

Senate Calendar

THURSDAY, APRIL 23, 2009

107th DAY OF BIENNIAL SESSION

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UNFINISHED BUSINESS OF WEDNESDAY, MARCH 25, 2009

Third Reading

S. 99

An act relating to amending the Act 250 criteria relating to traffic, scattered development, and rural growth areas.

UNFINISHED BUSINESS OF WEDNESDAY, APRIL 22, 2009

Third Reading

S. 117

An act relating to the date of the primary election.

Second Reading

Favorable with Proposal of Amendment

H. 26

An act relating to plans for treatment of unmarked burial sites.

Reported favorably with recommendation of proposal of amendment by Senator Illuzzi for the Committee on Economic Development, Housing and General Affairs.

The Committee recommends that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 5212b is amended to read:

§ 5212b. UNMARKED BURIAL SITES SPECIAL FUND; REPORTING OF UNMARKED BURIAL SITES

(a) The unmarked burial sites special fund is established in the state treasury for the purpose of protecting, preserving, moving or reintering human remains discovered in unmarked burial sites.

(b) The fund shall be comprised of any monies appropriated to the fund by the general assembly or received from any other source, private or public. Interest earned on the fund, and any balance remaining in the fund at the end of a fiscal year, shall be retained in the fund. This fund shall be maintained by

the state treasurer, and shall be managed in accordance with subchapter 5 of chapter 7 of Title 32.

(c) The commissioner of housing and community affairs may authorize disbursements from the fund for use in any municipality in which human remains are discovered in unmarked burial sites in accordance with a process approved by the commissioner. The commissioner shall approve any process developed through consensus or agreement of the interested parties, including the municipality, ~~the governor's advisory commission on Native American affairs~~ Native American tribes based in Vermont, and private property owners of property on which there are known or likely to be unmarked burial sites, and any other appropriate interested parties, provided the commissioner determines that the process is likely to be effective, and includes all the following:

(1) Methods for determining the presence of unmarked burial sites, including archaeological surveys and assessments and other nonintrusive techniques.

(2) Methods for handling development and excavation on property on which it is known that there is or is likely to be one or more unmarked burial sites.

(3) Options for owners of property on which human remains in unmarked burial sites are discovered or determined to be located.

(4) Procedures for protecting, preserving or moving unmarked burial sites and human remains, subject, where applicable, to the permit requirement and penalties of this chapter.

(5) Procedures for resolving disputes.

(d) If unmarked burial sites and human remains are removed, consistent with the process set forth in this section and any permit required by this chapter, there shall be no criminal liability under 13 V.S.A. § 3761.

(e) The funds shall be used for the following purposes relating to unmarked burial sites:

(1) To monitor excavations.

(2) To protect, preserve, move, or reinter unmarked burial sites and human remains.

(3) To perform archaeological assessments and archaeological site or field investigations, including radar scanning and any other nonintrusive technology or technique designed to determine the presence of human remains.

(4) To provide mediation and other appropriate dispute resolution services.

(5) To acquire property or development rights, provided the commissioner of housing and community affairs determines that disbursements for this purpose will not unduly burden the fund, and further provided the commissioner shall expend funds for this purpose only with the concurrence of the secretary of commerce and community development and after consultation with the legislative bodies of any affected municipality or municipalities.

(6) Any other appropriate purpose determined by the commissioner to be consistent with the purposes of this fund.

(f) When an unmarked burial site is first discovered, the discovery shall be reported immediately to a law enforcement agency or the state medical examiner. If, after completion of an investigation pursuant to section 5205 of this title, a medical examiner determines that the burial site does not fall under the examiner's purview, the medical examiner shall immediately notify the state archeologist.

(g) The commissioner may adopt rules to carry out the intent and purpose of this section.

Sec. 2. UNMARKED BURIAL SITE TREATMENT PLAN COMMITTEE

(a) The unmarked burial site treatment plan committee is created to develop procedures for addressing issues relating to known or discovered unmarked burial sites of human remains including developing treatment plans to be used when an unmarked burial site is discovered on private property. The committee is comprised of nine members to include:

(1) The commissioner of housing and community affairs or the commissioner's designee.

(2) The state archeologist or designee.

(3) A representative from the Vermont League of Cities and Towns, Inc.

(4) A representative from a Native American tribe based in Vermont who has experience in handling unmarked burial sites, appointed by the commissioner of housing and community affairs.

(5) A federal archeologist from the Natural Resources Conservation Service of the U.S.D.A.

(6) The U.S. Forest Service, Green Mountain National Forest archeologist.

(7) The director of the University of Vermont consulting archeology program.

(8) A representative from the Vermont Bankers Association Inc.

(9) A representative from the Home Builders and Remodelers Association of Vermont.

(b) The committee shall:

(1) Develop procedures for responding to reports of a discovery of an unmarked burial site, which for the purposes of this section means the location of any interment of human remains, evidence of human remains, including the presence of red ochre, associated funerary objects, or a documented concentration of burial sites, but does not include a cemetery, mausoleum, or columbarium or any other site that is clearly marked as a site containing human remains.

(2) Develop various treatment plans for addressing issues when an unmarked burial site is discovered on private property. A treatment plan is an outline of the process for providing appropriate and respectful treatment of the burial site while considering the rights of the landowner. Each treatment plan shall include one or all of the following:

(A) Methods for determining the presence of an unmarked burial site, including archeological surveys and assessments and other nonintrusive techniques.

(B) Methods for handling development and excavation on property on which there is a known burial site or likely to be one.

(C) Options for owners of property on which human remains are discovered or known to be located.

(D) Procedures for protecting, preserving, and moving the burial site and the human remains.

(E) Time frames for implementation of the plan.

(F) Procedures for resolving disputes among stakeholders.

(3) The committee shall issue a written report outlining the procedures and 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, 2010.

Sec. 3. 33 V.S.A. § 2301 is amended to read:

§ 2301. BURIAL RESPONSIBILITY

(a)(1) When a person dies in this state, or a resident of this state dies within the state or elsewhere, and the decedent was a recipient of assistance under Title IV or XVI of the Social Security Act, or nursing home care under Title XIX of the Social Security Act, or assistance under state aid to the aged, blind

or disabled, or an honorably discharged veteran of any branch of the U.S. military forces to the extent funds are available and to the extent authorized by department regulations, the decedent's burial shall be arranged and paid for by the department if the decedent was without sufficient known assets to pay for burial. The department shall pay burial expenses when arrangements are made other than by the department to the maximum permitted by its regulations. In any case where other contributions are made these payments shall be deducted from the amount otherwise paid by the department but in no case is the department responsible for any payment when the person arranging the burial selects a funeral the price of which exceeds the department's maximum.

* * *

~~(c) When a person other than one described in subsection (a) or (b) of this section dies in the town of domicile without sufficient known assets to pay for burial, the burial shall be arranged and paid for by the town. The department shall reimburse the town up to \$250.00 for expenses incurred.~~

~~(d) In all other cases the department shall arrange for and pay for the burial of persons who die in this state or residents of this state who die within the state or elsewhere when such persons are without sufficient known assets to pay for their burial.~~

(e) [Omitted.]

(f) In all cases where the department is responsible for funeral ~~and/or~~ or burial expenses or both under this chapter, the department shall provide, by rule, the specific services that are to be provided at public expense, and, on an itemized basis, the maximum price to be paid by the department for each such service.

(g) For the purpose of this chapter, "burial" means the act of interring or cremating the human dead and the ceremonies directly related to that cremation or interment at the gravesite; and "funeral" means the ceremonies prior to burial of the body by interment, cremation or other method.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

and that the bill title be amended to read: "An act relating to treatment of unmarked burial sites and payment for burial of indigent persons"

(Committee Vote: 5-0-0)

(For House amendments, see House Journal for February 26, 2009, page 285; February 27; 2009, page 369.)

**AMENDMENT TO PROPOSAL OF AMENDMENT OF THE
COMMITTEE ON ECONOMIC DEVELOPMENT, HOUSING AND
GENERAL AFFAIRS TO H. 26 TO BE OFFERED BY SENATOR
ILLUZZI**

Senator Illuzzi moves to amend the proposal of amendment of the Committee on Economic Development, Housing and General Affairs by striking out Sec. 4 in its entirety and inserting in lieu thereof the following:

Sec. 4. 20 V.S.A. §§ 1581, 1582, and 1583 are amended to read:

§ 1581. VERMONT VETERANS' MEMORIAL CEMETERY ~~ADVISORY~~
BOARD

(a) The Vermont veterans' memorial cemetery ~~advisory~~ board is created to ~~advise the adjutant general on~~ determine all matters relating to the establishment and operation of a Vermont veterans' memorial cemetery to be known as the Vermont Veterans' Memorial Cemetery. The board shall consist of:

(1) ~~The commissioner of the department of buildings and general services, adjutant general or designee,~~ who shall serve as chair of the board.

(2) The commissioner of the department of buildings and general services or designee.

(3) One member of the senate ~~who shall be~~ appointed by the senate committee on committees.

~~(3)~~(4) One member of the house ~~who shall be~~ appointed by the house speaker.

~~(4)~~(5) Four individuals who represent veterans or are members of a veterans' organization, ~~to be~~ appointed by the governor for staggered terms of six years.

~~(5)~~(6) One individual who represents the Vermont granite, Vermont slate, or Vermont marble industry selected by the governor for a six-year term.

(b) The office of the adjutant general shall provide administrative support to the board.

(c) For each meeting, legislative members ~~shall be~~ are entitled to receive compensation and reimbursement for expenses as provided under subsection 406(a) of Title 2. ~~The , and~~ members representing veterans or from veterans' organizations ~~shall be~~ are entitled to per diem as provided in section 1010 of Title 32 and their necessary and actual expenses.

§ 1582. RULES; DAILY OPERATIONS

(a) Vermont veterans' memorial cemetery ~~advisory board may~~ shall adopt rules ~~under the provisions of chapter 25 of Title 3~~ relating to acquisition of land, design of the cemetery, its buildings and grave markers, eligibility for burial, and any other matters necessary to establish and maintain the Vermont veterans' memorial cemetery.

(b) Daily operations shall be overseen by the adjutant general.

§ 1583. ADJUTANT GENERAL; POWERS AND DUTIES

(a) The adjutant general, subject to available funds and with the advice and consent of the Vermont veterans' memorial cemetery ~~advisory committee board~~, shall administer the creation, establishment, operation, and maintenance of the Vermont veterans' memorial cemetery.

* * *

Sec. 5. AMENDMENT OF ACT 250 PERMIT

The adjutant general, the Vermont veterans' memorial cemetery board, and the agency of natural resources shall determine whether there is an environmentally safe alternative to Condition 6 of Land Use Permit # 3RO676 issued on August 20, 1991, which requires that all corpses be embalmed. No later than September 1, 2009, the adjutant general on behalf of the board may apply to the district 3 environmental commission for an amendment to that permit.

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.

And that the Senate further propose to the House to amend the title to read as follows:

An act relating to treatment of unmarked burial sites, the operation of the Vermont Veterans' Memorial Cemetery, and payment for burial of indigent persons.

AMENDMENT TO PROPOSAL OF AMENDMENT OF THE COMMITTEE ON ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS TO H. 26 TO BE OFFERED BY SENATOR ILLUZZI

Senator Illuzzi moves to amend proposal of amendment of the Committee on Economic Development, Housing and General Affairs by striking out Sec. 6 in its entirety and inserting in lieu thereof the following:

Sec. 6. 18 V.S.A. § 5201 is amended to read:

§ 5201. PERMITS; REMOVAL OF BODIES; CREMATION; WAITING PERIOD; INVESTIGATION INTO CIRCUMSTANCES OF DEATH

* * *

~~(c) The person in charge of the body shall not release for cremation the body of a person who died in Vermont until the person in charge has received a certificate from the chief, regional or assistant medical examiner that the medical examiner has made personal inquiry into the cause and manner of death and is satisfied that no further examination or judicial inquiry concerning it is necessary. The certificate shall be retained by the crematory for a period of three years. For the certificate, the medical examiner is entitled to a fee of \$25.00 payable by the person requesting cremation.~~

Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.

and that the Senate further proposes to the House that the title be amended to read: "An act relating to cremation, the treatment of unmarked burial sites, the operation of the Vermont Veterans' Memorial Cemetery, and payment for burial of indigent persons"

H. 249

An act relating to volunteer nonprofit service organizations and casino nights.

Reported favorably with recommendation of proposal of amendment by Senator Carris for the Committee on Economic Development, Housing and General Affairs.

The Committee recommends that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 2143(d) is amended to read:

(d) Casino events shall be limited as follows:

(1) A location may be the site of no more than:

(A) one casino event in any calendar quarter; ~~;~~ or

(B) three casino events in any calendar year, as long as there are at least 15 days between each event.

(2) A location that is owned by a nonprofit, as defined in 32 V.S.A. § 10201(5) may be the site of no more than three casino events in any calendar

quarter and no more than 12 casino events in any calendar year as long as there are at least 15 days between each event.

(3) A nonprofit organization, as defined in 32 V.S.A. § 10201(5), may organize and execute no more than:

(A) one casino event in any calendar quarter; or

(B) three casino events in any calendar year, as long as there are at least 15 days between each event.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

and that the bill title be amended to read: “An act relating to nonprofit service organizations and casino nights”

(Committee Vote: 5-0-0)

(No House amendments.)

House Proposal of Amendment to Senate Proposal of Amendment

H. 91

An act relating to technical corrections to the juvenile judicial proceedings act of 2008.

The House proposes to the Senate to amend the proposal of amendment as follows:

In Sec. 2, 33 V.S.A. § 5123, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read:

(a) The commissioner of the department for children and families shall ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort a child subject to this chapter in a manner that:

(1) avoids physical and psychological trauma;

(2) respects the privacy of the individual; and

(3) represents the least restrictive means necessary for the safety of the child.

Joint Resolution for Action

J.R.H. 22

Joint resolution honoring municipal public works employees and designating May 17-23 as Public Works Week in Vermont.

(For text of Resolution, see Senate Journal of April 21, 2009, page 768)

NEW BUSINESS

Third Reading

H. 441

An act making appropriations for the support of government.

**AMENDMENT TO SENATE PROPOSAL OF AMENDMENT TO
H. 441 TO BE OFFERED BY SENATOR MULLIN BEFORE THIRD
READING**

Senator Mullin proposes to amend the Senate proposal of amendment by adding Secs. F.100 through F.110 to read as follows:

Sec. F.100. BALANCED BUDGET WITH NO TAX INCREASES

The purpose of the adjustments in this section is to present a balanced budget for fiscal year 2010 without raising taxes, with two exceptions being a reduction of the household income eligibility cap for property tax adjustments from \$90,000 to \$80,000, and a cap on the current use subsidy for very high-valued property. The additional education tax revenue from the lowered household income cap would be used to fund an additional portion of teacher retirement; and the current use savings in the education fund is used to reduce the general fund transfer to the education fund. In addition, \$5 million is cut from Vermont housing and conservation board funding, with their remaining funding to be used only for housing purposes. And finally, these adjustments allow for balancing the budget without the tax increases which have been proposed for fiscal year 2010, by cutting spending provisions as shown in the following sections.

Sec. F.101. 32 V.S.A. § 6066(a) is amended to read:

(a) An eligible claimant who owned the homestead on April 1 of the year in which the claim is filed shall be entitled to an adjustment amount determined as follows:

(1)(A) For a claimant with household income of ~~\$90,000.00~~ \$80,000.00 or more:

(i) the statewide education tax rate, multiplied by the equalized value of the housesite in the taxable year;

(ii) minus (if less) the sum of:

(I) the applicable percentage of household income for the taxable year; plus

(II) the statewide education tax rate, multiplied by the equalized value of the housesite in the taxable year in excess of \$200,000.00.

(B) For a claimant with household income of less than ~~\$90,000.00~~ \$80,000.00 but more than \$47,000.00, the statewide education tax rate, multiplied by the equalized value of the housesite in the taxable year, minus the applicable percentage of household income for the taxable year.

(C) For a claimant whose household income does not exceed \$47,000.00, the statewide education tax rate, multiplied by the equalized value of the housesite in the taxable year, minus the lesser of:

(i) the applicable percentage of household income for the taxable year; or

(ii) the statewide education tax rate, multiplied by the equalized value of the housesite in the taxable year reduced by \$15,000.00.

(D) A claimant whose household income does not exceed ~~\$90,000.00~~ \$80,000.00 shall also be entitled to an additional adjustment amount under this section of \$10.00 per acre, up to a maximum of five acres, for each additional acre of homestead property in excess of the two-acre housesite. The adjustment amount under this section shall be shown separately on the notice of property tax adjustment to the claimant.

Sec. F.102. By increasing education fund sources for teachers' retirement by \$5.9 million

In Sec. B.514, by striking out the figure "40,303,002" and inserting the figure 34,403,002, and by adding under Source of funds: Education fund \$5,900,000.

Sec. F. 103. 32 V.S.A. § 3764 is added to read:

§ 3764. LIMITATION ON USE VALUE PROPERTY TAX REDUCTION

Notwithstanding any other provision of law, if the listed value, divided by the most recent common level of appraisal, of the total enrolled acres in any one parcel exceeds \$4,000.00 per acre, then the owner shall, in addition to the tax otherwise paid on the use value of the parcel, pay municipal and education property taxes on the amount per acre in excess of \$4,000.00, subject to any property tax adjustment available to the owner under chapter 154 of this title. Beginning in fiscal year 2011, the payment to any municipality under section 3760 of this chapter shall be adjusted to take into account the limitation in this section.

Sec. F.104. Reduce the general fund transfer to the education fund by \$2.5 million (the education fund saves \$2.5 million through the current use cap in Sec. 103)

In B.513, by striking out the figure “297,778,980” in both instances and inserting in lieu thereof the figure 295,278,980 and by striking out the figure “274,778,980” and inserting in lieu thereof the figure 272,278,980

Sec. F.105. Vermont Housing and Conservation Board appropriation reduced by \$5 million

In Sec. B.813, by striking out the figure “22,933,436” in both instances and inserting the figure 17,933,436 and by striking out the figure “11,326,662” and inserting the figure 6,326,662; and by inserting Vermont housing and conservation funding in fiscal year 2010 shall be used only for housing purposes.

Sec. F.106. Property transfer tax dedicated to the VHCB trust fund reduced by \$5 million, and excess amounts flow to general fund

In Sec. D.100, by inserting the following:

(a) This act contains the following amounts appropriated from special funds that receive revenue from the property transfer tax. Expenditures from these appropriations shall not exceed available revenues.

(1) The sum of \$314,503 is appropriated from the property valuation and review administration special fund to the department of taxes for administration of the use tax reimbursement program. Notwithstanding 32 V.S.A. § 9610(c), amounts above \$314,503 from the property transfer tax that are deposited into the property valuation and review administration special fund shall be transferred into the general fund.

(2) The sum of ~~\$9,101,662~~ \$4,101,662 is appropriated from the Vermont housing and conservation trust fund to the Vermont housing and conservation trust board. Notwithstanding 10 V.S.A. § 312, amounts above ~~\$9,101,662~~ \$4,101,662 from the property transfer tax that are deposited into the Vermont housing and conservation trust fund shall be transferred into the general fund.

* * * *

Sec. F.107. Cut tobacco cessation funding by \$714,000

In Sec. B.312, by striking out the figure “74,842,314” in both instances and inserting the figure 74,128,314 and by striking out the figure “1,906,916” and inserting the figure 1,192,916

In Sec. B.301, by striking out the figure “70,206,046” and inserting the figure 69,492,046 and by striking out the figure “34,911,760” and inserting the figure 35,625,760

Sec. F.108. Move \$714,000.00 saved from tobacco cessation funding to Global Commitment, allowing reduction of general fund monies to Global Commitment

In Sec. E.312, by inserting the following:

(c) Funding for the tobacco programs in fiscal year 2010 shall consist of the ~~\$1,917,516~~ \$1,203,516 in tobacco funds and \$1,059,409 in Global Commitment funds appropriated in Sec. B.312 of this act; and \$212,709 of the tobacco funds appropriated in Sec. B.300 of this act. This total ~~\$3,189,634~~ \$2,475,634 shall be utilized according to the provisions of 18 V.S.A. chapter 225 as follows:

(1) community-based programs - \$850,300;

(2) media and public education - \$837,200;

(3) tobacco cessation programs - ~~\$1,163,200~~ \$449,200; these funds may also be used to provide tobacco cessation counseling services to persons incarcerated in Vermont correctional facilities, and \$80,000 shall be used to make nicotine replacement therapies available to all persons enrolled in tobacco cessation counseling, \$91,400 shall be allocated to programs that serve pregnant women, and \$12,500 shall be granted to the Washington County Mental Health Agency, Inc. for a special cessation program;

(4) surveillance and evaluation activities - \$276,600;

(5) statewide provider education - \$62,334.”

Sec. F.109. Cut legislative budget \$200,000 by reduction in funding of Health Care Reform Commission

In Sec. B.127, by striking out the figure “7,301,391” in both instances and inserting the figure 7,101,391, and by striking out the figure “3,872,884” and inserting the figure 1,192,916

In Sec. E.127 by adding:

“* * *

(b) The director of the commission on health care reform shall reduce expenditures on contracts and personal services by \$200,000.”

Sec. F.110. Full family sanctions for those on TANF for 60 months unless good cause shown

In Sec. B.323, by striking out the figure “49,842,356” in both instances and inserting the figure 48,594,356 and by striking out the figure “16,124,726” and inserting the figure 14,876,726, and by inserting Full family sanctions shall be imposed for those on TANF for 60 months unless good cause is shown.

**AMENDMENT TO SENATE PROPOSAL OF AMENDMENT TO
H. 441 TO BE OFFERED BY SENATOR ILLUZZI BEFORE THIRD
READING**

Senator Illuzzi moves to amend the Senate proposal of amendment by adding a new section to be Sec. E.501.2 to read:

Sec. E.501.2. 16 V.S.A. § 821(c) is amended to read:

(c) Notwithstanding subsection (a) of this section, a school board without previous authorization by the electorate may pay tuition for elementary pupils who reside near a public elementary school in an adjacent district upon request of the pupil's parent or guardian, if in the board's judgment the pupil's education can be more conveniently furnished there. ~~The board's decision shall be final in regard to the institution the pupil may attend.~~ A parent or guardian who is dissatisfied with the decision of the board under this subsection may request a determination by the commissioner, whose decision shall be final.

H. 442

An act relating to miscellaneous tax provisions.

**AMENDMENT TO SENATE PROPOSAL OF AMENDMENT TO
H. 442 TO BE OFFERED BY SENATORS McCORMACK AND STARR
BEFORE THIRD READING**

Senators McCormack and Starr move to amend the Senate proposal of amendment by striking out Sec. 42a [sales tax on clothing], Sec. 52 [flavored malt drinks tax], Sec. 55 [lowering marginal rates] and Sec. 57 [limitation on use value reductions] in their entirety.

**AMENDMENT TO SENATE PROPOSAL OF AMENDMENT TO
H. 442 TO BE OFFERED BY SENATORS CAMPBELL,
McCORMACK, NITKA AND RACINE BEFORE THIRD READING**

Senators Campbell, McCormack, Nitka and Racine move to amend the Senate proposal of amendment by inserting a Sec. 57a to read:

Sec. 57a. HEALTH CARE REFORM PROPERTY TAX EXEMPTION

In fiscal years 2010 and 2011, the following two properties shall be exempt from education property tax under chapter 135 of Title 32: Buildings and land

owned and occupied by a health, recreation, and fitness organization which is exempt under Section 501(c)(3) of the Internal Revenue Code, the income of which is entirely used for its exempt purpose, one of which is designated by the Springfield Hospital and the other designated by the North Country Hospital, to promote exercise and healthy lifestyles for the community and to serve citizens of all income levels in this mission. This exemption shall apply notwithstanding the provisions of subdivision 3832(7) of Title 32.

Joint Resolution for Action

J.R.H. 23

Joint resolution relating to the preservation of Vermont's streams and rivers.

(For text of Resolution, see Senate Journal of April 22, 2009, page 848)

NOTICE CALENDAR

Favorable

H. 64

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

Reported favorably by Senator Lyons for the Committee on Natural Resources and Energy.

(Committee vote: 4-0-1)

(For House amendments, see House Journal of February 12, 2009, page 160)

NOTICE OF INTENT TO WITHDRAW AS A SPONSOR

S. 144

An act relating to patient choice and control at end of life.

Senator Choate of the Caledonia Senate District does hereby give notice of withdrawal of his name as a co-sponsor of S. 144.

CONFIRMATIONS

The following appointments will be considered by the Senate, as a group, under suspension of the Rules, as moved by the President *pro tempore*, for confirmation together and without debate, by consent thereby given by the Senate. However, upon request of any senator, any appointment may be singled out and acted upon separately by the Senate, with consideration given to the report of the Committee to which the appointment was referred, and with full debate; and further, all appointments for the positions of Secretaries of Agencies, Commissioners of Departments, Judges, Magistrates, and members of the Public Service Board shall be fully and separately acted upon.

Susan D. Plaustainer of Brownsville – Member of the Vermont Economic Development Authority – By Sen. Maynard for the Committee on Finance. (1/21)

Rachel Schumacher of North Bennington – Member of the Vermont Economic Development Authority – By Sen. Hartwell for the Committee on Finance. (1/21)

Steven J. Bourgeois of Swanton – Member of the Vermont Economic Development Authority – By Sen. Carris for the Committee on Finance. (1/28)

Thomas Pelletier of Montpelier – Member of the Vermont Housing Finance Agency – By Sen. Cummings for the Committee on Finance. (1/28)

Neale F. Lunderville of Burlington – Secretary of the Agency of Administration – By Sen. Flanagan for the Committee on Government Operations. (2/17)

Neale F. Lunderville of Burlington – Secretary of the Agency of Administration – By Sen. Flanagan for the Committee on Government Operations. (2/17)

Michael Welch of St. Johnsbury – Member of the Valuation Appeals Board – By Sen. McCormack for the Committee on Finance. (2/18/09)

David R. Coates of Colchester – Member of the Vermont Municipal Bond Bank – By Sen. Carris for the Committee on Finance. (2/18/09)

Sonia D. Alexander of Wilmington – Member of the Valuation Appeals Board – By Sen. Hartwell for the Committee on Finance. (2/25/09)

Paulette Thabault of South Burlington – Commissioner of the Department of Banking, Insurance, Securities and Health Care Administration – By Sen. Cummings for the Committee on Finance. (3/3/09)

Kathryn T. Boardman of Shelburne – Member of the Vermont Municipal Bond Bank – By Sen. Maynard for the Committee on Finance. (3/4/09)

John D. Burke of Castleton – Member of the Public Service Board – By Sen. Maynard for the Committee on Finance. (3/24/09)

Kenneth Linsley of Danville – Member of the Vermont Educational and Health Buildings Financing Agency – By Sen. Maynard for the Committee on Finance. (3/26/09)

Gary Moore of Bradford – Member of the Vermont State Colleges Board of Trustees – By Sen. Starr for the Committee on Education. (3/31/09)

Linda R. Milne of Montpelier – Member of the Vermont State Colleges Board of Trustees – By Sen. Doyle for the Committee on Education. (3/31/09)

Mark Young of Orwell – Member of the University of Vermont Board of Trustees – By Sen. Giard for the Committee on Education. (3/31/09)

Donald Collins of Swanton – Member of the State Board of Education – By Sen. Brock for the Committee on Education. (3/31/09)

Matthew F. Valerio of Proctor – Defender General – By Sen. Mullin for the Committee on Judiciary. (4/3/09)

Joseph C. Benning of Lyndonville – Chair, Human Rights Commission - By Sen. Sears for the Committee on Judiciary. (4/3/09)

Shelley J. Gartner of Rutland – Magistrate, Vermont Family Court - By Sen. Nitka for the Committee on Judiciary. (4/3/09)

Mary Gleason Harlow of Clarendon – Magistrate, Vermont Family Court – By Sen. Campbell for the Committee on Judiciary. (4/3/09)

Christine A. Hoyt of Tunbridge – Magistrate, Vermont Family Court – By Sen. Campbell for the Committee on Judiciary. (4/3/09)

Michelle Fairbrother of Rutland – Member of the Vermont State Colleges Board of Trustees – By Sen. Nitka for the Committee on Education. (4/14/09)

John Hall of West Danville – Member of the State Board of Education – By Sen. Doyle for the Committee on Education. (4/14/09)

Judith Livingston of Manchester – Member of the State Board of Education – By Sen. Brock for the Committee on Education. (4/14/09)

Carol Bokan of Shelburne – Member of the Community High School of Vermont Board – By Sen. Nitka for the Committee on Education. (4/14/09)

Benjamin R. O'Brien of South Burlington – Member of the Occupational Safety and Health Review Board – By Sen. Ashe for the Committee on Economic Development, Housing and General Affairs. (4/22/09)

Benjamin R. O'Brien of South Burlington – Member of the Occupational Safety and Health Review Board – By Sen. Ashe for the Committee on Economic Development, Housing and General Affairs. (4/22/09)

Stephanie O'Brien of South Burlington – Member of the Liquor Control Board – By Sen. Miller for the Committee on Economic Development, Housing and General Affairs. (4/22/09)

David Marvin of Hyde Park – Member of the Sustainable Jobs Fund Board of Directors – By Sen. Illuzzi for the Committee on Economic Development, Housing and General Affairs. (4/22/09)

Bruce Shields of Wolcott – Member of the Sustainable Jobs Fund Board of Directors – By Sen. Illuzzi for the Committee on Economic Development, Housing and General Affairs. (4/22/09)

Thomas G. Weaver of Essex Junction – Member of the Vermont Housing and Conservation Board – By Sen. Racine for the Committee on Economic Development, Housing and General Affairs. (4/22/09)

Joan Goldstein of South Royalton – Member of the Sustainable Jobs Fund Board of Directors – By Sen. Carris for the Committee on Economic Development, Housing and General Affairs. (4/23/09)

David Herlihy of Waitsfield – Commissioner of the Department of Human Resources – By Sen. Doyle for the Committee on Government Operations. (4/23/09)

Thomas Murray of Middlesex – Commissioner of the Department of Information and Innovation – By Sen. Doyle for the Committee on Government Operations. (4/23/09)

Thomas M. Crowley of South Burlington – Member of the State Police Advisory Commission – By Sen. White for the Committee on Government Operations. (4/24/09)

Ugo Sartorelli of Barre – Member of the State Police Advisory Commission – By Sen. Doyle for the Committee on Government Operations. (4/24/09)

James Reardon of Essex Junction – Commissioner of the Department of Finance and Management – By Sen. Flanagan for the Committee on Government Operations. (4/24/09)