

## Legislative Update – 5/19/2010

This is the final summary of ATOD related legislation introduced during the 2009 – 2010 session. To see any given bill, click on the link. Also on the website at [www.vdactvt.org](http://www.vdactvt.org)

**NOTE** Bill Number in **RED** indicates passed by both houses and signed into law.

### HOUSE BILLS INTRODUCED IN 2009:

**H. 5 AN ACT RELATING TO MOTOR VEHICLE OFFENSES AND VEHICLE FORFEITURE** <http://www.leg.state.vt.us/docs/2010/bills/Intro/H-005.pdf> This bill proposes to permit immobilization and forfeiture of a vehicle for first offenses of DUI with death or serious bodily injury resulting. The bill also prohibits selling or encumbering a vehicle that is subject to immobilization or forfeiture because of the operator's DLS offenses. Introduced by Representative Peltz of Woodbury. **IN JUDICIARY**

**H. 20 AN ACT RELATING TO OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL WITH A CHILD IN THE VEHICLE** <http://www.leg.state.vt.us/docs/2010/bills/Intro/H-020.pdf> This bill proposes to create more serious penalties for operating a vehicle while under the influence of alcohol if there is a child in the operator's vehicle at the time of the offense. Introduced by Representatives Pellett of Chester, Donaghy of Poultney, Marek of Newfane and Martin of Springfield. **IN JUDICIARY**

**H. 32 AN ACT RELATING TO OPERATING A MOTOR VEHICLE WITH A CONDITIONAL LICENSE TO COMMUTE TO WORK** <http://www.leg.state.vt.us/docs/2010/bills/Intro/H-032.pdf> This bill proposes to establish a conditional operator's license which may be issued by the court for the sole purpose of allowing a person to drive to work if the person's license has been suspended for driving under the influence of intoxicating liquor or another substance. Introduced by Representative O'Donnell of Vernon (By Request) **IN JUDICIARY**

**H. 46 AN ACT RELATING TO PROHIBITING LIGHTED TOBACCO PRODUCTS OUTSIDE STATE, COUNTY, AND MUNICIPAL BUILDINGS** <http://www.leg.state.vt.us/docs/2010/bills/Intro/H-046.pdf> This bill proposes to prohibit the possession of lighted tobacco products within a certain distance outside state, county, and municipal buildings and offices. Introduced by Representatives Klein of East Montpelier, Ancel of Calais, Cheney of Norwich, Clarkson of Woodstock, Jerman of Essex, Lanpher of Vergennes, Maier of Middlebury, Marek of Newfane, Mitchell of Barnard, Pugh of S. Burlington, Till of Jericho, Weston of Burlington and Young of St. Albans City. **IN HUMAN SERVICES**

**H. 52 AN ACT RELATING TO LIQUOR TASTINGS ON THE PREMISES OF VERMONT DISTILLERIES** <http://www.leg.state.vt.us/docs/2010/bills/Intro/H-052.pdf>

This bill proposes to permit tasting of spirits on the premises of Vermont liquor distilleries. Introduced by Representatives Obuchowski of Rockingham, Mrowicki of Putney and Partridge of Windham **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

**H. 77 AN ACT RELATING TO LOWERING THE LEGAL DRINKING AGE TO 18**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-077.pdf> This bill proposes to lower the legal drinking age to 18. Introduced by Representatives Helm of Castleton, Brennan of Colchester, Johnson of Canaan, Lewis of Derby and Reis of St. Johnsbury **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

**H. 90 AN ACT RELATING TO DRIVING WHILE INTOXICATED AND TO FORFEITURE AND REGISTRATION OF MOTOR VEHICLES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-090.pdf> This bill proposes to:

- (1) require that a person have insurance in order to register a motor vehicle;
- (2) prohibit a person from registering a motor vehicle if the person's license or learner's permit has been suspended or revoked in any jurisdiction;
- (3) establish criminal penalties for permitting an unlicensed person to operate a motor vehicle if death or serious bodily injury results;
- (4) increase the penalty for a third or subsequent 1 DUI offense by removing the option of community service and requiring that six months of the sentence be served in jail;
- (5) create a five-year mandatory minimum jail sentence for DUI with death resulting; and
- (6) permit the immobilization and forfeiture of a vehicle operated in violation of a parole condition which prohibits the operator from driving.

Introduced by Representatives Savage of Swanton, Acinapura of Brandon, Baker of West Rutland, Branagan of Georgia, Brennan of Colchester, Consejo of Sheldon, Dickinson of St. Albans Town, Flory of Pittsford, Higley of Lowell, Hubert of Milton, Koch of Barre Town, McAllister of Highgate, McDonald of Berlin, McNeil of Rutland Town, Morrissey of Bennington, O'Donnell of Vernon, Pearce of Richford, Perley of Enosburg, Turner of Milton and Waite-Simpson of Essex. **IN JUDICIARY**

**H. 111 AN ACT RELATING TO CHILDREN'S ACCESS TO TOBACCO PRODUCTS**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-111.pdf> This bill proposes to enhance the prohibition against children having access to tobacco products. Introduced by Representatives French of Randolph, Branagan of Georgia, Donahue of Northfield, Haas of Rochester, Kitzmiller of Montpelier, Klein of East Montpelier, Macaig of Williston, Poirier of Barre City, Pugh of S. Burlington, Townsend of Randolph and Trombley of Grand Isle. **IN HUMAN SERVICES**

**H. 118 AN ACT TO PROTECT THE HEALTH OF EMPLOYEES BY PROHIBITING THE USE OF LIGHTED TOBACCO PRODUCTS IN THE WORKPLACE**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-118.pdf> This bill proposes to prohibit the use of lighted tobacco products in the workplace. Introduced by Representatives French of Randolph, Branagan of Georgia, Fagan of Rutland City, Haas of Rochester, Kitzmiller of Montpelier, Klein of East Montpelier, Macaig of Williston, McCullough of Williston, Minter of Waterbury, Mrowicki of Putney, Orr of Charlotte, Poirier of Barre City, Pugh of S. Burlington, Townsend of Randolph and Trombley of Grand Isle. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

**H. 150 AN ACT RELATING TO PENALTIES FOR POSSESSION OF MARIJUANA**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-150.pdf> This bill proposes to change the penalties for the possession of small amounts of marijuana. A person who possesses one ounce or less of marijuana would be assessed a civil fine of up to \$100.00, while possession of larger amounts would continue to be criminal offenses subject to imprisonment. Minors who possess one ounce or less of marijuana would be required to complete a drug awareness and community service program run by court diversion. A minor who fails to complete the program would be assessed a civil fine of up to \$300.00 and would lose his or her driver's license for 90 days. Introduced by Representatives Zuckerman of Burlington, Clarkson of Woodstock, Conquest of Newbury, Davis of Washington, Deen of Westminster, Donovan of Burlington, Edwards of Brattleboro, French of Randolph, Klein of East Montpelier, Lorber of Burlington, Marek of Newfane, Masland of Thetford, Milkey of Brattleboro, Pellett of Chester, Peltz of Woodbury, Spengler of Colchester, Sweaney of Windsor, Weston of Burlington and Zenie of Colchester. **IN JUDICIARY**

**H. 167 AN ACT RELATING TO COMPLIANCE TESTING OF TOBACCO LICENSEES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-167.pdf> This bill proposes to increase compliance testing of 21 tobacco licensees by the department of liquor control. Introduced by Representatives Donovan of Burlington, Atkins of Winooski, Bissonnette of Winooski, Branagan of Georgia, Copeland-Hanzas of Bradford, Courcelle of Rutland City, Deen of Westminster, Edwards of Brattleboro, Geier of S. Burlington, Howard of Rutland City, Jerman of Essex, Kitzmiller of Montpelier, Klein of East Montpelier, Koch of Barre Town, Lenos of Shelburne, Lippert of Hinesburg, Lorber of Burlington, Martin of Wolcott, Masland of Thetford, McCullough of Williston, Milkey of Brattleboro, Miller of Shaftsbury, Mook of Bennington, Mrowicki of Putney, Pellett of Chester, Potter of Clarendon, Shand of Weathersfield, Spengler of Colchester, Stevens of Waterbury, Stevens of Shoreham, Townsend of Randolph, Trombley of Grand Isle, Weston of Burlington, Winters of Williamstown and Zuckerman of Burlington. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

**H. 197 AN ACT RELATING TO REGULATION OF FLAVORED MALT BEVERAGES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-197.pdf> This bill proposes to regulate the sale and change the taxation for flavored malt beverages. Introduced by Representatives Lanpher of Vergennes, Aswad of Burlington, Burke of Brattleboro, Courcelle of Rutland City, Fagan of Rutland City, Fisher of Lincoln, Geier of S.

Burlington, Koch of Barre Town, Lenes of Shelburne, Lorber of Burlington, Masland of Thetford, Minter of Waterbury, Moran of Wardsboro, Nease of Johnson, Nuovo of Middlebury, Potter of Clarendon, Spengler of Colchester, Wizowaty of Burlington and Zuckerman of Burlington. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

#### **H. 363 AN ACT RELATING TO IGNITION INTERLOCK DEVICES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-363.pdf> This bill proposes to allow a court to order a person to install an ignition interlock device in his or her vehicle upon a second or subsequent offense of operating under the influence, or an offense of operating under the influence in which the person's alcohol concentration was 0.15 or higher. An ignition interlock system is a device similar to a breathalyzer which is installed in a vehicle's dashboard. It allows a motor vehicle to be operated only after the driver has blown into it, and the device determines that the driver's blood alcohol is below a certain limit. The bill would require the person to pay the costs of installing, removing, and leasing the ignition interlock device. Introduced by Representatives Lippert of Hinesburg, Flory of Pittsford, Jewett of Ripton and Smith of Mendon. **IN JUDICIARY**

#### **H. 378 AN ACT RELATING TO A STUDY OF LOWERING THE DRINKING AGE**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-378.pdf> This bill proposes to study the implications of lowering the legal drinking age from 21 years to 18 years. Introduced by Representatives Edwards of Brattleboro, Cheney of Norwich and Weston of Burlington. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

#### **H. 401 AN ACT RELATING TO AN INCREASE IN THE TAX RATE FOR CIGARETTES, LITTLE CIGARS, ROLL-YOUR-OWN TOBACCO, AND TOBACCO PRODUCTS**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-401.pdf> This bill proposes to raise the cigarette and tobacco products tax. Introduced by Representatives Till of Jericho, Frank of Underhill, Cheney of Norwich, Clarkson of Woodstock, Conquest of Newbury, Evans of Essex, French of Shrewsbury, French of Randolph, Head of South Burlington, Jerman of Essex, Jewett of Ripton, Kitzmiller of Montpelier, Lanpher of Vergennes, Lenes of Shelburne, Lorber of Burlington, Malcolm of Pawlet, Manwaring of Wilmington, Masland of Thetford, Miller of Shaftsbury, Minter of Waterbury, Mrowicki of Putney, Nuovo of Middlebury, Pellett of Chester, Potter of Clarendon, Ram of Burlington, Smith of Mendon, South of St. Johnsbury, Taylor of Barre City, Waite-Simpson of Essex, Webb of Shelburne, Weston of Burlington, Wilson of Manchester and Wizowaty of Burlington. **IN WAYS AND MEANS**

#### **HOUSE BILLS INTRODUCED IN 2010:**

#### **H. 567 AN ACT RELATING TO A TAX EXEMPTION FOR SALES OF SPIRITUOUS LIQUORS**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-567.pdf> This bill proposes to exempt from the gross receipts tax sales of spirituous liquors by manufacturers of those spirits

for off-premises consumption. Introduced by Representatives Obuchowski of Rockingham and Partridge of Windham. **IN WAYS AND MEANS**

**H. 568 AN ACT RELATING TO PROHIBITING THE USE OF LIGHTED TOBACCO PRODUCTS OUTSIDE PUBLIC BUILDINGS**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-568.pdf> This bill proposes to restrict the use of lighted tobacco products outside public buildings. Introduced by Representatives Frank of Underhill, Donahue of Northfield, French of Randolph, Koch of Barre Town, McCullough of Williston and Mrowicki of Putney. **IN HUMAN SERVICES**

**H. 570 AN ACT RELATING TO SALES AND TASTINGS OF VERMONT-MADE SPIRITS**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-570.pdf> This bill proposes to increase to 36 the number of special events permits that may be issued to a manufacturer or rectifier and to have each special event permit be valid for the duration of the event or four days, whichever period is shorter. The bill also proposes to permit manufacturers of spirits to hold tastings and sales of their product at other locations. Introduced by Representatives Obuchowski of Rockingham and Partridge of Windham. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

**H. 596 AN ACT RELATING TO AN EXCEPTION TO THE OPEN CONTAINER LAW FOR DESIGNATED DRIVERS**

This bill proposes to permit 1 a passenger in a motor vehicle to possess an open container containing alcoholic beverages if the operator has an alcohol concentration of 0.00. Introduced by Representatives Baker of West Rutland, Acinapura of Brandon, Adams of Hartland, Ainsworth of Royalton, Andrews of Rutland City, Bohi of Hartford, Clarkson of Woodstock, Consejo of Sheldon, Donaghy of Poultney, Donahue of Northfield, Donovan of Burlington, Edwards of Brattleboro, Evans of Essex, Fagan of Rutland City, Fisher of Lincoln, Helm of Castleton, Howrigan of Fairfield, Krawczyk of Bennington, Lawrence of Lyndon, Lewis of Derby, Lorber of Burlington, Martin of Wolcott, McAllister of Highgate, McCullough of Williston, McNeil of Rutland Town, Moran of Wardsboro, Morrissey of Bennington, Mrowicki of Putney, O'Donnell of Vernon, Orr of Charlotte, Ram of Burlington, Rodgers of Glover, Savage of Swanton, Shaw of Pittsford, South of St. Johnsbury, Stevens of Waterbury, Till of Jericho, Townsend of Randolph, Turner of Milton and Wright of Burlington and Young of St. Albans City. **IN TRANSPORTATION**

**H. 599 AN ACT RELATING TO MANDATORY BREATH TESTS AND BLOOD ALCOHOL TESTS FOR DRIVERS INVOLVED IN FATAL CAR ACCIDENTS**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-599.pdf> This bill proposes to require a driver who has been involved in a fatal motor vehicle accident to provide a breath test and a blood alcohol test. Introduced by Representative Nease of Johnson. **IN HUMAN SERVICES**

**H. 611 AN ACT RELATING TO ESTABLISHING A PUBLIC INEBRIATE PROGRAM**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-611.pdf> This bill proposes to repeal provisions prohibiting the lodging of public inebriates in correctional facilities and would create a public inebriate program for the purpose of housing in a noncorrectional

environment intoxicated individuals who have been deemed at risk of harming themselves or others. Introduced by Representatives McDonald of Berlin, Ancel of Calais, Donahue of Northfield, Grad of Moretown, Greshin of Warren, Hooper of Montpelier, Kitzmiller of Montpelier, Klein of East Montpelier, Koch of Barre Town, McFaun of Barre Town, Minter of Waterbury, Poirier of Barre City, Stevens of Waterbury and Taylor of Barre City. **IN CORRECTIONS AND INSTITUTIONS**

#### **H. 630 AN ACT RELATING TO MEDICAL MARIJUANA DISPENSARIES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-630.pdf> This bill proposes to establish a system of dispensaries from which patients in the medical marijuana program may legally obtain marijuana. Introduced by Representatives Zuckerman of Burlington, Baker of West Rutland and Fisher of Lincoln. **IN HUMAN SERVICES**

#### **H. 636 AN ACT RELATING TO TOBACCO PRODUCTS TAX**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-636.pdf> This bill proposes to amend the tobacco products tax so that snuff and new smokeless tobacco will be taxed at the same rate as other tobacco products. Introduced by Representative Larocque of Barnet. **IN WAYS AND MEANS**

#### **H. 651 AN ACT RELATING TO PROVIDING MEDICAL MARIJUANA THROUGH STATE-LICENSED LIQUOR STORES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-651.pdf> This bill proposes to permit the state to distribute marijuana seized in criminal cases to registered medical marijuana patients. The department of public safety would test marijuana in its possession and provide untainted marijuana to the department of liquor control. The department of liquor control would regulate the distribution of the medical marijuana through establishments that hold a state-issued second class liquor license. Only persons who are registered patients pursuant to chapter 86 of Title 18 would be eligible to purchase the medical marijuana. Introduced by Representatives Baker of West Rutland, Fisher of Lincoln and Zuckerman of Burlington. **IN HUMAN SERVICES**

#### **H. 671 AN ACT RELATING TO CONSUMPTION OF ALCOHOLIC BEVERAGES UNDER PARENTAL SUPERVISION IN PRIVATE HOMES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-671.pdf> This bill proposes to permit people under the age of 21 to consume alcoholic beverages under parental supervision in private homes. Introduced by Representatives Ram of Burlington, Baker of West Rutland, Consejo of Sheldon, Deen of Westminster, French of Randolph and Sharpe of Bristol. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

#### **H. 695 AN ACT RELATING TO DEFINITION OF PREMISES FOR AWARD OF LIQUOR LICENSE**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-695.pdf> This bill proposes to make changes so that "premises" includes all establishments owned by the person who owns the property on which the establishments are located. Introduced by Representatives Scheuermann of Stowe, Baker of West Rutland, Greshin of Warren, Howard of Cambridge, Komline of Dorset, Obuchowski of Rockingham, Olsen of Jamaica, Savage of Swanton and Smith of Mendon. **IN GENERAL, HOUSING AND**

**MILITARY AFFAIRS Bill Amended; Third Reading Ordered 3/10/2010**

See <http://www.leg.state.vt.us/docs/2010/journal/HJ100310.pdf>

**Passed House and sent to Senate; IN SENATE ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

**Favorable report with proposal of amendment from SENATE ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

See <http://www.leg.state.vt.us/docs/2010/calendar/SC100331.pdf#page=29>

**Second reading and favorable report with amendment scheduled for 4/2/2010)**

**Messaged to House which concurred with proposed amendment. See**

<http://www.leg.state.vt.us/docs/2010/journal/HJ100408.pdf#page=7>

**ENACTED INTO LAW - Signed by Governor 4/13/2010**

**H. 736 AN ACT RELATING TO INSURANCE COVERAGE FOR TOBACCO CESSATION PROGRAMS** <http://www.leg.state.vt.us/docs/2010/bills/Intro/H-736.pdf>

This bill proposes to require health insurance plans to provide coverage of at least \$1,000.00 toward participation in a tobacco cessation program by an insured who is at least 18 years old. Introduced by Representative Wright of Burlington. **IN HEALTH CARE**

**H. 757 AN ACT RELATING TO MEDICAL MARIJUANA DISPENSARIES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/H-757.pdf> This bill proposes to establish a system of dispensaries from which patients in the medical marijuana program may legally obtain marijuana; and to request a study of federal and state law changes needed to allow pharmacies to dispense medical marijuana. Introduced by Representatives Bray of New Haven, Orr of Charlotte, Pellett of Chester, Sharpe of Bristol and Taylor of Barre City. **IN HUMAN SERVICES**

**H. 772 AN ACT RELATING TO ALCOHOLIC BEVERAGE TASTINGS AND OTHER LIQUOR LICENSING ISSUES** <http://www.leg.state.vt.us/docs/2010/bills/Intro/H-772.pdf>

This bill proposes to simplify the definition of manufacturer and reorganize and coordinate the laws relating to tastings in regard to each type of license. This bill also proposes to restore the definition of "hotel" and clarify the responsibility of hotels that provide minibars in rooms, to permit tastings of spirits, and to clarify the limits regarding the importation of bulk alcoholic beverages by manufacturers. The bill also proposes to permit restaurant customers to take home resealed unfinished bottles of specialty beer and to increase the deposit for a keg of beer. Lastly, the bill proposes to shorten the notice period and expand opportunities for conducting tastings of all types of alcoholic beverages. Introduced by **Committee on General, Housing and Military Affairs**

**PASSED THE HOUSE WITH AMENDMENTS ON 3/18/2010 SEE**

<http://www.leg.state.vt.us/docs/2010/bills/House/H-772.pdf> **IN SENATE ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS. Favorable report by**

**SENATE ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS. See**

<http://www.leg.state.vt.us/docs/2010/calendar/SC100409.pdf#page=66> . Referred to **SENATE FINANCE.**

**FAVORABLE REPORT BY SENATE FINANCE – 4/23/10.**

**Proposal of amendment to be offered by Economic Development, Housing and**

General Affairs on 4/26/10.

See <http://www.leg.state.vt.us/docs/2010/journal/SJ100426.pdf#page=179>

**PASSED BY SENATE WITH PROPOSED AMENDMENT AND SENT TO HOUSE ON 4/27/10.**

**HOUSE CONCURRED WITH AMENDMENT AND RETURNED TO SENATE ON 4/28/10. Delivered to Governor on 5/6/2010. ENACTED INTO LAW – SEE**

<http://www.leg.state.vt.us/docs/2010/Acts/ACT102.pdf>

#### **SENATE BILLS INTRODUCED IN 2009:**

**S. 7 AN ACT TO PROHIBIT THE USE OF LIGHTED TOBACCO PRODUCTS IN THE WORKPLACE** <http://www.leg.state.vt.us/docs/2010/Acts/ACT032.pdf> This bill proposes to prohibit the use of lighted tobacco products in the workplace Introduced by Senator Mullin of Rutland District. **ENACTED INTO LAW**

**S. 27 AN ACT RELATING TO TASTINGS AND SALE OF WINES, FORTIFIED WINES AND SPIRITS** <http://www.leg.state.vt.us/docs/2010/Acts/ACT010.pdf> This bill proposes to permit Vermont wine producers to permit tastings of and sell other wines; to permit tastings and the sale by the glass of their own fortified wines; and to serve and sell their own wine at private events held on the licensee's premises. Introduced by Senators Miller, Bartlett, Carris, Hartwell, Illuzzi, Kitchel, Maynard and Snelling. **ENACTED INTO LAW**

**S. 70 AN ACT RELATING TO CLARIFYING THE PROCEDURE FOR REINSTATEMENT OF A DRIVER'S LICENSE BASED ON TOTAL ABSTINENCE FROM ALCOHOL AND DRUGS** <http://www.leg.state.vt.us/docs/2010/Acts/ACT023.pdf> This bill proposes to clarify the provisions of the process by which one may have an operator's license reinstated on the basis of three years' total abstinence from the consumption of alcohol or drugs, and to establish an application fee. Introduced by Committee on Transportation. **ENACTED INTO LAW**

**S. 71 AN ACT RELATING TO PENALTIES FOR POSSESSION OF MARIJUANA** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-071.pdf> This bill proposes to change the penalties for the possession of small amounts of marijuana. A person who possesses one ounce or less of marijuana would be assessed a civil fine of up to \$100.00, while possession of larger amounts would continue to be criminal offenses subject to imprisonment. Minors who possess one ounce or less of marijuana would be required to complete a drug awareness and community service program run by court diversion. A minor who fails to complete the program would be assessed a civil fine of up to \$300.00 and would lose his or her driver's license for 90 days. Introduced by Senators White, Ashe, Flanagan, Miller and Shumlin. **IN JUDICIARY**

**S. 79 AN ACT RELATING TO RESTORING STUDENT ASSISTANCE PROGRAM POSITIONS** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-079.pdf> This bill proposes to restore funding for the student assistance program in the department of health. Introduced by Committees on Education and on Health and Welfare. **IN APPROPRIATIONS**

**S. 98 AN ACT RELATING TO INCREASED COMPLIANCE TESTING OF TOBACCO LICENSEES** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-098.pdf> This bill proposes to increase the frequency of compliance testing of tobacco licensees by the department of liquor control. Introduced by Senators Carris, Ashe, Ayer, Campbell, Choate, Giard, MacDonald, Miller, Racine, and Starr. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

**S. 103 AN ACT RELATING TO IGNITION INTERLOCK DRIVERS' LICENSES** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-103.pdf> This bill proposes to allow the department of motor vehicles to issue an ignition interlock driver's license to a person whose driver's license has been suspended for operating under the influence. An ignition interlock system is a device similar to a breathalyzer which is installed in a vehicle's dashboard. It allows a motor vehicle to be operated only after the driver has blown into it and the device determines that the driver's blood alcohol is below a certain limit. The bill would require the person receiving the ignition interlock driver's license to pay the costs of installing, removing, and leasing the ignition interlock device. Introduced by Senators Illuzzi and Sears. **IN TRANSPORTATION; REPORTED OUT OF COMMITTEE WITH AMENDMENT –**  
**SEE** <http://www.leg.state.vt.us/docs/2010/journal/SJ100318.pdf#page=7>  
Third reading ordered 3/19/2010 and sent to House.  
Read first time in House and referred to HOUSE JUDICIARY.  
Proposal of amendment by House Judiciary – See  
<http://www.leg.state.vt.us/docs/2010/journal/HJ100429.pdf#page=3>  
**PASSED BY HOUSE IN CONCURRENCE WITH AMENDMENT AND SENT BACK TO SENATE ON 4/30/10.**  
**COMMITTEE OF CONFERENCE FORMED BY SENATE AND HOUSE;**  
**CONFERENCE COMMITTEE REPORT AGREED TO BY HOUSE; ON SENATE CALENDAR FOR 5/8/2010 – SEE**  
<http://www.leg.state.vt.us/docs/2010/calendar/SC100508.pdf#page=42> **FOR CONF. COMMITTEE REPORT. PASSED SENATE & HOUSE ON 5/8/2010 & SENT TO GOVERNOR – SEE**  
<http://www.leg.state.vt.us/docs/2010/journal/SJ100508.pdf#page=265> **FOR FINAL VERSION.**

#### **SENATE BILLS INTRODUCED IN 2010:**

**S. 157 AN ACT RELATING TO A STUDY OF LOWERING THE DRINKING AGE** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-157.pdf> This bill proposes to undertake

a study of the implications of lowering the drinking age. Introduced by Senators Miller, Carris and White. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

**S. 200 AN ACT RELATING TO PRIVATIZING THE SALE OF SPIRITUOUS LIQUORS** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-200.pdf> This bill proposes to disband the department of liquor control and include responsibility for enforcement of liquor and tobacco laws within the jurisdiction of the department of public safety. Further this act proposes to permit second class licensees to sell spirituous liquors. Introduced by Senator Ayer. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

**S. 226 AN ACT RELATING TO MEDICAL MARIJUANA DISPENSARIES** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-226.pdf> This bill proposes to establish a system of dispensaries from which patients in the medical marijuana program may legally obtain marijuana. Introduced by Senators Miller, White and Shumlin. **IN GOVERNMENT OPERATIONS**

Favorable report with recommendation of amendment by Committee on Government Operations - See

<http://www.leg.state.vt.us/docs/2010/calendar/SC100316.pdf#page=91>

Sent to Finance Committee; Reported favorably by Finance Committee 3/18/2010. Referred to Appropriations Committee 3/18/2010.

Favorable report with recommendation of amendment by Committee on Government Operations. See

<http://www.leg.state.vt.us/docs/2010/calendar/SC100326.pdf#page=3>

Favorable report by Committee on Finance and by Appropriations. See amendment to be offered by Senator Sears at

<http://www.leg.state.vt.us/docs/2010/calendar/SC100326.pdf#page=23>

Ordered to lie on motion of Senator Shumlin 3/30/2010.

**S. 269 AN ACT RELATING TO STUDYING THE LEGALIZATION AND TAXATION OF MARIJUANA SALES AND USE** <http://www.leg.state.vt.us/docs/2010/bills/Intro/S-269.pdf> This bill proposes to create a study committee to investigate the legalization of growing limited amounts of marijuana for sale within the state and subjecting the sales of marijuana to the state's sales and use tax. Introduced by Senator Carris. **IN JUDICIARY**

**S. 271 AN ACT RELATING TO DRIVING WHILE INTOXICATED AND TO FORFEITURE AND REGISTRATION OF MOTOR VEHICLES**

<http://www.leg.state.vt.us/docs/2010/bills/Intro/S-271.pdf> This bill proposes to:

(1) require that a person have insurance in order to register a motor vehicle;

(2) prohibit a person from registering a motor vehicle if the person's license or learner's permit has been suspended or revoked in any jurisdiction;

(3) establish criminal penalties for permitting an unlicensed person to operate a motor vehicle if death or serious bodily injury results;

(4) increase the penalty for a third or subsequent DUI offense by removing the option of community service and requiring that six months of the sentence be served in jail;

(5) create a five-year mandatory minimum jail sentence for DUI with death resulting; and

(6) permit the immobilization and forfeiture of a vehicle operated in violation of a parole condition which prohibits the operator from driving. Introduced by Senators Kittell and Brock. **IN JUDICIARY**

**JRH 21 A JOINT RESOLUTION URGING CONGRESS TO AUTHORIZE ALTERNATIVE WAIVERS TO THE 21-YEAR-OLD MINIMUM DRINKING AGE THAT DO NOT ENTAIL FEDERAL HIGHWAY FUNDING PENALTIES FOR STATES.**

<http://www.leg.state.vt.us/docs/2010/resolutn/JRH021.pdf> Offered by: Representatives Helm of Castleton, Baker of West Rutland, Brennan of Colchester, Cheney of Norwich, Edwards of Brattleboro, Flory of Pittsford, Johnson of Canaan, O'Donnell of Vernon, Obuchowski of Rockingham, Ram of Burlington, Rodgers of Glover, Weston of Burlington, and Zuckerman of Burlington. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

**S.R. 17 SENATE RESOLUTION RELATING TO PROBLEMS ASSOCIATED WITH UNDERAGE CONSUMPTION OF ALCOHOL**

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=SR0017&Session=2010>  
**IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS.**

Favorable report with recommendation of amendment by Committee on Economic Development, Housing and General Affairs.

For text of proposed amendment see

<http://www.leg.state.vt.us/docs/2010/journal/SJ100407.pdf#page=9>

Previous amendment withdrawn and a new amendment offered by Committee on Economic Development, Housing and General Affairs.

See <http://www.leg.state.vt.us/docs/2010/journal/SJ100415.pdf#page=4>

Amendment agreed to and third reading ordered. AWAITING CONSIDERATION BY THE FULL SENATE. Third reading of this bill in the senate has been postponed several times without objection since last update.

THIRD READING SCHEDULED AGAIN FOR 4/26/10.

READ THIRD TIME AND ADOPTED BY SENATE – SEE

<http://www.leg.state.vt.us/docs/2010/journal/SJ100427.pdf#page=20> FOR RESULTS OF ROLL CALL VOTE.