

# House Calendar

---

Friday, January 29, 2010

25th DAY OF ADJOURNED SESSION

House Convenes at 9:30 A.M.

---

## TABLE OF CONTENTS

---

**Page No.**

### **ACTION CALENDAR**

#### **Action Postponed Until May 28, 2010**

##### **Governors Veto**

**H. 436** An act relating to decommissioning funds of nuclear energy generation plants..... 101

### **NOTICE CALENDAR**

#### **Favorable with Amendment**

**H. 97** An act relating to the idling of motor vehicles ..... 101  
Rep. Cheney for Natural Resources and Energy

#### **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 . 103

#### **Consent Calendar**

**H.C.R. 220** House concurrent resolution in memory of Dale Long ..... 103

**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 ..... 103

**H.C.R. 222** House concurrent resolution congratulating the 2009 Rutland Gift-of-Life Marathon ..... 103

**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 ..... 103

<b>H.C.R. 224</b> House concurrent resolution congratulating the Rice Memorial High School Green Knights 2009 Division III championship field hockey team .....	103
<b>H.C.R. 225</b> House concurrent resolution congratulating the 2009 Springfield High School Cosmos Division II championship boys' soccer team .....	103
<b>H.C.R. 226</b> House concurrent resolution congratulating the students and staff of Hartford High School on their creation of the High Five mural .....	104
<b>H.C.R. 227</b> House concurrent resolution congratulating Bob Kinzel on his receipt of the 2009 Vermont Association of Broadcasters' Distinguished Service Award .....	104
<b>H.C.R. 228</b> House concurrent resolution congratulating Ray Kimball on his being named a 2009 recipient of the Vermont Association of Broadcasters' Alan Noyes Community Service Award .....	104
<b>H.C.R. 229</b> House concurrent resolution congratulating Tim Johnson on his receipt of the Vermont Association of Broadcasters' Distinguished Service Award .....	104

---

---

**ORDERS OF THE DAY**

---

---

**ACTION CALENDAR**

**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. 97**

An act relating to the idling of motor vehicles

**Rep. Cheney of Norwich**, for the Committee on **Natural Resources and Energy**, recommends the bill be amended as follows:

Striking out Sec. 2 in its entirety and inserting a new Sec. 2 to read:

Sec. 2. 23 V.S.A. § 1111a is added to read:

**§ 1111a. UNNECESSARY IDLING OF MOTOR VEHICLES**

(a) A person shall not cause, allow, or permit the unnecessary operation of the primary propulsion engine of a registered motor vehicle with a gross vehicle weight rating of more than 10,000 pounds while the motor vehicle is stopped for a period in excess of five consecutive minutes in any 60-minute period unless otherwise exempted under rules adopted by the department of motor vehicles under subsection (b) of this section. This subsection shall not apply:

(1) to an ambulance; military vehicle; police, fire, rescue, or other public safety or emergency motor vehicle; or an armored vehicle when a person remains inside the vehicle to guard the contents;

(2) when idling of the primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion (e.g., mixing or processing cargo or delivering fuel or energy products) and not solely for cabin comfort or to operate nonessential on-board equipment;

(3) to vehicles which need to idle to protect or preserve cargo or commodities being transported;

(4) to vehicles intended to transport a sick or disabled passenger or

operator, where the health or safety of such passenger or operator requires idling;

(5) when a vehicle is forced to remain motionless because of on-highway traffic, an official traffic control device or signal, or at the direction of a law enforcement official;

(6) to vehicles with an occupied sleeper berth compartment for purposes of air conditioning or heating during a rest or sleep period;

(7) to vehicles on mine or quarry property being used in mining or quarrying activities or to vehicles in the process of doing work in a "work zone," which is an area identified by warning signs, signals, or indicators and where construction, maintenance, or utility work activities are under way;

(8) to school buses idling on school grounds in compliance with the provisions of 23 V.S.A. § 1282(f);

(9) to vehicles owned or operated by utilities the operators of which are performing outdoor work during cold or inclement weather conditions;

(10) to vehicles idling as necessary for maintenance, service, repair, or diagnostic purposes; or

(11) when the ambient air temperature is zero degrees Fahrenheit or below and idling is necessary to start the vehicle.

(b) The department of motor vehicles, in collaboration with the agency of natural resources, may adopt rules governing the idling of a registered motor vehicle with a gross vehicle weight rating of more than 10,000 pounds. The rules may set forth times or circumstances that reasonably require the idling of an engine, including times when it is necessary to operate defrosting, heating, or cooling equipment to ensure the health or safety of the driver or passengers or to operate auxiliary equipment, and times when the engine is undergoing maintenance or inspection. If adopting such rules, the commissioner of motor vehicles shall review standards in effect in other states and shall endeavor to maintain consistency with those standards.

(c) A person who violates a provision of this section commits a civil violation and, on or after January 1, 2011, shall be subject to a penalty of \$10.00 for the first violation, \$50.00 for a second violation within any 12-month period, and \$100.00 for a third or subsequent violation within any 12-month period.

and that after passage, the title of the bill be amended to read: "An act relating to the unnecessary idling of motor vehicles".

**( Committee Vote: 11-0-0)**

**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?

**Consent Calendar**

**Concurrent Resolutions**

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration before the end of the session of the next legislative day. Requests for floor consideration in either chamber should be communicated to the Secretary's office and/or the House Clerk's office, respectively. For text of resolutions, see Addendum to House Calendar and Senate Calendar.

**H.C.R. 220**

House concurrent resolution in memory of Dale Long

**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

**H.C.R. 222**

House concurrent resolution congratulating the 2009 Rutland Gift-of-Life Marathon

**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

**H.C.R. 224**

House concurrent resolution congratulating the Rice Memorial High School Green Knights 2009 Division III championship field hockey team

**H.C.R. 225**

House concurrent resolution congratulating the 2009 Springfield High School Cosmos Division II championship boys' soccer team

**H.C.R. 226**

House concurrent resolution congratulating the students and staff of Hartford High School on their creation of the High Five mural

**H.C.R. 227**

House concurrent resolution congratulating Bob Kinzel on his receipt of the 2009 Vermont Association of Broadcasters' Distinguished Service Award

**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

**H.C.R. 229**

House concurrent resolution congratulating Tim Johnson on his receipt of the Vermont Association of Broadcasters' Distinguished Service Award

**Reports 2010**

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

Vermont Blueprint for Health. Vermont Department of January 28, 2010  
Smart Choices. Powerful Tools. Health  
2009 Annual Report.

Judiciary Letter to Legislature, Vermont Judiciary, January 28, 2010  
Elimination of 4 Positions Supreme Court, Court  
(Retirement Incentive) Administrator

Annual Report Loan Awards to Agency of Natural January 27, 2010  
Certain Privately Owned Nonprofit Resources Department of  
Community Water Systems Environmental  
Through the Drinking Water State Conservation  
Revolving Fund

Adult Protective Services Annual Vermont Department of January 27, 2010  
Report January 2010 Disabilities, Aging, and  
Independent Living,

	Division of Licensing and Protection	
<u>Children and Family Council for Prevention Programs Annual Report January 2010</u>	CFCPP Vermont State Advisory Group to Delinquency Prevention	January 27, 2010
<u>Fiscal Impacts of the Records Request Fees Established by Sec.7 of Act No. 165 of 2008 electronic access to criminal and family court records</u>	Joint Fiscal Office in consultation with the Judiciary and the Vermont Crime Information Center	January 27, 2010
<u>Impact on Corrections Costs of Policies and Provisions of Act No. 179 (H.859) of 2008 - increasing substance abuse treatment, vocational training, transitional housing for offenders to reduce recidivism, increase public safety, reduce costs</u>	Joint Fiscal Office and Office of Finance and Management	January 27, 2010
<u>Information Technology Strategic Plan Charting the Course Toward Vermont State Government's Information Technology Future FY 2011 – 2015 16th Edition -- January 2010</u>	David Tucker, Commissioner and CIO, Vermont Department of Information and Innovation	January 26, 2010
<u>Report on Act 200 of 2008: Section 8(3), An Act Relating to Capital Construction and State Bonding: Establishment of a School Energy Grant Program</u>	Vermont Department of Education, Finance Division, School Construction Team	January 26, 2010
<u>Report on Act 176 for FY09, An Act Relating to the High School Completion Program</u>	Vermont Department of Education, Lifelong Learning Division	January 26, 2010

Report on Act 51 of 2009: Section 3(b), An Act Relating to Encouraging Use of Local Foods in Vermont's Food System: Fresh Fruit and Vegetable Grant Program; Technical Assistance Vermont Department of Education, Student Support and Safe and Healthy Schools Division January 26, 2010

Report on Act 44 of 2009: Sections 44 and 45, An Act Relating to Making Miscellaneous Amendments to Education Law: Measuring Secondary School Completion Rates; Flexible Pathways to Graduation Vermont Department of Education, Lifelong Learning Division January 26, 2010

Report on Act 1 of 2009: Section 7, An Act Relating to Improving Vermont's Sexual Abuse Response System: Volunteers; Study Vermont Department of Education, Legal Division January 26, 2010

Report on Invasive Species Vermont Agency of Natural Resources January 26, 2010

Acts of 2000-08 1.State Purchasing of Apparel, Footwear or Textile 2.Transfer of Capital Construction Funds 3.Transfer of Unexpended Project Balances 4.Facilities Operations Revolving Fund (Fee for Space) Acts of '09 Bennington Welcome Cntr Vermont Agency of Administration, Department of Buildings and General Services January 25, 2010

Transportation of Individuals in the Custody of the Commissioner of Mental Health, Report to the Legislature on Act 180 2006 (ADJ) Session Section 3 - 18 V.S.A. § 7511 Vermont Department of Mental Health, Agency Of Human Services January 25, 2010



<u>Transit Route Performance Reviews Annual Report for State Fiscal Year 2009</u>	Vermont Agency of Transportation (VTrans) in cooperation with the Public Transit Policy Plan (PTPP) working Advisory Committee	January 25, 2010
<u>Restoration of the Department of Mental Health</u>	Vermont Commissioner of Mental Health and Vermont Commissioner of Health	January 25, 2010
<u>Consolidated Executive Branch Fee Report required by 32 V.S.A. §§ 605(b)(2) and (3) and Revenue Report required by 32 V.S.A. § 605(f)</u>	Vermont Agency of Administration Department of Finance and Management	January 22, 2010
<u>Revised Implementation Plan Lake Champlain Phosphorus TMDL (Total Manageable Daily Load)</u>	Vermont Agency of Natural Resources Submitted to: the Vermont General Assembly in accordance with Act 130 (2008), Section 2	January 22, 2010
<u>Progress Report on River Basin Water Quality Management Planning During 2009. A Report for: House and Senate Committees on Agriculture and Natural Resources and Energy</u>	Vermont Agency of Natural Resources Department of Environmental Conservation Water Quality Division	January 21, 2010
<u>Report on the Vermont Neighborhood Program As Required by Sec. 20 of Act 176 of the 2007 Adjourned Session (2008)</u>	Vermont Department of Economic, Housing and Community	January 21, 2010

	Development	
<u>Report to House Committee on Ways and Means and House Committee on Natural Resources Act No. 47 (H. 136, 2009 Sess.) relating to executive branch fees (Act 250 fees)</u>	Vermont Department of Economic, Housing and Community Development	January 21, 2010
<u>Annual Report to the Legislature of the Technical Advisory Committee Established by Act 133 of the 2001 Adjourned Session Regarding Oversight and Implementation of the Wastewater System and Potable Water Supply Rules</u>	Craig Heindel, member, Technical Advisory Committee for Vermont Department of Environmental Conservation	January 21, 2010
<u>Compost Study Committee Report to the Vermont Legislature</u>	Department of Environmental Conservation, Vermont Agency of Natural Resources	January 21, 2010
<u>Reporting Transitional Services Outcomes in Accordance With H. 449 Act 74 Sec. 2(d): An Act Relating to Foster Care Services and Supports</u>	Vermont Department for Children and Families	January 21, 2010
<u>Healthy Workers Program Report to the Legislature on Act 61 Section 44 and 45 (health needs of uninsured immigrant workers employed in the Vermont agricultural sector)</u>	Vermont Department of Health, Agency of Human Services	January 21, 2010

<u>Ancient Roads Research and Mapping Grant Program Legislative Report, 2009</u>	Vermont Department of Economic, Housing and Community Development (formerly the Department of Housing and Community Affairs)	January 21, 2010
<u>Advisory Committee on Mercury Pollution 2010 Annual Report</u>	Vermont Department of Environmental Conservation	January 20, 2010
<u>Palliative Care and Pain Management Task Force Final Report to Legislature January 2010</u>	Vermont Ethics Network and the Palliative Care and Pain Management Task Force, (see also VDH report)	January 20, 2010
<u>Palliative Care and Pain Management Report to the Legislature Pursuant to Act 25, Section 19</u>	Vermont Department of Health, Agency of Human Services (see also VEN report)	January 20, 2010
<u>Annual Report on the Implementation of Act 114 at the Vermont State Hospital (calendar year 2009)</u>	Vermont Department of Mental Health	January 19, 2010
<u>I-89 Exit 12B Financing Options Study, December 31, 2009, Final Report</u>	Vermont Agency of Transportation	January 19, 2010
<u>Legislative Report: Recommendations To Improve Utilization and Variation in Health Care Services In Vermont</u>	Department of Banking, Insurance, Securities, and Health Care Administration	January 19, 2010
<u>2009 Recommendations of the Stroke Workgroup</u>	Vermont Association of Hospitals and Health Systems	January 19, 2010

<u>Litigation Report as Required by Act No. 80, Sec. 22a of the Vermont General Assembly, 2007-2008 Session (Pharmacy Benefit Manager and Other Prescription Drug-related Legislation of Act No. 80)</u>	Thomas M. Salmon, CPA, Vermont State Auditor	January 19, 2010
<u>Rail Project Delivery Status State Fiscal Year 2010</u>	Vermont Agency of Transportation - Operations	January 19, 2010
<u>Maple Sugaring on State Forest and State Park Land, January, 2010</u>	Vermont Department of Forests, Parks and Recreation	January 19, 2010
<u>Health Care Quality Improvement Organizations</u>	Vermont Department of Banking, Insurance, Securities and Health Care Administration	January 19, 2010
<u>Shared Decision Making, Report to the Legislature on Act 49, Section 4, January 15, 2010</u>	Vermont Blueprint for Health, Vermont Department of Health, Agency of Human Services	January 19, 2010
<u>Vermont Prescription Monitoring System, Report to the Legislature on Act 205, January 15, 2010</u>	Vermont Department of Health, Agency of Human Services	January 19, 2010
<u>Report on Economic Opportunity Studies and Collaboration, in Accordance with H. 313 Special Session, Act 1 Section 6: Relating to Individual Development Accounts and Micro-Business</u>	Vermont Agency of Human Services, Department for Children and Families	January 19, 2010
<u>Public Inebriate Task Force Report 2010</u>	Vermont Department of Health with input and review by committee	January 19, 2010

	members	
<u>Three-Year Forecast of Vermont Health Care Expenditures 2009 - 2012</u>	Vermont Department of Banking, Insurance, Securities and Health Care Administration	January 19, 2010
<u>Seventh Annual Report on Archival and Records Management</u>	Vermont Secretary of State, Vermont State Archives and Records Administration	January 19, 2010
<u>Coverage of Oral Anticancer Medications</u>	Vermont Department of Banking, Insurance, Securities and Health Care Administration	January 19, 2010
<u>Vermont Information Technology Leaders, Inc. (VITL) Annual Progress Report</u>	Vermont Information Technology Leaders, Inc.	January 19, 2010
<u>Annual Report on the Management of Stormwater Impaired Waters in Vermont, State Fiscal Year 2010</u>	Department Of Environmental Conservation, Agency Of Natural Resources	January 19, 2010
<u>Radiological Emergency Response Program 2009 Annual Report</u>	Vermont Emergency Management, Department of Public Safety	January 19, 2010
<u>2009 Annual Report, Office of the State Treasurer, State of Vermont (Issued January 2010)</u>	Jeb Spaulding, State Treasurer	January 19, 2010
<u>2010 Insurer Mental Health and Substance Abuse Report Card</u>	Vermont Department of Banking, Insurance, Securities and Health Care Administration, ACT 129 Mental Health and Substance Abuse Task Force	January 19, 2010

<u>2010 Annual Report: Interstate Bridge Program; State Highway Bridge Program; Town Highway Bridge Program</u>	Vermont Agency of Transportation, Program Development - Structures Section	January 19, 2010
<u>FY 2010 Vermont Hospital Budget Report</u>	Vermont Department of Banking, Insurance, Securities and Health Care Administration	January 15, 2010
<u>Report on Fish Egg Sales</u>	Vermont Department of Fish and Wildlife	January 15, 2010
<u>Annual Low Bed Trailer Permit Study</u>	Vermont Department of Motor Vehicles	January 15, 2010
<u>Annual Report to the Vermont Legislature on Management of the Deer Herd</u>	Vermont Department of Fish and Wildlife	January 15, 2010
<u>The Vermont Approach: A Strategic Plan for Comprehensive, Collaborative Sexual Violence Prevention in Vermont Legislative Council</u>	The Anti-Violence Partnership at UVM	January 15, 2010
<u>2009 Vermont Household Health Insurance Survey: Comprehensive Report</u>	Vermont Department of Banking, Insurance, Securities and Health Care Administration	January 15, 2010
<u>Vermont Long Term Care Partnership Program</u>	Department of Banking, Insurance, Securities and Health Care Administration and the Economic Services	January 15, 2010

	Division	
<u>2010 Lands and Facilities Trust Fund Annual Report</u>	Vermont Department of Forests, Parks and Recreation	January 15, 2010
<u>2010 Annual Report for Property Valuation and Review, VT Department of Taxes</u>	Vermont Department of Taxes	January 15, 2010
<u>State Lands Forest Management Report</u>	Vermont Department of Forests, Parks and Recreation	January 15, 2010
<u>Aviation Maintenance Equipment Report</u>	Agency of Transportation - Operation Division	January 15, 2010
<u>2010 Report on Conservation Motor Vehicle Registration Plate Program</u>	Vermont Department of Fish and Wildlife	January 14, 2010
<u>2009 Report to the Legislature Regarding Act 98 (1989) - Uniform Environmental Enforcement Act</u>	Vermont Agency of Natural Resources Compliance and Enforcement Division	January 14, 2010
<u>Report on the Beverage Container Redemption Program</u>	Vermont Agency of Natural Resources, Department of Environmental Conservation	January 14, 2010
<u>Report on Wetlands Permitting</u>	Vermont Agency of Natural Resources	January 14, 2010
<u>Alternative Sites for VTrans Materials and Research Facility</u>	Vermont Agency of Transportation	January 14, 2010

Fall 2009 Licensed Lender Study - Vermont Department of January 14, 2010  
Application of Vermont's Licensed Banking, Insurance,  
Lender Requirements to Certain Securities and Health  
Commercial Lending Practices Care Administration

Final Report Addressing Section Vermont Agency of January 14, 2010  
73 of Act 50 of the 2008-2009 Transportation,  
Legislature Operations Division,  
Public Transit Section