

House Calendar

Wednesday, April 10, 2013

92nd DAY OF THE BIENNIAL SESSION

House Convenes at 1:00 P.M.

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ACTION CALENDAR

Action Postponed Until April 10, 2013

Favorable with Amendment

S. 159

An act relating to various amendments to Vermont's land use control law and related statutes

Rep. McCormack of Burlington, for the Committee on Natural Resources and Energy, recommends that the House propose to the Senate that the bill be amended as follows:

First: In Sec. 1, 10 V.S.A. § 6001, in subdivision (3)(D)(vii), by striking unless the chair of the district commission, after notice and opportunity for hearing, determines that action has been taken to circumvent the requirements of this chapter, and

Second: By striking Sec. 6 (repeal of 10 V.S.A. § 6001e) in its entirety and inserting in lieu thereof [Deleted.]

Third: In Sec. 14, 10 V.S.A. § 6089, in the last sentence, by striking 6001(3)(D)(vii) and inserting in lieu thereof 6001e

Fourth: In Sec. 21, 10 V.S.A. § 8020(c) and (d), in subsection (d), in the first sentence, after document, by striking and and inserting in lieu thereof or

(Committee vote: 11-0-0)

(For text see Senate Journal 3/27/2013)

NEW BUSINESS

Third Reading

H. 198

An act relating to the Legacy Insurance Management Act

Amendment to be offered by Rep. Wilson of Manchester to H. 198

amended in Sec. 3, 8 V.S.A. § 7112, subsection (k), by striking out the word "Any" and by inserting in lieu thereof "Except as provided in subsection 7114(f) of this chapter, any"

H. 262

An act relating to establishing a program for the collection and recycling of paint

H. 527

An act relating to approval of the adoption and the codification of the charter of the Town of Northfield

Favorable with Amendment

H. 512

An act relating to approval of amendments to the charter of the City of Barre

Rep. Higley of Lowell, for the Committee on **Government Operations**, recommends the bill be amended as follows:

amended in Sec. 2, in 24 App. V.S.A. chapter 1, section 407 (appointments), as follows:

First: After “and ~~board of aldermen~~”, by striking out “Board of Councilors” and inserting in lieu thereof “City Council”

Second: After “the ~~selectmen~~”, by striking out “selectboard” and inserting in lieu thereof “City Council”

(**Committee Vote: 11-0-0**)

Favorable

H. 529

An act relating to approval of an amendment to the charter of the Winooski Incorporated School District related to the term of district treasurer

Rep. Martin of Wolcott, for the Committee on **Government Operations**, recommends the bill ought to pass.

(**Committee Vote: 10-0-1**)

S. 3

An act relating to allowing participation in out-of-state contests requiring a fee to enter

Rep. Savage of Swanton, for the Committee on **General, Housing and Military Affairs**, recommends that the bill ought to pass in concurrence.

(**Committee Vote: 8-0-0**)

(**For text see Senate Journal 2/6/2013**)

Action Postponed Until April 11, 2013

Favorable

H. 521

An act relating to making miscellaneous amendments to education law.

(Rep. Christie of Hartford will speak for the Committee on Education.)

Rep. Manwaring of Wilmington, for the Committee on **Appropriations**, recommends the bill ought to pass.

(Committee Vote: 10-0-1)

Amendment to be offered by Rep. Branagan of Georgia to H. 521

By striking out Secs. 16 through 18 in their entirety and inserting in lieu thereof three new sections to be Secs. 16 through 18 to read:

Sec. 16. INDEPENDENT AND PUBLIC SCHOOLS; RESEARCH

(a) Creation of committee. There is created a committee to research and consider the relationship among and the relative responsibilities, opportunities, and challenges of public schools and approved independent schools that receive publicly funded tuition dollars.

(b) Membership. The members of the Committee shall be as follows:

(1) the Secretary of Education or designee, who shall serve as the Committee's Chair;

(2) the Executive Director of the Vermont Independent Schools Association or designee;

(3) one head of an approved independent school in Vermont that receives publicly funded tuition, appointed by the Vermont Independent Schools Association;

(4) one trustee of an approved independent school in Vermont that receives publicly funded tuition, appointed by the Vermont Independent Schools Association;

(5) the Executive Director of the Vermont Superintendents Association or designee;

(6) the Executive Director of the Vermont School Boards Association or designee;

(7) the Executive Director of the Vermont-National Education Association or designee;

(8) the Executive Director of the Vermont Council of Special Education Administrators or designee; and

(9) the Chair of the Council on Independent Schools created in 16 V.S.A. § 166(d) or designee.

(c) Committee's charge. The Committee shall:

(1) explore and compare:

(A) the structure of and financial costs of providing education by public schools and approved independent schools receiving publicly funded tuition dollars in Vermont;

(B) the educational opportunities provided and the measurable student outcomes achieved by public schools and approved independent schools receiving publicly funded tuition dollars in Vermont; and

(C) differences in admissions policies, special education services, assessments, school-based meals programs, and teacher licensing in public schools and approved independent schools receiving publicly funded tuition dollars in Vermont; and

(2) consider ways in which either or both systems can be modified to serve the best interests of all students.

(d) Assistance. For purposes of its study of these issues, the Committee shall have the assistance of the Agency of Education.

(e) Report. By November 1, 2013, the Committee shall report its findings to the Senate and House Committees on Education.

(f) Term of Committee. The Committee shall cease to exist on July 1, 2014.

Sec. 17. [Deleted.]

Sec. 18. [Deleted.]

NOTICE CALENDAR

Favorable with Amendment

S. 104

An act relating to expedited partner therapy

Rep. Dakin of Chester, for the Committee on **Health Care**, recommends that the House propose to the Senate that the bill be amended as follows:

First: In Sec. 1, subsection (c), by striking “Centers for Disease Control and Prevention (CDC)” and inserting in lieu thereof “Commissioner”

Second: In Sec. 1, subsection (d), by striking “CDC” and inserting in lieu thereof “Centers for Disease Control and Prevention”

Third: In Sec. 2, subsection (d), by striking “CDC” and inserting in lieu thereof “Centers for Disease Control and Prevention”

(Committee vote: 10-1-0)

(For text see Senate Journal 3/20/2013)

Senate Proposal of Amendment

H. 131

An act relating to harvesting guidelines and procurement standards

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 4, 30 V.S.A. § 248(b)(11), by striking out subparagraphs (B) and (C) in their entirety and inserting in lieu thereof the following:

(B) ~~incorporate commercially available and feasible designs to achieve a reasonable~~ an optimum design system efficiency for the type and design of the proposed facility, taking into account commercial availability, feasibility, and cost-effectiveness; and

(C) ~~comply with harvesting guidelines~~ procedures and procurement standards that ~~are consistent~~ ensure long-term forest health and sustainability. These procedures and standards at a minimum shall comply with the guidelines and standards developed by the secretary of natural resources pursuant to 10 V.S.A. § 2750 (harvesting guidelines and procurement standards) when adopted under that statute. The requirement to comply with harvesting guidelines and procurement standards under 10 V.S.A. § 2750 when adopted shall apply to any woody biomass facility approved under this section on or after April 15, 2013 regardless of whether that approval is issued prior to the adoption of those guidelines and standards.

Second: By striking out Sec. 5 (period of guideline and standard development; application of Public Service Board criterion) in its entirety.

And by renumbering the remaining section to be numerically correct

(No House Amendments)

For Informational Purposes

EXECUTIVE ORDER NO. 04-13

[Governor's Emergency Preparedness Advisory Council]

WHEREAS, the tragic events of September 11, 2001, will exist forever in the hearts and memories of our nation; and

WHEREAS, federal, state, and local governments reacted quickly with tighter security and additional resources; the military boosted readiness and training; first responders expanded training and coordinated communications; law enforcement augmented protection in the State and along the borders; emergency managers developed new plans to address new threats; and public health officials and Organizations improved and broadened education on bio-terrorism and family safety; and

WHEREAS, the devastation of Tropical Storm Irene on August 28, 2011, demonstrated that natural disasters also present a strong threat to Vermont; and
WHEREAS, it is the policy of this state, as set forth in 20 V.S.A. § 1, that the Governor coordinate, to the maximum extent, the protection of the public health and safety as threats remain compelling; and

WHEREAS, to attain the greatest benefit of this protection, it is imperative that there be improved coordination and communication between federal, state, and local governments, the Vermont National Guard, first responders, law enforcement, emergency managers, public health officials, and private community organizations; and

WHEREAS, these key groups should remain in regular contact with the Governor and provide advice and counsel on approaches to strengthen and improve our homeland Security preparedness.

NOW, THEREFORE, BE IT RESOLVED that Peter Shumlin, by virtue of the authority vested in me as the Governor of the State of Vermont, do hereby order and direct that:

The "Governor's Homeland Security Advisory Council" is renamed the "Governor's Emergency Preparedness Advisory Council" and is reconstituted as set forth below.

Composition and Appointments

The Council shall include members from the following communities, appointed by the Governor: volunteer firefighters; EMTs; professional firefighters; career fire chiefs; Vermont State Police; municipal police; sheriffs; federal government; municipal government; private community

organizations; the Vermont utility industry; and health care workers, including representatives from Vermont's hospitals.

The Council shall include the following members or their designees: The Adjutant General; Director of the Division of Emergency Management and Homeland Security; Secretary of Administration; Speaker of the House; Lieutenant Governor, and a member of the Senate appointed by the Committee on Committees.

The Secretary of Civil and Military Affairs, the Commissioner of Health, the Commissioner of Public Safety, the Secretary of Agriculture, the Secretary of Transportation, the Commissioner of Information and Innovation and the E-911 Director shall be ex. officio members of the Council.

The Governor may request participation of other public or private persons, including agency or department heads, the Attorney General, and the State's Attorneys as needs dictate.

The Governor shall appoint the Chair of the Council.
Charge

The mission of the Council shall be to assess the State's overall homeland security preparedness, policies, and communications and to advise on strategies to improve our current system.

Further, the Council shall carefully consider the interdependencies between federal, state, and local governments, the Vermont National Guard, first responders, law enforcement, emergency managers, public health officials, and private community organizations and the programs these groups administer and advise on strategies to strengthen and bolster those relationships. The Council shall be mindful of available financial resources and advise on strategies that are consistent with existing fiscal realities.

III. Council Process

The Council shall meet at the call of the Chair and shall advise the Governor as needed on the State's overall homeland security preparedness, policies, and communications.

Administrative and staff support shall be provided by the Department of Public Safety.

IV. Effective Date

This Executive Order shall take effect upon signing and shall expire on July 15, 2019.

This Executive Order supersedes and replaces Executive Order # 01-03 (codified as No. 20-29).

Dated April 4, 2013.

Public Hearings

April 18, 2013 - Room 11 - 6:00-8:00 PM - H. 208 Earned Sick Days - House General, Housing and Military Affairs

April 17, 2013 - Room 11, 5:30-7:30 PM - H. 225, Statewide Policy on Training Requirements for Electronic Control Devices (Tasers) - House Government Operations

April 16, 2013 - House Chamber, 5:30-7:30 PM - S. 77, Patient Choice and Control at End of Life - Human Services and Judiciary