

# Journal of the House

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**Friday, February 27, 2009**

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

## **Devotional Exercises**

Devotional exercises were conducted by "Wren Song", directed by Oliver Goodenough.

## **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. 300**

By Reps. Fisher of Lincoln, Ancel of Calais, Aswad of Burlington, Bray of New Haven, Burke of Brattleboro, Clarkson of Woodstock, Davis of Washington, Deen of Westminster, Donovan of Burlington, Edwards of Brattleboro, Emmons of Springfield, French of Randolph, Haas of Rochester, Hooper of Montpelier, Jewett of Ripton, Kitzmiller of Montpelier, Klein of East Montpelier, Larson of Burlington, Lenex of Shelburne, Lorber of Burlington, Macaig of Williston, Maier of Middlebury, Marek of Newfane, Martin of Springfield, Masland of Thetford, McCullough of Williston, Mitchell of Barnard, Mrowicki of Putney, Nuovo of Middlebury, Orr of Charlotte, Peltz of Woodbury, Poirier of Barre City, Ram of Burlington, Shand of Weathersfield, Sharpe of Bristol, Spengler of Colchester, Weston of Burlington, Wizowaty of Burlington, Zenie of Colchester and Zuckerman of Burlington,

An act relating to the Vermont National Guard and the call to federal service for deployment in Iraq;

To the committee on Judiciary.

### **H. 301**

By Rep. Shand of Weathersfield,

An act relating to reducing the current number of supervisory unions to ten;

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To the committee on Education.

**H. 302**

By Rep. Courcelle of Rutland City,

An act relating to motor vehicle sales and use tax on repossessed vehicles;

To the committee on Ways and Means.

**H. 303**

By Rep. Leriche of Hardwick,

An act relating to random drug testing of school personnel;

To the committee on General, Housing and Military Affairs.

**H. 304**

By Reps. French of Randolph, Fisher of Lincoln, Frank of Underhill, Haas of Rochester, Martin of Springfield, McAllister of Highgate, McFaun of Barre Town, Mrowicki of Putney, Orr of Charlotte, Pugh of South Burlington and Spengler of Colchester,

An act relating to the missing vulnerable persons alert program;

To the committee on Government Operations.

**H. 305**

By Rep. Edwards of Brattleboro,

An act relating to keeping the Vermont state nuclear advisory panel fully informed;

To the committee on Natural Resources and Energy.

**H. 306**

By Rep. Ancel of Calais,

An act relating to health insurance rate transparency;

To the committee on Commerce and Economic Development.

**H. 307**

By Rep. French of Randolph,

An act relating to notice requirements for homestead property tax adjustments;

To the committee on Ways and Means.

**H. 308**

By Reps. Jewett of Ripton, Donahue of Northfield and Haas of Rochester,  
An act relating to guardianships;  
To the committee on Judiciary.

**H. 309**

By Reps. Frank of Underhill, Till of Jericho, Andrews of Rutland City, Atkins of Winooski, Audette of South Burlington, Bissonnette of Winooski, Bray of New Haven, Donovan of Burlington, Evans of Essex, Fisher of Lincoln, French of Randolph, Gilbert of Fairfax, Haas of Rochester, McCullough of Williston, Mrowicki of Putney, Orr of Charlotte, Smith of Mendon and Waite-Simpson of Essex,

An act relating to anatomical gift registration plates;  
To the committee on Transportation.

**H. 310**

By Rep. Pugh of South Burlington,  
An act relating to receivership of long-term care facilities;  
To the committee on Human Services.

**Joint Resolution Referred to Committee****J.R.H. 11**

Joint resolution urging Vermonters and public and private organizations in the state to institute a voluntary 20 percent reduction in energy use

Offered by: Representatives Geier of South Burlington, Clark of Vergennes, Donovan of Burlington, Mook of Bennington, O'Brien of Richmond, Partridge of Windham, Pearce of Richford, Peltz of Woodbury, Perley of Enosburg, Waite-Simpson of Essex, Webb of Shelburne, Zenie of Colchester and Zuckerman of Burlington

Whereas, energy costs in Vermont are continuing to rise dramatically, and

Whereas, at present, the overwhelming majority of Vermont's electrical generation is derived from fossil fuels, many of which are imported from unreliable overseas sources, and

Whereas, not only are energy costs rising, but the burning of fossil fuels increases the emission of greenhouse gases that contribute to the planet's increasingly severe global warming problems, and

Whereas, although switching to renewable energy sources will reduce the problems that imported fossil fuels cause, Vermont will remain largely dependent on fossil fuels for energy sources for the short term, and

Whereas, a concerted voluntary effort on the part of all individuals and institutions in this state to reduce would serve as a major step forward to achieving a 20 percent electric power reduction in Vermont, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly urges all individual Vermonters and all nonprofit organizations, educational institutions and hospitals, farms, for-profit businesses, schools and colleges, and levels of government to work to institute a voluntary 20 percent reduction in energy use by shutting off lights whenever walking out of a room that will be empty and by lowering thermostats by five degrees.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Natural Resources and Energy.

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

**J.R.S. 17**

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

Joint resolution requesting the Department of Health to complete and update its study on the relationship of the closed Vermont Asbestos Group mine in the towns of Eden and Lowell to occurrences of asbestos-related illness;

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

**Rep. Mrowicki of Putney**, for the committee on Human Services, to which the resolution had been referred, reported in favor of its passage.

Thereupon, the resolution was read the second time and third reading was ordered.

Thereupon, **Rep. Komline of Dorset** moved to suspend the rules and the resolution be placed on all remaining stages of its passage in concurrence.

Thereupon, the resolution was read the third time and adopted, and on motion of **Rep. Komline of Dorset** the rules were suspended and the resolution was ordered messaged to the Senate forthwith.

**Committee Relieved of Consideration  
and Resolution Committed to Other Committee**

**J.R.H. 11**

**Rep. Klein of East Montpelier** moved that the committee on Natural Resources and Energy be relieved of House bill, entitled

Joint resolution urging Vermonters and public and private organizations in the state to institute a voluntary 20 percent reduction in energy use

And that the bill be committed to the committee on Education, which was agreed to.

**Bill Amended, Read Third Time and Passed**

**H. 26**

House bill, entitled

An act relating to plans for treatment of unmarked burial sites

Was taken up and pending third reading of the bill, **Rep. Donovan of Burlington** moved to amend the bill as follows:

First: In Sec. 1 in 18 V.S.A. §5601(2) in the first sentence by striking the following: "evidence of cremation."

Second: In Sec. 1 in 18 V.S.A. §5602(a) in the first sentence by striking the words "containing human remains or funerary objects"

Which was agreed to. Thereupon, the bill was read the third time and passed.

**Third Reading; Bills Passed**

House bills of the following titles were severally taken up, read the third time and passed:

**H. 62**

House bill, entitled

An act relating to an exemption from municipal dog-control ordinances for working farm dogs;

**H. 91**

House bill, entitled

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

**H. 109**

House bill, entitled

An act relating to the Uniform Limited Cooperative Association Act.

**Joint Resolution Adopted in Concurrence  
with a Proposal of Amendment****J.R.S. 22**

Joint resolution providing for a Joint Assembly to vote on the retention of three Superior Judges, and one District Judge.

Was taken up read and pending the question, Shall the resolution be adopted? **Rep. Jewett of Ripton** moved to propose to the Senate to amend the resolution as follows:

By striking “Thursday, March 19” and inserting in lieu thereof Wednesday, March 25, which was agreed.

Thereupon, the resolution was adopted in concurrence with a proposal of amendment.

**Action on Bill Postponed****H. 232**

House bill, entitled

An act relating to fiscal year 2009 budget adjustment;

Was taken up and pending the question, Shall the House concur in the Senate proposal of amendment? on motion of **Rep. Heath of Westford**, action on the bill was postponed until March 18, 2009.

**Bill Recommitted****J.R.H. 10**

Joint resolution, entitled

Joint resolution recognizing the commitment to quality service of Vermont’s locally owned banks

Was taken up, and pending the question, Shall the resolution be adopted? **Rep. Kitzmiller of Montpelier** moved to recommit the resolution to the committee on Commerce and Economic Development, which was agreed to.

**Message from the Senate No. 22**

A message was received from the Senate by Mr. Gibson, its Secretary, as follows:

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

**S. 34.** An act relating to the agreement among the states to elect the president by national popular vote.

**S. 59.** An act relating to approval of expenditures for gifts.

**S. 92.** An act relating to financing campaigns for elected office.

In the passage of which the concurrence of the House is requested.

The Senate has considered joint resolution originating in the House of the following title:

**J.R.H. 9.** Joint resolution designating December 10, 2009 as Human Rights Day.

And has adopted the same in concurrence.

The Senate has considered House proposal of amendment to Joint Senate Resolution of the following title:

**J.R.S. 21.** Joint resolution in support of the United States dairy industry.

And has concurred therein.

**Adjournment**

At ten o'clock and thirty-five minutes in the forenoon, on motion of **Rep. McDonald of Berlin**, the House adjourned until Tuesday, March 17, 2009, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 15.