

# Journal of the House

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**Thursday, February 10, 2011**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rev. David Newlun of Morningstar Worship, Barre, VT.

## **Rules Suspended; House Bills Introduced**

House bills of the following titles were severally introduced. Pending first reading of the bills, on motion of **Rep. Turner of Milton**, the rules were suspended and the bills were read the first time by number and referred or placed on the Calendar as follows:

### **H. 215**

By Reps. Lorber of Burlington, Donahue of Northfield, Fisher of Lincoln and Poirier of Barre City,

House bill, entitled

An act relating to providing health care services within the department of corrections;

To the committee on Corrections and Institutions.

### **H. 216**

By Reps. Stevens of Waterbury, Bissonnette of Winooski, Botzow of Pownal, Burke of Brattleboro, Christie of Hartford, Clarkson of Woodstock, Conquest of Newbury, Courcelle of Rutland City, Deen of Westminster, Donovan of Burlington, Edwards of Brattleboro, Ellis of Waterbury, Emmons of Springfield, French of Shrewsbury, French of Randolph, Hooper of Montpelier, Keenan of St. Albans City, Kitzmiller of Montpelier, Klein of East Montpelier, Larson of Burlington, Lorber of Burlington, Macaig of Williston, Marek of Newfane, McCullough of Williston, Moran of Wardsboro, Mrowicki of Putney, O'Brien of Richmond, Pearson of Burlington, Poirier of Barre City, Ram of Burlington, Shand of Weathersfield, Sharpe of Bristol, South of St. Johnsbury, Sweaney of Windsor, Taylor of Barre City, Weston of Burlington, Wilson of Manchester, Wright of Burlington and Young of Albany,

House bill, entitled

An act relating to preserving federally assisted affordable housing;  
To the committee on General, Housing and Military Affairs.

**H. 217**

By Rep. Shaw of Pittsford,  
House bill, entitled

An act relating to authorizing taxation of common interest community property;  
To the committee on Ways and Means.

**H. 218**

By Reps. Cheney of Norwich, Edwards of Brattleboro and Sharpe of Bristol,  
House bill, entitled

An act relating to producer responsibility for solid waste;  
To the committee on Natural Resources and Energy.

**H. 219**

By Reps. Browning of Arlington, Stevens of Shoreham, French of Shrewsbury and Waite-Simpson of Essex,  
House bill, entitled

An act relating to school districts that developed a FY 2012 budget meeting the proposed reductions recommended pursuant to Challenges for Change;  
To the committee on Education.

**H. 220**

By Rep. Toll of Danville,  
House bill, entitled

An act relating to Act 250 jurisdiction in towns that do and do not have both permanent zoning subdivisions and subdivision bylaws;  
To the committee on Natural Resources and Energy.

**H. 221**

By Reps. Sharpe of Bristol, Ancel of Calais, Branagan of Georgia, Weston of Burlington and Woodward of Johnson,  
House bill, entitled

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An act relating to regulation of the retail liquefied petroleum (propane) gas industry;

To the committee on Commerce and Economic Development.

**H. 222**

By Reps. Wizowaty of Burlington and Koch of Barre Town,  
House bill, entitled

An act relating to arbitration of medical malpractice claims;

To the committee on Judiciary.

**H. 223**

By Reps. Stevens of Shoreham and Lewis of Derby,  
House bill, entitled

An act relating to allowing land used as private shooting grounds to qualify for the current use program;

To the committee on Ways and Means.

**H. 224**

By Rep. Lippert of Hinesburg,

House bill, entitled

An act relating to small condominiums;

To the committee on Commerce and Economic Development.

**H. 225**

By Reps. Andrews of Rutland City, Batchelor of Derby, Burke of Brattleboro, Clarkson of Woodstock, Courcelle of Rutland City, Fagan of Rutland City, Frank of Underhill, Haas of Rochester, Johnson of South Hero, Lanpher of Vergennes, Lenes of Shelburne, Lorber of Burlington, Martin of Wolcott, McFaun of Barre Town, O'Brien of Richmond, Ram of Burlington, Shaw of Pittsford, Weston of Burlington and Wizowaty of Burlington,

House bill, entitled

An act relating to video contact between incarcerated parents and their minor children;

To the committee on Corrections and Institutions.

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

**H. 186**

**Rep. Sweaney of Windsor** moved that the committee on Government Operations be relieved of House bill, entitled

An act relating to requiring lobbyists to wear badges in the state house

And that the bill be committed to the committee on Rules, which was agreed to.

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

**H. 214**

**Rep. Deen of Westminster** moved that the committee on Fish, Wildlife & Water Resources be relieved of House bill, entitled

An act relating to the collection and disposal of mercury-containing lamps

And that the bill be committed to the committee on Natural Resources and Energy, which was agreed to.

**Read Third Time and Passed**

**H. 46**

House bill, entitled

An act relating to youth athletes with concussions participating in athletic activities

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

First: In Sec. 2, 16 V.S.A. subchapter 3, § 1431, subsection (a), by striking subdivision (2) in its entirety and inserting in lieu thereof a new subdivision (2) to read:

(2) “Coach” means the person who is the primary instructor or trainer of students on a school athletic team, or a designee appointed by the school’s principal or headmaster who meets the requirements of this subchapter.

Second: In Sec. 2, 16 V.S.A. subchapter 3, § 1431, subdivision (c)(3), in subdivision (A), by striking the word “and” and in subdivision (B), before the period, by inserting the following:

; and

(C) a coach is present at all training or competitions associated with a school athletic team

Third: In Sec. 2, 16 V.S.A. subchapter 3, § 1431, subsection (d), by striking subdivision (2) in its entirety and inserting in lieu thereof a new subdivision (2) to read:

(2) A coach shall not permit a youth athlete who has been prohibited from training or competing pursuant to subdivision (1) of this subsection to train or compete with a school athletic team until the athlete has been examined by and received written permission to participate in athletic activities from a licensed health care provider in accordance with, and limited to the provider's professional scope of practice regarding, training in the evaluation and management of concussions and other head injuries.

Thereupon, Rep Donahue of Northfield asked and was granted leave of the House to withdraw the amendment. Thereupon, the bill was read the third time and passed.

### **Third Reading; Bills Passed**

House bills of the following titles were severally taken up, read the third time and passed:

#### **H. 85**

House bill, entitled

An act relating to recognition of the Nulhegan Band of the Coosuk Abenaki Nation as a Native American Indian tribe;

#### **H. 86**

House bill, entitled

An act relating to recognition of the Elnu Abenaki tribe as a Native American Indian tribe;

**Favorable Report; Third Reading Ordered****H. 121**

**Rep. Potter of Clarendon**, for the committee on Transportation, to which had been referred House bill, entitled

An act relating to establishing a special motorcycle registration plate for veterans

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.

**Joint Resolution Adopted in Concurrence****J.R.S. 17**

Joint resolution, entitled

Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2011

Was taken up and adopted in concurrence.

**Adjournment**

At one o'clock and fifty minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.