

Journal of the House

Thursday, February 11, 2010

At one o'clock in the afternoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by the Shelburne Community School Sax Band, directed by David Myer.

Senate Bill Referred

S. 90

Senate bill, entitled

An act relating to representative annual meetings;

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

Senate Bill Referred

S. 286

Senate bill, entitled

An act relating to challenges for change;

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

Rules Suspended; Bill Committed

H. 760

On motion of **Rep. Sweaney of Windsor**, the rules were suspended and House bill, entitled

An act relating to the repeal or revision of certain boards and commissions;

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

Pending second reading of the bill, on motion of **Rep. Sweaney of Windsor**, the bill was committed to the committee on Government Operations.

House Resolution Placed on Calendar**H.R. 27**

House resolution urgently imploring U.S. Secretary of Agriculture Tom Vilsack to exercise dynamic and innovative leadership in addressing the volatility in the price of milk paid to Vermont's dairy farmers

Offered by: Committee on Agriculture

Whereas, the federal marketing order system no longer works for Vermont dairy farmers, and

Whereas, the price of milk is consistently below the price of production and is a major cause in the decline in the number of Vermont dairy farms, and

Whereas, according to the Vermont agency of agriculture, food and markets, the total number of dairy farms in January of each of the following years stood at: 1947 (11,206), 1957 (9,512), 1967 (4,729), 1977 (3,531), 1987 (2,771), 1997 (1,908), 2007 (1,168), and 2010 (1,055), and

Whereas, if the statistical dairy farm closure rate of the last two decades continues, by the year 2020, Vermont dairy farms will have nearly vanished from the countryside, and

Whereas, the state of Vermont has attempted through various programs, including initiating a regional dairy compact, revitalizing the Vermont milk commission, and providing scientific and business assistance directly to individual farmers, and through agricultural organizations to help create a fair price for the milk that Vermont dairy farmers produce, and

Whereas, this pricing problem is an ongoing crisis for our dairy farmers, is national in scope, and can be addressed only through federal leadership which takes into consideration policy proposals that come from the grassroots level, and

Whereas, on Saturday February 13, 2010, U.S. Secretary of Agriculture Tom Vilsack will be visiting our state, affording Vermont's dairy farmers and the members of the Vermont House the opportunity to express frustration and deep concern regarding the future of Vermont's dairy industry, a major economic driver of our state, and

Whereas, this expression will be a way of recognizing and protecting our agricultural heritage and working landscape, now therefore be it

Resolved by the House of Representatives:

That this legislative body welcomes U.S. Secretary of Agriculture Tom Vilsack to Vermont and urgently implores him to exercise dynamic and

innovative leadership in addressing the volatility in the price of milk paid to Vermont's dairy farmers, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to U.S. Secretary of Agriculture Tom Vilsack.

Which was read and, in the Speaker's discretion, placed on the Calendar for action tomorrow under Rule 52.

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

H. 639

Rep. Howard of Cambridge moved that the committee on Transportation be relieved of House bill, entitled

An act relating to motor vehicle insurance for volunteer drivers

And that the bill be committed to the committee on Commerce and Economic Development, which was agreed to.

Third Reading; Joint Resolution Adopted

J.R.H. 34

Joint resolution, entitled

Joint resolution in support of the New England Secondary School Consortium

Was taken up, read the third time and adopted.

Bill Read Second Time; Bill Amended and Third Reading Ordered

H. 759

Rep. Branagan of Georgia spoke for the committee on Ways and Means.

House bill entitled

An act relating to executive branch fees

Having appeared on the Calendar one day for notice, was taken up and read the second time and pending the question, Shall the bill be read the third time?

Rep. Partridge of Windham moved to amend the bill as follows:

By striking out Sec. 18 and inserting in lieu thereof a new Sec. 18 to read:

Sec. 18. 9 V.S.A. § 2643 is amended to read:

§ 2643. LICENSES; INSPECTIONS; PENALTIES

(a) No person shall operate a retail point-of-sale laser scanning check-out system with more than three point-of-sale scanning points without first obtaining a license from the secretary.

(1) The secretary may issue a license without first testing the accuracy and use of the point-of-sale laser scanning check-out system pursuant to subsection (b) of this section.

(2) The annual license fee shall be \$10.00 per individual point-of-sale scanning point within a store. All single retail units that have three or fewer scanning points shall be exempt from this fee.

(b) The secretary shall, from time to time, test the accuracy and use of laser scanning and other computer assisted check-out systems in stores. The secretary shall compare the programmed computer price with the item price of any consumer commodity offered by a store. The store shall provide access to the computer as is necessary to allow the secretary to conduct the accuracy test.

~~(b)~~(1) If, upon review, the programmed price of a commodity exceeds the price printed on or the advertised price of the commodity, the store may be subject to license denial, revocation, suspension or the following administrative penalties: \$15.00 per violation identified in more than two percent but less than four percent of the commodities reviewed, rounded to the nearest whole number, \$20.00 per violation in the next two percent reviewed, \$50.00 per violation in the next two percent and \$100.00 for each additional violation. In no event, however, shall the total amount of penalty for the review exceed \$1,000.00.

~~(e)~~(2) If a subsequent review within 12 months reveals further violations, the total amount of penalty due may be multiplied by the number of violations discovered.

Which was agreed to and third reading of the bill was ordered.

Joint Resolution Adopted

J.R.H. 38

Joint resolution, entitled

Joint resolution relating to the use of the state house for the Green Mountain Boys' State Program;

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

Adjournment

At three o'clock in the afternoon, on motion of **Rep. Komline of Dorset**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.