

Journal of the House

Friday, March 22, 2013

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Carl VanOsdall of the First Presbyterian Church, Barre, Vt.

Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time and referred as follows:

S. 70

Senate bill, entitled

An act relating to the delivery of raw milk at farmers' markets;

To the committee on Agriculture and Forest Products.

S. 150

Senate bill, entitled

An act relating to miscellaneous amendments to laws related to motor vehicles;

To the committee on Transportation.

S. 151

Senate bill, entitled

An act relating to miscellaneous changes to the laws governing commercial motor vehicle licensing and operation;

To the committee on Transportation.

Joint Resolution Referred to Committee

J.R.H. 8

Rep. Young of Glover, Higley of Lowerll and Strong of Albany offered a joint resolution, entitled

Joint resolution requesting that, as soon as possible, the Federal Aviation Administration complete its review of, and issue approval for, the installation and use of Audio Visual Warning System nighttime lighting on wind turbines, including those turbines consisting of the Kingdom Community Wind Project located on the Lowell Mountain Range

Offered by: Representatives Young of Glover, Higley of Lowell and Strong of Albany

Whereas, on May 31, 2011, the Public Service Board (the Board) issued a conditional certificate of public good (CPG) in Docket No. 7628 to the Green Mountain Power Corporation (GMP), Vermont Electric Cooperative, Inc., Vermont Electric Power Company, Inc., and Vermont Transco LLC to proceed with construction of the Kingdom Community Wind Project (KCW), and

Whereas, the Board authorized KCW to generate a maximum 63 megawatts of electric power, to include a wind generation facility on approximately 3.2 miles with 21 wind turbines on the Lowell Mountain ridgeline in the town of Lowell, and to build related transmission upgrades in several nearby towns, and

Whereas, each turbine is authorized to have a generating capacity of 2.5 to 3 megawatts and consists of three blades on a horizontal axis connected to a columnar tower which includes a nacelle, and

Whereas, the turbines are painted white or an off-white color, stand between 262 and 279 feet high at the nacelle, and are 410 to 459 feet high at the tip of each blade, and

Whereas, one of the several parties the Board authorized to intervene in Docket No. 7628 was the Green Mountain Club, which sought the installation, subject to FAA approval, of an Object Collision Avoidance System (OCAS) for nighttime wind turbine lighting, and which the FAA refers to by its generic name Audio Visual Warning System (AVWS), and

Whereas, the key to OCAS is that the turbine's nighttime lights would only be activated when the system's radar detected an aircraft within a designated distance from the turbines, and the OCAS lights would go dark once an aircraft had passed beyond the mandatory lighting range, and

Whereas, the GMC petitioned for the OCAS system's inclusion to mitigate the wind turbines' nighttime impact on the view from the Long Trail (LT) along a ten-mile segment between Route 118 in Eden and Route 58 in Westfield, and

Whereas, this LT segment includes the historic Tillotson Camp where through hikers stop overnight, and which is situated on a ledge, effectively Tillotson's front porch, with a view consisting almost exclusively of the Lowell Mountain Range, and

Whereas, GMP was amenable to this condition, and the Board's CPG Condition 34 provided that GMP "shall apply for and take all reasonable steps to obtain approval of the Object Collision Avoidance System ("OCAS"), and shall install the OCAS promptly should it obtain approval," and

Whereas, the OCAS system GMP is proposing at Lowell would include lighting on eight turbines, as at present, plus four radar antennae, including 15-foot whip antennae on three of the turbines, and a fourth to be constructed on a new 45-foot tower, and

Whereas, the FAA issued a memorandum in 2009, amending its Advisory Circular 70/7460-1k, to include positive comments on AVWS lighting; however, the FAA has never approved AVWS for use on a wind turbine, and

Whereas, VESTAS, the supplier of OCAS, has petitioned the FAA on GMP's behalf, seeking the federal agency's approval to install OCAS on wind turbines generally and specifically on the Lowell Mountain Range, and

Whereas, the FAA's approval to install an AVWS lighting system on the Lowell wind turbines would decrease the turbines' nighttime visual impact, not only from the Long Trail, but also from other vantage points, including those in the towns of Albany, Craftsbury, and Lowell, and

Whereas, the FAA had previously indicated it would release a decision in late 2012 and has now indicated it will be the middle of 2013 before a decision is issued, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly requests that, as soon as possible, the Federal Aviation Administration complete its review of, and issue approval for, the installation and use of Audio Visual Warning System nighttime lighting on wind turbines, including those turbines consisting of the Kingdom Community Wind Project located on the Lowell Mountain Range, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to Michael Huerta, Administrator of the Federal Aviation Administration, to the Vermont Congressional Delegation, to the Green Mountain Power Corporation, to the Albany, Craftsbury, and Lowell town clerks, and to the Green Mountain Club.

Which was read and, in the Speaker's discretion, treated as a bill and referred to the committee on Natural Resources and Energy.

Third Reading; Bills Passed

House bills of the following titles were severally taken up, read the third time and passed:

H. 95

House bill, entitled

An act relating to unclaimed life insurance benefits;

H. 280

House bill, entitled

An act relating to payment of wages;

H. 513

House bill, entitled

An act relating to the Department of Financial Regulation.

Recess

At nine o'clock and fifty-five minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

At ten o'clock and five minutes in the forenoon, the Speaker called the House to order.

Bill Amended, Read Third Time and Passed

H. 520

House bill, entitled

An act relating to reducing energy costs and greenhouse gas emissions

Was taken up and pending third reading of the bill, **Rep. Cheney of Norwich** moved to amend the bill as follows:

First: After Sec. 29, by adding three new sections to be numbered 29a, 29b, and 29c to read:

* * * Electric Vehicles * * *

Sec. 29a. ELECTRIC VEHICLES AND CHARGING STATIONS, STATE FLEET

(a)(1) On or before December 15, 2013, the Commissioner of Buildings and General Services (the Commissioner), after consultation with the Commissioners of Public Service and of Human Resources and any other person the Commissioner considers appropriate, shall complete a study and submit a written report to the House and Senate Committees on Natural Resources and Energy, the House Committee on Corrections and Institutions, and the Senate Committee on Institutions on the feasibility, benefits, and costs of installing electric vehicle charging stations in the vicinity of state facilities for use by state employees and by members of the public.

(2) The study and report required by this subsection shall include:

(A) recommendations for the installation of electric charging stations at state office buildings;

(B) proposed policies related to the use of charging stations by state employees and the visiting public and a proposed fee structure;

(C) identification of those recommendations requiring legislative action and proposed legislation to enact those recommendations; and

(D) any other findings or recommendations the Commissioner considers relevant.

(b)(1) On or before January 15, 2014, the Commissioner of Buildings and General Services, after consultation with the Secretary of Administration, the Commissioner of Public Service, and any other person the Commissioner considers appropriate, shall submit to the House and Senate Committees on Natural Resources and Energy, the House Committee on Corrections and Institutions, and the Senate Committee on Institutions a written plan for incorporating electric vehicles into the state fleet.

(2) The plan under this subsection shall include:

(A) a strategy and a target date for incorporating electric vehicles into the state fleet, including identifying which types of vehicles would or would not be suitable for conversion to plug-in electric drive vehicles; and

(B) a review of the current methods used for life-cycle cost analysis of the state fleet, including how to account for the costs of carbon dioxide emissions when considering environmental externalities.

(3) The plan under this subsection shall be deemed a part of the State Energy Plan under 3 V.S.A. § 2291 and, as part of the periodic re adoption of the State Energy Plan, shall be integrated into that plan and updated.

(c) In this section, "electric vehicles" means plug-in hybrid vehicles and battery electric vehicles.

Sec. 29b. 3 V.S.A. § 2291 is amended to read:

§ 2291. STATE AGENCY ENERGY PLAN

* * *

(c) ~~The secretary of administration~~ Secretary of Administration with the cooperation of the ~~commissioners of public service and of buildings and general services~~ Commissioners of Public Service and of Buildings and General Services shall develop and oversee the implementation of a state agency energy plan for state government. The plan shall be adopted by June 30, 2005, modified as necessary, and readopted by the ~~secretary~~ Secretary on or before January 15, 2010 and each sixth year subsequent to 2010. The plan shall accomplish the following objectives and requirements:

(1) To conserve resources, save energy, and reduce pollution. The plan shall devise strategies to identify to the greatest extent feasible, all opportunities for conservation of resources through environmentally and economically sound infrastructure development, purchasing, and fleet management, and investments in renewable energy and energy efficiency available to the ~~state~~ State which are cost effective on a life cycle cost basis.

(2) To consider state policies and operations that affect energy use.

(3) To devise a strategy to implement or acquire all prudent opportunities and investments in as prompt and efficient a manner as possible.

(4) To include appropriate provisions for monitoring resource and energy use and evaluating the impact of measures undertaken.

(5) To identify education, management, and other relevant policy changes that are a part of the implementation strategy.

(6) To devise a strategy to reduce greenhouse gas emissions. The plan shall include steps to encourage more efficient trip planning, to reduce the average fuel consumption of the state fleet, ~~and~~ to encourage alternatives to solo-commuting state employees for commuting and job-related travel, and to incorporate plug-in hybrid and battery electric vehicles into the state fleet if cost-effective on a life-cycle basis.

(7) To provide, where feasible, for the installation of renewable energy systems including solar energy systems, which shall include equipment or building design features, or both, designed to attain the optimal mix of minimizing solar gain in the summer and maximizing solar gain during the

winter, as part of the new construction or major renovation of any state building. The cost of implementation and installation will be identified as part of the budget process presented to the ~~general assembly~~ General Assembly.

* * *

Sec. 29c. PROMOTING THE USE OF ELECTRIC VEHICLES

(a) The Secretary of Natural Resources (“Secretary”), in consultation with the Secretary of Transportation, the Commissioner of Public Service, the Commissioner of Taxes, and any other person the Secretary considers appropriate, shall study how to promote an expansion in the use of electric vehicles in Vermont consistent with achieving the State’s greenhouse gas reduction goals set forth in 10 V.S.A. § 578. The study shall include consideration of:

(1) the costs and benefits to the State of its offering incentives for the purchase or sale of electric vehicles by consumers and businesses;

(2) the optimal siting of charging stations throughout the State and whether the State should subsidize or take other steps to facilitate the installation of charging stations;

(3) whether and how to couple electric vehicle charging stations with renewable electric generation resources;

(4) options to fund any cost to the State arising from recommendations under subdivisions (1)–(3) of this subsection;

(5) such other subjects the Secretary considers relevant.

(b) On or before December 15, 2013, the Secretary shall issue a written report of the findings of the study required under subsection (a) of this section and the Secretary’s recommendations and the reasons for those recommendations to the House and Senate Committees on Natural Resources and Energy and the House and Senate Committees on Transportation. The report shall include the Secretary’s recommendations on how to promote an expansion in the use of electric vehicles. The report also shall identify those recommendations requiring legislative action and include the Secretary’s proposed legislation to enact those recommendations.

(c) In this section, “electric vehicles” means plug-in hybrid vehicles and battery electric vehicles.

Second: In Sec. 30 (effective dates), by striking subsection (a) and inserting in lieu thereof a new subsection (a) to read:

(a) The following shall take effect on passage: this section and Secs. 1 (findings); 2 (jurisdiction; general scope); 3 (appointed entities; initial plan; statutory revision); 12 (disclosure tool working group; reports); 18 (eligible beneficiaries; requirements); 19 (benefit amounts); 23 (vehicle sales requirements); 24 (study; renewables; heating and cooling); 27 (total energy; report); 28 (climate change education; report); 29 (thermal efficiency funding and savings; report); 29a (electric vehicles and charging stations; state fleet) and 29c (promoting the use of electric vehicles) of this act.

Which was agreed to.

Pending third reading of the bill, **Rep. Higley of Lowell** moved to amend the bill as follows:

First: In Sec. 27, subsection (b), by renumbering subdivision (2) to be subdivision “(3)”, and by inserting a new subdivision (2) to read:

(2) The group’s study and report shall consider currently available reports that examine the economic impacts on the state economy of a total energy standard and of implementing the policies and funding mechanisms described in this subsection.

Second: In Sec. 28, introductory paragraph, before “, and the ability”, by inserting “, including economic consequences”

Which was agreed to.

Pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the bill as follows:

First: In Sec. 6, 21 V.S.A. § 266, in subsection (e), subdivision (2)(B), before the period, by inserting and the residential construction is not an owner-occupied single-family dwelling

Second: In Sec. 9, 24 V.S.A. § 4449, in subsection (a), by striking subdivision (2) and inserting in lieu thereof a new subdivision (2) to read:

(2) If the bylaws so adopted so provide, it shall be unlawful to use or occupy or permit the use or occupancy of any land or structure, or part thereof, created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure after the effective date of this chapter, within the area affected by those bylaws, until a certificate of occupancy is issued therefor by the administrative officer, stating that the proposed use of the structure or land conforms to the requirements of those bylaws. Except for a structure that is an owner-occupied single-family dwelling, provision of a certificate as required by 21 V.S.A. § 266 (residential building energy standards) or 268 (commercial

building energy standards) shall be a condition precedent to the issuance of any such certificate of occupancy.

Thereupon, **Rep. Donahue of Northfield** asked and was granted leave of the House to withdraw her amendment and the bill was read the third time.

Pending the question, Shall the bill pass? **Rep. Klein of East Montpelier** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass? was decided in the affirmative. Yeas, 109. Nays, 27.

Those who voted in the affirmative are:

Ancel of Calais	Greshin of Warren	Moran of Wardsboro
Bartholomew of Hartland	Haas of Rochester	Mrowicki of Putney *
Bissonnette of Winooski	Head of South Burlington	Myers of Essex
Botzow of Pownal	Heath of Westford	Nuovo of Middlebury
Branagan of Georgia	Hebert of Vernon	O'Brien of Richmond
Burke of Brattleboro	Helm of Fair Haven	O'Sullivan of Burlington
Buxton of Tunbridge	Higley of Lowell	Partridge of Windham
Campion of Bennington	Hooper of Montpelier	Pearson of Burlington *
Canfield of Fair Haven	Huntley of Cavendish	Poirier of Barre City
Carr of Brandon	Jerman of Essex	Potter of Clarendon
Cheney of Norwich *	Johnson of South Hero	Pugh of South Burlington
Christie of Hartford	Keenan of St. Albans City	Quimby of Concord
Clarkson of Woodstock	Klein of East Montpelier *	Rachelson of Burlington
Cole of Burlington	Komline of Dorset	Ram of Burlington
Condon of Colchester	Krebs of South Hero	Russell of Rutland City
Connor of Fairfield	Krowinski of Burlington	Scheuermann of Stowe
Consejo of Sheldon	Kupersmith of South	Sharpe of Bristol
Copeland-Hanzas of	Burlington	South of St. Johnsbury
Bradford	Lanpher of Vergennes	Stevens of Waterbury
Corcoran of Bennington	Lenes of Shelburne	Stevens of Shoreham
Cross of Winooski	Lewis of Berlin	Stuart of Brattleboro *
Cupoli of Rutland City	Lippert of Hinesburg	Sweaney of Windsor
Davis of Washington	Macaig of Williston	Taylor of Barre City
Deen of Westminster	Malcolm of Pawlet	Till of Jericho
Devereux of Mount Holly	Manwaring of Wilmington	Toleno of Brattleboro
Donahue of Northfield	Marcotte of Coventry	Townsend of Randolph
Donovan of Burlington	Marek of Newfane	Townsend of South
Ellis of Waterbury	Martin of Springfield	Burlington
Emmons of Springfield	Martin of Wolcott	Trieber of Rockingham
Evans of Essex	Masland of Thetford	Vowinkel of Wilder
Fay of St. Johnsbury	McCarthy of St. Albans City	Waite-Simpson of Essex
Feltus of Lyndon	McCormack of Burlington	Webb of Shelburne
Fisher of Lincoln	McCullough of Williston	Weed of Enosburgh
Frank of Underhill	McFaun of Barre Town	Wilson of Manchester
French of Randolph	Michelsen of Hardwick	Wizowaty of Burlington
Gallivan of Chittenden	Miller of Shaftsbury	Yantachka of Charlotte
Goodwin of Weston	Mook of Bennington	Young of Glover

Zagar of Barnard

Those who voted in the negative are:

Batchelor of Derby	Hubert of Milton	Shaw of Pittsford
Beyor of Highgate	Johnson of Canaan	Shaw of Derby
Bouchard of Colchester	Juskiewicz of Cambridge	Smith of New Haven
Brennan of Colchester	Koch of Barre Town	Strong of Albany
Burditt of West Rutland	Larocque of Barnet	Terenzini of Rutland Town
Dickinson of St. Albans Town	Lawrence of Lyndon	Turner of Milton *
Donaghy of Poultney	Mitchell of Fairfax	Van Wyck of Ferrisburgh
Fagan of Rutland City	Morrissey of Bennington *	Winters of Williamstown
Gage of Rutland City	Pearce of Richford	
	Savage of Swanton	

Those members absent with leave of the House and not voting are:

Browning of Arlington	Kitzmiller of Montpelier	Toll of Danville
Conquest of Newbury	Peltz of Woodbury	Woodward of Johnson
Dakin of Chester	Ralston of Middlebury	Wright of Burlington
Grad of Moretown	Smith of Morristown	
Kilmartin of Newport City	Spengler of Colchester	

Rep. Cheney of Norwich explained her vote as follows:

“Mr. Speaker:

Our leaky structures create a thirst for oil and other fossil fuels that is emptying our wallets and contributing to climate change. We are spending twice as much to heat our homes today than we did 10 years ago. By taking on this challenge, we can slow down climate change, save Vermonters money, and create jobs in the building industry. We cannot afford not to do this. Next year I hope we will add funding to the effort.”

Rep. Klein of East Montpelier explained his vote as follows:

“Mr. Speaker:

It’s a baby step forward but the problem is huge. We need to face that reality. We need to do much more and much sooner. If we don’t then we create a huge injustice to the generations that follow us.”

Rep Morrissey of Bennington explained her vote as follows:

“Mr. Speaker:

Though I support many of the initiatives within H520, I cannot support this piece of legislation because it is mainly a result of the twenty-one million dollar CVPS/taxpayers of the State of Vermont payback agreement. The

twenty-one million dollars should have been paid back to the rate payers and the state at the time of the CVPS/Green Mountain Power deal of last year.”

Rep. Mrowicki of Putney explained his vote as follows:

“Mr. Speaker:

This bill puts us one step closer to our goals of a thoughtful, sustainable energy future. It will save us money through thermal efficiency, keep LIHEAP funds helping the needy, and it keeps Vermont ahead of other states in having an evolving plan for our energy future.”

Rep. Pearson of Burlington explained his vote as follows:

“Mr. Speaker:

This bill continues our work on the critical issue of thermal efficiency. That has repeatedly been identified by experts as the best thing we can do to combat climate change. I can only hope we will back up the committee’s excellent work with the investments needed to reach the laudable goals set in statute.”

Rep. Stuart of Brattleboro explained her vote as follows:

“Mr. Speaker:

I thank the House Natural Resources and Energy Committee for their hard work crafting this excellent piece of legislation. This is the cost-effective right thing to do to mitigate global climate and to protect the earth for future generations.”

Rep. Turner of Milton explained his vote as follows:

“Mr. Speaker:

I support many of the initiatives included in this bill. However, I voted ‘No’ because this is another example of an unfunded mandate. Expanding services and increasing eligibility without the necessary funding or resources required is not fiscally responsible. The costs associated with this bill are clearly outlined in the fiscal note prepared by the Joint Fiscal Office dated 3/21/13 and delivered to our desk this morning.”

Bill Amended, Read Third Time and Passed

H. 522

House bill, entitled

An act relating to strengthening Vermont’s response to opioid addiction and methamphetamine abuse

Was taken up and pending third reading of the bill, **Reps. Marcotte of Coventry, Dickinson of St. Albans Town and O'Sullivan of Burlington** moved to amend the bill as follows:

In Sec. 22c by striking 9 V.S.A. § 3881 in its entirety and inserting in lieu thereof a new § 3881 to read as follows:

§ 3881. DEFINITIONS

As used in this chapter:

(1) “Antique” means an item that is:

(A) collected or desirable due to age, rarity, condition, or other similar unique feature;

(B) purchased for the purpose of resale; and

(C) sold in the same unique form or condition as when it was purchased, and not for scrap.

(2) “Criminal history record” means all information documenting a natural person’s contact with the criminal justice system, including data regarding identification, arrest or citation, arraignment, judicial disposition, custody, and supervision.

(3) “Disqualifying offense” means:

(A) a felony under:

(i) 13 V.S.A. chapter 47 (fraud);

(ii) 13 V.S.A. chapter 49 (fraud in commercial transaction);

(iii) 13 V.S.A. chapter 57 (larceny and embezzlement);

(iv) 13 V.S.A. chapter 84 (possession and control of regulated drugs);

(B) a violent felony under 18 V.S.A. § 4474g(e);

(C) petit larceny in violation of 13 V.S.A. § 2502;

(D) receipt of stolen property in violation of 13 V.S.A. § 2561;

(E) false pretenses or tokens in violation of 13 V.S.A. § 2002;

(F) false tokens in violation of 13 V.S.A. § 2003;

(G) a conviction for a violation of this chapter punishable under subsection 3890(b) or (c) of this title.

(4) “Engaged in the business of purchasing or selling precious metal” means conducting a regular course of trade in precious metal with retail buyers or sellers, and does not include:

(A) retail trade in new precious metal;

(B) trade in precious metal that is exclusively wholesale, including business-to-business transactions for precious metal used in medical and dental applications;

(C) trade in precious metal commodities for the purpose of investment, including bullion, commodities funds, or commodities futures.

(5) “Precious metal” means used gold, silver, platinum, palladium, coins, jewelry, or similar items, but does not include an antique.

(6)(A) “Precious metal dealer” means a person who:

(i) has a physical presence in this state, whether temporary or permanent;

(ii) is engaged in the business of purchasing or selling precious metal; and

(iii) purchases or sells \$500.00 or more of precious metal in a consecutive 12-month period exclusive of antiques.

(B) “Precious metal dealer” does not include a charitable organization that is qualified as tax exempt under 26 U.S.C. § 501.

(7) “Principal” means a natural person who is a director, officer, member, manager, partner, or creditor.

Which was agreed to

Pending third reading of the bill, **Rep. Lippert of Hinesburg** moved to amend the bill as follows:

First: By striking Sec. 22 in its entirety and inserting in lieu thereof a new Sec. 22 to read as follows:

Sec. 22. 18 V.S.A. § 4252 is amended to read:

§ 4252. PENALTIES FOR DISPENSING ~~OR~~, SELLING, OR

MANUFACTURING REGULATED DRUGS IN A DWELLING

(a) No person shall knowingly permit a dwelling, building, or structure owned by or under the control of the person to be used for the purpose of illegally dispensing ~~or~~, selling, or manufacturing a regulated drug.

(b) A landlord shall be in violation of subsection (a) of this section ~~only if the landlord knew at the time he or she signed the lease agreement~~ has actual knowledge that the tenant ~~intended~~ is using or intends to use the dwelling, building, or structure for the purpose of illegally dispensing ~~or~~, selling, or manufacturing a regulated drug.

(c) It shall not be a violation of this section if the landlord notifies a law enforcement officer within 24 hours of becoming aware that the tenant is using or intends to use the dwelling for the purpose of illegally dispensing, selling, or manufacturing a regulated drug.

(d) A person who violates this section shall be imprisoned not more than two years or fined not more than \$1,000.00₂ or both.

Second: In Sec. 22c, in 9 V.S.A. § 3881, in subdivision (3)(G), by striking out “or (c)” and by deleting subdivision (5) in its entirety and inserting in lieu thereof a new subdivision (5) to read:

(5)(A) “Precious metal dealer” means a person who:

(i) has a physical presence in this state, whether temporary or permanent;

(ii) is engaged in the business of purchasing or selling precious metal; and

(iii) purchases or sells \$500.00 or more of precious metal in a consecutive 12-month period.

(B) “Precious metal dealer” does not include a charitable organization that is qualified as tax exempt under 26 U.S.C. § 501.

Which was agreed to.

Pending third reading of the bill, **Rep. Higley of Lowell** moved to amend the bill as follows:

In Sec. 22c as follows:

First: In 9 V.S.A. § 3881, by striking subdivision (3) in its entirety and inserting in lieu thereof a new subdivision (3) to read:

(3) “Disqualifying offense” means:

(A) a felony under:

(i) 13 V.S.A. chapter 47 (fraud);

(ii) 13 V.S.A. chapter 49 (fraud in commercial transaction);

(iii) 13 V.S.A. chapter 57 (larceny and embezzlement);

(iv) 13 V.S.A. chapter 84 (possession and control of regulated drugs);

(B) a violent felony under 18 V.S.A. § 4474g(e);

(C) one of the following misdemeanors:

(i) petit larceny in violation of 13 V.S.A. § 2502;

(ii) receipt of stolen property in violation of 13 V.S.A. § 2561;

(iii) false pretenses or tokens in violation of 13 V.S.A. § 2002;

(iv) false tokens in violation of 13 V.S.A. § 2003;

(D) a violation of this chapter punishable under subsection 3890(b) of this title.

Second: In 9 V.S.A. § 3882(d) by striking subdivision (1) in its entirety and by inserting in lieu thereof a new subdivision (1) to read:

(d)(1) The Department of Public Safety shall not issue or renew a license if an applicant or one of its principals has been convicted, on or after October 1, 2013, of a disqualifying offense, provided that a conviction for a misdemeanor under subdivision 3881(3)(C) of this title occurred no earlier than 10 years prior to the date of application.

Which was agreed to.

Pending third reading of the bill, **Reps. Poirier of Barre City and Till of Jericho** moved to amend the bill as follows:

First: By adding a Sec. 15a to read as follows:

Sec. 15a. REPORT ON OPIOID ADDICTION TREATMENT PROGRAMS

(a) On or before December 15, 2013, the Commissioner of Health shall provide a written report to the House Committees on Health Care and on Human Services and the Senate Committee on Health and Welfare regarding opioid addiction treatment programs operating in Vermont.

(b) The report shall include:

(1) each program's capacity, including the number of persons currently served and the program's maximum capacity;

(2) the number of persons on the waiting list for each program, if applicable, and the average length of time a person spends on the program's waiting list before services become available;

(3) specific information regarding the number of persons served by each program that uses buprenorphine, buprenorphine/naloxone, or methadone for the treatment of opioid addiction and the number of persons on the waiting list for that program; and

(4) the Department of Health's plans for addressing the need for additional opioid addiction treatment programs, including a description of the resources that the Department would need to meet the statewide demand for opioid addiction treatment services.

Second: In Sec. 5, report on standard operating guidelines, by striking out "House Committee on Human Services" and inserting in lieu thereof "House Committees on Human Services and on Health Care"

Third: In Sec. 13, VPMS Advisory Committee, in subsection (d), by striking out "House Committee on Human Services" and inserting in lieu thereof "House Committees on Human Services and on Health Care"

Fourth: In Sec. 14a, complementary and alternative treatment report, by striking out "House Committee on Human Services" and inserting in lieu thereof "House Committees on Human Services and on Health Care"

Fifth: In Sec. 16, unused drug disposal program proposal, in subsection (a), by striking out "House Committee on Human Services" and inserting in lieu thereof "House Committees on Human Services and on Health Care"

Sixth: In Sec. 18, statewide opioid antagonist pilot program, in subsection (d), following "on Human Services" by inserting ", on Health Care."

Seventh: In Sec. 18a, 18 V.S.A. § 5208, by striking out "House Committee on Human Services" in subsections (a) and (b) and inserting in lieu thereof in both subsections "House Committees on Human Services and on Health Care"

Eighth: In Sec. 20, the effect of illegal drug production on housing study committee, in subsection (e), preceding "and on Human Services" by inserting "on Health Care."

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Bill Amended, Read Third Time and Passed

H. 65

House bill, entitled

An act relating to limited immunity from liability for reporting a drug or alcohol overdose

Was taken up and pending third reading of the bill, **Rep. Donahue of Northfield** moved to amend the bill as follows:

In Sec. 1, by adding a second sentence to read as follows: “It is not the intent of the General Assembly to provide immunity from citation, arrest or prosecution for violation of 18 V.S.A. chapter 84 or citation, arrest, or prosecution for procuring, possessing, or consuming alcohol by someone under age 21 pursuant to 7 V.S.A. §§ 656 and 657 or for providing to or enabling consumption of alcohol by someone under age 21 pursuant to 7 V.S.A. § 658(a)–(c) in cases where medical assistance has not been sought for someone experiencing an overdose.”

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Adjournment

At eleven o'clock and forty minutes in the forenoon, on motion of **Rep. Turner of Milton**, the House adjourned until Monday, March 25, 2013, at one o'clock in the afternoon.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 61

House concurrent resolution honoring the outstanding efforts of those who care for, educate, and advocate for our young children in Vermont;

H.C.R. 62

House concurrent resolution designating March 11–17 as Multiple Sclerosis Week in Vermont;

H.C.R. 63

House concurrent resolution commemorating Vermont Railway's gift of a 1913 rail car to the City of Rutland;

H.C.R. 64

House concurrent resolution congratulating the winners of the sixth Annual Junior Iron Chef VT statewide youth culinary competition;

H.C.R. 65

House concurrent resolution in memory of Tom Fagan and his role in the establishment of the Rutland Halloween Parade;

H.C.R. 66

House concurrent resolution congratulating the American Veterinary Medical Association on its 150th anniversary;

H.C.R. 67

House concurrent resolution honoring the federal TRIO programs in Vermont;

H.C.R. 68

House concurrent resolution recognizing the creative recreational proposal of Playgrounds for P.E.A.S.E.;

H.C.R. 69

House concurrent resolution honoring the Playhouse Cooperative's creative effort to save and operate Randolph's Playhouse Movie Theatre;

H.C.R. 70

House concurrent resolution honoring Cheryl White and the *Valley Voice* newspaper for outstanding community service;

H.C.R. 71

House concurrent resolution in memory of former Representative Daniel H. Deuel of West Rutland;

H.C.R. 72

House concurrent resolution congratulating the 2013 Harwood Union High School Highlanders Division II girls' ice hockey championship team;

S.C.R. 17

Senate concurrent resolution congratulating the Beth Jacob Synagogue in Montpelier on its centennial anniversary;

S.C.R. 18

Senate concurrent resolution in memory of former Shrewsbury Selectboard Chair Donald Parrish;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2013, seventy-second Adjourned session.]