

Journal of the House

Friday, March 12, 2010

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

Devotional Exercises

Devotional exercises were conducted by Rabbi Toby Weisman from the Jewish Learning Center, Montpelier, VT.

Message from the Senate No. 19

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

Mr. Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 52. Joint resolution relating to weekend adjournment.

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

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 256. House concurrent resolution honoring family caregivers of persons with Alzheimer's and related diseases on the 2010 Alzheimer's Awareness Day at the state house.

H.C.R. 257. House concurrent resolution honoring Jim Matteau on his retirement from the Windham Regional Commission.

H.C.R. 258. House concurrent resolution in memory of Peter S. Clark of Londonderry.

H.C.R. 259. House concurrent resolution honoring Bonnie West and her family for their dedication to serving the citizens of Jamaica.

H.C.R. 260. House concurrent resolution commending Jennifer Clark for her nursing work in Haiti.

H.C.R. 261. House concurrent resolution in memory of former Jamaica selectboard member David L. Hamilton.

H.C.R. 262. House concurrent resolution honoring Chester selectboard chair Richard Jewett.

H.C.R. 263. House concurrent resolution honoring George Cook for his civic and community leadership in the town of Chester.

H.C.R. 264. House concurrent resolution honoring Irene Wood for her public service on behalf of the town of Chester.

H.C.R. 265. House concurrent resolution honoring Chester town auditor Richard Higley.

H.C.R. 266. House concurrent resolution in memory of Linda Ralph and honoring her proprietorship of the Danby Four Corner Store.

H.C.R. 267. House concurrent resolution congratulating the 2010 Vermont Prudential Spirit of Community Award winners.

H.C.R. 268. House concurrent resolution honoring Norton selectboard chair Franklin D. Henry for over a half-century of outstanding public service.

H.C.R. 269. House concurrent resolution congratulating Hannah Kearney on winning the 2010 women's skiing moguls Olympic gold medal.

H.C.R. 270. House concurrent resolution congratulating Representative Martha P. Heath as a recipient of the New England Board of Higher Education's 2010 David C. Knapp Award for Trusteeship.

House Bills Introduced

H. 772

By the committee on General, Housing and Military Affairs,

An act relating to alcoholic beverage tastings and other liquor licensing issues;

Under the rule, placed on the Calendar for notice.

H. 773

By Reps. Wright of Burlington, Aswad of Burlington, Atkins of Winooski, Bissonnette of Winooski, Donovan of Burlington, Larson of Burlington, Lorber of Burlington, Ram of Burlington, Weston of Burlington, Wizowaty of Burlington and Zuckerman of Burlington,

An act relating to approval of amendments to the charter of the city of Burlington;

To the committee on Government Operations.

Joint Resolution Adopted in Concurrence**J.R.S. 52**

By Senator Shumlin,

J.R.S. 52. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 12, 2010, it be to meet again no later than Tuesday, March 16, 2010.

Was taken up read and adopted in concurrence.

Bill Amended, Read Third Time and Passed**H. 614**

House bill, entitled

An act relating to the regulation of composting

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

First: In Sec. 1, 10 V.S.A. § 6001(3)(D)(vii), by striking “the chair of the district commission does not determine, in his or her discretion, that action has been taken to circumvent the requirements of this chapter and”

Second: By adding Sec. 1a to read as follows:

Sec. 1a. 10 V.S.A. § 6001e is added to read:

§ 6001e. COMMERCIAL COMPOSTING FACILITY; CIRCUMVENTION

Notwithstanding subdivisions 6001(3)(D)(vii)(I)–(VI) of this title, a permit under this chapter may be required for the construction of improvements below the elevation of 2,500 feet for the onsite storage, preparation, and sale of compost if the chair of the district commission, based on the information available to the chair, determines that action has been taken to circumvent the requirements of this chapter.

Which was agreed to.

Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? **Rep. Deen of Westminster** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass? was decided in the affirmative. Yeas, 137. Nays, 0.

Those who voted in the affirmative are:

Acinapura of Brandon	Head of South Burlington	Moran of Wardsboro
Adams of Hartland	Heath of Westford	Morley of Barton
Ainsworth of Royalton	Higley of Lowell	Morrissey of Bennington
Ancel of Calais	Hooper of Montpelier	Mrowicki of Putney
Andrews of Rutland City	Howard of Cambridge	Myers of Essex
Aswad of Burlington	Howard of Rutland City	Nease of Johnson
Atkins of Winooski	Howrigan of Fairfield	Nuovo of Middlebury
Baker of West Rutland	Hubert of Milton	O'Brien of Richmond
Bissonnette of Winooski	Jerman of Essex	Obuchowski of Rockingham
Bohi of Hartford	Jewett of Ripton	Olsen of Jamaica
Botzow of Pownal	Johnson of South Hero	Partridge of Windham
Branagan of Georgia	Johnson of Canaan	Pearce of Richford
Bray of New Haven	Keenan of St. Albans City	Peaslee of Guildhall
Brennan of Colchester	Kilmartin of Newport City	Pellett of Chester
Browning of Arlington	Kitzmiller of Montpelier	Peltz of Woodbury
Burke of Brattleboro	Klein of East Montpelier	Perley of Enosburg
Canfield of Fair Haven	Koch of Barre Town	Potter of Clarendon
Cheney of Norwich	Komline of Dorset	Pugh of South Burlington
Clark of Vergennes	Krawczyk of Bennington	Ram of Burlington
Clarkson of Woodstock	Krebs of South Hero	Reis of St. Johnsbury
Clerkin of Hartford	Lanpher of Vergennes	Rodgers of Glover
Conquest of Newbury	Larocque of Barnet	Savage of Swanton
Consejo of Sheldon	Larson of Burlington	Shand of Weathersfield
Copeland-Hanzas of Bradford	Lawrence of Lyndon	Sharpe of Bristol
Corcoran of Bennington	Lenes of Shelburne	Shaw of Pittsford
Courcelle of Rutland City	Leriche of Hardwick	Smith of Mendon
Crawford of Burke	Lewis of Derby	South of St. Johnsbury
Davis of Washington	Lippert of Hinesburg	Stevens of Waterbury
Deen of Westminster	Lorber of Burlington	Stevens of Shoreham
Devereux of Mount Holly	Macaig of Williston	Sweaney of Windsor
Dickinson of St. Albans Town	Maier of Middlebury	Taylor of Barre City
Donaghy of Poultney	Malcolm of Pawlet	Till of Jericho
Donahue of Northfield *	Manwaring of Wilmington	Toll of Danville
Donovan of Burlington	Marcotte of Coventry	Townsend of Randolph
Edwards of Brattleboro	Marek of Newfane	Turner of Milton
Emmons of Springfield	Martin of Springfield	Waite-Simpson of Essex
Evans of Essex	Martin of Wolcott	Webb of Shelburne
Fagan of Rutland City	Masland of Thetford	Weston of Burlington
Fisher of Lincoln	McAllister of Highgate	Wheeler of Derby
Frank of Underhill	McCullough of Williston	Wilson of Manchester
French of Shrewsbury	McDonald of Berlin	Wizowaty of Burlington
French of Randolph	McFaun of Barre Town	Wright of Burlington
Gilbert of Fairfax	McNeil of Rutland Town	Young of St. Albans City
Greshin of Warren	Milkey of Brattleboro	Zenie of Colchester
Haas of Rochester	Miller of Shaftsbury	Zuckerman of Burlington
	Minter of Waterbury	
	Mitchell of Barnard	

Those who voted in the negative are:

none

Those members absent with leave of the House and not voting are:

Audette of South Burlington	Helm of Castleton	Poirier of Barre City
Condon of Colchester	Mook of Bennington	Scheuermann of Stowe
Geier of South Burlington	O'Donnell of Vernon	Spengler of Colchester
Grad of Moretown	Orr of Charlotte	Winters of Williamstown

Rep. Donahue of Northfield explained her vote as follows:

“Mr. Speaker:

I voted yes. This bill, as amended, shows the work of this body at its best: when a need for clarification emerges in floor discussion, the committee of jurisdiction is responsive to the need, and a better product emerges from the body with full consensus as to the outcome.”

Favorable Report; Third Reading Ordered

H. 555

Rep. Lewis of Derby, for the committee on Fish, Wildlife & Water Resources, to which had been referred House bill, entitled

An act relating to youth hunting

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. 600

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

An act relating to permitted investments by the state treasurer

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.

Adjournment

At ten o'clock and thirty-five minutes in the forenoon, on motion of **Rep. Komline of Dorset**, the House adjourned until Tuesday, March 16, 2010, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 52.