

Journal of the Senate

THURSDAY, APRIL 8, 2010

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Rules Suspended; Committee Relieved of Further Consideration; Bill Committed

H. 689.

On motion of Senator Campbell, the rules were suspended, and H. 689 was taken up for immediate consideration, for the purpose of relieving the Committee on Judiciary from further consideration of the bill. Thereupon, on motion of Senator Campbell, the Committee on Judiciary was relieved of House bill entitled:

An act relating to the Uniform Common Interest Ownership Act, and the bill was committed to the Committee on Finance.

Senate Resolution Placed on Calendar

S.R. 22.

Senate resolution of the following title was offered, read the first time and is as follows:

By the Committee on Natural Resources and Energy,

S.R. 22. Senate resolution relating to S. 77, An act relating to the recycling and disposal of electronic waste.

Whereas, during the course of the 2009-2010 biennium, a certain Senate bill, S. 77, was passed by the Senate in 2009, and after consideration by the House was returned to the Senate with a proposal of amendment bearing document number 254704.1, and

Whereas, S. 77 was further considered by the Senate, resulting in the Senate concurring in the House proposal of amendment as set forth in document number 254704.1 and in the Senate calendars dated March 9, 12, 16 and 17, with further proposals of amendment, and

Whereas, the House concurred in the Senate's further proposals of amendment to the House proposal of amendment on March 23, 2010, and

Whereas, the action by the House on March 23, 2010, and the subsequent return of S. 77 to the Senate by the House completed the final passage of S. 77 by the Vermont General Assembly, and

Whereas, following final passage of S. 77 it was discovered that one subsection of the House proposal of amendment to S. 77 that had been approved by the House on February 24, 2010, had been inadvertently omitted from the text of the House proposal of amendment as set forth in document number 254704.1 and in the Senate calendars for March 9, 12, 16 and 17, and

Whereas, because of the inadvertent omission of a portion of the House proposal of amendment to S. 77, the version of S. 77 as passed by the Senate differs from the version of S. 77 as passed by the House, and

Whereas, in order for legislation to be enacted in accordance with the Constitution of the State of Vermont, the exact wording of bills as passed by the Senate and the House must be the same in each chamber, and

Whereas, the wording of S. 77 that must be approved by the Senate is the addition to Sec. 2, 10 V.S.A. § 7553, as proposed by the House, of the following language:

“(i) Exemption. A manufacturer who sells less than 20 covered electronic devices in Vermont in a program year is exempt from the requirements of this section.”, now therefore be it

Resolved by the Senate:

That the Vermont Senate does hereby approve and does hereby concur with the House proposal of amendment that in Sec. 2 of S. 77, 10 V.S.A. § 7553(i) should read as follows:

(i) Exemption. A manufacturer who sells less than 20 covered electronic devices in Vermont in a program year is exempt from the requirements of this section.

Thereupon, in the discretion of the President, under Rule 51, the resolution was placed on the Calendar for action the next legislative day.

**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:

Ristau, Arthur of Barre - Member of the Vermont Lottery Commission, - from April 7, 2010, to February 28, 2013.

To the Committee on Economic Development, Housing and General Affairs.

Nesbitt, Thomas D. of Waterbury Center - Member of the Plumbers' Examining Board, - from April 7, 2010, to February 28, 2013.

To the Committee on Economic Development, Housing and General Affairs.

Miller, Mary of Waterbury Center - Member of the Vermont State Housing Authority, - from April 7, 2010, to February 28, 2015.

To the Committee on Economic Development, Housing and General Affairs.

Hover, Caprice B. of Rutland - Member of the Children and Family Council for Prevention Programs, - from April 5, 2010, to February 29, 2012.

To the Committee on Health and Welfare.

Jolles, Antonia Stacy of South Burlington - Member of the Children and Family Council for Prevention Programs, - from April 5, 2010, to February 29, 2012.

To the Committee on Health and Welfare.

Johnson, Linda of Cabot - Member of the Children and Family Council for Prevention Programs, - from April 5, 2010, to February 28, 2013.

To the Committee on Health and Welfare.

Hanson-Metayer Elizabeth of South Burlington - Member of the Children and Family Council for Prevention Programs, - from April 5, 2010, to February 28, 2013.

To the Committee on Health and Welfare.

Consideration Postponed

Senate bill entitled:

S. 288.

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

Was taken up.

Thereupon, without objection consideration of the bill was postponed until Tuesday, April 13, 2010.

Consideration Postponed

House bills entitled:

H. 540.

An act relating to motor vehicles passing vulnerable users on the highway and to bicycle operation.

H. 765.

An act relating to establishing the Vermont agricultural innovation authority.

Were taken up.

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

Bill Passed

Senate bill of the following title was read the third time and passed:

S. 88. An act relating to health care financing and universal access to health care in Vermont.

Joint Resolution Adopted on the Part of the Senate**J.R.S. 60.**

Joint Senate resolution entitled:

Joint resolution honoring women veterans and requesting that state and federal officials work cooperatively to assure that women veterans receive the recognition, the health care services, and other support services they need and deserve.

Having been placed on the Calendar for action, was taken up and adopted on the part of the Senate.

Senate Resolution Adopted**S.R. 21.**

Senate resolution entitled:

Senate resolution honoring Dr. Nina Lynn Meyerhof for her international leadership as an educator and peace advocate

Having been placed on the Calendar for action, was taken up and adopted.

Rules Suspended; Bill Messaged

On motion of Senator Campbell, the rules were suspended, and the following bill was ordered messaged to the House forthwith:

S. 88.

Adjournment

On motion of Senator Campbell, the Senate adjourned until eight o'clock and thirty minutes in the morning.