# House Calendar

Thursday, April 18, 2013

## 100th DAY OF THE BIENNIAL SESSION

House Convenes at 1:00 P.M.

## TABLE OF CONTENTS

Page No. ACTION CALENDAR Third Reading H. 536 The Adjutant and Inspector General and the Vermont National Guard S. 73 An act relating to the moratorium on home health agency certificates of **Senate Proposal of Amendment** NOTICE CALENDAR **Favorable with Amendment** Rep. Krebs for Fish, Wildlife and Water Resources Rep. Masland for Ways and Means......1030 **Consent Calendar** H.C.R. 105 Congratulating the 2013 Proctor High School Phantoms Division H.C.R. 106 Congratulating the 2012 Proctor High School Phantoms Division **H.C.R. 107** Congratulating The Palms Restaurant on its 80th anniversary 1032 H.C.R. 108 Commemorating the 60th anniversary of the Korean War **H.C.R.** 109 Commemorating the sestercentennial anniversary of the town of 

<b>H.C.R. 110</b> Designating April 24, 2013 as National Walk@Lunch Day in Vermont
<b>H.C.R. 111</b> Commemorating the sestercentennial anniversary of the Town of Essex
<b>H.C.R. 112</b> Designating April 26 as Long-Term Care Ombudsman Day in Vermont
<b>H.C.R. 113</b> Congratulating the 2013 Champlain Valley Union High School Redhawks Division I championship girls' basketball team
<b>H.C.R. 114</b> Congratulating the Vermont Debate and Forensics League State Tournament champions at Champlain Valley Union High School
<b>H.C.R. 115</b> Congratulating the 2013 Champlain Valley Union High School Redhawks Division I championship girls' and boys' Nordic ski teams 1033
<b>S.C.R. 22</b> Senate concurrent resolution congratulating Margaret Jane Kelly of Barre on her 90th birthday
<b>S.C.R. 23</b> Senate concurrent resolution designating April 19, 2013 as Vermont Golf Day

## ORDERS OF THE DAY

## **ACTION CALENDAR**

# **Third Reading**

#### H. 536

An act relating to the Adjutant and Inspector General and the Vermont National Guard

## Amendment to be offered by Rep. Kilmartin of Newport City to H. 536

<u>First</u>: in Sec. 1, 2 V.S.A. § 12, by striking subsection (c) and inserting in lieu thereof a new subsection (c) to read:

- (c) A candidate for Adjutant and Inspector General shall:
  - (1) be a resident of Vermont;
- (2) have served in the U.S. Armed Forces and attained at least the rank of Lieutenant Colonel;
- (3) be a commissioned officer or a former commissioned officer of the Army, Air Force, Air National Guard, or Air Force Reserves;
- (4) be a current member of the U.S. Armed Forces or be capable of being brought back to active service;
- (5) be a graduate of a Senior Service college (SSC) or be able to complete the course of study by the end of the first two-year term;
- (6) be recommended by the Adjutant and Inspector General Recommendation Board once having met the criteria in subdivisions (1)-(5) of this subsection pursuant to 20 V.S.A. § 371.

<u>Second</u>: In Sec. 3, 20 V.S.A. § 370, by striking subsection (d) and inserting in lieu thereof a new subsection (d) to read:

(d) The Board shall adopt rules under 3 V.S.A. chapter 25 which shall establish criteria and standards for determining whether candidates for Adjutant and Inspector General have met the qualifications in 2 V.S.A. § 12(c)(1)-(5).

### S. 73

An act relating to the moratorium on home health agency certificates of need

# **Senate Proposal of Amendment**

## H. 511

An act relating to "zappers" and automated sales suppression devices

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 2032 is added to read:

# § 2032. SALES SUPPRESSION DEVICES

# (a) As used in this section:

- (1) "Automated sales suppression device," also known as a "zapper," means a software program, carried on a memory stick or removable compact disc, accessed through an Internet link, or accessed through any other means, that falsifies transaction data, transaction reports, or any other electronic records of electronic cash registers and other point-of-sale systems.
- (2) "Electronic cash register" means a device that keeps a register or supporting documents through the means of an electronic device or computer system designed to record transaction data for the purpose of computing, compiling, or processing retail sales transaction data in any manner.
- (3) "Phantom-ware" means a hidden programming option, whether preinstalled or installed at a later time, embedded in the operating system of an electronic cash register or hardwired into the electronic cash register that:
  - (A) can be used to create a virtual second till; or
  - (B) may eliminate or manipulate transaction records.
- (4) "Transaction data" includes items purchased by a customer, the price for each item, a taxability determination for each item, a segregated tax amount for each of the taxed items, the amount of cash or credit tendered, the net amount returned to the customer in change, the date and time of the purchase, the name, address, and identification number of the vendor, and the receipt or invoice number of the transaction.
- (5) "Transaction reports" means a report documenting, but not limited to, the sales, taxes collected, media totals, and discount voids at an electronic cash register that is printed on cash register tape at the end of a day or shift, or a report documenting every action at an electronic cash register that is stored electronically.
- (b)(1) A person shall not knowingly sell, purchase, install, or transfer or possess an automated sales suppression device or phantom-ware.

- (2) A person who violates subdivision (1) of this subsection shall be imprisoned for not less than one year and not more than five years and fined not more than \$100,000.00, or both.
- (c) A person who violates subdivision (b)(1) of this section shall be liable to the State for:
- (1) all taxes, interest, and penalties due as the result of the person's use of an automated sales suppression device or phantom-ware; and
- (2) all profits associated with the person's sale of an automated sales suppression device or phantom-ware.
- (d) An automated sales suppression device or phantom-ware and any device containing such device or software shall be deemed contraband and shall be subject to seizure by the Commissioner of Taxes or by a law enforcement officer when directed to do so by the Commissioner of Taxes.

### Sec. 2. SAFE HARBOR

- (a) A person shall not be subject to prosecution under 13 V.S.A. 2032 if, by October 1, 2013, the person:
- (1) notifies the Department of Taxes of the person's possession of an automated sales suppression device;
- (2) provides any information requested by the Department of Taxes, including transaction records, software specifications, encryption keys, passwords, and other data; and
- (3) corrects any underreported sales tax records and fully pays the Department any amounts previously owed.
- (b) This section shall not be construed to limit the person's civil or criminal liability under 32 V.S.A. § 9814a (submitting fraudulent sales tax return) or any other provision of law.

### Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read: "An act relating to automated sales suppression devices, also known as 'zappers'"

(No House Amendments)

### NOTICE CALENDAR

### **Favorable with Amendment**

#### H. 226

An act relating to the regulation of underground storage tanks

**Rep. Krebs of South Hero,** for the Committee on **Fish, Wildlife & Water Resources,** recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 10 V.S.A. § 1922 is amended to read:

§ 1922. DEFINITIONS

For purposes of As used in this chapter:

\* \* \*

- (20) "Petroleum Cleanup Fund" or "Fund" means the fund created by section 1941 of this title.
- (21) "Motor Fuel Account" means the Motor Fuel Account of the Fund created by section 1941 of this title.
- (22) "Heating Fuel Account" means the Heating Fuel Account of the Fund created by section 1941 of this title.
- Sec. 2. 10 V.S.A. § 1927 is amended to read:
- § 1927. REGULATION OF CATEGORY ONE TANKS

\* \* \*

- (e) The following tank systems shall be closed in accordance with rules adopted by the Secretary:
  - (1) not later than January 1, 2016, single-wall tank systems; and
- (2) not later than January 1, 2018, combination tank systems, except that combination tank systems in which the tank has been lined shall be closed by January 1, 2018 or by ten years from the date by which the tank was lined, whichever is later.
- (f) A tank owner may petition the Secretary to allow a lined combination tank system to remain in service an additional five years beyond the date established in subdivision (e)(2) of this section. The Secretary may grant the petition upon a determination that:
  - (1) no release has occurred from the tank system;
  - (2) the tank system has passed an inspection for lined tank systems

# adopted by the Secretary by rule; and

- (3) no repairs are suggested or needed to the tank liner.
- (g) On and after the effective date of this subsection, a person shall not line a single-wall or combination tank system, unless the single-wall or combination system meets standards for new lined systems adopted by procedure by the Secretary. At a minimum, these standards shall address the tank system's piping, secondary containment for all portions of the system except the tank, leak detection, liquid tight containment sumps on the tank top, and liquid tight dispenser sumps.
- (h) Notwithstanding the provisions of subsection (g) of this section, a person shall not line a single-wall or combination tank system after January 1, 2014.
- Sec. 3. 10 V.S.A. § 1941 is amended to read:
- § 1941. PETROLEUM CLEANUP FUND

\* \* \*

- (b) The secretary Secretary may authorize disbursements from the fund Fund for the purpose of the cleanup and restoration of contaminated soil and groundwater caused by releases of petroleum from underground storage tanks and aboveground storage tanks, including air emissions for remedial actions, and for compensation of third parties for injury and damage caused by a release. This fund Fund shall be used for no other governmental purposes, nor shall any portion of the fund Fund ever be available to borrow from by any branch of government; it being the intent of the legislature General Assembly that this fund Fund and its increments shall remain intact and inviolate for the purposes set out in this chapter. Disbursements under this section may be made only for uninsured costs incurred after January 1, 1987 and for which a claim is made prior to July 1, 2014 2019 and judged to be in conformance with prevailing industry rates. This includes:
- (1) costs incurred by taking corrective action as directed by the secretary Secretary for any release of petroleum into the environment from:
- (A) an underground storage tank defined as a category one tank, provided disbursements on any site shall not exceed \$1,240,000.00 and shall be made from the Motor Fuel Account, as follows:
- (i) after the first \$10,000.00 of the cleanup costs have been borne by the owners or operators of tanks double-wall tank systems used for commercial purposes or after the first \$250.00 of the cleanup costs have been borne by the owners or operators of tanks with capacities equal to or less than 1,100 gallons used for farms or residential purposes. Disbursements on any

site shall not exceed \$1,240,000.00. These disbursements shall be made from the motor fuel account;

- (ii) after the first \$15,000.00 of cleanup costs have been borne by the owners or operators of combination tank systems, whether lined or unlined, used for commercial purposes, unless the system is a lined combination tank system that has been granted a five-year extension under subsection 1927(f) of this title;
- (iii) after the first \$25,000.00 of cleanup costs have been borne by the owners or operators of lined combination tank systems that have been granted a five-year extension to operate under subsection 1927(f) of this title;
- (iv) after the first \$25,000.00 of cleanup costs have been borne by the owners or operators of single-wall tank systems used for commercial purposes;
- (B) an underground motor fuel tank after the first \$250.00 of the cleanup costs have been borne by the owners or operators of tanks with a capacity equal to or less than 1,100 gallons and used for farming or residential purposes. Disbursements on any site shall not exceed \$990,000.00 and shall be made from the Motor Fuel Account;
- (C) an underground heating fuel tank used for on-premise heating after the first \$10,000.00 of the cleanup costs have been borne by the owners or operators of tanks with capacities over 1,100 gallons used for commercial purposes, or after the first \$250.00 of the cleanup costs have been borne by the owners or operators of tanks with capacities equal to or less than 1,100 gallons used for commercial purposes, or after the first \$250.00 of the cleanup costs have been borne by the owners or operators of residential and farm tanks. These disbursements Disbursements on any site shall not exceed \$990,000.00 and shall be made from the heating fuel account Heating Fuel Account;
- (C)(D) an aboveground storage tank site after the first \$1,000.00 of the cleanup costs have been borne by the owners or operators of tanks used for commercial purposes, or after the first \$250.00 of the cleanup costs have been borne by the owners or operators of residential and farm tanks. Disbursements under this subdivision (b)(1)(C)(D) on any individual site shall not exceed \$25,000.00. These disbursements shall be made from the motor fuel account or heating fuel account Motor Fuel Account or Heating Fuel Account, depending upon the use or contents of the tank;
- (D)(E) a bulk storage aboveground motor fuel or heating fuel storage tank site after the first \$10,000.00 of the cleanup costs have been borne by the owners or operators of tanks used for commercial purposes. Disbursements under this subdivision (b)(1)(D)(E) on any individual site shall not exceed

\$990,000.00. These disbursements shall be made from the motor fuel account Motor Fuel Account;

(E)(F) where if a site is contaminated by petroleum releases from both heating fuel and motor fuel tanks, or where the source of the petroleum contamination has not been ascertained, the secretary Secretary shall have the discretion to disburse funds from either the heating oil or motor fuel account Heating Fuel or Motor Fuel Account, or both;

\* \* \*

(g) The owner of a farm or residential heating fuel storage tank used for on-premises heating or an underground or aboveground heating fuel storage tank used for on-premises heating by a mobile home park resident, as defined in section 6201 of this title, who desires assistance to close, replace, or upgrade the tank may apply to the secretary Secretary for such assistance. The financial assistance may be in the form of grants of up to \$2,000.00 or the costs of closure, replacement, or upgrade, whichever is less. Grants shall be made only to the current property owners, except at mobile home parks where a grant may be awarded to a mobile home park resident. To be eligible to receive the grant, an environmental site assessment must be conducted by a qualified consultant during the tank closure, replacement, or upgrade if the tank is an underground heating fuel storage tank. In addition, if the closed tank is to be replaced with an underground heating fuel storage tank, the replacement tank and piping shall provide a level of environmental protection at least equivalent to that provided by a double wall tank and secondarily contained piping. Grants shall be awarded on a priority basis to projects that will avoid the greatest environmental or health risks. The secretary shall also give priority to applicants who are replacing their underground heating fuel tanks with aboveground heating fuel storage tanks that will be installed in accordance with the secretary's Secretary's recommended standards. The secretary Secretary shall also give priority to lower income applicants. To be eligible to receive the grant, the owner must provide the previous year's financial information, and, if the replacement tank is an aboveground tank, must assure that any work to replace or upgrade a tank shall be done in accordance with industry standards (National Fire Protection Association, or NFPA, Code 31), as it existed on July 1, 2004, until another date or edition is specified by rule of the secretary. The secretary Secretary shall only authorize up to \$300,000.00 \$350,000.00 in assistance for underground and aboveground heating fuel tanks in any one fiscal year from the heating fuel account Heating Fuel Account for this purpose. The application must be accompanied by the following information:

Sec. 4. 10 V.S.A. § 1942 is amended to read:

## § 1942. PETROLEUM DISTRIBUTOR LICENSING FEE

- (a) There is hereby established a licensing fee of one cent per gallon of motor fuel sold by a distributor or dealer or used by a user in this state State, which will be assessed against every distributor, dealer, or user as defined in 23 V.S.A. chapters 27 and 28, and which will be deposited into the petroleum eleanup fund Petroleum Cleanup Fund established pursuant to subsection 1941(a) of this title. The secretary Secretary, in consultation with the petroleum cleanup fund advisory committee Petroleum Cleanup Fund Advisory Committee established pursuant to subsection 1941(e) of this title, shall annually report to the legislature General Assembly on the balance of the motor fuel account of the fund Motor Fuel Account and shall make recommendations, if any, for changes to the program. The secretary shall also determine the unencumbered balance of the motor fuel account of the fund Motor Fuel Account as of May 15 of each year, and if the balance is equal to or greater than \$7,000,000.00, then the licensing fee shall not be assessed in the upcoming fiscal year. The secretary Secretary shall promptly notify all sellers assessing this fee of the status of the fee for the upcoming fiscal year. This fee will be paid in the same manner, at the same time, and subject to the same restrictions or limitations as the tax on motor fuels. The fee will be collected by the commissioner of motor vehicles Commissioner of Motor Vehicles and deposited into the petroleum cleanup fund Petroleum Cleanup Fund. This fee requirement shall terminate on April 1, 2016 2021.
- (b) There is assessed against every seller receiving more than \$10,000.00 annually for the bulk retail sale of heating oil, kerosene, or other dyed diesel fuel sold in this state State a licensing fee of one cent per gallon of such heating oil, kerosene, or other dyed diesel fuel. This fee shall be subject to the collection, administration, and enforcement provisions of 32 V.S.A. chapter 233, and the fees collected under this subsection by the commissioner of taxes Commissioner of Taxes shall be deposited into the petroleum cleanup fund Petroleum Cleanup Fund established pursuant to subsection 1941(a) of this title. The secretary Secretary, in consultation with the petroleum cleanup fund advisory committee Petroleum Cleanup Fund Advisory Committee established pursuant to subsection 1941(e) of this title, shall annually report to the legislature General Assembly on the balance of the heating fuel account of the fund Heating Fuel Account and shall make recommendations, if any, for changes to the program. The secretary Secretary shall also determine the unencumbered balance of the heating fuel account of the fund Heating Fuel Account as of May 15 of each year, and if the balance is equal to or greater than \$3,000,000.00, then the licensing fee shall not be assessed in the upcoming fiscal year. The secretary Secretary shall promptly notify all sellers

assessing this fee of the status of the fee for the upcoming fiscal year. This fee provision shall terminate April 1, 2016 2021.

Sec. 5. 10 V.S.A § 1943 is amended to read:

## § 1943. PETROLEUM TANK ASSESSMENT

- (a) Each owner of a category one tank used for storage of petroleum products shall <u>annually</u> remit to the <u>secretary on October 1 of each year Secretary</u> \$100.00 per double-wall tank system; \$150.00 \$250.00 per combination tank system <u>if the single-wall tank has been lined; \$500.00 for all other combination tank systems</u>; and \$200.00 \$1,000.00 per single-wall tank system, which shall be deposited to the <u>petroleum cleanup fund Petroleum Cleanup Fund</u> established by section 1941 of this title, except that:
- (1) For retail gasoline outlets that sell less than 40,000 gallons of motor fuel per month, the fee shall be:
  - (A) \$75.00 per double wall tank system;
  - (B) \$125.00 per combination tank system; and
  - (C) \$175.00 per single wall tank system.
- (2) The fee shall be reduced by 50 percent if the owner or permittee provides to the satisfaction of the secretary Secretary evidence of financial responsibility to allow the taking of corrective action in the amount of \$100,000.00 per occurrence and the compensation of third parties for bodily injury and property damage in the amount of \$300,000.00 per occurrence.
- (3)(2) The fee shall be relieved if the owner provides to the satisfaction of the secretary Secretary, evidence of financial responsibility to allow the taking of corrective action and the compensation of third parties for bodily injury and property damage each in the amount of \$1,000,000.00 per occurrence.
- (4) The fee for retail motor fuel outlets selling 20,000 gallons or less per month shall not exceed \$100.00 per year for all double-wall tanks at a single location and shall not exceed \$300.00 for all combination tank systems at a single location. This cap shall not apply to a retail motor fuel outlet utilizing a single wall tank system.
- (5) For any municipality that uses an annual average of less than 40,000 gallons of motor fuel per month, provided that all of the tanks of that municipality meet the requirements of this chapter, the fee shall be:
  - (A) \$50.00 per double wall tank system;
  - (B) \$100.00 per combination tank system; and

## (C) \$150.00 per single wall tank system.

\* \* \*

(c) This tank assessment shall terminate on July 1, 2014 2019.

\* \* \*

# Sec. 6. 10 V.S.A. § 1944(a) is amended to read:

- (a) The secretary Secretary may make individual loans of up to \$75,000.00 \$150,000.00 for:
- (1) the replacement or removal of category one tanks used for the storage of petroleum products. These loans shall be made from the motor fuel account of the fund established under subsection 1941(a) of this title Motor Fuel Account;
- (2) the removal, or the replacement or improvement, or both, of piping, tank-top sumps, and other components of the secondary containment and release detection systems of category one tanks, for the purpose of reducing the likelihood of a release of regulated substance to the environment. These loans shall be made from the motor fuel account of the fund established under subsection 1941(a) of this title Motor Fuel Account;
- (3) the removal, replacement, or upgrade of an underground or aboveground storage tank used for the storage of petroleum products for the purpose of reducing the likelihood of a release of petroleum into the environment. These loans shall be made from the motor fuel account or heating fuel account of the fund established under subsection 1941(a) of this title, Motor Fuel Account or Heating Fuel Account depending upon the use or contents of the tank.

# Sec. 7. 10 V.S.A. § 1941a is added to read:

# § 1941a. SINGLE-WALL AND COMBINATION TANKS; TANK REMOVAL

- (a) Notwithstanding the requirements of 10 V.S.A. § 1941(b)(1)(A)(iv), when a release is discovered during the closure and removal of a single-wall underground storage tank, the Fund may pay cleanup costs after the first \$10,000.00, and disbursements on any site shall not exceed \$1,240,000.00.
- (b) Notwithstanding the requirements of 10 V.S.A. § 1941(b)(1)(A)(ii), when a release is discovered during the closure and removal of a combination tank system, whether lined or unlined, the Fund may pay cleanup costs after the first \$10,000.00, and disbursements on any site shall not exceed \$1,240,000.00.

# Sec. 8. PETROLEUM CLEANUP FUND ADVISORY COMMITTEE REPORT FOR 2014

The annual report of the Petroleum Cleanup Fund Advisory Committee to be submitted to the General Assembly on January 15, 2014 pursuant to 10 V.S.A. § 1941 shall provide recommendations as to whether:

- (1) 10 V.S.A. § 1941(b) should enable the Secretary to make disbursements from the Fund for the purpose of removing or remediating underground or aboveground storage tanks that present an actual or imminent threat of release;
- (2) there should be an increase in the total annual amount that the Secretary is authorized to disburse pursuant to 10 V.S.A. § 1941(g) (grants to close, replace, or upgrade farm or residential underground or aboveground heating fuel storage tanks); and
- (3) there should be an increase in the individual grant amount that the Secretary is authorized to disburse pursuant to 10 V.S.A. § 1941(g) (grants to close, replace, or upgrade farm or residential underground or aboveground heating fuel storage tanks).

### Sec. 9. REPEAL

The following are repealed:

- (1) 10 V.S.A. § 1941a(a) on January 1, 2016;
- (2) 10 V.S.A. § 1941a(b) on January 1, 2018.

### Sec. 10. EFFECTIVE DATES

This act shall take effect on passage, except Sec. 5 (petroleum tank assessment) of this act shall take effect on July 1, 2014.

## (Committee Vote: 9-0-0)

**Rep. Masland of Thetford,** for the Committee on **Ways and Means,** recommends the bill ought to pass when amended as recommended by the Committee on **Fish, Wildlife & Water Resources** and when further amended as follows:

<u>First</u>: In Sec. 4, 10 V.S.A. § 1942, in subsection (b), by striking the first sentence and inserting in lieu thereof the following: "There is assessed <del>against</del> every seller receiving more than \$10,000.00 annually for the bulk retail sale of heating oil, kerosene, or other dyed diesel fuel sold in this state a licensing fee of one cent per gallon for the bulk retail sale of such heating oil, kerosene, or other dyed diesel fuel sold in this State."

<u>Second</u>: By striking out Sec. 5 in its entirety and inserting in lieu thereof a

new Sec. 5 to read:

Sec. 5. 10 V.S.A. § 1943 is amended to read:

## § 1943. PETROLEUM TANK ASSESSMENT

- (a) Each owner of a category one tank used for storage of petroleum products shall <u>annually</u> remit to the <u>secretary on October 1 of each year Secretary</u> \$100.00 per double-wall tank system; \$150.00 \$250.00 per combination tank system <u>if the single-wall tank has been lined;</u> \$500.00 for all <u>other combination tank systems</u>; and \$200.00 \$1,000.00 per single-wall tank system, which shall be deposited to the <u>petroleum cleanup fund Petroleum</u> Cleanup Fund established by section 1941 of this title, except that:
- (1) For retail gasoline outlets that sell less than 40,000 gallons of motor fuel per month, the fee shall be:
  - (A) \$75.00 per double-wall tank system;
  - (B) \$125.00 per combination tank system; and
  - (C) \$175.00 per single-wall tank system.
- (2) The fee shall be reduced by 50 percent if the owner or permittee provides to the satisfaction of the secretary Secretary evidence of financial responsibility to allow the taking of corrective action in the amount of \$100,000.00 per occurrence and the compensation of third parties for bodily injury and property damage in the amount of \$300,000.00 per occurrence.
- (3) The fee shall be relieved if the owner provides to the satisfaction of the secretary Secretary, evidence of financial responsibility to allow the taking of corrective action and the compensation of third parties for bodily injury and property damage each in the amount of \$1,000,000.00 per occurrence.
- (4) The fee for retail motor fuel outlets selling 20,000 gallons or less per month shall not exceed \$100.00 per year for all double-wall tanks at a single location and shall not exceed \$300.00 for all combination tank systems at a single location. This cap shall not apply to a retail motor fuel outlet utilizing a single-wall tank system.
- (5) For any municipality that uses an annual average of less than 40,000 gallons of motor fuel per month, provided that all of the tanks of that municipality meet the requirements of this chapter, the fee shall be:
  - (A) \$50.00 per double-wall tank system;
  - (B) \$100.00 per combination tank system; and
  - (C) \$150.00 per single-wall tank system.

(c) This tank assessment shall terminate on July 1, 2014 2019.

\* \* \*

# (Committee Vote: 10-0-1)

### **Consent Calendar**

#### **Concurrent Resolutions**

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 the end of the session of the next legislative day. 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.

### H.C.R. 105

House concurrent resolution congratulating the 2013 Proctor High School Phantoms Division IV championship girls' basketball team

### H.C.R. 106

House concurrent resolution congratulating the 2012 Proctor High School Phantoms Division IV championship boys' soccer team

## H.C.R. 107

House concurrent resolution congratulating The Palms Restaurant on its 80th anniversary

## H.C.R. 108

House concurrent resolution commemorating the 60th anniversary of the Korean War Armistice Agreement

# H.C.R. 109

House concurrent resolution commemorating the sestercentennial anniversary of the town of Newbury

# H.C.R. 110

House concurrent resolution designating April 24, 2013 as National Walk@Lunch Day in Vermont

## H.C.R. 111

House concurrent resolution commemorating the sestercentennial anniversary of the Town of Essex

## H.C.R. 112

House concurrent resolution designating April 26 as Long-Term Care Ombudsman Day in Vermont

## H.C.R. 113

House concurrent resolution congratulating the 2013 Champlain Valley Union High School Redhawks Division I championship girls' basketball team

## H.C.R. 114

House concurrent resolution congratulating the Vermont Debate and Forensics League State Tournament champions at Champlain Valley Union High School

## H.C.R. 115

House concurrent resolution congratulating the 2013 Champlain Valley Union High School Redhawks Division I championship girls' and boys' Nordic ski teams

# S.C.R. 22

Senate concurrent resolution congratulating Margaret Jane Kelly of Barre on her 90th birthday

### S.C.R. 23

Senate concurrent resolution designating April 19, 2013 as Vermont Golf Day.

# **Public Hearings**

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