

Journal of the House

Tuesday, March 9, 2010

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Linda Radtke, Contralto of Middlesex.

Pledge of Allegiance

Page Tanner Starr of North Troy led the House in the Pledge of Allegiance.

Message from Governor

A message was received from His Excellency, the Governor, by Mr. David M. Coriell, Secretary of Civil and Military Affairs, as follows:

Mr. Speaker:

I am directed by the Governor to inform the House that on the third day of March, 2010, he approved and signed a bill originating in the House of the following title:

H. 533 An act relating to military parents' rights

House Bill Introduced

H. 768

Bray of New Haven, Conquest of Newbury, Lawrence of Lyndon, McAllister of Highgate, McNeil of Rutland Town, Milkey of Brattleboro, Partridge of Windham, Taylor of Barre City, Toll of Danville introduced a bill, entitled

An act relating to the welfare of animals commonly kept as household pets

Which was read the first time and referred to the committee on Agriculture.

Committee Bill Introduced

H. 769

Rep. Partridge of Windham, for the committee on Agriculture, introduced a bill, entitled

An act relating to the licensing and inspection of plant and tree nurseries

Which was read the first time and, under the rule, placed on the Calendar for notice tomorrow.

Bill Amended; Third Reading Ordered

H. 498

Rep. Turner of Milton, for the committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to maintenance of private roads

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 19 V.S.A. chapter 27 is added to read:

CHAPTER 27. PRIVATE ROADS

§ 2701. DEFINITIONS

As used in this chapter, "private road" means a road whose owner is not the state of Vermont, a municipality, or a single private property owner, but two or more owners of private property abutting the road and the owners of any easements recorded in the municipal land records of the town in which the road is located granting a right to cross the road in order to access their property.

§ 2702. PRIVATE ROAD MAINTENANCE

In the absence of any other agreement for the maintenance of a private road, including covenants, requirements contained in deeds, and state or local permits, the owners of the property abutting a private road and the holders of recorded easements with a right to use a private road shall divide the cost of maintaining the road commensurate with their use of the private road.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Commerce and Economic Development agreed to and third reading ordered.

Third Reading; Bill Passed

H. 237

House bill, entitled

An act relating to governance of the Vermont state hospital

Was taken up, read the third time and passed.

Bill Amended; Third Reading Ordered

H. 578

Rep. McDonald of Berlin, for the committee on Government Operations, to which had been referred House bill, entitled

An act relating to requiring all state law enforcement officers to serve under the direction and control of the commissioner of public safety

Reported in favor of its passage when amended by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. PURPOSE

This act shall:

(1) increase communication, provide for coordinated and strategic planning, encourage resource sharing, and identify cost savings among and within the departments of public safety, of fish and wildlife, of motor vehicles, and of liquor control;

(2) maintain the core missions of the individual state agencies;

(3) ensure a unified approach to law enforcement in Vermont;

(4) provide efficient and effective service delivery to those who live, work, and travel in Vermont.

Sec. 2. 20 V.S.A. § 1883 is added to read:

§ 1883. STATE LAW ENFORCEMENT; MEMORANDUM OF UNDERSTANDING

(a) The commissioner of public safety shall develop and execute a memorandum of understanding with the commissioners of fish and wildlife, of motor vehicles, and of liquor control and their respective directors of law enforcement. The memorandum of understanding shall be reviewed at least every two years and shall at a minimum address:

(1) Maximizing collective resources by reducing or eliminating redundancies and implementing a methodology that will enhance overall coordination and communication while supporting the mission of individual enforcement agencies.

(2) Providing for an overall statewide law enforcement strategic plan supported by quarterly planning and implementation strategy sessions to improve efficiencies and coordination on an operational level and ensure interagency cooperation and collaboration of programs funded through grants. The strategic plan should identify clear goals and measurable performance outcomes as well as specific strategic plans for individual enforcement agencies.

(3) Creating a task force concept that will provide for the sharing and disseminating of information and recommendations involving various levels of statewide law enforcement throughout Vermont that will benefit all law enforcement agencies as well as citizens.

(4) Developing an integrated and coordinated approach to multi-agency special teams with the goal of creating a force multiplier, where feasible. These teams will be coordinated by the Vermont state police during training and deployments.

(5) Providing for the commissioner of public safety, with the approval of the governor and in consultation with the commissioners of motor vehicles, of fish and wildlife, and of liquor control, to assume the role of lead coordinator of statewide law enforcement units in the event of elevated alerts, critical incidents and all hazard events. The lead coordinator shall maintain control until in his or her judgment the event no longer requires coordinated action to ensure the public safety.

(b) A copy of the overall strategic plan shall be provided to the house and senate committees on government operations by January 15 of each year and shall include performance outcomes.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Government Operations agreed to and third reading ordered.

Adjournment

At ten o'clock and forty five minutes in the forenoon, on motion of **Rep. Morley of Barton**, the House adjourned until tomorrow 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 the Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

H.C.R. 256

House concurrent resolution honoring family caregivers of persons with Alzheimer's and related diseases on the 2010 Alzheimer's Awareness Day at the state house;

H.C.R. 257

House concurrent resolution honoring Jim Matteau on his retirement from the Windham Regional Commission;

H.C.R. 258

House concurrent resolution in memory of Peter S. Clark of Londonderry;

H.C.R. 259

House concurrent resolution honoring Bonnie West and her family for their dedication to serving the citizens of Jamaica;

H.C.R. 260

House concurrent resolution commending Jennifer Clark for her nursing work in Haiti;

H.C.R. 261

House concurrent resolution in memory of former Jamaica selectboard member David L. Hamilton;

H.C.R. 262

House concurrent resolution honoring Chester selectboard chair Richard Jewett;

H.C.R. 263

House concurrent resolution honoring George Cook for his civic and community leadership in the town of Chester;

H.C.R. 264

House concurrent resolution honoring Irene Wood for her public service on behalf of the town of Chester;

H.C.R. 265

House concurrent resolution honoring Chester town auditor Richard Higley;

H.C.R. 266

House concurrent resolution in memory of Linda Ralph and honoring her proprietorship of the Danby Four Corner Store;

H.C.R. 267

House concurrent resolution congratulating the 2010 Vermont Prudential Spirit of Community Award winners;

H.C.R. 268

House concurrent resolution honoring Norton selectboard chair Franklin D. Henry for over a half-century of outstanding public service;

H.C.R. 269

House concurrent resolution congratulating Hannah Kearney on winning the 2010 women's skiing moguls Olympic gold medal;

H.C.R. 270

House concurrent resolution congratulating Representative Martha P. Heath as a recipient of the New England Board of Higher Education's 2010 David C. Knapp Award for Trusteeship;

[The full text of the concurrent resolutions appeared in the Senate and House Calendar Addendum on the preceding legislative day and will appear in the volume of the Public Acts and Resolves of the 2010, seventieth Adjourned session.]