

# Journal of the Senate

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**FRIDAY, MARCH 26, 2010**

The Senate was called to order by the President.

## **Devotional Exercises**

A moment of silence was observed in lieu of devotions.

## **Message from the House No. 42**

A message was received from the House of Representatives by Ms. H. Gwynn Zakov, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed House bills of the following titles:

**H. 470.** An act relating to restructuring of the judiciary.

**H. 709.** An act relating to creating a prekindergarten–16 council.

In the passage of which the concurrence of the Senate is requested.

## **Bill Referred to Committee on Appropriations**

### **H. 764.**

House bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to the state teachers' retirement system of Vermont.

## **Bills Referred**

House bills of the following titles were severally read the first time and referred:

### **H. 470.**

An act relating to restructuring of the judiciary.

To the Committee on Judiciary.

### **H. 709.**

An act relating to creating a prekindergarten–16 council.

To the Committee on Education.

**Message from the Governor  
Appointments Referred**

A message was received from the Governor, by David Coriell, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

Ozarowski, Peter C. of South Burlington - Member of the Parole Board, - from March 17, 2010, to February 28, 2013.

To the Committee on Institutions.

Blair, Susan K. of Colchester - Member of the Parole Board, - from March 17, 2010, to February 28, 2013.

To the Committee on Institutions.

Pettengill, William J. of South Burlington - Member of the Parole Board, - from March 17, 2010, to February 28, 2013.

To the Committee on Institutions.

**Rules Suspended; Third Reading Ordered**

**H. 764.**

Pending entry on the Calendar for notice, on motion of Senator Shumlin, the rules were suspended and House bill entitled:

An act relating to the state teachers' retirement system of Vermont.

Was taken up for immediate consideration.

Senator Brock, for the Committee on Government Operations, to which the bill was referred, reported that the bill ought to pass in concurrence.

Senator Bartlett, for the Committee on Appropriations, to which the bill was referred, reported that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered on a roll call, Yeas 28, Nays 0.

Senator Campbell having demanded the yeas and nays, they were taken and are as follows:

**Roll Call**

**Those Senators who voted in the affirmative were:** Ashe, Bartlett, Brock, Campbell, Carris, Choate, Cummings, Doyle, Flanagan, Flory, Giard,

Hartwell, Illuzzi, Kitchel, Kittell, Lyons, MacDonald, Mazza, McCormack, Mullin, Nitka, Racine, Scott, Sears, Shumlin, Snelling, Starr, White.

**Those Senators who voted in the negative were:** None.

**Those Senators absent and not voting were:** Ayer, Miller.

### **Bill Referred**

#### **S. 280.**

House proposal of amendment to Senate bill entitled:

An act relating to prohibiting texting while operating on a highway.

Was taken up.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, on motion of Senator Shumlin the bill was referred to the Committee Transportation.

### **Consideration Postponed**

Senate bills entitled:

#### **S. 226.**

An act relating to medical marijuana dispensaries.

#### **S. 288.**

An act relating to the Vermont recovery and reinvestment act of 2010.

#### **S. 294.**

An act relating to identification in electioneering communications and penalties for campaign finance violations.

Were taken up.

Thereupon, without objection consideration of the bills was postponed until the next legislative day.

### **Bills Passed**

Senate bills of the following titles were severally read the third time and passed:

**S. 224.** An act relating to the establishment of a paint stewardship program.

**S. 237.** An act relating to operational standards for salvage yards.

**S. 239.** An act relating to retiring outdoor wood-fired boilers that do not meet the 2008 emission standard for particulate matter.

**Rules Suspended; Bills Messaged**

On motion of Senator Shumlin, the rules were suspended, and the following bills were severally ordered messaged to the House forthwith:

**S. 224, S. 237, S. 239.**

**Adjournment**

On motion of Senator Shumlin, the Senate adjourned, to reconvene on Tuesday, March 30, 2010, at eight o'clock and thirty minutes in the forenoon pursuant to J.R.S. 55.