

# House Calendar

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Friday, March 16, 2012

74th DAY OF THE ADJOURNED SESSION

House Convenes at 9:30 A.M.

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**ACTION CALENDAR**

**Third Reading**

**H. 272**

An act relating to maintenance of private roads

**H. 600**

An act relating to mandatory mediation in foreclosure proceedings

**Action Under Rule 52**

**J.R.H. 30**

Joint resolution authorizing 2012 Green Mountain Girls' State to conduct a civic education program at the State House

**(For text see House Journal 3/15/2012)**

**J.R.H. 31**

Joint resolution urging Congress to designate March 29 as Vietnam Veterans Day

**(For text see House Journal 3/15/2012)**

**NOTICE CALENDAR**

**Committee Bill for Second Reading**

**H. 768**

An act relating to ignition interlock restricted driver's licenses and civil suspensions.

**(Rep. French of Shrewsbury will speak for the Committee on Judiciary.)**

**H. 769**

An act relating to department of environmental conservation fees.

**(Rep. Masland of Thetford will speak for the Committee on Ways and Means.)**

**H. 770**

An act relating to the state's transportation program.

**(Rep. Brennan of Colchester will speak for the Committee on Transportation.)**

## Favorable with Amendment

### H. 78

An act relating to wages for laid-off employees

**Rep. O'Sullivan of Burlington**, for the Committee on **General, Housing and Military Affairs**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 9 V.S.A. § 1971 is amended to read:

#### § 1971. EXTENT OF LIEN

The liability of ~~a corporation~~ an employer as defined in 21 V.S.A. § 341 to ~~wage earners~~ an employee for unpaid wages which were earned in the ~~three months next~~ thirty days prior to the filing of a mortgage or other lien upon the property ~~and franchise of such corporation~~ of the employer, in all cases, shall be a first lien thereon, notwithstanding any mortgage or other lien thereon recorded after such wages were earned. ~~An individual who works for wages, salary or hire at a rate of compensation not exceeding \$3,000.00 a year shall be deemed to be a wage earner within the meaning of this section.~~ Notice of the lien shall be filed with the secretary of state's office and, if applicable, in the land records by the employee or the department of labor acting on behalf of the employee. An employee who is owed wages or the department of labor acting on behalf of that employee may file an action to execute on the lien in the civil division of the superior court in the county in which the employer has its principal place of business in the state.

Sec. 2. 11A V.S.A. § 14.03 is amended to read:

#### § 14.03. ARTICLES OF DISSOLUTION

(a) At any time after dissolution is authorized, the corporation may dissolve by delivering to the secretary of state for filing articles of dissolution setting forth:

- (1) the name of the corporation;
- (2) the date dissolution was authorized;
- (3) if dissolution was approved by the shareholders:

(A) the number of votes entitled to be cast on the proposal to dissolve; and

(B) either the total number of votes cast for and against dissolution or the total number of undisputed votes cast for dissolution and a statement that the number cast for dissolution was sufficient for approval;

(4) if voting by voting groups was required, the information required by subdivision (3) of this subsection ~~must be~~, separately provided for each voting group entitled to vote separately on the plan to dissolve;

(5) a statement as to the settlement of debts, the distribution of property, and the status of pending litigation;

(6) a statement whether the corporation owes any unpaid wages to its employees.

(b) Subject to the provisions of section 14.09 of this title, a corporation is dissolved upon the effective date of its articles of dissolution.

(c) If a corporation owes unpaid wages to its employees, it shall also file a statement to that effect with the department of labor.

(d) A corporation's liability for unpaid wages shall not be affected by the corporation's dissolution and winding up of its affairs. The directors and shareholders of a corporation shall be individually liable in an action brought by the department of labor for any unpaid wages owed to the corporation's employees, or brought by an individual employee that is owed wages by the corporation.

( Committee Vote: 8-0-0)

#### H. 157

An act relating to restrictions on tanning beds

**Rep. Komline of Dorset**, for the Committee on **Health Care**, recommends the bill be amended as follows:

First: In Sec. 1, by striking out subsection (d) in its entirety and inserting in lieu thereof the following:

(d) Any tanning facility or operator that allows a person under 18 years of age to use any tanning equipment shall be subject to a civil penalty of not more than \$100.00 for the first offense and not more than \$500.00 for any subsequent offense. An action to enforce this section shall be brought in the judicial bureau pursuant to 4 V.S.A. chapter 29.

Second: In Sec. 1, by adding a subsection (f) to read as follows:

(f) A tanning facility owner, lessee, or operator shall post in a conspicuous place in each tanning facility that the individual owns, leases, or operates in this state a notice developed by the commissioner of health addressing the following:

(1) that it is unlawful for a tanning facility or operator to allow a person under the age of 18 to use any tanning equipment;

(2) that a tanning facility or operator that violates the provisions of this section shall be subject to a civil penalty;

(3) that an individual may report a violation of the provisions of this section to his or her local law enforcement agency; and

(4) the health risks associated with tanning.

Third: By adding a Sec. 2 to read as follows:

Sec. 2. 4 V.S.A. § 1102(b)(23) is added to read:

(23) Violations of 18 V.S.A. § 1513, relating to minors using tanning facilities.

( Committee Vote: 9-1-1)

#### H. 747

An act relating to cigarette manufacturers

**Rep. Krowinski of Burlington**, for the Committee on **Human Services**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 7 V.S.A. § 1003 is amended to read:

§ 1003. SALE OF TOBACCO PRODUCTS; REQUIREMENTS;  
PROHIBITIONS

(a) A person shall not sell or provide tobacco products, tobacco substitutes, or tobacco paraphernalia to any person younger than 18 years of age.

\* \* \*

(d) ~~Beginning January 1, 1999, excepting contracts in existence prior to March 31, 1997, n~~No person holding a tobacco license shall display or store tobacco products or tobacco substitutes where those products are accessible to consumers without direct assistance by the sales personnel. This subsection shall not apply to the following:

(1) A display of tobacco products that is located in a commercial establishment in which by law no person younger than 18 years of age is permitted to enter at any time.

(2) Cigarettes in unopened cartons and smokeless tobacco in unopened multipack containers of 10 or more packages, any of which shall be displayed in plain view and under the control of a responsible employee so that removal of the cartons or multipacks from the display can be readily observed by that employee.

(3) Cigars and pipe tobacco stored in a humidor on the sales counter in plain view and under the control of a responsible employee so that the removal of these products from the humidor can be readily observed by that employee.

\* \* \*

(f) No person holding a tobacco license shall sell cigarettes or little cigars as defined in 32 V.S.A. § 7702(6) individually or in packs that contain fewer than 20 cigarettes or little cigars.

(g) As used in this section, “little cigars” means any rolls of tobacco wrapped in leaf tobacco or any substance containing tobacco (other than any roll of tobacco which is a cigarette within the meaning of 32 V.S.A. § 7202(1)) and as to which 1,000 units weigh not more than three pounds.

Sec. 2. 7 V.S.A. § 1001 is amended to read:

§ 1001. DEFINITIONS

As used in this chapter:

\* \* \*

(3) “Tobacco products” mean cigarettes, cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, Cavendish, plug and twist tobacco, fine-cut, and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings, and sweepings of tobacco, and other kinds and forms of tobacco prepared in a manner suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking, or for delivery into the body through inhaling heated vapor or in any other manner.

\* \* \*

(7) “Tobacco paraphernalia” means any device used, intended for use, or designed for use in smoking, inhaling, ingesting, or otherwise introducing tobacco products into the human body, or for preparing tobacco for smoking, inhaling, ingesting, or otherwise introducing into the human body, including devices for holding tobacco, rolling paper, wraps, cigarette rolling machines, pipes, water pipes, carburetion devices, bongs, and hookahs.

(8) “Tobacco substitute” means products including electronic cigarettes or other electronic or battery-powered devices that contain and are designed to deliver nicotine or other substances into the body through inhaling vapor and that have not been approved by the United States Food and Drug Administration for tobacco cessation or other medical purposes.

Sec. 3. 7 V.S.A. § 1006 is amended to read:

§ 1006. POSTING OF SIGNS

(a) A person licensed under this chapter shall post ~~a plainly printed copy of the provisions of sections 1004 and 1005 of this title~~ in a conspicuous place on the premises identified in the tobacco license ~~and on any vending machine located on the premises~~ a warning sign stating that the sale of tobacco products, tobacco substitutes, and tobacco paraphernalia to minors is prohibited. The board shall prepare the ~~signs~~ sign and make ~~them~~ it available with the license forms issued under this chapter. The sign may include information about the health effects of tobacco and tobacco cessation services. The board, in consultation with a representative of the licensees when appropriate, is authorized to change the design of the sign as needed to maintain its effectiveness.

\* \* \*

Sec. 4. 33 V.S.A. § 1925 is added to read:

§ 1925. JOINT AND SEVERAL LIABILITY OF IMPORTERS OF  
NONPARTICIPATING MANUFACTURER'S BRAND FAMILIES

Each nonparticipating manufacturer located outside the United States and each importer of any nonparticipating manufacturer's brand families that are sold in the state shall bear joint and several liability for the deposit of all escrow due and payment of all penalties, costs, and attorney fees imposed under this subchapter. The nonparticipating manufacturer, as a condition to being listed on the directory, shall provide a declaration on a form prescribed by the attorney general from each of its importers of any of its brand families to be sold in the state that the importer accepts joint and several liability for all escrow deposits due pursuant to section 1914 of this title and for all penalties, costs, and attorney fees assessed under section 1914 of this title.

Sec. 5. 33 V.S.A. § 1920 is amended to read:

§ 1920. AGENT FOR SERVICE OF PROCESS

(a) Any nonresident or foreign nonparticipating manufacturer that has not registered to do business in the state as a foreign corporation or other business entity shall, as a condition precedent to having its brand families included or retained in the directory, appoint and continually engage without interruption the services of an agent in this state to act as agent for the service of process on whom all process, and any action or proceeding against it concerning or arising out of the enforcement of this subchapter or subchapter 1A of this chapter, or both, may be served in any manner authorized by law. Such service shall constitute legal and valid service of process on the nonparticipating manufacturer. The nonparticipating manufacturer shall provide the name,

address, telephone number, and satisfactory proof of the appointment and availability of such agent to the attorney general. Any nonparticipating manufacturer located outside the United States shall, as an additional condition to having its brand families included or retained on the directory, cause each of its importers into the United States of any of its brand families to be sold in Vermont to appoint and continuously engage without interruption the services of an agent in the state in accordance with the provisions of this section.

\* \* \*

Sec. 6. 7 V.S.A. § 1011 is added to read:

§ 1011. COMMERCIAL CIGARETTE ROLLING MACHINES

(a) A person shall not possess or use a cigarette rolling machine for commercial purposes.

(b) A person who knowingly violates subsection (a) of this section shall be subject to the following civil penalties:

(1) The revocation or termination of any license, permit, appointment, or commission under this chapter.

(2) A civil penalty of up to \$50,000.00 in any action brought by the department of taxes, the department of liquor control, or the attorney general.

(c) Penalties assessed under subsection (b) of this section shall be paid into the general fund.

(d) A person who violates subsection (a) of this section shall be imprisoned for not more than three years or fined not more than \$100,000.00 or both.

(e) This section shall not apply to the possession of a cigarette rolling machine intended solely for personal use by individuals who do not intend to offer the resulting product for resale.

(f) A cigarette rolling machine capable of rolling 200 cigarettes in fewer than 15 minutes is presumed to be for commercial purposes.

Sec. 7. 7 V.S.A. § 1009 is amended to read:

§ 1009. CONTRABAND AND SEIZURE

Any cigarettes or other tobacco products that have been sold, offered for sale, or possessed for sale in violation of section 1003 of this title, 20 V.S.A. § 2757, 32 V.S.A. § 7786, or 33 V.S.A. § 1919, and any commercial cigarette rolling machines possessed or utilized in violation of section 1011 of this title, shall be deemed contraband, and shall be subject to seizure by the commissioner, the commissioner's agents or employees, the commissioner of taxes, or any agent or employee thereof, or by any peace officer of this state

when directed to do so by the commissioner. All cigarettes or other tobacco products seized shall be destroyed.

( Committee Vote: 11-0-0)

## H. 751

An act relating to jurisdiction of delinquency proceedings

**Rep. Wizowaty of Burlington**, for the Committee on **Judiciary**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

### Sec. 1. INTENT

The general assembly intends this act to enhance opportunities to treat youths as juveniles in the family division of the superior court while preserving the discretion of state's attorneys to bring criminal charges against youths in appropriate cases. Evidence-based practice and research clearly indicate that young people charged as juveniles are much more likely to receive the services necessary for their rehabilitation and are much less likely to reoffend, resulting in fewer corrections expenses for the state and more opportunities for the offender to change his or her behavior. This act therefore contains several measures designed to facilitate the filing of juvenile proceedings against some minors in the family division while retaining the discretion of state's attorneys to charge other minors as adults in the criminal division when the facts warrant it. By promoting the treatment of youths as juveniles in the family division rather than as adults in criminal court, the general assembly intends this act to help establish a more effective way to reduce recidivism and its attendant budgetary and societal costs.

Sec. 2. 33 V.S.A. § 5103 is amended to read:

### § 5103. JURISDICTION

(a) The family division of the superior court shall have exclusive jurisdiction over all proceedings concerning a child who is or who is alleged to be a delinquent child or a child in need of care or supervision brought under the authority of the juvenile judicial proceedings chapters, except as otherwise provided in such chapters.

(b) Orders issued under the authority of the juvenile judicial proceedings chapters shall take precedence over orders in other family division proceedings and any order of another court of this state, to the extent they are inconsistent. This section shall not apply to child support orders in a divorce, parentage, or relief from abuse proceedings until a child support order has been issued in the juvenile proceeding.

(c) Except as otherwise provided by this title, jurisdiction over a child who has been adjudicated delinquent shall not be extended beyond the child's ~~18th~~ 20th birthday, provided that in no case shall custody of a child aged 18 years or older be retained by or transferred to the commissioner for children and families. Jurisdiction over a child in need of care or supervision shall not be extended beyond the child's 18th birthday.

(d) The court may terminate its jurisdiction over a child ~~prior to the child's 18th birthday~~ by order of the court. If the child is not subject to another juvenile proceeding, jurisdiction shall terminate automatically in the following circumstances:

(1) Upon the discharge of a child from juvenile probation, providing the child is not in the legal custody of the commissioner.

(2) Upon an order of the court transferring legal custody to a parent, guardian, or custodian without conditions or protective supervision.

(3) Upon the adoption of a child following a termination of parental rights proceeding.

Sec. 3. 33 V.S.A. § 5201 is amended to read:

§ 5201. COMMENCEMENT OF DELINQUENCY PROCEEDINGS

\* \* \*

(c) Consistent with applicable provisions of Title 4, any proceeding concerning a child who is alleged to have committed an act specified in ~~subsection 5204(a)~~ subdivision 5204(a)(1) of this title after attaining the age of 14, but not the age of 18, shall originate in ~~district or~~ the criminal division of the superior court, provided that jurisdiction may be transferred in accordance with this chapter.

\* \* \*

Sec. 4. 33 V.S.A. § 5203 is amended to read:

§ 5203. TRANSFER FROM OTHER COURTS

(a) If it appears to a criminal division of the superior court that the defendant was under the age of 16 years at the time the offense charged was alleged to have been committed and the offense charged is not one of those specified in ~~subsection 5204(a)~~ subdivision 5204(a)(1) of this title, that court shall forthwith transfer the case to the juvenile family division of the superior court under the authority of this chapter.

(b) If it appears to a criminal division of the superior court that the defendant was over the age of 16 years and under the age of 18 years at the

time the offense charged was alleged to have been committed, or that the defendant had attained the age of 14 but not the age of 16 at the time an offense specified in ~~subsection 5204(a)~~ subdivision 5204(a)(1) of this title was alleged to have been committed, that court may forthwith transfer the proceeding to the juvenile family division of the superior court under the authority of this chapter, and the minor shall thereupon be considered to be subject to this chapter as a child charged with a delinquent act.

(c) If it appears to the state's attorney that the defendant was over the age of 16 and under the age of 18 at the time the offense charged was alleged to have been committed and the offense charged is not an offense specified in ~~subsection 5204(a)~~ subdivision 5204(a)(1) of this title, the state's attorney may file charges in a ~~juvenile court~~ or the family or criminal division of the superior court. If charges in such a matter are filed in the criminal division of the superior court, the criminal division of the superior court may forthwith transfer the proceeding to the juvenile family division of the superior court under the authority of this chapter, and the person shall thereupon be considered to be subject to this chapter as a child charged with a delinquent act.

\* \* \*

Sec. 5. 33 V.S.A. § 5204 is amended to read:

§ 5204. TRANSFER FROM JUVENILE COURT

(a) After a petition has been filed alleging delinquency, upon motion of the state's attorney and after hearing, the juvenile family division of the superior court may transfer jurisdiction of the proceeding to the criminal division of the superior court, if:

(1) the child had attained the age of 10 but not the age of 14 at the time the act was alleged to have occurred, and if the delinquent act set forth in the petition was any of the following:

~~(1)~~(A) arson causing death as defined in 13 V.S.A. § 501;

~~(2)~~(B) assault and robbery with a dangerous weapon as defined in 13 V.S.A. § 608(b);

~~(3)~~(C) assault and robbery causing bodily injury as defined in 13 V.S.A. § 608(c);

~~(4)~~(D) aggravated assault as defined in 13 V.S.A. § 1024;

~~(5)~~(E) murder as defined in 13 V.S.A. § 2301;

~~(6)~~(F) manslaughter as defined in 13 V.S.A. § 2304;

~~(7)~~(G) kidnapping as defined in 13 V.S.A. § 2405;  
~~(8)~~(H) unlawful restraint as defined in 13 V.S.A. § 2406 or 2407;  
~~(9)~~(I) maiming as defined in 13 V.S.A. § 2701;  
~~(10)~~(J) sexual assault as defined in 13 V.S.A. § 3252(a)(1) or (a)(2);  
~~(11)~~(K) aggravated sexual assault as defined in 13 V.S.A. § 3253; ~~or~~  
~~(12)~~(L) burglary into an occupied dwelling as defined in 13 V.S.A. § 1201(c); or

(2) the child had attained the age of 16 but not the age of 18 at the time the act was alleged to have occurred and the delinquent act set forth in the petition was not one of those specified in subdivision (1) of this subsection.

(b) The state's attorney of the county where the juvenile petition is pending may move in the juvenile family division of the superior court for an order transferring jurisdiction under subsection (a) of this section ~~within 10 days of the filing of the petition alleging delinquency at any time prior to adjudication on the merits.~~ The filing of the motion to transfer jurisdiction shall automatically stay the time for the hearing provided for in section 5225 of this title, which stay shall remain in effect until such time as the juvenile court may deny the motion to transfer jurisdiction.

(c) Upon the filing of a motion to transfer jurisdiction under subsection (b) of this section, the juvenile court shall conduct a hearing in accordance with procedures specified in subchapter 2 of this chapter to determine whether:

(1) there is probable cause to believe that the child committed an act listed in subsection (a) of this section; and

(2) public safety and the interests of the community would not be served by treatment of the child under the provisions of law relating to juvenile courts and delinquent children.

(d) In making its determination as required under subsection (c) of this section, the court may consider, among other matters:

(1) The maturity of the child as determined by consideration of his or her age, home, environment; emotional, psychological and physical maturity; and relationship with and adjustment to school and the community.

(2) The extent and nature of the child's prior record of delinquency.

(3) The nature of past treatment efforts and the nature of the child's response to them.

(4) Whether the alleged offense was committed in an aggressive, violent, premeditated, or willful manner.

(5) The nature of any personal injuries resulting from or intended to be caused by the alleged act.

(6) The prospects for rehabilitation of the child by use of procedures, services, and facilities available through juvenile proceedings.

(7) Whether the protection of the community would be better served by transferring jurisdiction from the ~~juvenile court~~ family division to the criminal division of the superior court.

(e) A transfer under this section shall terminate the jurisdiction of the juvenile court over the child only with respect to those delinquent acts alleged in the petition with respect to which transfer was sought.

(f)(1) The ~~juvenile court~~ family division, following completion of the transfer hearing, shall make ~~written~~ findings and, if the court orders transfer of jurisdiction from the ~~juvenile court~~ family division, shall state the reasons for that order. If the ~~juvenile court~~ family division orders transfer of jurisdiction, the child shall be treated as an adult. The state's attorney shall commence criminal proceedings as in cases commenced against adults.

(2) Notwithstanding subdivision (1) of this subsection, the parties may stipulate to a transfer of jurisdiction from the family division at any time after a motion to transfer is made pursuant to subsection (b) of this section. The court shall not be required to make findings if the parties stipulate to a transfer pursuant to this subdivision. Upon acceptance of the stipulation to transfer jurisdiction, the court shall transfer the proceedings to the criminal division and the child shall be treated as an adult. The state's attorney shall commence criminal proceedings as in cases commenced against adults.

(g) The order granting or denying transfer of jurisdiction shall not constitute a final judgment or order within the meaning of Rules 3 and 4 of the Vermont Rules of Appellate Procedure.

(h) If a person who has not attained the age of 16 at the time of the alleged offense has been prosecuted as an adult and is not convicted of one of the acts listed in subsection (a) of this section but is convicted only of one or more lesser offenses, jurisdiction shall be transferred to the ~~juvenile~~ family division of the superior court for disposition. A conviction under this subsection shall be considered an adjudication of delinquency and not a conviction of crime, and the entire matter shall be treated as if it had remained in ~~juvenile court~~ the family division throughout. In case of an acquittal for a matter specified in this subsection and in case of a transfer to ~~juvenile court~~ the family division under

this subsection, the court shall order the sealing of all applicable files and records of the court, and such order shall be carried out as provided in subsection 5119(e) of this title.

(i) The record of a hearing conducted under subsection (c) of this section and any related files shall be open to inspection only by persons specified in subsections 5117(b) and (c) of this title in accordance with section 5119 of this title and by the attorney for the child.

Sec. 6. 33 V.S.A. § 5225 is amended to read:

§ 5225. PRELIMINARY HEARING

(a) A preliminary hearing shall be held at the time and date specified on the citation or as otherwise ordered by the court. If a child is taken into custody prior to the preliminary hearing, the preliminary hearing shall be at the time of the temporary care hearing.

(b) Prior to the preliminary hearing, the child shall be afforded an opportunity to undergo a risk and needs screening, which shall be conducted by the department or by a community provider that has contracted with the department to provide risk and need screenings for children alleged to have committed delinquent acts. If the child participates in such a screening, the department or the community provider shall report the risk level result of the screening to the state's attorney. If a charge is brought in the family division, the risk level result shall be provided to the child's attorney. Except on agreement of the parties, the results shall not be provided to the court until after a merits finding has been made.

(c) Counsel for the child shall be assigned prior to the preliminary hearing.

~~(e)~~(d) At the preliminary hearing, the court shall appoint a guardian ad litem for the child. The guardian ad litem may be the child's parent, guardian, or custodian. On its own motion or motion by the child's attorney, the court may appoint a guardian ad litem other than a parent, guardian or custodian.

~~(d)~~(e) At the preliminary hearing, a denial shall be entered to the allegations of the petition, unless the juvenile, after adequate consultation with the guardian ad litem and counsel, enters an admission. If the juvenile enters an admission, the disposition case plan required by section 5230 of this title may be waived and the court may proceed directly to disposition, provided that the juvenile, the custodial parent, the state's attorney, the guardian ad litem, and the department agree.

~~(e)~~(f) The court may order the child to abide by conditions of release pending a merits or disposition hearing.

Sec. 7. 33 V.S.A. § 5232 is amended to read:

§ 5232. DISPOSITION ORDER

\* \* \*

(b) In carrying out the purposes outlined in subsection (a) of this section, the court may:

\* \* \*

(7) Refer a child directly to a youth-appropriate community-based provider that has been approved by the department, which may include a community justice center or a balanced and restorative justice program. Referral to a community-based provider pursuant to this subdivision shall not require the court to place the child on probation. If the community-based provider does not accept the case, or if the child fails to complete the program in a manner deemed satisfactory and timely by the provider, the child shall return to the court for disposition.

\* \* \*

Sec. 8. REPORT

On or before December 1, 2013, the court administrator, in collaboration with the department for children and families and the court diversion director, shall report statistics evidencing the result of this act to the house and senate committees on judiciary, the house committee on human services, and the senate committee on health and welfare. The report shall identify:

- (1) the number of youths 16 years of age or older on juvenile probation;
- (2) the number of filings involving 16- and 17-year-olds in the family and criminal divisions of the superior court;
- (3) the number of 16- and 17-year-olds referred to the diversion program;
- (4) the number of violations of probation filed in the family division for person 18 years of age or older;
- (5) the number of 16- and 17-year-olds referred directly to community providers at disposition hearings in the family division; and
- (6) the number of persons 16 years of age or older returned to the family division after the effective date of this act as a result of either nonacceptance by a community-based provider or failure to complete either the diversion program or a program administered by a community-based provider.

Sec. 9. EFFECTIVE DATE

This act shall take effect on July 1, 2012.

( Committee Vote: 10-1-0)

**Consent Calendar**

**Concurrent Resolutions for Adoption Under Joint Rule 16a**

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration before today's adjournment. Requests for floor consideration in either chamber should be communicated to the Secretary's office and/or the House Clerk's office, respectively. For text of resolutions, see Addendum to House Calendar and Senate Calendar of 3/15/2012.

**H.C.R. 292**

House concurrent resolution designating March 12–18 as Multiple Sclerosis Week in Vermont

**H.C.R. 293**

House concurrent resolution honoring Montpelier city clerk and treasurer Charlotte Hoyt for her outstanding public service

**H.C.R. 294**

House concurrent resolution honoring and thanking the individuals, institutions, and organizations who lent their assistance so generously during and after Tropical Storm Irene

**H.C.R. 295**

House concurrent resolution congratulating Emery Tillman of Cornwall on her kayaking accomplishments

**H.C.R. 296**

House concurrent resolution honoring Elizabeth Benedict for her lifelong commitment to educational excellence

**H.C.R. 297**

House concurrent resolution honoring Belinda H. Clegg for her outstanding public service to the town of Wolcott

**H.C.R. 298**

House concurrent resolution congratulating Marlboro College on its 65th anniversary

**H.C.R. 299**

House concurrent resolution recognizing the outstanding health care services provided by Gifford Medical Center in Randolph

**H.C.R. 300**

House concurrent resolution honoring Brattleboro radio station WKVT AM/FM for its outstanding Tropical Storm Irene community support effort

**H.C.R. 301**

House concurrent resolution honoring the outstanding efforts of those who care for, educate, and advocate for our young children in Vermont

**H.C.R. 302**

House concurrent resolution in memory of former Representative Mary Shelby Paull

**H.C.R. 303**

House concurrent resolution congratulating the Middlebury Union High School Tigers' 2012 Division II girls' championship Nordic skiing team

**S.C.R. 39**

Senate concurrent resolution honoring former Representative and Senator Robert T. Gannett on his 95th birthday

**S.C.R. 40**

Senate concurrent resolution congratulating Ross Connelly and Thomas F. Kearney on their induction into the New England Newspaper Hall of Fame

**Public Hearings**

Wednesday, March 21, 2012 - Room 11 - 6:00-8:00 PM - S. 199, Immunizations/Philosophical Exemption - House Health Care Committee

**Information Notice**

**Deadline for Introducing Bills**

Pursuant to Rule 40(b) of the Rules and Orders of the Vermont House of Representatives, during the second year of the biennium, except with the prior consent of the Committee on Rules, no member may introduce a bill into the House drafted in standard form after the last day of January. Bills may be introduced in Short Form until the second Friday after Town Meeting Day.

In order to meet this deadline all sign out sheets must be submitted to the Legislative Council no later than the close of business on Friday, January 27, 2012. Requests for short form bills may be made until Wednesday, February

15, 2012.

Pursuant to Rule 40(c) during the second year of the biennium, except with the prior consent of the Committee on Rules, no committee, except the Committees on Appropriations, Ways and Means or Government Operations, may introduce a bill drafted in standard form after the last day of March. The Committees on Appropriations, Ways and Means bills may be drafted in standard form at any time, and Government Operations bills, pertaining to city or town charter changes, may be drafted in standard form at any time.