

House Calendar

Wednesday, April 09, 2014

93rd DAY OF THE ADJOURNED SESSION

House Convenes at 9:30 A.M.

TABLE OF CONTENTS

	Page No.
ACTION CALENDAR	
Action Postponed Until April 9, 2014	
Favorable	
H. 878 Prevailing wages.....	1878
Rep. Moran for General, Housing and Military Affairs	
Rep. Keenan for Appropriations.....	1878
Rep. Emmons et al Amendment.....	1878
Senate Proposal of Amendment	
H. 543 Records and reports of the Auditor of Accounts.....	1879
NEW BUSINESS	
Third Reading	
H. 552 Raising the Vermont minimum wage.....	1880
H. 886 Approval of the adoption and the codification of the charter of the Town of Panton	1880
H. 890 Approval of amendments to the charter of the City of Burlington regarding the redistricting of City election areas	1880
Favorable	
H. 887 Approval of the adoption and the codification of the charter of the Town of East Montpelier.....	1880
Rep. Devereux for Government Operations	
S. 223 An act relating to regulating the making of pension loans.....	1880
Rep. Cross for Commerce and Economic Development	
Senate Proposal of Amendment	
H. 799 The importation of firewood	1880
NOTICE CALENDAR	
Committee Bill for Second Reading	
H. 891 The authority of the Secretary of Agriculture, Food and Markets to respond to and remediate potential public health hazards.....	1882
Rep. Bartholomew for Agriculture and Forest Products	

ORDERS OF THE DAY

ACTION CALENDAR

Action Postponed Until April 9, 2014

Favorable

H. 878

An act relating to prevailing wages.

(Rep. Moran of Wardsboro will speak for the Committee on General, Housing and Military Affairs.)

Rep. Keenan of St. Albans City, for the Committee on Appropriations, recommends the bill ought to pass.

(Committee Vote: 7-4-0)

Amendment to be offered by Reps. Emmons of Springfield, Davis of Washington, Hooper of Montpelier, Larocque of Barnet, Lenex of Shelburne, Macaig of Williston, Myers of Essex, Shaw of Pittsford, and South of St. Johnsbury to H. 878

First: By adding a new Sec. 2 to read as follows:

Sec. 2. STATE CONSTRUCTION PROJECTS; CONTRACTS SUBJECT
TO STATE PREVAILING WAGE

(a) It is the intent of the General Assembly that the transition to the use of the prevailing wage determinations as have been made by the Secretary of the U.S. Department of Labor in accordance with the Davis-Bacon Act, 40 U.S.C. § 276a, as may be amended, in State construction projects shall not change the scope of State construction projects that are subject to the requirements of 29 V.S.A. § 161(b).

(b) Notwithstanding Sec. 1 of this act, the following contracts shall remain subject to the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey:

(1) contracts for State construction projects executed prior to July 1, 2015;

(2) any change orders or amendments to contracts for State construction projects executed prior to July 1, 2015; and

(3) contracts for State construction projects that result from instructions to bidders posted by the State of Vermont prior to July 1, 2015.

Second: By adding a Sec. 3 to read as follows:

Sec. 3. PREVAILING WAGE; UNIVERSITY OF VERMONT AND VERMONT STATE COLLEGES

The University of Vermont and State Agricultural College and the Vermont State Colleges shall pay no less than the prevailing wage determinations as have been made by the Secretary of the U.S. Department of Labor in accordance with the Davis-Bacon Act, 40 U.S.C. § 276a, as may be amended, for any new construction or major renovation project that receives funding in any capital construction act.

and by renumbering the remaining section to be numerically correct.

Senate Proposal of Amendment

H. 543

An act relating to records and reports of the Auditor of Accounts

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

First: By striking Sec. 1 in its entirety and inserting in lieu thereof:

Sec. 1. REPEAL

2012 Acts and Resolves No. 155, Sec. 24 (auditor website; audit findings) is repealed.

Second: In Sec. 2, 32 V.S.A. § 163, by striking subdivision (3) in its entirety and inserting in lieu thereof a new subdivision (3) to read:

(3) ~~[Repealed.]~~ (A) Prominently post and retain on his or her official State website, and update at least annually on or before July 1, the following information:

(i) All reports with findings that result from audits conducted under subdivision (1) of this section.

(ii) A summary of significant recommendations contained in audit reports issued since January 1, 2012 arising from audits conducted under subdivision (1) of this section, and the dates on which corrective actions were taken related to those recommendations.

(iii) A summary of all embezzlement convictions, and false claim convictions as described in 13 V.S.A. § 3016, against any agency or department of the State, since July 1, 2007. The summary shall include the names of all persons convicted of those offenses.

(B) Follow up on recommendations described in subdivision (A)(ii) of this subdivision (3) at least biennially and for at least four years from the

date of the audit report.

(No House Amendments)

NEW BUSINESS

Third Reading

H. 552

An act relating to raising the Vermont minimum wage

H. 886

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

H. 890

An act relating to approval of amendments to the charter of the City of Burlington regarding the redistricting of City election areas

Favorable

H. 887

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

Rep. Devereux of Mount Holly, for the Committee on **Government Operations**, recommends the bill ought to pass.

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

S. 223

An act relating to regulating the making of pension loans

Rep. Cross of Winooski, for the Committee on **Commerce and Economic Development**, recommends that the bill ought to pass in concurrence.

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

Senate Proposal of Amendment

H. 799

An act relating to the importation of firewood

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

First: In Sec. 1, in 10 V.S.A. § 2681, by inserting a subsection (c) to read:

(c) Penalties. Any person who violates a provision of this subchapter or the rules adopted under this subchapter shall be subject to a civil citation under

section 8019 of this title.

Second: By striking out Sec. 2 in its entirety and inserting in lieu thereof 3 new sections to be Secs. 2, 3, and 4 to read:

Sec. 2. 10 V.S.A. § 8003 is amended to read:

§ 8003. APPLICABILITY

(a) The Secretary may take action under this chapter to enforce the following statutes and rules, permits, assurances, or orders implementing the following statutes:

* * *

(17) 10 V.S.A. § 2625, relating to heavy cutting of timber;

* * *

(22) 10 V.S.A. chapter 164A, collection and disposal of mercury-containing lamps; ~~and~~

(23) 24 V.S.A. § 2202a, relating to a municipality's adoption and implementation of a solid waste implementation plan that is consistent with the State Solid Waste Plan; and

(24) 10 V.S.A. chapter 83, subchapter 8, relating to the importation of firewood.

* * *

Sec. 3. 10 V.S.A. § 8503 is amended to read:

§ 8503. APPLICABILITY

(a) This chapter shall govern all appeals of an act or decision of the Secretary, excluding enforcement actions under chapters 201 and 211 of this title and rulemaking, under the following authorities and under the rules adopted under those authorities:

(1) The following provisions of this title:

* * *

(L) section 2625 (regulation of heavy cutting).

* * *

(R) chapter 32 (flood hazard areas).

(S) chapter 83, subchapter 8 (importation of firewood).

(2) 29 V.S.A. chapter 11 (management of lakes and ponds).

(3) 24 V.S.A. chapter 61, subchapter 10 (relating to salvage yards).

* * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

(For text see House Journal 3/11/2014 & 3/13/2014)

NOTICE CALENDAR

Committee Bill for Second Reading

H. 891

An act relating to the authority of the Secretary of Agriculture, Food and Markets to respond to and remediate potential public health hazards.

(Rep. Bartholomew of Hartland will speak for the Committee on **Agriculture and Forest Products.**)

Public Hearings

April 9 2014 - Room 11 - 5:00pm-7:00 pm - H.883 - Expanded Pre K-Grade 12 School Districts - House Ways and Means and Education Committees

Information Notice

On **Wednesday, April 9, 2014** beginning at **9:30 am**, the Senate Appropriations Committee will be taking testimony from advocates regarding the Fiscal Year 2015 Budget (H.885) in Room 10 of the State House. **All available time slots have been filled.** To submit written testimony to the committee please contact Becky Buck at the Legislative Joint Fiscal Office located at 1 Baldwin Street (phone: 828-5969) or via email at: rbuck@leg.state.vt.us

Joint Assembly

Thursday, April 10, 2014 - 10:30 A.M. - Election of one (1) successor legislative Trustee of the University of Vermont and State Agricultural College.

Candidates for the position of trustee must notify the Secretary of State in writing not later than Thursday, April 3, 2014, by 5:00 P.M. pursuant to the provisions of 2 V.S.A. § 12(b). Otherwise their names will not appear on the ballots for this position.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.