

House Calendar

Tuesday, January 28, 2014

22nd DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 A.M.

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ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 577

An act relating to ski tramways

H. 583

An act relating to the charge of the Vermont Child Poverty Council

Favorable with Amendment

H. 356

An act relating to prohibiting littering in or on the waters of the State

Rep. Terenzini of Rutland Town, 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. 24 V.S.A. § 2201 is amended to read:

§ 2201. THROWING, DEPOSITING, BURNING, AND DUMPING
REFUSE; PENALTY; SUMMONS AND COMPLAINT

(a)(1) Prohibition. Every person shall be responsible for proper disposal of his or her own solid waste. A person shall not throw, dump, deposit, cause, or permit to be thrown, dumped, or deposited any solid waste as defined in 10 V.S.A. § 6602, refuse of whatever nature, or any noxious thing:

(A) in or on the waters of the State, including frozen waters, or on the shores or banks of waters of the State in a manner as to be subject to being washed in the main stream or body of water under normal high water conditions, unless the person has a permit under 10 V.S.A. chapter 47 to discharge waste; or

(B) outside a solid waste management facility certified by the Agency of Natural Resources.

(2) It shall be prima facie evidence that a person who is identifiable from an examination of illegally disposed solid waste is the person who violated a provision of this section.

(2)(3) No person shall burn or cause to be burned in the open or incinerate in any container, furnace, or other device any solid waste without:

(A) first having obtained all necessary permits from the Agency of Natural Resources, the district environmental commission, and the municipality where the burning is to take place; and

(B) complying with all relevant State and local regulations and ordinances.

(b) Prosecution of violations. A person who violates a provision of this section commits a civil violation and shall be subject to a civil penalty of not more than \$500.00. This violation shall be enforceable in the Judicial Bureau pursuant to the provisions of 4 V.S.A. chapter 29 in an action that may be brought by a municipal attorney, solid waste management district attorney, environmental enforcement officer employed by the Agency of Natural Resources, grand juror, or designee of the legislative body of the municipality, or by any duly authorized law enforcement officer. If the throwing, placing, or depositing was done from a snowmobile or a motor vehicle, except a motor bus, it shall be prima facie evidence that the throwing, placing, or depositing was done by the driver of ~~such~~ the snowmobile or motor vehicle. If the throwing, placing, or depositing was done from a vessel, it shall be prima facie evidence that the throwing, placing, or depositing was done by the operator of the vessel. Nothing in this section shall be construed as affecting the operation of an automobile graveyard or salvage yard as defined in section 2241 of this title, nor shall anything in this section be construed as prohibiting the installation and use of appropriate receptacles for solid waste provided by the State or towns.

(c) Roadside cleanup; shoreland or river cleanup. A person found in violation of this section may be assigned to spend up to 80 hours collecting trash or litter from a specified segment of roadside or from a specified area of public property or from shorelands or river corridors, as those terms are defined in 10 V.S.A. § 1422.

(d) Revocation of motor vehicle operator's license. The Commissioner of Motor Vehicles shall suspend the motor vehicle operator's license or operating privilege of a person found in violation of this section for a period of ten days if the person fails to pay the penalty set forth in subsection (b) of this section. If the person that fails to pay the penalty set forth in subsection (b) violated this section while operating a vessel, the Commissioner of Motor Vehicles shall suspend that person's certificate of boating education that is required by 23 V.S.A. § 3305b for a period of ten days. This provision shall not apply if the only evidence of violation is the presumption set forth in subsection (b) of this section. The Bureau shall immediately notify the Commissioner of Motor Vehicles of the entry of judgment.

(e) Revocation of hunting or fishing license. The Commissioner of Fish and Wildlife shall revoke the privilege of a person found in violation of this section from holding a hunting or fishing license, or both, for a period of one year from the date of the conviction, if the person fails to pay the penalty set forth in subsection (b) of this section. The Bureau shall immediately notify the Commissioner of Fish and Wildlife of the entry of judgment.

(f) ~~{Deleted.}~~ [Repealed.]

(g) Amendment of complaint. A person authorized to enforce this section may amend or dismiss a complaint issued by that person by marking the complaint and returning it to the Judicial Bureau. At the hearing, a person authorized to enforce this section may amend or dismiss a complaint issued by that person, subject to the approval of the hearing judge.

(h) ~~{Deleted.}~~ [Repealed.]

(i) Applicability. Enforcement actions taken under this section shall in no way preclude the Agency of Natural Resources, the Attorney General, or an appropriate State prosecutor from initiating other or further enforcement actions under the civil, administrative, or criminal enforcement provisions of 10 V.S.A. chapter 23, 47, 159, 201, or 211. To the extent that enforcement under this section is by an environmental enforcement officer employed by the Agency of Natural Resources, enforcement under this section shall preclude other enforcement by the ~~agency~~ Agency for the same offence.

(j) Definitions. As used in this section:

(1) “Motor vehicle” shall have the same meaning as in 23 V.S.A. § 4(21).

(2) “Snowmobile” shall have the same meaning as in 23 V.S.A. § 3801.

(3) “Vessel” means motor boats, boats, kayaks, canoes, sailboats, and all other types of watercraft.

(4) “Waters” shall have the same meaning as in 10 V.S.A. § 1251(13).

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

(Committee Vote: 9-0-0)

Favorable

H. 601

An act relating to assistance from the petroleum cleanup fund for aboveground storage tanks

Rep. Deen of Westminster, for the Committee on **Fish, Wildlife & Water Resources**, recommends the bill ought to pass.

(**Committee Vote: 8-0-1**)

Action Under Rule 52

J.R.S. 40

Joint resolution providing for a Joint Assembly for the election of two legislative Trustees of the Vermont State Colleges Corporation

(**For text see House Journal 1/24/2014**)

J.R.S. 41

Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2014

(**For text see House Journal 1/24/2014**)

NOTICE CALENDAR

Committee Bill for Second Reading

H. 702

An act relating to self-generation and net metering.

(**Rep. Klein of East Montpelier** will speak for the Committee on **Natural Resources and Energy**.)

Favorable with Amendment

H. 563

An act relating to captive insurance laws and accreditation standards

Rep. Bouchard of Colchester, for the Committee on **Commerce and Economic Development**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

* * * Dormant Captive Insurance Companies * * *

Sec. 1. 8 V.S.A. § 6024 is added to read:

§ 6024. DORMANT CAPTIVE INSURANCE COMPANIES

(a) As used in this section, unless the context requires otherwise, “dormant captive insurance company” means a pure captive insurance company which has:

(1) at no time, insured controlled unaffiliated business;

(2) ceased transacting the business of insurance, including the issuance of insurance policies; and

(3) no remaining liabilities associated with insurance business transactions, or insurance policies issued prior to the filing of its application for a certificate of dormancy under this section.

(b) A pure captive insurance company domiciled in Vermont which meets the criteria of subsection (a) of this section may apply to the Commissioner for a certificate of dormancy. The certificate of dormancy shall be subject to renewal every five years and shall be forfeited if not renewed within such time.

(c) A dormant captive insurance company which has been issued a certificate of dormancy shall:

(1) possess and thereafter maintain unimpaired, paid-in capital and surplus of not less than \$25,000.00;

(2) prior to March 15 of each year, submit to the Commissioner a report of its financial condition, verified by oath of two of its executive officers, in a form as may be prescribed by the Commissioner; and

(3) pay a license renewal fee as provided in subsection 6002(d) of this chapter.

(d) A dormant captive insurance company shall not be subject to or liable for the payment of any tax under section 6014 of this chapter.

(e) A dormant captive insurance company shall apply to the Commissioner for approval to surrender its certificate of dormancy and resume conducting the business of insurance prior to issuing any insurance policies.

(f) A certificate of dormancy shall be revoked if a dormant captive insurance company no longer meets the criteria of subsection (a) of this section.

(g) The Commissioner may establish guidelines and procedures as necessary to carry out the provisions of this section.

* * * Risk Retention Groups; Producer Controlled Insurers * * *

Sec. 2. 8 V.S.A. § 4815(6) is amended to read:

(6) “Licensed insurer” or “insurer” means any person, firm, association

or corporation duly licensed to transact an insurance business in this State. The following are not licensed insurers for the purposes of this subchapter:

~~(A) all risk retention groups as defined in the Superfund Amendments Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) and the Risk Retention Act, 15 U.S.C. § 3901 et seq. (1982 & Supp. 1986) and chapter 142 of this title;~~

~~(B)~~ all residual market pools and joint underwriting authorities or associations; and

~~(C)~~(B) all captive insurers as defined in chapter 141 of this title, except risk retention groups.

Sec. 3. 8 V.S.A. chapter 142A is amended to read:

CHAPTER 142A. RISK RETENTION GROUP MANAGING GENERAL AGENTS ~~AND~~ REINSURANCE INTERMEDIARIES, AND PRODUCER CONTROLLED INSURERS

* * *

Sec. 4. 8 V.S.A. § 6070 is amended to read:

§ 6070. APPLICATION OF CHAPTER

(a) This chapter applies to risk retention groups domiciled in this State operating under the provisions of chapters 141 and 142 of this title and to persons serving as managing general agents for such risk retention groups.

(b) The provisions of chapter 131, subchapter 2 of this title, pertaining to producer controlled insurers, shall apply to risk retention groups chartered in this State.

* * * Captive; Reciprocal Insurer; Assessments; Exemption * * *

Sec. 5. 8 V.S.A. § 6006(j) is amended to read:

(j) Captive insurance companies formed as reciprocal insurers under the provisions of this chapter shall have the privileges and be subject to the provisions of chapter 132 of this title in addition to the applicable provisions of this chapter. In the event of a conflict between the provisions of chapter 132 and the provisions of this chapter, the latter shall control. However, in approving assessments levied upon subscribers of a captive insurance company formed as a reciprocal insurer, the Commissioner may exempt the company from any provision of sections 4850 (assessments), 4851 (time limit for assessments), and 4852 (aggregate of liability) of chapter 132. To the extent a reciprocal insurer is made subject to other provisions of this title pursuant to chapter 132, such provisions shall not be applicable to a reciprocal insurer

formed under this chapter unless such provisions are expressly made applicable to captive insurance companies under this chapter.

* * * Separate Account Assets; Delinquency * * *

Sec. 6. 8 V.S.A. § 6018 is amended to read:

§ 6018. DELINQUENCY

Except as otherwise provided in this chapter, the terms and conditions set forth in chapter 145 of this title shall apply in full to captive insurance companies formed or licensed under this chapter; however, the assets of a separate account established under subsection 6006(p) of this chapter shall not be used to pay any expenses or claims other than those attributable to such separate account.

* * * Incorporated Protected Cell as Reciprocal Insurer * * *

Sec. 7. 8 V.S.A. § 6032 is amended to read:

§ 6032. DEFINITIONS

As used in this subchapter, unless the context requires otherwise:

(1) “Incorporated protected cell” means a protected cell that is established as a corporation, mutual corporation, nonprofit corporation with one or more members, ~~or~~ limited liability company, or reciprocal insurer separate from the sponsored captive insurance company of which it is a part.

* * *

Sec. 8. 8 V.S.A. § 6034a(d) is amended to read:

(d) It is the intent of the General Assembly under this section to provide sponsored captive insurance companies, including those licensed as special purpose financial insurance companies under subchapter 4 of this chapter, with the option to establish one or more protected cells as a separate corporation, mutual corporation, nonprofit corporation, ~~or~~ limited liability company, or reciprocal insurer. This section shall not be construed to limit any rights or protections applicable to protected cells not established as corporations, mutual corporations, nonprofit corporations, ~~or~~ limited liability companies, or reciprocal insurers.

* * * Risk Based Capital for Risk Retention Groups * * *

Sec. 9. 8 V.S.A. § 6052(f) is added to read:

(f) The provisions of chapter 159 of this title (risk based capital for insurers) shall apply to risk retention groups chartered in this State, except that the Commissioner may elect not to take regulatory action as otherwise required

by sections 8303–8306 of chapter 159 of this title, provided at least one of the following conditions exist:

(1) The Commissioner determines that the risk retention group’s members or sponsoring organization, or both, are sufficiently capitalized to support the operations of the risk retention group. As required by the Commissioner, the members or sponsoring organization, or both, shall provide evidence of:

(A) an investment grade credit rating from a nationally recognized statistical rating organization or rating of A- or better by the A. M. Best Company;

(B) an excess of assets over liabilities of at least \$100 million; or

(C) an excess of assets over liabilities of at least 10 times the risk retention group’s largest net retained per occurrence limit.

(2) Each policyholder qualifies as an industrial insured under the law of his or her home state, or under Vermont law, whichever the Commissioner determines to be more stringent.

(3) The risk retention group’s certificate of authority was issued prior to January 1, 2011 and, based on a minimum of five years of solvent operation, is specifically exempted from the requirements for mandatory action in writing by the Commissioner.

* * * Effective Date * * *

Sec. 10. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 11-0-0)

Rep. Wilson of Manchester, for the Committee on **Ways and Means**, recommends the bill ought to pass when amended as recommended by the Committee on **Commerce and Economic Development**.

(Committee Vote: 10-0-1)

H. 609

An act relating to terminating propane service

Rep. Kitzmiller of Montpelier, for the Committee on **Commerce and Economic Development**, recommends the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 9 V.S.A. § 2461b is amended to read:

§ 2461b. REGULATION OF PROPANE

(a)(1) In this section:

(A) “Consumer” means any person who purchases propane for consumption and not for resale through a meter or has propane delivered to one or more storage tanks of 2,000 gallons or less.

(B) “Seller” means a person who sells or offers to sell propane to a consumer.

(C) “Terminates service” means that a seller:

(i) disconnects, removes, or locks off a propane tank;

(ii) reads a meter with the purpose of terminating service;

(iii) sends notice of intent to disconnect, remove, or lock off a propane tank; or

(iv) takes other action that evidences an intent to terminate a service relationship with a consumer or evidences knowledge that the consumer requested termination of service.

(2) The Attorney General shall investigate irregularities, complaints, and unfair or deceptive acts in commerce by sellers.

* * *

(e) When terminating service to a consumer, a seller shall comply with the following requirements.

(1)(A) If the propane storage tank has been located on the consumer’s premises, regardless of ownership of the premises, for 12 months or more, the seller may not assess a fee related to termination of propane service, including a fee:

(i) to remove the seller’s storage tank from the premises;

(ii) to pump out or restock propane; or

(iii) to terminate service.

(B) If a consumer has received propane service from the seller for less than 12 months, any fee related to termination of service may not exceed the disclosed price of labor and materials.

(2) Subject to subdivision (h)(5) of this section:

(A) Within 20 days of the date when the seller ~~disconnects propane~~ terminates service or is notified by the consumer in writing that service has been disconnected, whichever is earlier, the seller shall refund to the consumer

the amount paid by the consumer for any propane remaining in the storage tank, less any payments due the seller from the consumer.

* * *

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 11-0-0)

S. 27

An act relating to respectful language in the Vermont Statutes Annotated

Rep. Mook of Bennington, for the Committee on **Government Operations**, recommends that the House propose to the Senate that the bill be amended as follows:

First: In Sec. 1, subsection (b), by deleting “and 223.” and by inserting “and” before “222” and by deleting Sec. 2a in its entirety

Second: In Sec. 2b, 1 V.S.A. § 146, in the first sentence, by striking out “general”

Third: By inserting a Sec. 2d after Sec. 2c to read as follows:

Sec. 2d. 1 V.S.A. § 148 is added to read:

§ 148. DEVELOPMENTAL DISABILITY

“Developmental disability” or “person with developmental disabilities” shall have the same meaning as in 18 V.S.A. § 9302.

Fourth: By deleting Sec. 9 in its entirety

Fifth: By deleting Sec. 10 in its entirety

Sixth: In Sec. 11, 4 V.S.A. § 33, subdivision (13), by striking out “developmental” and inserting in lieu thereof “intellectual”

Seventh: In Sec. 12, 4 V.S.A. § 36(a), subdivision (2)(B)(v), by striking out “developmental” and inserting in lieu thereof “intellectual”

Eighth: In Sec. 15, 6 V.S.A. § 2777(d), in subdivisions (2)(E) and (4)(B), by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Ninth: By deleting Sec. 17 in its entirety

Tenth: In Sec. 19, 8 V.S.A. § 4089b, by deleting subdivision (c)(1) and inserting in lieu thereof the following:

(c) A health insurance plan shall provide coverage for treatment of a mental ~~health~~ condition and shall:

(1) not establish any rate, term, or condition that places a greater burden on an insured for access to treatment for a mental ~~health~~ condition than for access to treatment for other health conditions, including no greater co-payment for primary mental health care or services than the co-payment applicable to care or services provided by a primary care provider under an insured's policy and no greater co-payment for specialty mental health care or services than the co-payment applicable to care or services provided by a specialist provider under an insured's policy;

Eleventh: In Sec. 19, 8 V.S.A. § 4089b, by deleting subdivision (d)(1)(A) and inserting in lieu thereof the following:

(d)(1)(A) A health insurance plan that does not otherwise provide for management of care under the plan, or that does not provide for the same degree of management of care for all health conditions, may provide coverage for treatment of mental ~~health~~ conditions through a managed care organization, provided that the managed care organization is in compliance with the rules adopted by the Commissioner that assure that the system for delivery of treatment for mental health conditions does not diminish or negate the purpose of this section. In reviewing rates and forms pursuant to section 4062 of this title, the Commissioner or the Green Mountain Care Board established in 18 V.S.A. chapter 220, as appropriate, shall consider the compliance of the policy with the provisions of this section.

Twelfth: By deleting Sec. 19a in its entirety

Thirteenth: In Sec. 25, 8 V.S.A. § 10501, in the third sentence, by striking out “elderly” and inserting in lieu thereof “old”

Fourteenth: In Sec. 31, 9 V.S.A. § 4501, in subdivision (3)(C), in the first sentence, by striking out “intellectual” and inserting in lieu thereof “developmental” and by inserting “substance use disorders, including” before “drug addiction and alcoholism” and in the second sentence, by striking out “who is an alcoholic or drug abuser” and inserting in lieu thereof “with a substance use disorder”

Fifteenth: In Sec. 32, 9 V.S.A. § 4503, in subdivision (b)(3), by striking out “persons who are elderly” and by inserting in lieu thereof “elders”

Sixteenth: In Sec. 35, 10 V.S.A. § 622(7), in the last sentence, by inserting “elders or” after “independent living for” and by striking out “are” before “~~handicapped~~” and by striking out “elderly or” after “~~handicapped~~”

Seventeenth: In Sec. 51, in 13 V.S.A. § 1306, by striking out “intellectual” and inserting in lieu thereof “developmental”

Eighteenth: In Sec. 80, 16 V.S.A. § 3851(c), by deleting subdivision (5)(D)

and inserting in lieu thereof the following:

(D) nonprofit assisted living facility, nonprofit continuing care retirement facility, nonprofit residential care facility or similar nonprofit facility for the continuing care of ~~the elderly~~ elders or the infirm, provided that such facility is owned by or under common ownership with an otherwise eligible institution, and in the case of facilities to be financed for an eligible institution provided by this subdivision (5) of this subsection, for which the Green Mountain Care Board, if required, has issued a certificate of need.

Nineteenth: In Sec. 82, 17 V.S.A. § 2502, in subsection (b), in the first sentence, by striking out “elderly” and inserting in lieu thereof “elders” and in the second sentence by striking out “a” before “~~handicapped or elderly~~” and by inserting “an elder or to a” after “~~handicapped or elderly~~” and by striking out “is elderly or” after “person who”

Twentieth: In Sec. 85, 17 V.S.A. § 2667, in the first sentence, by striking out “elderly” and inserting in lieu thereof “elders”

Twenty-first: In Sec. 93, 18 V.S.A. § 1751(b)(26), by striking out “persons who are elderly” and by inserting in lieu thereof “elders”

Twenty-second: In Sec. 104, in 18 V.S.A. § 7401, in subdivisions (14) and (15), by striking out “or mental condition” after “a psychiatric disability” and by inserting “mental condition or” before “psychiatric disability”

Twenty-third: In Sec. 111, in 18 V.S.A. § 8706, in subdivision (1), by striking out “and” after the semicolon and in subdivision (3) by inserting “and” after the semicolon

Twenty-fourth: In Sec. 113, 18 V.S.A. § 8731(d), by striking out “adults who are elderly” and by inserting in lieu thereof “elders” and by inserting “adults who” after “~~disabled adults or~~”

Twenty-fifth: In Sec. 114, in 18 V.S.A. § 8839, in subdivision (3)(A), by inserting before the semicolon “, which means significantly subaverage intellectual functioning existing concurrently with deficits in adaptive behavior that were manifest before 18 years of age”

Twenty-sixth: In Sec. 121, 20 V.S.A. § 2063(b)(1), by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Twenty-seventh: In Sec. 122, 20 V.S.A. § 2730(a)(1)(A), by inserting “elders or” before “persons who” and by striking out “are elderly,” after “persons who” and by striking out the comma after “infirmary”

Twenty-eighth: In Sec. 125, 20 V.S.A. § 3072(b), in subdivision (3), by striking out the second section symbol

Twenty-ninth: In Sec. 130, 21 V.S.A. § 495d, in subdivision (7)(B), by striking out “intellectual” and inserting in lieu thereof “developmental”

Thirtieth: In Sec. 137, 21 V.S.A. § 644(a), in subdivision (6), by striking out “incurable”

Thirty-first: In Sec. 139, 21 V.S.A. § 1301(6)(C)(vii), in subdivision (IV), by striking out “elderly” and inserting in lieu thereof “an elder”

Thirty-second: In Sec. 141, 23 V.S.A. § 4(15), by inserting “elders or” after “nor one which is used to transport” and by striking out “are elderly” and by striking out “or” before “have a disability”

Thirty-third: By striking Sec. 142 in its entirety, and inserting in lieu thereof the following:

Sec. 142. 23 V.S.A. § 304a is amended to read:

§ 304a. SPECIAL REGISTRATION PLATES AND PLACARDS FOR PEOPLE WITH DISABILITIES

* * *

(b) Special registration plates or removable windshield placards, or both, shall be issued by the Vermont Commissioner of Motor Vehicles. The placard shall be issued without a fee to a person who is blind or has an ambulatory disability. One set of plates shall be issued without additional fees for a vehicle registered or leased to a person who is blind or has an ambulatory disability. The Commissioner shall issue these placards or plates under rules adopted by him or her after proper application has been made to the Commissioner by any person residing within the State of Vermont. Application forms shall be available on request at the Department of Motor Vehicles.

* * *

(4) An applicant for a ~~special handicapped~~ registration plate or placard for persons with disabilities may request the Civil Division of the Superior Court in the county in which he or she resides to review a decision by the Commissioner to deny his or her application for a special registration plate or placard.

* * *

(d) A person who has an ambulatory disability or an individual transporting a person who is blind shall be permitted to park and to park without fee for at least 10 continuous days in a parking space or area which is restricted as to the length of time parking is permitted or where parking fees are assessed, except that this minimum period shall be 24 continuous hours for parking in a State-

or municipally operated parking garage. This section shall not apply to spaces or areas in which parking, standing, or stopping of all vehicles is prohibited by law or by any parking ban, or which are reserved for special vehicles. As a condition to this privilege, the vehicle shall display the ~~special handicapped registration~~ plate or placard issued by the Commissioner or a special registration license plate or placard issued by any other jurisdiction.

* * *

(f) Persons who ~~are temporarily disabled with an~~ have a temporary ambulatory disability may apply for a temporary removable windshield placard to the Commissioner on a form prescribed by him or her. The placard shall be valid for a period of up to six months and displayed as required under the provisions of subsection (c) of this section. The application shall be signed by a licensed physician, certified physician assistant, or licensed advanced practice registered nurse. The validation period of the temporary placard shall be established on the basis of the written recommendation from a licensed physician, certified physician assistant, or licensed advanced practice registered nurse. The Commissioner shall promulgate rules to implement the provisions of this subsection.

Thirty-fourth: In Sec. 152, 24 V.S.A. § 2691, by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Thirty-fifth: In Sec. 153, 24 V.S.A. § 2694, by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Thirty-sixth: In Sec. 156, 24 V.S.A. § 4001(4), by striking out “persons who are elderly and” and inserting in lieu thereof “elders” in all three places that it appears and by striking out “persons who are elderly” and inserting “elders” in both places that it appears and by striking out “persons who are elderly” and inserting “elders” in lieu thereof and by restoring “~~inevitably~~” by removing the striking

Thirty-seventh: In Sec. 157, 24 V.S.A. § 4002, in subdivision (10)(B), by striking “persons” after “~~elderly~~” and inserting in lieu thereof “elders” and by striking out “elderly and” before “of low income”

Thirty-eighth: In Sec. 157, 24 V.S.A. § 4002, in (11), in the first sentence, by striking out “who are elderly” and inserting in lieu thereof “elders” and in the second sentence, by striking out “elderly” and inserting in lieu thereof “elder”

Thirty-ninth: In Sec. 158, 24 V.S.A. § 4003(b), in subdivision (2), in the first sentence, by striking out “persons” before “~~of a low income~~” and by striking out “who are elderly” after “~~of a low income~~” and inserting in lieu

thereof “elders of a low income”

Fortieth: In Sec. 159, 24 V.S.A. § 4008, in subdivision (6), by striking out “persons who are elderly and” and inserting in lieu thereof “elders who are”

Forty-first: In Sec. 159, 24 V.S.A. § 4008, in subdivision (8), in the first sentence, by striking out “persons who are elderly” and inserting in lieu thereof “elders” and in the second sentence, by striking out “Persons who are elderly” and inserting in lieu thereof “Elders”

Forty-second: In Sec. 160, 24 V.S.A. § 4010(a)(1), by striking out “persons who are elderly and” and inserting in lieu thereof “elders who are”

Forty-third: In Sec. 161, 24 V.S.A. § 4302(c)(11)(D), by inserting “elders,” before “or disabled or elderly” and by striking out “or are elderly” before “should be allowed”

Forty-fourth: In Sec. 163, 24 V.S.A. § 5091, in subdivision (i)(1)(A), by striking out “who are elderly” and inserting in lieu thereof “of elders”

Forty-fifth: In Sec. 165, 24 App. V.S.A. chapter 5 § 1201, in the second sentence, by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Forty-sixth: By deleting Sec. 172 in its entirety

Forty-seventh: In Sec. 175, 26 V.S.A. § 1446, by striking out “people who are elderly” and inserting in lieu thereof “elders”

Forty-eighth: In Sec. 182, 26 V.S.A. § 4451, in subdivisions (7) and (8), by striking out “hearing impaired” and inserting in lieu thereof “hard of hearing”

Forty-ninth: In Sec. 183, 26 V.S.A. § 4464(b), in subdivision (10), by restoring “or client” by removing the striking

Fiftieth: In Sec. 185, 27 V.S.A. § 1331, in subdivision (4), by striking out “elderly” and inserting in lieu thereof “an elder”

Fifty-first: In Sec. 186, 27 V.S.A. § 1333, in subsections (a) and (b), by striking out “elderly” and inserting in lieu thereof “elders”

Fifty-second: By deleting Sec. 188 in its entirety

Fifty-third: In Sec. 190, in 28 V.S.A. § 906, in subdivision (3), by striking out “intellectual” and inserting in lieu thereof “developmental”

Fifty-fourth: In Sec. 190, in 28 V.S.A. § 907, in subdivision (6)(B), by striking out “substance use or abuse” and restoring “chemical dependence” by removing the striking

Fifty-fifth: In Sec. 190, in 28 V.S.A. § 907, in subdivision (6)(E), by

striking out “intellectual” and inserting in lieu thereof “developmental”

Fifty-sixth: In Sec. 191, 30 V.S.A. § 209c(a), in the third sentence, by striking out “people who are elderly” and inserting in lieu thereof “elders”

Fifty-seventh: In Sec. 193, 30 V.S.A. § 7059(a)(1), in subdivision (F), by striking out “individuals who are elderly” and inserting in lieu thereof “elders”

Fifty-eighth: In Sec. 194, 31 V.S.A. chapter 19, in the chapter’s catchline, by striking out “PEOPLE WHO ARE ELDERLY” and inserting in lieu thereof “ELDERS” and by deleting everything after the first set of ellipses

Fifty-ninth: In Sec. 202, in 33 V.S.A. § 1502, subdivision (1), by striking out “persons who are elderly and” and inserting in lieu thereof “elders who are”

Sixtieth: By deleting Sec. 204 in its entirety

Sixty-first: In Sec. 207, 33 V.S.A. § 1951, in subdivision (8), in the first sentence, by striking out “disability” and inserting in lieu thereof “disabilities” and by striking out the last sentence in its entirety

Sixty-second: In Sec. 208, 33 V.S.A. § 1955, by striking out “ICF/ID” in every instance in which it appears and inserting in lieu thereof “ICF/DD” and by striking out “ICF/ID’s” in both instances in which it appears and inserting in lieu thereof “ICF/DD’s”

Sixty-third: By deleting Sec. 210 in its entirety

Sixty-fourth: In Sec. 211, 33 V.S.A. § 2078, by striking out “elderly” after “Vermonters who are” and inserting in lieu thereof “elders”

Sixty-fifth: In Sec. 212, 33 V.S.A. § 2501a(c), in the second sentence, by striking out “people who are elderly” and inserting in lieu thereof “elders”

Sixty-sixth: In Sec. 213, 33 V.S.A. § 4301(3), in subdivision (D), by striking out “intellectual” and inserting in lieu thereof “developmental”

Sixty-seventh: In Sec. 214, 33 V.S.A. § 6321, in subdivision (a)(3), by striking out “elderly” and inserting in lieu thereof “an elder”

Sixty-eighth: In Sec. 214, 33 V.S.A. § 6321, in subsection (d), in the last sentence, by striking out “individuals who are elderly” and inserting in lieu thereof “elders”

Sixty-ninth: In Sec. 215, 33 V.S.A. § 6902, in subdivision (2), by striking out “elderly” and inserting in lieu thereof “an elder”

Seventieth: In Sec. 216, 33 V.S.A. § 6903(a), in subdivision (5), by striking out “intellectual” and inserting in lieu thereof “developmental”

Seventy-first: In Sec. 217, 33 V.S.A. § 6912(b), by striking out “elderly” and inserting in lieu thereof “elders”

Seventy-second: By deleting Sec. 223 in its entirety

Seventy-third: In Sec. 224 in the section catchline, by striking “DATES” and inserting in lieu thereof “DATE” and by deleting everything after the section catchline and inserting in lieu thereof the following:

This act shall take effect on July 1, 2014.

(Committee vote: 10-0-1)

(For text see Senate Journal 3/28/2013, 3/29/2013)

Public Hearings

January 28, 2014 - Room 11 - 6:00-8:00 PM - Current Use - Senate Special Committee on Current Use

January 30, 2014 - Room 11 – 5:00-7:00 PM - S. 287 Involuntary Treatment and Medication - Senate Judiciary and Health and Welfare

Monday, February 10, 2014, 4:00 - 6:30 p.m. – The House and Senate Committees on Appropriations will hold a joint public hearing on Vermont Interactive Technologies (V.I.T.) to give Vermonters throughout the state an opportunity to express their views about the state budget for fiscal year 2015. All 13 V.I.T. sites will be available for the hearing: Bennington, Brattleboro, Johnson, Lyndonville, Middlebury, Montpelier, Newport, Randolph Center, Rutland, Springfield, St. Albans, White River Junction and Williston. V.I.T.'s web site has an up-to-date location listing, including driving directions, addresses and telephone numbers, <http://www.vitlink.org/>.

The budget hearing will be VIEWABLE via the Internet if your computer has Flash-based streaming capabilities. Some mobile devices may require additional software.

Go to www.vitlink.org/streamingmedia/vtcvitopen.php.

The Governor’s budget proposal can be viewed at the Department of Finance’s website: http://finance.vermont.gov/state_budget/rec. For information about the format of this event or to submit written testimony, call the House Appropriations Committee office at 802/828-5767 or email tutton@leg.state.vt.us. Requests for interpreters should be made to the office by 3:00 p.m. on Monday, January 27, 2014.

February 6, 2014 - House Chamber – 6:00-8:00pm - H112 GMO Labeling – Senate Agriculture and Senate Judiciary

February 13, 2014 - House Chamber - 7:00-9:00 pm - H. 586 - Improving the Quality of State Waters - House Agriculture and Forest Products

Information Notice

Deadline for Introducing Bills

Pursuant to Rule 40(b) of the Rules and Orders of the Vermont House of Representatives, during the second year of the biennium, except with the prior consent of the Committee on Rules, no member may introduce a bill into the House drafted in standard form after the last day of January.

Pursuant to Rule 40(c) during the second year of the biennium, except with the prior consent of the Committee on Rules, no committee, except the Committees on Appropriations, Ways and Means or Government Operations, may introduce a bill drafted in standard form after the last day of March (March 31, 2014). The Committees on Appropriations and Ways and Means bill may be drafted in standard form at any time, and Government Operations bills pertaining to city or town charters, may be drafted in standard form at any time.