

# Journal of the House

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**Tuesday, March 15, 2011**

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

## **Devotional Exercises**

Devotional exercises were conducted by Rev. Amelia Pitton of Bethany Church, Montpelier, VT.

## **Pledge of Allegiance**

**Page Katie Barker of Burlington** led the House in the Pledge of Allegiance.

## **House Bills Introduced**

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

### **H. 432**

By Rep. Mrowicki of Putney,

House bill, entitled

An act relating to vinous beverages;

To the committee on General, Housing and Military Affairs.

### **H. 433**

By Rep. Webb of Shelburne,

House bill, entitled

An act relating to the Koasek Band of the Koas Abenaki Nation;

To the committee on General, Housing and Military Affairs.

## **Bills Referred to Committee on Ways and Means**

House bills of the following titles, appearing on the Calendar, affecting the revenue of the state, under the rule, were referred to the Committee on Ways and Means:

### **H. 56**

House bill, entitled

An act relating to the Vermont Energy Act of 2011

**H. 99**

House bill, entitled  
An act relating to vital records

**H. 420**

House bill, entitled  
An act relating to the office of professional regulation

**Bills Referred to Committee on Appropriations**

House bills of the following titles, appearing on the Calendar, carrying appropriations, under the rule, were referred to the committee on Appropriations:

**H. 73**

House bill, entitled  
An act relating to establishing a government transparency office to enforce the public records act

**H. 259**

House bill, entitled  
An act relating to increasing the number of members on the liquor control board

**H. 287**

House bill, entitled  
An act relating to job creation and economic development

**Joint Resolution Adopted in Concurrence  
with Proposal of Amendment****J.R.S. 20**

By Senator Nitka,

**J.R.S. 20.** Joint resolution providing for a Joint Assembly to vote on the retention of a Chief Justice and four Justices of the Supreme Court, three Judges of the Superior Court, and seven Judges of the District Court.

*Whereas*, declarations have been submitted by the following justices and judges that they be retained for another six-year term, the Honorable Justice Reiber, Justice Burgess, Justice Dooley, Justice Johnson, Justice Skoglund, Judge Bent, Judge Corsones, Judge Wesley, Judge Devine, Judge DiMauro, Judge Eaton, Judge Keller, Judge Kupersmith, Judge Levitt and Judge Rainville, and

*Whereas*, the procedures of the Joint Committee on Judicial Retention require at least two public hearings and the review of information provided by each judge and the comments of members of the Vermont bar and the public, and

*Whereas*, the Committee anticipates that it will be unable to fulfill its responsibilities under subsection 608(b) of Title 4 to evaluate the judicial performance of the judges seeking to be retained in office by March 10, 2011, the date specified in subsection 608(e) of Title 4, and for a vote in Joint Assembly to be held on March 17, 2011, the date specified in subsection 10(b) of Title 2, and

*Whereas*, subsection 608(g) of Title 4 permits the General Assembly to defer action on the retention of judges to a subsequent Joint Assembly when the Committee is not able to make a timely recommendation, *now therefore be it*

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

That the two Houses meet in Joint Assembly on Thursday, March 24, 2011, at nine o'clock and thirty minutes in the forenoon to vote on the retention of a Chief Justice and four Associate Justices of the Supreme Court, three Superior Court Judges, and seven District Court Judges. In case the vote to retain said Justices and Judges shall not be made on that day, the two Houses shall meet in Joint Assembly at nine o'clock and thirty minutes in the forenoon, on each

Was taken up read and pending the question, shall the resolution be adopted? **Rep. French of Shrewsbury** moved to propose to the Senate to amend the resolution as follows:

By striking in the resolved clause, "Thursday, March 24, 2011, at nine o'clock and thirty minutes in the forenoon" and inserting in lieu thereof, Wednesday, March 30, 2011, at one o'clock in the afternoon.

Which was agreed to and the resolution was adopted in concurrence with proposal of amendment.

**Third Reading; Bill Passed**

**H. 428**

House bill, entitled

An act relating to requiring supervisory unions to perform common duties

Was taken up, read the third time and passed.

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**Action on Bill Postponed****H. 430**

House bill, entitled

An act relating to providing mentoring support for new principals and technical center directors

Was taken up and pending the reading of the report of the committee on Education, on motion of **Rep. Champion of Bennington**, action on the bill was postponed until Thursday, March 17, 2011.

**Bill Amended; Third Reading Ordered****H. 101**

**Rep. Bouchard of Colchester**, for the committee on Education, to which had been referred House bill, entitled

An act relating to voting requirements in common ownership communities

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. Sec. 20 of No. 155 of the Acts of the 2009 Adj. Sess. (2010) is amended to read:

Sec. 20. 27A V.S.A. § 2-117 is amended to read:

§ 2-117. AMENDMENT OF DECLARATION

\* \* \*

(d) Except to the extent expressly permitted or required by other provisions of this title, no amendment may create or increase special declarant rights, increase the number of units, change the boundaries of any unit, or change the allocated interests of a unit, ~~or the uses to which any unit is restricted, in the absence of~~ without unanimous consent of the unit owners. If an amendment to the declaration limits the right to rent or lease a unit, the amendment shall provide a reasonable period of time before the limitation shall apply.

\* \* \*

Sec. 2. EFFECTIVE DATE

This act shall take effect upon passage.

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

**Favorable Report; Third Reading Ordered****H. 172**

**Rep. Shaw of Pittsford**, for the committee on Corrections and Institutions, to which had been referred House bill, entitled

An act relating to repealing the sale or lease of the John F. Boylan airport

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