

# Journal of the House

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**Tuesday, January 18, 2011**

At ten o'clock in the forenoon the Speaker called the House to order.

## **Devotional Exercises**

Devotional exercises were conducted by Rev. Jean Olson of the Governor's Institute of Vermont.

## **Pledge of Allegiance**

**Page Adara North of South Burlington** led the House in the Pledge of Allegiance.

## **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. 53**

By Reps. Lewis of Derby, McAllister of Highgate, McNeil of Rutland Town and Reis of St. Johnsbury,

House bill, entitled

An act relating to the Interstate Wildlife Violator Compact;

To the committee on Fish, Wildlife & Water Resources.

### **H. 54**

By Reps. Obuchowski of Rockingham and Partridge of Windham,

House bill, entitled

An act relating to establishing the Vermont Hydroelectric Power Authority;

To the committee on Fish, Wildlife & Water Resources.

### **H. 55**

By Reps. Howrigan of Fairfield, Canfield of Fair Haven, Gilbert of Fairfax and Keenan of St. Albans City,

House bill, entitled

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An act relating to safety standards for swimming pools;  
To the committee on General, Housing and Military Affairs.

**H. 56**

By Reps. Klein of East Montpelier and Cheney of Norwich,  
House bill, entitled

An act relating to the Vermont Energy Act of 2011;  
To the committee on Natural Resources and Energy.

**H. 57**

By Reps. Cheney of Norwich, Botzow of Pownal, Edwards of Brattleboro,  
Jerman of Essex and Masland of Thetford,

House bill, entitled

An act relating to disclosure to potential buyers of a building's energy  
performance;

To the committee on General, Housing and Military Affairs.

**H. 58**

By Rep. Nuovo of Middlebury,

House bill, entitled

An act relating to fully funding the decommissioning of nuclear energy  
generating plants;

To the committee on Natural Resources and Energy.

**H. 59**

By Reps. Ram of Burlington, Buxton of Royalton, Christie of Hartford,  
Davis of Washington, Edwards of Brattleboro, Fisher of Lincoln, Font-Russell  
of Rutland City, Larson of Burlington, Moran of Wardsboro, Munger of South  
Burlington, Pearson of Burlington, Savage of Swanton, Shand of  
Weathersfield, Weston of Burlington and Yantachka of Charlotte,

House bill, entitled

An act relating to unfair housing practices;

To the committee on General, Housing and Military Affairs.

**H. 60**

By Rep. Lewis of Derby,

House bill, entitled

An act relating to the elimination of property tax adjustments based on income;

To the committee on Ways and Means.

**H. 61**

By Reps. McAllister of Highgate, Degree of St. Albans City, Dickinson of St. Albans Town, Larocque of Barnet, Lewis of Derby, McNeil of Rutland Town, Savage of Swanton and Shaw of Pittsford,

House bill, entitled

An act relating to the consolidation of supervisory unions;

To the committee on Education.

**H. 62**

By Reps. Sharpe of Bristol, Christie of Hartford and Peltz of Woodbury,

House bill, entitled

An act relating to requiring a standards-based performance assessment prior to graduation from secondary school;

To the committee on Education.

**H. 63**

By Reps. Klein of East Montpelier, Canfield of Fair Haven, Cheney of Norwich, Edwards of Brattleboro, Hebert of Vernon, Mitchell of Barnard, Nuovo of Middlebury and Wright of Burlington,

House bill, entitled

An act relating to boilers and pressure vessels;

To the committee on Government Operations.

**H. 64**

By Rep. Wizowaty of Burlington,

House bill, entitled

An act relating to coverage for complementary and alternative health care services;

To the committee on Health Care.

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**Joint Resolution Referred to Committee****J.R.H. 7**

Joint resolution in support of the construction of a Walmart store in St. Albans Town

Offered by: Representatives Dickinson of St. Albans Town, Branagan of Georgia, Degree of St. Albans City, McAllister of Highgate, Pearce of Richford, Perley of Enosburgh and Savage of Swanton

Whereas, consumers in rural areas have few options for the local purchase of durable goods, including clothing, electronics, furniture, hardware supplies, home appliances, and many other sundries, and

Whereas, Franklin County residents were once able to purchase many of these items in downtown St. Albans City, but the retail choices offered downtown now are not as plentiful and varied as in years past, and

Whereas, the Walmart store chain has for many years proposed the construction of a large store along Route 7 in St. Albans Town, and

Whereas, the proposed 147,000-square-foot store would serve as a major retail attraction for Franklin County and enable many consumers to make major purchases without traveling to Chittenden County, and

Whereas, the location of the proposed store along Route 7 is in an area that is already home to two shopping centers and other retail establishments, and

Whereas, the opening of the Walmart store will spur additional consumer purchases at the nearby retail establishments and eateries, and

Whereas, the site is close to Exit 20 of I-89 and will be extremely accessible for persons traveling from outside St. Albans Town, and

Whereas, there is strong local support in Franklin County for the construction of the proposed new Walmart store at the Route 7 location, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly expresses its support for the construction of a Walmart store in St. Albans Town, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Franklin County Regional Chamber of Commerce in St. Albans City.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on General, Housing and Military Affairs.

**Joint Resolution Adopted in Concurrence****J.R.S. 9**

By Senator Campbell,

**J.R.S. 9.** Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

***Resolved by the Senate and House of Representatives:***

That the two Houses meet in Joint Assembly on Tuesday, January 25, 2011, at two o'clock in the afternoon to receive the budget message of the Governor.

Was taken up read and adopted in concurrence.

**House Resolution Adopted****H.R. 4**

House resolution, entitled

House resolution commemorating the 38th anniversary of Roe v Wade and reaffirming support for its fundamental holding and principles

Offered by: Representatives Weston of Burlington, Ancel of Calais, Aswad of Burlington, Bartholomew of Hartland, Bohi of Hartford, Botzow of Pownal, Burke of Brattleboro, Buxton of Royalton, Champion of Bennington, Cheney of Norwich, Clarkson of Woodstock, Copeland-Hanzas of Bradford, Courcelle of Rutland City, Dakin of Chester, Davis of Washington, Deen of Westminster, Donovan of Burlington, Edwards of Brattleboro, Evans of Essex, Fisher of Lincoln, Font-Russell of Rutland City, Frank of Underhill, French of Shrewsbury, French of Randolph, Grad of Moretown, Haas of Rochester, Head of South Burlington, Heath of Westford, Hooper of Montpelier, Jerman of Essex, Jewett of Ripton, Johnson of South Hero, Keenan of St. Albans City, Kitzmiller of Montpelier, Klein of East Montpelier, Kupersmith of South Burlington, Lanpher of Vergennes, Larson of Burlington, Lenes of Shelburne, Leriche of Hardwick, Lippert of Hinesburg, Lorber of Burlington, Macaig of Williston, Malcolm of Pawlet, Manwaring of Wilmington, Marek of Newfane, Martin of Springfield, Masland of Thetford, McCullough of Williston, Miller of Shaftsbury, Mitchell of Barnard, Mook of Bennington, Moran of Wardsboro, Mrowicki of Putney, Nuovo of Middlebury, O'Brien of Richmond, Olsen of Jamaica, Partridge of Windham, Pearson of Burlington, Poirier of Barre City, Pugh of South Burlington, Ralston of Middlebury, Ram of Burlington, Shand of Weathersfield, Sharpe of Bristol, Spengler of Colchester, Stuart of Brattleboro, Taylor of Barre City, Till of Jericho, Toll of

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Danville, Waite-Simpson of Essex, Webb of Shelburne, Wilson of Manchester and Wizowaty of Burlington

Whereas, on January 22, 1973, in a landmark decision, the U.S. Supreme Court issued its historic ruling in Roe v Wade, affirming that women, not politicians, should make the most personal decision of when or whether to have children, and

Whereas, the constitutional right to abortion as embodied in Roe v Wade recognizes women's right to exercise reproductive choice, saves women's lives, and strengthens families, and

Whereas, prior to the Roe v Wade decision, thousands of American women died every year as a result of complications from unsafe and illegal abortions, and an untold number of women suffered grievous injuries, a situation that created a serious public health problem that has virtually been eliminated by providing access to safe and legal abortion, and

Whereas, it is a public health goal of the state of Vermont to protect and enhance the health of all Vermonters, including women of all ages, and to strengthen families by encouraging and promoting access to comprehensive family planning services, and

Whereas, violence against providers and restrictions against abortion endanger the lives of women and men, and have continued to erode access to abortion, and

Whereas, safe, legal, and accessible abortion services are still under attack, especially for women for whom English is a second language or who do not speak English at all, poor women, rural women, and women who are minors, and

Whereas, it is critical for the economic health of our country and the personal health and happiness of American women that the right of women and their families to make their own personal medical decisions about reproduction and gynecological issues be vigilantly preserved and protected, now therefore be it

Resolved by the House of Representatives:

That this legislative body reaffirms the right of every Vermont woman to privacy, autonomy, and safety in making personal decisions regarding reproduction and family planning, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the Vermont Congressional Delegation.

Which was read and adopted.

**Joint Fiscal Committee Appointed**

The Speaker appointed the following members to the Joint Fiscal Committee:

**Rep. Heath of Westford**

**Rep. Ancel of Calais**

**Rep. Branagan of Georgia**

**Rep. Larson of Burlington**

**Rep. Johnson of South Hero**

**Message from the Senate No. 7**

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 passed Senate bill of the following title:

**S. 1.** An act relating to technical amendments to the judicial restructuring act of 2010.

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

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

**J.R.S. 10.** 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. 1.** House concurrent resolution in memory of Representative Albert Audette of South Burlington.

**H.C.R. 2.** House concurrent resolution in memory of Vermont National Guard Sergeant Steven J. DeLuzio of South Glastonbury, Connecticut.

**H.C.R. 3.** House concurrent resolution in memory of United States Marine Lance Corporal Anthony James Rosa of Swanton.

**H.C.R. 4.** House concurrent resolution in memory of Vermont National Guard Sergeant Tristan H. Southworth of Walden.

**H.C.R. 5.** House concurrent resolution in memory of Specialist Ryan Grady of West Burke.

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**H.C.R. 6.** House concurrent resolution honoring the Dean of the House of Representatives, Michael Obuchowski of Rockingham.

**H.C.R. 7.** House concurrent resolution congratulating the 2010 Hartford High School Hurricanes Division I championship football team.

**H.C.R. 8.** House concurrent resolution congratulating the Leland & Gray Union High School baseball Rebels on winning their third consecutive Division III championship.

**H.C.R. 9.** House concurrent resolution congratulating the 2010–2011 NewBrook Elementary School Vermont State Spelling Bee championship team.

**H.C.R. 10.** House concurrent resolution congratulating retired Orleans County physician Dr. Frank Fiermonte on his 90th birthday.

**H.C.R. 11.** House concurrent resolution welcoming the exhibition *The Hale Street Gang: Portraits in Writing* to the State House.

**H.C.R. 12.** House concurrent resolution honoring the bravery and dedication of the members of the Vermont National Guard.

**H.C.R. 13.** House concurrent resolution in memory of the American military personnel who have died in the service of their nation in Iraq or Afghanistan from April 11, 2010 to December 27, 2010.

**H.C.R. 14.** House concurrent resolution honoring John Nelson as a respected advocate for public education in Vermont.

**H.C.R. 15.** House concurrent resolution congratulating the 2010 Essex Hornets Division I championship boys' soccer team.

**H.C.R. 16.** House concurrent resolution honoring John T. Stoodley on his amazing journey to umpiring the 2010 College Softball World Series.

**H.C.R. 17.** House concurrent resolution congratulating the 2010 Bellows Falls Union High School Terriers Division III championship football team.

**H.C.R. 18.** House concurrent resolution congratulating Chroma Technology Corporation of Rockingham on being honored for its democratic managerial practices.

**H.C.R. 19.** House concurrent resolution wishing United States Representative Gabrielle Giffords and the other surviving victims of the tragic Tucson shooting incident a successful recovery, and expressing sincere condolences to the families of those who died.



**Adjournment**

At ten o'clock and twenty minutes in the forenoon, on motion of **Rep. Komline of Dorset**, the House adjourned until Thursday, January 20, 2011, at one o'clock in the afternoon.