

Senate Calendar

WEDNESDAY, FEBRUARY 2, 2011

SENATE CONVENES AT: 1:30 P.M.

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ACTION CALENDAR

CONSIDERATION POSTPONED

Third Reading

S. 2.

An act relating to sexual exploitation of a minor and the sex offender registry.

NEW BUSINESS

Third Reading

H. 1.

An act relating to challenges for change outcomes for persons with disabilities.

Second Reading

Favorable with Recommendation of Amendment

H. 65

An act relating to fiscal year 2011 budget adjustment.

Reported favorably with recommendation of proposal of amendment by Senator Kitchel for the Committee on Appropriations.

(For text of Report, see Senate Calendar Addendum of February 1, 2011.)

(There are no House amendments.)

**AMENDMENTS TO PROPOSAL OF AMENDMENT OF THE
COMMITTEE ON APPROPRIATIONS TO H. 65 TO BE OFFERED BY
SENATOR KITCHEL, ON BEHALF OF THE COMMITTEE ON
APPROPRIATIONS**

Senator Kitchel, on behalf of the Committee on Appropriations, moves to amend the proposal of amendment of the Committee on Appropriations as follows:

First: In Sec. 56, Sec. B.1103(c) of No. 156 of the Acts of the 2009 Adj. Sess. (2010), by inserting before the last sentence the following:

Supervisory Unions and their member districts which do not achieve spending reductions will incur higher property taxes and this will result in higher property taxes to every school district statewide. The commissioner of

education shall, in consultation with the Vermont school boards association, the Vermont superintendent's association, the Vermont principals' association, and Vermont-national education association, develop a plan by April 1, 2011 to assist Vermont schools to achieve at least \$23.2 million in reduced local education spending systemwide by fiscal year 2013 to the greatest extent possible focusing on administrative costs. The plan would identify the technical assistance, facilitation, and adoption of best practices needed by schools to assist them in reaching this goal. To recognize the accomplishments of model supervisory unions and districts for actions in the past two fiscal years as well as the next two fiscal years, the plan would also include the ways incentives and awards for innovation could be used to promote the goal of obtaining the best educational outcomes for students in a most cost-effective way.

Second: In Sec. 66, Sec. E.314.1(c) of No. 156 of the Acts of the 2009 Adj. Sess. (2010), by striking out the date March 1, 2011 and inserting in lieu thereof the date "June 1, 2011"

Third: By striking out Sec. 99 in its entirety and inserting in lieu thereof a new Sec. 99 to read as follows:

Sec. 99. 1 V.S.A. § 852 is amended to read:

§ 852. VERMONT COMMISSION ON NATIVE AMERICAN AFFAIRS ESTABLISHED; AUTHORITY

* * *

(d) ~~The~~ During fiscal year 2011, the commission shall meet at least three times a year and at any other times at the request of the chair and commission members shall receive a per diem pursuant to 32 V.S.A. § 1010. In fiscal year 2012 and thereafter, the commission shall meet as needed but members shall receive a per diem pursuant to 32 V.S.A. § 1010 no more than six times a year. The division of historic preservation within the agency of commerce and community development shall provide administrative support to the commission, including providing communication and contact resources.

* * *

Joint Resolutions For Action

J.R.S. 16.

Joint resolution requesting that penalties under the No Child Left Behind Act be suspended until the Elementary and Secondary Education Act is reauthorized in a revised form.

(For text of resolution, see Senate Journal of February 1, 2011, page 100)

NOTICE CALENDAR

Second Reading

Favorable

H. 8.

An act relating to approval of amendments to and codification of the charter of the town of Jamaica.

Reported favorably by Senator Galbraith for the Committee on Government Operations.

(Committee vote: 5-0-0)

CONFIRMATIONS

The following appointments will be considered by the Senate, as a group, under suspension of the Rules, as moved by the President *pro tempore*, for confirmation together and without debate, by consent thereby given by the Senate. However, upon request of any senator, any appointment may be singled out and acted upon separately by the Senate, with consideration given to the report of the Committee to which the appointment was referred, and with full debate; and further, all appointments for the positions of Secretaries of Agencies, Commissioners of Departments, Judges, Magistrates, and members of the Public Service Board shall be fully and separately acted upon.

Kate Duffy of Williston – Commissioner of the Department of Human Resources– By Sen. Flory for the Committee on Government Operations. (1/25/11)

Jim Reardon of Essex Junction – Commissioner of the Department of Finance and Management – By Sen. White for the Committee on Government Operations. (1/28/11)

Chuck Ross of Hinesburg – Secretary of the Agency of Agriculture – By Sen. Kittell for the Committee on Agriculture. (1/28/11)

Robert D. Ide of Peacham – Commissioner of the Department of Motor Vehicles – By Sen. Kitchel for the Committee on Transportation. (1/28/11)

Jeb Spaulding of Montpelier – Secretary of the Agency of Administration – By Sen. Pollina for the Committee on Government Operations. (1/28/11)

Mary Peterson of Williston – Commissioner of the Department of Taxes – By Sen. Westman for the Committee on Finance. (1/28/11)

Steve Kimbell of Tunbridge – Commissioner of the Department of Banking, Insurance, Securities and Health Care Administration – By Sen. Cummings for

the Committee on Finance. (1/28/11)

Brian Searles of Burlington – Secretary of the Agency of Transportation – By Sen. Mazza for the Committee on Transportation. (2/1/11)

Bruce Post of Essex Junction – Member of the Board of Libraries – By Sen. Baruth for the Committee on Education. (2/4/11)

JOINT ASSEMBLY

Thursday, February 17, 2011 – 10:30 A.M. – House Chamber – Election of a Sergeant at Arms, of an Adjutant and Inspector General, and of three (3) trustees for the University of Vermont, and Vermont and State Agricultural College.

Candidates for the positions of Sergeant at Arms and of Adjutant and Inspector General, and legislative candidates for UVM must notify the Secretary of State **in writing** of their candidacies not later than Thursday, February 10, 2011, by 5:00 P.M., pursuant the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.

PUBLIC HEARING

Joint Public Hearing on Fiscal Year 2012 state budget on Vermont Interactive Television House and Senate Committees on Appropriations

Monday, February 14, 2009, 4:00 - 6:00 p.m. – The House and Senate Committees on Appropriations will hold a joint public hearing on Vermont Interactive Television (V.I.T.) to give Vermonters throughout the state an opportunity to express their views about the state budget for fiscal year 2012. All 15 V.I.T. sites will be available for the hearing: Bennington, Brattleboro, Castleton, Johnson, Lyndonville, Middlebury, Montpelier, Newport, Randolph Center, Rutland, Springfield, St. Albans, Waterbury, White River Junction and Williston. V.I.T.'s web site has an up-to-date location listing, including driving directions, addresses and telephone numbers, <http://www.vitlink.org/>.

The Governor's budget proposal can be viewed at the Department of Finance's website: http://finance.vermont.gov/state_budget/rec. For information about the format of this event or to submit written testimony, call the House Appropriations Committee office at 802/828-5767 or email tutton@leg.state.vt.us. Requests for interpreters should be made to the office by 12:00 noon on Monday, January 31, 2011.

REPORTS ON FILE

Pursuant to the provisions of 2 V.S.A. §20(c), one (1) hard copy of the following reports is on file in the office of the Secretary of the Senate. Effective January 2010, pursuant to Act No. 192, Adj. Sess. (2008) §5.005(g) some reports will automatically be sent by electronic copy only and can be found on the State of Vermont webpage.

1. List of boards and commissions created by Executive Order, authorized to receive per diem compensation, pursuant to 32 VSA Sec. 1010(e), (Agency of Administration, Office of the Secretary) (November 2010).
2. Board of Pharmacy, 2010 Annual Report on Remote Pharmacy Pilot Project. (Office of the Secretary of State, Board of Pharmacy) (December 2010).
3. Department of Liquor Control Annual Report. (January 2011).
4. Report on Tobacco Compliance Tests Conducted During Calendar Year 2010. (Department of Liquor Control) (January 2011).
5. Government Restructuring Report. (Government Accountability Committee) (January 2011).
6. Oversight and Implementation of the Wastewater System and Potable Water Supply Rules. (Agency of Natural Resources, Department of Environmental Conservation, Wastewater Management Division) (January 2011).
7. Review of the "Overshadowing of Water Supply-Wastewater System Isolation Distances. (Agency of Natural Resources, Department of Environmental Conservation, Wastewater Management Division) (January 2011).
8. Vermont Parent Representation Center, Inc. (January 2011).