

Journal of the House

Friday, January 16, 2009

Rep. Nease of Johnson in Chair.

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Mr. Roy Hill, Trustee of Vermont Council of Churches.

Memorial Service

The Speaker placed before the House the following name of a member of past sessions of the Vermont General Assembly who had passed away recently:

Frank J. DaPrato of Swanton

Member of the House in sessions:

1977, 1979, 1981, 1983, 1985, 1987 and 1989

Thereupon, the members of the House rose for a moment of prayer in memory of the deceased member. The Clerk was thereupon directed to send a copy of the House Journal to the bereaved family

House Bills Introduced

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

H. 29

By Reps. McAllister of Highgate, Branagan of Georgia, Flory of Pittsford, Komline of Dorset, Larocque of Barnet and Savage of Swanton,

An act relating to the requirement of mandatory binding arbitration; the elimination of strikes and imposed contracts in connection with the employment of teachers and administrators; and voter approval of some contracts;

To the committee on Education.

H. 30

By Rep. Ancel of Calais,

An act relating to calculation of education tax;

To the committee on Ways and Means.

H. 31

By Reps. Macaig of Williston and McCullough of Williston,

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

To the committee on Government Operations.

Bill Amended; Third Reading Ordered

H. 11

Rep. Jewett of Ripton, for the committee on Judiciary, to which had been referred House bill, entitled

An act relating to the disposition of property upon death, transfer of interest in vehicle upon death, and homestead exemption

Reported in favor of its passage when amended as follows:

First: In Sec. 2, 14 V.S.A. § 311(2), by striking the comma after the words “descendants of the decedent”

Second: In Sec. 2, 14 V.S.A. § 312, in the last sentence, by inserting the words “or civil union” after the word “marriage” and before the comma

Third: In Sec. 2, 14 V.S.A. § 314, by striking subdivision (b)(3) in its entirety and inserting in lieu thereof a new subdivision (b)(3) to read as follows:

(3) one-half of the intestate estate to the decedent’s paternal grandparents equally if they both survive or to the surviving paternal grandparent and one-half of the intestate estate to the decedent’s maternal grandparents equally if they both survive or to the surviving maternal grandparent but if decedent is survived by a grandparent, or grandparents on only one side, to that grandparent or those grandparents;

Fourth: In Sec. 2, 14 V.S.A. § 320, by inserting the words “or in a civil union with” after the words “married to”

Fifth: In Sec. 2, 14 V.S.A. § 321, in the first sentence, by striking the words “during marriage” and inserting in lieu thereof the words “during a marriage or civil union and not to take effect until after the individual’s death” before the comma

Sixth: In Sec. 2, 14 V.S.A. § 338, in subsection (a)(1) by striking the word “distributes” and inserting in lieu thereof the word “distributees”

Seventh: By adding a Sec. 6 to read as follows:

Sec. 6. EFFECTIVE DATE

(a) Sections 1, 2, 4, and 5 of this act shall take effect upon passage. Sec. 2 of this act shall apply only to the estates of persons dying on or after the effective date of this act.

(b) Sec. 3 of this act shall take effect July 1, 2009.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Judiciary agreed to and third reading ordered.

**Rules Suspended; Favorable Report; Resolution Read Second Time
Third Reading Ordered; Rules Suspended; Resolution Read
Third Time and Adopted; Rules Suspended; Resolution
Ordered Messaged to Senate**

J.R.S. 7

On motion of **Rep. Komline of Dorset**, the rules were suspended and Joint resolution, entitled

Joint resolution providing for release of payments to towns for highway aid;

Appearing on the Calendar for notice, was taken up for immediate consideration.

Rep. Audette of South Burlington, for the committee on Transportation, to which the bill had been referred, reported in favor of its passage.

Thereupon, the resolution was read the second time.

Rep. Branagan of Georgia moved to commit the resolution to the committee on Ways and Means.

Thereupon, **Rep. Branagan of Georgia** asked and was granted leave of the House to withdraw her motion.

Thereupon, third reading was ordered.

On motion of **Komline of Dorset**, the rules were suspended and the resolution placed on all remaining stages of passage. The resolution was read the third time and adopted and, on motion of **Komline of Dorset** the rules were suspended and the resolution was ordered messaged to the Senate forthwith.

Adjournment

At ten o'clock and twenty minutes in the forenoon, on motion of **Rep. Komline of Dorset**, the House adjourned until Tuesday, January 20, 2009, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 5.