this title, the court may forthwith discharge the administrator without further accounting and without notice.

* * *

(Committee Vote: 9-0-2)

Ordered to Lie

H.R. 19

House resolution urging the agency of natural resources to retain delegated authority to administer the federal Clean Water Act in Vermont.

Pending Question: Shall the House adopt the resolution? .

Information Notice
Joint Public Hearing on Fiscal Year 2011 budget
on Vermont Interactive Television
Appropriations Committees

Monday, February 8, 2010, 4:30 - 7:00 p.m. – The House and Senate Appropriations Committees will hold a joint public hearing on Vermont Interactive Television (V.I.T.) to give Vermonters throughout the state an

opportunity to express their views about the state budget for fiscal year 2011. All V.I.T. sites will be available for the hearing: Bennington, Brattleboro, Castleton, Johnson, Lyndonville, Middlebury, Montpelier, Newport, Randolph Center, Rutland, Springfield, St. Albans, Waterbury, White River Junction and Williston. V.I.T.'s web site has an up-to-date location listing, including driving directions, addresses and telephone numbers, <http://www.vitlink.org/>.

For information about the format of this event, interested parties may call the House Appropriations Committee office at 802/828-5767. Requests for interpreters should be made to the office by 12:00 noon on Friday, January 29, 2010.

PUBLIC HEARING

Wednesday, January 27, 2010, Senate Chamber - 9 AM - 12:00 Noon -
Senate Committee on Transportation - 'Texting While Driving'