

Journal of the House

Friday, April 9, 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 Pastor Brad Keller of Journey Church, South Royalton, Vt.

Joint Resolution Placed on Calendar

J.R.S. 60

By All Members of the Senate,

J.R.S. 60. Joint resolution honoring women veterans and requesting that state and federal officials work cooperatively to assure that women veterans receive the recognition, the health care services and other support services they need and deserve.

Whereas, March is Women's History Month, and

Whereas, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution, and

Whereas, the United States military has evolved from a predominantly male force to a force of over 14 percent women who are currently serving on active duty and nearly 17 percent serving in the Reserves and National Guard, and

Whereas, the number of women veterans is expected to be nearly two million by 2020 and will constitute more than 10 percent of the veteran population, and

Whereas, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive and high-quality health care and benefits to women veterans of all eras, and

Whereas, there is now a growing need to improve health care services for women veterans, to ensure clinicians are properly trained to provide primary care and gender-specific care to women of all ages, and to identify innovative courses of treatment and solutions to administrative obstacles that are unique to women veterans, and

Whereas, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, some with exposure to combat, VA facilities and veterans' service organizations are working to ensure that the postdeployment mental and physical health needs unique to women veterans are also met, and

Whereas, women deserve to be acknowledged for their military service and treated with equal respect, not only during Women's History Month but throughout the year, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly encourages the Vermont Office of Veterans Affairs and its women veterans coordinator to work in conjunction with the National Foundation for Women Legislators, Inc. and the Center for Women Veterans at the United States Department of Veterans Affairs, to reach out to all women veterans in Vermont and to encourage them to bring their specific needs and concerns to the attention of state and federal officials, so that state legislators and state and federal officials can work together to identify unique issues impacting women veterans and to consider policy solutions that will improve the quality of life for women veterans in Vermont, *and be it further*

Resolved: That the General Assembly honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to the director and to the women veterans coordinator at the Vermont Office of Veterans Affairs, the United States Veterans Health Administration's women veterans program manager in White River Junction, and the National Foundation of Women Legislators, Inc. in Washington, D.C.

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

Bill Amended, Read Third Time and Passed

H. 776

House bill, entitled

An act relating to rental housing

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

First: In Sec. 2, 32 V.S.A. § 4152 by adding a subsection (c) to read:

(c) A municipality shall be exempted from the requirements of subdivision (a)(10) of this section by filing a hardship waiver with the department of taxes by December 1, 2010. The waiver shall be filed by the municipal assessor or board of listers and include a detailed statement of the reason the waiver is taken, including an identification of the financial impact of, or other impediments to, complying with the requirement of subdivision (a)(10) of this section.

Second: By adding a Sec. 5 to read:

Sec. 5. DEPARTMENT OF TAXES; GRAND LIST; WAIVER

(a) By January 15, 2011, the department of taxes shall deliver to the house committees on general, housing and military affairs, and on ways and means, a copy of each waiver allowed by 32 V.S.A. § 4152(c) that it has received.

(b) It is the intent of the house committee on general, housing and military affairs to review the waivers allowed by 32 V.S.A. § 4152(c) to determine whether any action is needed to implement the requirements of 32 V.S.A. § 4152(a)(10), including whether the waiver allowed by 32 V.S.A. § 4152(c) should be repealed.

Which was agreed to.

Thereupon, the bill was read the third time.

Pending the question, Shall the bill pass? **Rep. Higley of Lowell** 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, 105. Nays, 34.

Those who voted in the affirmative are:

Adams of Hartland	Courcelle of Rutland City	Head of South Burlington
Ancel of Calais	Davis of Washington	Heath of Westford
Andrews of Rutland City	Deen of Westminster	Helm of Castleton
Aswad of Burlington	Devereux of Mount Holly	Hooper of Montpelier
Atkins of Winooski	Donahue of Northfield	Howard of Rutland City
Baker of West Rutland	Donovan of Burlington	Howrigan of Fairfield
Bissonnette of Winooski	Edwards of Brattleboro	Jerman of Essex
Bohi of Hartford	Emmons of Springfield	Jewett of Ripton
Botzow of Pownal	Fisher of Lincoln	Johnson of South Hero
Burke of Brattleboro	Frank of Underhill	Keenan of St. Albans City
Clark of Vergennes	French of Shrewsbury	Kitzmiller of Montpelier
Clarkson of Woodstock	Geier of South Burlington	Klein of East Montpelier
Conquest of Newbury	Gilbert of Fairfax	Koch of Barre Town
Consejo of Sheldon	Grad of Moretown	Krawczyk of Bennington
Copeland-Hanzas of Bradford	Greshin of Warren	Krebs of South Hero
	Haas of Rochester	Lanpher of Vergennes

Larson of Burlington	Moran of Wardsboro	Smith of Mendon
Lenes of Shelburne	Mrowicki of Putney	South of St. Johnsbury
Leriche of Hardwick	Myers of Essex	Spengler of Colchester
Lippert of Hinesburg	Nease of Johnson	Stevens of Waterbury
Lorber of Burlington	Nuovo of Middlebury	Sweaney of Windsor
Macaig of Williston	O'Brien of Richmond	Taylor of Barre City
Maier of Middlebury	Obuchowski of Rockingham	Till of Jericho
Malcolm of Pawlet	Olsen of Jamaica	Toll of Danville
Manwaring of Wilmington	Partridge of Windham	Waite-Simpson of Essex
Marcotte of Coventry	Pearce of Richford	Webb of Shelburne
Marek of Newfane	Pellett of Chester	Weston of Burlington
Martin of Springfield	Peltz of Woodbury	Wheeler of Derby
Martin of Wolcott	Poirier of Barre City	Wilson of Manchester
Masland of Thetford	Potter of Clarendon	Wizowaty of Burlington
McCullough of Williston	Pugh of South Burlington	Wright of Burlington
Milkey of Brattleboro	Ram of Burlington	Young of St. Albans City
Miller of Shaftsbury	Rodgers of Glover	Zenie of Colchester
Minter of Waterbury	Savage of Swanton	Zuckerman of Burlington
Mitchell of Barnard	Shand of Weathersfield	
Mook of Bennington	Sharpe of Bristol	

Those who voted in the negative are:

Acinapura of Brandon	Howard of Cambridge	Morrissey of Bennington
Branagan of Georgia	Hubert of Milton	O'Donnell of Vernon
Brennan of Colchester	Kilmartin of Newport City	Peaslee of Guildhall
Canfield of Fair Haven	Komline of Dorset	Perley of Enosburg
Clerkin of Hartford	Larocque of Barnet	Reis of St. Johnsbury
Crawford of Burke	Lawrence of Lyndon	Scheuermann of Stowe
Dickinson of St. Albans Town	Lewis of Derby	Shaw of Pittsford
Donaghy of Poultney	McAllister of Highgate	Stevens of Shoreham
Fagan of Rutland City	McDonald of Berlin	Townsend of Randolph
French of Randolph	McFaun of Barre Town	Turner of Milton
Higley of Lowell	McNeil of Rutland Town	Winters of Williamstown
	Morley of Barton	

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

Ainsworth of Royalton	Cheney of Norwich	Johnson of Canaan
Audette of South Burlington	Condon of Colchester	Orr of Charlotte
Bray of New Haven	Corcoran of Bennington	
Browning of Arlington	Evans of Essex	

**Proposal of Amendment Agreed to; Bill Read Third Time and Passed in
Concurrence With Proposals of Amendment**

S. 272

Senate bill, entitled

An act relating to human trafficking;

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

In Sec. 2 (h) after the words “senate and house committees on judiciary” by inserting the words “senate committee on health and welfare and house committee on human services”

Which was agreed to. Thereupon, the bill was read the third time and passed in concurrence with proposals of amendment.

Action on Bill Postponed

H. 589

House bill, entitled

An act relating to nuclear energy generation and the institution of trusts for greenfield restoration and spent fuel management

Was taken up and pending the reading of the report of the committee on Natural Resources and Energy, on motion of **Rep. Krawczyk of Bennington**, action on the bill was postponed until Tuesday, April 13, 2010.

Proposal of Amendment Agreed to; Third Reading Ordered

S. 264

Rep. McNeil of Rutland Town, for the committee on Agriculture, to which had been referred Senate bill, entitled

An act relating to stop and hauling charges

Reported in favor of its passage in concurrence with proposal of amendment as follows:

By striking Sec. 5 in its entirety and inserting in lieu thereof a new Sec. 5 to read:

Sec. 5. EFFECTIVE DATE

This bill shall take effect upon passage, except that Sec. 2. (amendment to 6 V.S.A. § 2676, mandating that cost of hauling to be paid by buyer) shall take effect when New York and Pennsylvania require, by legislative or administrative enactment of statewide applicability and enforcement, that dairy hauling costs be paid by the purchaser of cows' milk rather than the producer of the milk.

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

Proposal of Amendment Agreed to; Third Reading Ordered

S. 282

Rep. Aswad of Burlington, for the committee on Transportation, to which had been referred Senate bill, entitled

An act relating to updating and clarifying provisions regarding commercial driver licenses and commercial motor vehicles

Reported in favor of its passage in concurrence with proposal of amendment as follows:

By striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 23 V.S.A. § 4103(4)(B)(iii) is amended to read:

(iii) ~~military~~ equipment owned or operated by the United States Department of Defense, including the National Guard, and operated by noncivilian personnel or by National Guard military technicians (civilians who are required to wear military uniforms) and active duty U.S. Coast Guard personnel;

Sec. 2. 23 V.S.A. § 4110(a)(6)(C) is amended to read:

(C) the applicant is not subject to any disqualification under 49 C.F.R. ~~part 385.51~~ section 383.51, or any license suspension, revocation, or cancellation under state law; and

Sec. 3. 23 V.S.A. § 4111(a) and (f) are amended to read:

(a) Contents of license. A commercial driver's license shall be marked "commercial driver license" or "CDL," and shall be, to the maximum extent practicable, tamper proof, and shall include, but not be limited to, the following information:

* * *

(2) The person's color photograph or imaged likeness. A person issued a license under this subsection ~~that contains an imaged likeness may renew his or her license by mail. Except that a renewal must be made in person so that an updated imaged likeness of the person is obtained no less often than once every eight years~~ may renew the license not earlier than six months prior to its expiration date. In such case, the prior license document shall be surrendered. The renewed license shall be effective from the date of issuance to the end of the period for which it is renewed.

* * *

(f) When applying for renewal of a commercial driver license, the applicant shall complete the application form required by section 4110 of this title, providing updated information and required certifications. If the applicant wishes to retain a hazardous materials endorsement, the written test for a hazardous materials endorsement must be taken and passed. In addition, the applicant must successfully complete the security threat assessment required by 49 C.F.R. part 1572. Within 15 days of an adverse initial or final determination of threat assessment being served by the United States Transportation Security Administration, the applicant's hazardous materials endorsement shall be revoked or denied.

Sec. 4. 23 V.S.A. § 4112 is amended to read:

§ 4112. RECORDS; NOTIFICATION

(a) After suspending, revoking, or disqualifying a person from holding a commercial driver license, the commissioner shall update his or her records to reflect that action within 10 days. After suspending, revoking, or disqualifying a nonresident commercial driver's privileges, the commissioner shall notify the licensing authority of the state which issued the commercial driver license or commercial driver certificate within 10 days.

(b) When the commissioner receives a request for an operating record of a person currently or previously licensed in Vermont, the commissioner shall provide the information within 30 days.

Sec. 5. 23 V.S.A. § 4113 is amended to read:

§ 4113. Notification of traffic convictions

When a person who holds a commercial driver license issued by another state is convicted in this state of any violation of state law or local ordinance relating to motor vehicle traffic control, other than parking violations, in any type of vehicle, the commissioner shall notify the driver licensing authority in the licensing state of the conviction within ~~30~~ 10 days.

Sec. 6. 23 V.S.A. § 4116(d) and (k) are amended to read:

(d) A person shall be disqualified from driving a commercial motor vehicle for a period of 60 days if convicted of two serious traffic violations, or 120 days if convicted of three serious traffic violations, arising from separate incidents occurring within a three-year period. A disqualification for 120 days shall be issued to be consecutive with any previous disqualification.

(k) A person shall be disqualified for a term concurrent with any disqualification or suspension issued by the administrator of the Federal Motor Carrier Safety Administration pursuant to 49 C.F.R. ~~part~~ section 383.52.

Sec. 7. 23 V.S.A. § 4119 is amended to read:

§ 4119. COMPLIANCE WITH OUT-OF-SERVICE ORDER;
DISQUALIFICATION FROM OPERATION OF VEHICLE

(a) No person shall operate a commercial motor vehicle in violation of an out-of-service order.

(b) Any person convicted for violating an out-of-service order shall be disqualified as follows except as provided in subsection ~~(b)~~(c) of this section:

(1) A person shall be disqualified from driving a commercial motor vehicle for a period of ~~90~~ 180 days if convicted of a first violation of an out-of-service order.

(2) A person shall be disqualified for a period of ~~one year~~ two years if convicted of a second violation of an out-of-service order during any ten-year period, arising from separate incidents.

(3) A person shall be disqualified for a period of three years if convicted of a third or subsequent violation of an out-of-service order during any ten-year period, arising from separate incidents.

~~(b)~~(c) Any person convicted for violating an out-of-service order while transporting hazardous materials or while operating a commercial motor vehicle designed or used to transport ~~15~~ 16 or more passengers, including the driver, shall be disqualified as follows:

(1) A person shall be disqualified for a period of 180 days if convicted of a first violation of an out-of-service order.

(2) A person shall be disqualified for a period of three years if convicted of a second or subsequent violation of an out-of-service order during any ten-year period, arising from separate incidents.

Sec. 8. 23 V.S.A. § 4120(a) and (b) are amended to read:

(a) Notwithstanding any other provision of law to the contrary, any driver who violates or fails to comply with an out-of-service order is subject to a penalty of ~~\$1,500.00~~ for a first conviction or for a second or subsequent conviction at the applicable minimum level set forth in 49 C.F.R. section 383.53(b)(1), in addition to disqualification under this chapter.

(b) Any employer who violates an out-of-service order, or who knowingly requires or permits a driver to violate or fail to comply with an out-of-service order, is subject to a penalty of ~~\$4,000.00~~ for a first conviction or for a second or subsequent conviction at the applicable minimum level set forth in 49 C.F.R. section 383.53(b)(2).

Sec. 9. 23 V.S.A. § 102(a) is amended to read:

(a) The commissioner shall:

* * *

(9) Issue nondriver identification cards; and

(10) Maintain commercial driver records and driver identification data in accordance with the provisions of 49 C.F.R section 384.231(d).

Sec. 10. 5 V.S.A. § 2001(d) and (f) are amended to read:

(d) Notwithstanding any other provision of this chapter or other law whether general, special, or local, violations of any rules promulgated pursuant to this section involving the operation of a motor vehicle may be charged through the use of a traffic complaint prescribed by the supreme court pursuant to ~~23 V.S.A. § 2303~~ 4 V.S.A. § 1105.

(f) The regulations promulgated by the ~~Materials Transportation Bureau of the Pipeline and Hazardous Materials Safety Administration, United States Department of Transportation contained in Parts 170-189~~ 100-199 of Title 49 of the Code of Federal Regulations revised as of ~~December 31, 1976~~ October 1, 2007, and any amendment or addition to these regulations, and the regulations promulgated by the ~~Bureau of Federal Motor Carrier Safety, Federal Highway Administration, United States Department of Transportation contained in Parts 390-397 of Title 49 of the Code of Federal Regulations, revised as of October 1, 1976~~ 2008, and any amendment or addition to these regulations and any provisions of any other regulations regarding the transportation of hazardous materials adopted by a federal agency may be adopted by the secretary of transportation.

Sec. 11. 5 V.S.A. § 2101(d) and (e) are amended to read:

(d) Notwithstanding any other provision of this chapter or other law whether general, special, or local, violations of any rules adopted pursuant to this section involving the operation of a motor vehicle may be charged through the use of a traffic complaint prescribed by the supreme court pursuant to ~~23 V.S.A. § 2303~~ 4 V.S.A. § 1105.

(e) The regulations promulgated by the Federal Motor Carrier Safety Administration, United States Department of Transportation contained in parts 40, 350, 360, 365, 372, 381-383, 386-388 ~~385-388~~, 390-397, and 399 of Title 49 of the Code of Federal Regulations, revised as of October 1, ~~2002~~ 2008, and any amendment or addition to these regulations may be adopted by the secretary of transportation.

Sec. 12. 23 V.S.A. § 114(a)(21) is amended to read:

(21) Records not otherwise specified 4.00 6.00 per page

Sec. 13. 23 V.S.A. §§ 453 and 459 are amended to read:

§ 453. FEES AND NUMBER PLATES

* * *

(g) The commissioner of motor vehicles shall not issue a dealer's certificate of registration to a new or used car dealer, unless the dealer has provided the commissioner with a surety bond, letter of credit, or certificate of deposit issued by an entity authorized to transact business in the same state. The amount of such surety bond, letter of credit, or certificate of deposit shall be between ~~\$5,000.00~~ \$20,000.00 and ~~\$15,000.00~~, \$35,000.00 based on the number of new or used units sold in the previous year; such schedule is to be determined by the commissioner of motor vehicles. In the case of a certificate of deposit, it shall be issued in the name of the dealer and assigned to the commissioner or his or her designee. The bond, letter of credit, or certificate of deposit shall serve as indemnification for any monetary loss suffered by the state or by a purchaser of a motor vehicle by reason of the dealer's failure to remit to the commissioner any fees collected by the dealer under the provisions of chapters 7 and 21 of this title or by a dealer's failure to remit to the commissioner any tax collected by the dealer under chapter 219 of Title 32. This state or the motor vehicle owner who suffers such loss or damage shall have the right to claim against the surety upon the bond or against the letter of credit or certificate of deposit. The bond, letter of credit, or certificate of deposit shall remain in effect for the pending registration year and one year thereafter. The liability of any such surety or claim against the letter of credit or certificate of deposit shall be limited to the amount of the fees or tax collected by the dealer under chapters 7 and 21 of this title or chapter 219 of Title 32 and not remitted to the commissioner.

§ 459. NOTICE TO COMMISSIONER

(a) Upon issuing a number plate with temporary validation stickers, temporary number plate, or decal to a purchaser for attachment to a motor vehicle, a dealer shall, within ~~three business~~ 15 calendar days, forward to the commissioner the application and fee, deposited with him or her by the purchaser, together with notice of such issue and such other information as the commissioner may require.

(b) If a number plate with temporary validation stickers, temporary registration plate, or decal is not issued by a dealer in connection with the sale or exchange of a motor vehicle, the dealer may accept, from the purchaser, a

properly executed registration, tax and title application, and the required fees for transmission to the commissioner. The dealer shall, within ~~three business~~ 15 calendar days, forward to the commissioner the application and fee together with such other information as the commissioner may require.

Sec. 14. 23 V.S.A. § 1129(a) is amended to read:

(a) The operator of a motor vehicle involved in an accident whereby a person is injured or whereby there is total damage to all property to the extent of ~~\$1,000.00~~ \$3,000.00 or more shall make a written report concerning the accident to the commissioner of motor vehicles on forms furnished by the commissioner. The written report shall be mailed to the commissioner within 72 hours after the accident. The commissioner may require further facts concerning the accident to be provided upon forms furnished by him or her.

Sec. 15. 23 V.S.A. § 1222(c) is amended to read:

(c) Notwithstanding the provisions of subsection (a) of this section, an exhibition vehicle of model year 1940 or before, registered as prescribed in section 373 of this title or a trailer registered as prescribed in subdivision 371(a)(1)(A) of this title shall be exempt from inspection; provided, however, the vehicle must be equipped as originally manufactured, must be in good mechanical condition, and must meet the applicable standards of the inspection manual.

Sec. 16. 23 V.S.A. § 2017(b) is amended to read:

(b) The commissioner shall maintain at his or her central office a record of all certificates of title issued by him or her:

~~(1) Under for vehicles 15 years old and newer under~~ a distinctive title number assigned to the vehicle;

~~(2) Under under~~ the identification number of the vehicle;

~~(3) Alphabetically~~ alphabetically, under the name of the owner; and, in the discretion of the commissioner, by any other method he or she determines. The original records may be maintained on microfilm or electronic imaging. ~~and, in the discretion of the commissioner, by any other method he or she determines. The original records may be maintained on microfilm or electronic imaging.~~

Sec. 17. REPEAL

23 V.S.A. § 735 (motorcycle rider training program advisory committee) and chapter 20 of Title 23 (interstate compact for motor vehicle safety equipment) are repealed.

Sec. 18. 23 V.S.A. § 305 is amended to read:

§ 305. – WHEN ISSUED

* * *

(c) The commissioner may issue number plates to be used for a period of two or more years. One validating sticker shall be issued by the department of motor vehicles upon payment of the registration fee for the second and each succeeding year the plate is used. ~~No~~ Except as otherwise provided in subsection (d) of this section, no plate is valid for the second and succeeding years unless the sticker is affixed to the rear plate in the manner prescribed by the commissioner.

(d) When a registration is renewed electronically, a receipt shall be available for printing. The receipt shall serve as a temporary registration. To be valid, the temporary registration shall be in the possession of the operator at all times, and it shall expire ten days after the date of the transaction.

Sec. 19. 23 V.S.A. § 1251 is amended to read:

§ 1251. SIRENS AND COLORED SIGNAL LAMPS

~~No~~ A motor vehicle shall not be operated upon a highway of this state equipped with a siren or signal lamp colored other than amber unless a permit authorizing ~~such~~ this equipment, issued by the commissioner of motor vehicles, is carried in the vehicle. A permit may be transferred following the same procedure and subject to the same time limits as set forth in section 321 of this title. The commissioner may adopt additional rules as may be required to govern the acquisition of permits and the use pertaining to sirens and colored signal lamps.

Sec. 20. EFFECTIVE DATES

(a) Sec. 3 (renewal) shall take effect on July 1, 2011.

(b) This section and Sec. 19 (siren and signal lamp permit transfer) shall take effect on passage.

(c) Secs. 1–2 and Secs. 4–18 shall take effect on July 1, 2010.

and that after passage the title of the bill be amended to read: “An act relating to updating and clarifying provisions regarding commercial driver licenses and commercial motor vehicles and amending miscellaneous motor vehicle laws”

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

Favorable Report; Third Reading Ordered**H. 532**

Rep. Devereux of Mount Holly, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to the domestic violence fatality review commission

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. 788**

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

An act relating to approval of amendments to the charter of the town of Berlin

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.

Senate Proposal of Amendment Concurred in**H. 539**

The Senate proposed to the House to amend House bill, entitled

An act relating to amending the charter of the town of Hartford

The Senate proposed to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. CHARTER APPROVAL

Notwithstanding the provisions of section 2645 of Title 17, the general assembly approves the amendment to the charter of the town of Hartford as provided in this act.

Sec. 2. 24 V.S.A. App. chapter 123A § 401(e) is amended to read:

(e) Charter review.

(1) The selectboard and school board ~~shall~~ may appoint a charter review committee of registered voters of the town to review its charter and recommend changes as the committee finds necessary or advisable for the purpose of improving the operation of the town and school district.

~~(2) The charter shall be reviewed not less than three years after its initial adoption and subsequently every five years unless amended by a town meeting vote.~~

~~(3)~~ The committee shall submit a written report of recommendations to the selectboard and school board not later than one year after the appointment of the committee.

~~(4)~~(3) Recommendations shall be warned for a vote at the next Australian ballot town meeting.

~~(5)~~(4) The selectboard and school board shall provide funds for the committee in their budgets for any year when a charter review committee is appointed.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.

Which proposal of amendment was considered and concurred in.

Adjournment

At eleven o'clock and fifteen minutes in the forenoon, on motion of **Rep. Komline of Dorset**, the House adjourned until Monday, April 12, 2010, at two o'clock in the afternoon.