

Journal of the House

Tuesday, February 24, 2009

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rep. Aswad of Burlington.

Pledge of Allegiance

Page Isabel Hardy of Barre led the House in the Pledge of Allegiance.

Rules Suspended; House Bills Introduced

House bills of the following titles were severally introduced. Pending first reading of the bills, on motion of **Rep. Komline of Dorset**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

H. 260

By Reps. Helm of Castleton, Brennan of Colchester, Donaghy of Poultney, Johnson of Canaan and McAllister of Highgate,

An act relating to jurisdictional transfer of snowmobiles, motorboats, and ATVs;

To the committee on Government Operations.

H. 261

By Reps. Marcotte of Coventry, Morrissey of Bennington, Baker of West Rutland, Bissonnette of Winooski, Bray of New Haven, Brennan of Colchester, Canfield of Fair Haven, Clerkin of Hartford, Condon of Colchester, Consejo of Sheldon, Devereux of Mount Holly, Dickinson of St. Albans Town, Donaghy of Poultney, Fagan of Rutland City, Higley of Lowell, Hube of Londonderry, Hubert of Milton, Johnson of Canaan, Keenan of St. Albans City, Kilmartin of Newport City, Kitzmiller of Montpelier, Koch of Barre Town, Komline of Dorset, Larocque of Barnet, Lawrence of Lyndon, Lewis of Derby, Lorber of Burlington, McAllister of Highgate, Moran of Wardsboro, Morley of Barton, O'Donnell of Vernon, Pearce of Richford, Perley of Enosburg, Savage of Swanton, Shand of Weathersfield, Smith of Mendon, Turner of Milton, Wheeler of Derby, Wilson of Manchester and Zenie of Colchester,

An act relating to expired automotive insurance;

To the committee on Transportation.

H. 262

By Reps. Edwards of Brattleboro, Donovan of Burlington, Sharpe of Bristol, Bray of New Haven, Burke of Brattleboro, Cheney of Norwich, Clarkson of Woodstock, Copeland-Hanzas of Bradford, Donahue of Northfield, Fisher of Lincoln, Greshin of Warren, Masland of Thetford, McCullough of Williston, Mrowicki of Putney, Nuovo of Middlebury, Pellett of Chester, Stevens of Waterbury, Townsend of Randolph and Zuckerman of Burlington,

An act relating to tax on plastic bags;

To the committee on Ways and Means.

H. 263

By Reps. Minter of Waterbury and McCullough of Williston,

An act relating to limitations on liability for municipal and state landowners;

To the committee on Judiciary.

H. 264

By Reps. Hube of Londonderry, Manwaring of Wilmington, Branagan of Georgia, Clark of Vergennes, Komline of Dorset, Marcotte of Coventry, McDonald of Berlin, Moran of Wardsboro, O'Donnell of Vernon, Scheuermann of Stowe and Sharpe of Bristol,

An act relating to education savings allocation grants;

To the committee on Ways and Means.

H. 265

By Reps. Nuovo of Middlebury and Jewett of Ripton,

An act relating to rotation of environmental court judges;

To the committee on Judiciary.

H. 266

By Rep. Till of Jericho,

An act relating to local option taxes for all municipalities;

To the committee on Ways and Means.

H. 267

By Rep. Rodgers of Glover,

An act relating to merging the individual and small group health insurance markets;

To the committee on Health Care.

H. 268

By Reps. Donovan of Burlington, Aswad of Burlington, Bissonnette of Winooski, Davis of Washington, Edwards of Brattleboro, Fisher of Lincoln, Larson of Burlington, Lorber of Burlington, Macaig of Williston, Moran of Wardsboro, Nuovo of Middlebury, Obuchowski of Rockingham, Partridge of Windham, Poirier of Barre City, Shand of Weathersfield, South of St. Johnsbury and Zuckerman of Burlington,

An act relating to prohibiting mandatory overtime for health care employees;

To the committee on General, Housing and Military Affairs.

H. 269

By Rep. Rodgers of Glover,

An act relating to agency and department heads' annual salary adjustments;

To the committee on Government Operations.

H. 270

By Reps. Copeland-Hanzas of Bradford and Wheeler of Derby,

An act relating to the marketing of prescribed products and decreasing the costs of prescription drugs;

To the committee on Human Services.

H. 271

By Reps. Howard of Rutland City, Andrews of Rutland City, Courcelle of Rutland City and Fagan of Rutland City,

An act relating to uninhabitable buildings;

To the committee on Judiciary.

H. 272

By Reps. Wizowaty of Burlington, Fisher of Lincoln, Koch of Barre Town, Leriche of Hardwick, McFaun of Barre Town, Mrowicki of Putney and Till of Jericho,

An act relating to establishing a no-fault compensation system for medical injury claims ;

To the committee on Judiciary.

H. 273

By Reps. Masland of Thetford, Deen of Westminster, Edwards of Brattleboro, Howard of Rutland City, Jerman of Essex, Jewett of Ripton, McCullough of Williston, Minter of Waterbury, Wilson of Manchester and Zuckerman of Burlington,

An act relating to municipal acquisition of street lights;

To the committee on Government Operations.

H. 274

By Reps. Condon of Colchester and Donovan of Burlington,

An act relating to computer pari-mutuel wager proceeds;

To the committee on General, Housing and Military Affairs.

H. 275

By Reps. Masland of Thetford, Flory of Pittsford, Jerman of Essex and McCullough of Williston,

An act relating to parental rights and responsibilities;

To the committee on Judiciary.

H. 276

By Rep. Poirier of Barre City,

An act relating to a study on improving health care efficiency;

To the committee on Health Care.

H. 277

By Reps. Masland of Thetford, Atkins of Winooski, Jerman of Essex and McCullough of Williston,

An act relating to restricting an operator of a motor vehicle in the use of a cellular telephone while driving on the traveled portion of a highway and establishing secondary enforcement of this provision;

To the committee on Transportation.

H. 278

By Rep. Milkey of Brattleboro,

An act relating to rental network contracts;

To the committee on Health Care.

H. 279

By Reps. Masland of Thetford, Johnson of South Hero, Shand of Weathersfield and Turner of Milton,

An act relating to emergency management;

To the committee on Government Operations.

H. 280

By Rep. Marek of Newfane,

An act relating to authorizing the assistant judges of Windham County to borrow funds for capital construction.;

To the committee on Government Operations.

H. 281

By Reps. Clarkson of Woodstock, Marek of Newfane, Adams of Hartland, Ainsworth of Royalton, Andrews of Rutland City, Branagan of Georgia, Canfield of Fair Haven, Courcelle of Rutland City, Devereux of Mount Holly, Evans of Essex, Frank of Underhill, French of Randolph, Grad of Moretown, Howrigan of Fairfield, Jerman of Essex, Kitzmiller of Montpelier, Krawczyk of Bennington, Lorber of Burlington, Macaig of Williston, Masland of Thetford, McNeil of Rutland Town, Mitchell of Barnard, Pellett of Chester, Potter of Clarendon, Shand of Weathersfield, Smith of Mendon, Stevens of Shoreham, Taylor of Barre City, Toll of Danville and Zenie of Colchester,

An act relating to the removal of bodily remains;

To the committee on General, Housing and Military Affairs.

H. 282

By Rep. Hube of Londonderry,

An act relating to income tax credits for energy efficiency or renewable energy improvements to real property;

To the committee on Ways and Means.

H. 283

By Reps. Obuchowski of Rockingham, Bohi of Hartford, Burke of Brattleboro, Clarkson of Woodstock, Deen of Westminster, Edwards of Brattleboro, Emmons of Springfield, Howrigan of Fairfield, Johnson of Canaan, Larocque of Barnet, Martin of Springfield, Masland of Thetford,

Milkey of Brattleboro, Mrowicki of Putney, O'Donnell of Vernon, Partridge of Windham, Shand of Weathersfield, Sharpe of Bristol and Sweaney of Windsor,

An act relating to the promotion of tourism and economic development in the Connecticut River valley;

To the committee on Commerce and Economic Development.

H. 284

By Reps. Minter of Waterbury, Cheney of Norwich, Fisher of Lincoln, Shand of Weathersfield and Weston of Burlington,

An act relating to a surcharge on diesel fuel and gasoline;

To the committee on Ways and Means.

H. 285

By Reps. Condon of Colchester and Zuckerman of Burlington,

An act relating to prohibiting the use of robotic telephone calls that support or oppose a candidate for elected office;

To the committee on Government Operations.

H. 286

By Reps. Johnson of Canaan, Adams of Hartland, Ainsworth of Royalton, Branagan of Georgia, Conquest of Newbury, Geier of South Burlington, Helm of Castleton, Higley of Lowell, Howrigan of Fairfield, Krawczyk of Bennington, Larocque of Barnet, Lawrence of Lyndon, Lewis of Derby, Malcolm of Pawlet, Marcotte of Coventry, McAllister of Highgate, Morley of Barton, Morrissey of Bennington, Peaslee of Guildhall, Potter of Clarendon, Rodgers of Glover, Savage of Swanton and Winters of Williamstown,

An act relating to the use of unregistered all-terrain vehicles on state and town highways within the confines of a farm;

To the committee on Transportation.

Senate Bill Referred

S. 12

Senate bill, entitled

An act relating to not requiring the physical presence of a defendant or offender at certain court proceedings

Was taken up, read the first time and referred to the committee on Judiciary.

Favorable Report; Third Reading Ordered**H. 3**

Rep. Macaig of Williston, for the committee on Corrections and Institutions, to which had been referred House bill, entitled

An act relating to technical corrections to the public institutions and corrections statutes

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

Favorable Report; Third Reading Ordered**H. 95**

Rep. Atkins of Winooski, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to the approval of an amendment to the charter of the city of Burlington

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

Favorable Report; Third Reading Ordered**H. 36**

Rep. Perley of Enosburg, for the committee on Education, to which had been referred House bill, entitled

An act relating to repealing the charter of the Enosburg Falls Incorporated School District

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

Joint Resolution Adopted**J.R.H. 9**

Joint resolution, entitled

Joint resolution designating December 10, 2009 as Human Rights Day;

Was taken up and adopted on the part of the House.

Adjournment

At ten o'clock and forty-five minutes in the forenoon, on motion of **Rep. Komline of Dorset**, the House adjourned until tomorrow at one o'clock in the afternoon.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 54

House concurrent resolution in memory of David M. Turner of Irasburg

H.C.R. 55

House concurrent resolution honoring Charlotte Neer Annis

H.C.R. 56

House concurrent resolution in memory of retired Vermont Air National Guard Lt. Col. David L. Bombard of Burlington

H.C.R. 57

House concurrent resolution honoring Springfield High School field hockey coach Joy Benson

H.C.R. 58

House concurrent resolution congratulating Bob Obdrzalek of Springfield on his designation as USA Boxing New England's Vermont Coach of the Year

H.C.R. 59.

House concurrent resolution honoring Jane McLuckie Lendway for 33 years of outstanding service to the state of Vermont

H.C.R. 60

House concurrent resolution congratulating Diana Leddy on being named the 2009 Vermont Teacher of the Year

H.C.R. 61

House concurrent resolution welcoming home from military service in Iraq U.S. Army Reserve Specialist First Class Sally Cole of Johnson

H.C.R. 62

House concurrent resolution honoring Deborah Lisi-Baker for her leadership role as an advocate for disabled and deaf Vermonters

S.C.R. 9.

Senate concurrent resolution congratulating Energizer in Bennington on the development of the world's first mercury-free hearing aid battery and on the company's receipt of a Governor's Commission on Healthy Aging Award.

S.C.R. 10.

Senate concurrent resolution congratulating 1st Lt. Kurt Hunt of Coventry on his designation as a member of the 2009 All Army soccer team.

S.C.R. 11.

Senate concurrent resolution honoring retired Caledonia State's Attorney Robert Butterfield for his outstanding public service.

[The full text of the concurrent resolutions appeared in the Senate and House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2009, seventieth Biennial session.]