

Senate Calendar

FRIDAY, FEBRUARY 11, 2011

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ACTION CALENDAR

NEW BUSINESS

Committee Bill for Second Reading

S. 49.

An act relating to commercial motor vehicle operation on the interstate system.

By the Committee on Transportation. (Senator Kitchel for the Committee.)

NOTICE CALENDAR

Second Reading

Favorable

S. 12.

An act relating to adding a member from the area agencies on aging to the governor's commission on Alzheimer's disease and related disorders.

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

(Committee vote: 5-0-0)

Reported favorably by Senator Sears for the Committee on Appropriations.

(Committee vote: 6-0-1)

H. 30.

An act relating to requiring the board of governors of the unified towns and gores of Essex County to hear tax appeals.

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

(Committee vote: 4-0-1)

House Proposal of Amendment to Senate Proposal of Amendment

H. 65

An act relating to fiscal year 2011 budget adjustment.

The House concurs in the Senate proposal of amendment with further amendment thereto as follows:

First: By striking out Sec. 80 in its entirety and inserting in lieu thereof a new Sec. 80 to read as follows:

Sec 80. CLEAN ENERGY DEVELOPMENT FUND; RETURN OF MONEYS

(a) The sum of \$2,000,000 described in Sec. 24(b) of No. 161 of the Acts of the 2009 Adj. Sess. (2010), as that section read effective June 4, 2010, is returned to the clean energy development fund established in 10 V.S.A. § 6523(a). Of this sum, \$500,000 shall be transferred to the entrepreneurs' seed capital fund created under 10 V.S.A. § 291, \$500,000 shall be retained in the fund to be expended as determined by the clean energy development board, and the remaining \$1,000,000 shall be used for the purpose of supporting tax credits certified by the clean energy development board pursuant to 32 V.S.A. § 5930z. Notwithstanding 32 V.S.A. § 5930z(c)(2)(A), a net metering system of greater than 150 kW shall be eligible for the solar tax credit if it filed the requisite form with the clean energy development board after July 15, 2010, and on or before December 15, 2010.

Second: By striking out Sec. 80c in its entirety and inserting in lieu thereof a new Sec. 80c to read as follows:

Sec. 80c. Sec. 3(b) of No. 78 of the Acts of the 2009 Adj. Sess. (2010), is amended to read:

(b) This appropriation will supplement the ~~\$1,000,000.00 of ARRA funds in the clean energy development fund transferred to the seed capital fund pursuant to Sec. 10f of this act as well as the \$2,150,000.00 appropriated to the fund under No. 54 of the Acts of 2009, and the \$1,000,000.00 in federal funds received by the fund manager, Vermont Center for Emerging Technologies, Inc. (VCET), from the economic development initiative of the United States Department of Housing and Urban Development and pledged as a match to the seed fund, as well as the \$500,000.00 in clean energy development funds reallocated to the seed fund pursuant to Sec. 80 of H. 65 of the 2011 legislative session.~~ In addition, H.789 of the 2010 legislative session (the big bill) contains an appropriation to VCET; however, these big-bill funds are intended to cover the operational costs of VCET in lieu of funding which will no longer be provided by the University of Vermont.

Third: By striking out Sec. 98 in its entirety and inserting in lieu thereof a new Sec. 98 to read as follows:

Sec. 98. REPORT; WOODSIDE JUVENILE REHABILITATION CENTER

(a) The agency of human services shall convene a working group that includes the commissioner of the department of corrections, the commissioner of the department for children and families, the supervising attorney in the office of the juvenile defender, the executive director of the state's attorneys and sheriffs department, and the administrative judge to monitor and review the effect, if any, the changes to the Woodside Juvenile Rehabilitation Center implemented in this act have on the placement of adolescents who have been adjudicated or charged with a delinquency or criminal act. As part of its process, the working group shall consult with the Vermont coalition of residential programs.

(b) On or before January 15, 2012, the agency of human services shall report the findings and any recommendations of the working group to the senate committees on appropriations, on health and welfare, and on judiciary, and the house committees on appropriations, on human services, and on judiciary.

CONCURRENT RESOLUTIONS FOR NOTICE

S.C.R. 5-12 (For text of Resolutions, see Addendum to Senate Calendar for February 11, 2011)

H.C.R. 46-54 (For text of Resolutions, see Addendum to Senate Calendar for February 11, 2011)

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)

Jason Gibbs of Duxbury – Member of the Community High School of Vermont Board – By Sen. Doyle for the Committee on Education. (2/15/11)

John Fitzhugh of West Berlin – Member of the Board of Libraries – By Sen. Doyle for the Committee on Education. (2/15/11)

Susan Wehry of Burlington – Commissioner of the Department of Disabilities, Aging and Independent Living – By Sen. Pollina for the Committee on Health and Welfare. (2/15/11)

Dave Yacavone of Morrisville – Commissioner of the Department of Children and Families – By Sen. Fox for the Committee on Health and Welfare. (2/15/11)

Christine Oliver of Montpelier – Commissioner of the Department of Mental Health – By Sen. Mullin for the Committee on Health and Welfare. (2/15/11)

Doug Racine of Richmond – Secretary of the Agency of Human Services – By Sen. Ayer for the Committee on Health and Welfare. (2/15/11)

PUBLIC HEARINGS

Thursday, February 17, 2011 – Room 11 – 7:00 P.M. – Re: Retention of Judges – Joint Committee on Judicial Retention.

Tuesday, February 22, 2011 – Room 10 – 2:30–4:30 P.M. – Re: Governor's Proposed FY2012 State Budget – House Committee on Appropriations.

Wednesday, February 23, 2011 – Room 11 – 9:00-11:00 A.M. – Re: Governor’s Proposed FY2012 State Budget – House Committee on Appropriations.

Thursday, February 24, 2011 – Room 11 – 7:00 P.M. – Re: Retention of Judges – Joint Committee on Judicial Retention.

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 State Agricultural College.

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, 2011, 4:00 - 6:30 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.

CROSSOVER DEADLINES

The following bill reporting deadlines are established for the 2011 session:

(1) From the standing committee of last reference (excluding the Committees on Appropriations and Finance), all Senate bills must be reported out of committee on or before March 11, 2011.

(2) For bills referred pursuant to Senate Rule 31, all Senate bills must be reported out of the Committees on Appropriations and Finance on or before March 18, 2011.

(3) These deadlines may be waived for any bill or committee **only** by consent given by the Committee on Rules.

Exceptions to the foregoing deadlines include the major money bills (Appropriations, Transportation, Capital, and Miscellaneous Taxes).

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.

10. Property Valuation and Review Division Annual Report..(Department of Taxes) (February 2011).

11. Environmental Contingency Fund Status Report for FY 2010. (Agency of Natural Resources, Department of Environmental Conservation, Waste Management and Prevention Division) (February 2011).

12. River Basin Water Quality Management Planning Progress Report for 2010. (Agency of Natural Resources, Department of Environmental Conservation, Water Quality Division) (February 2011).

13. Vermont Drinking Water State Revolving Fund Loans Awarded to Certain Nonprofit Privately-Owned Community Water Systems. (Agency of Natural Resources, Department of Environmental Conservation) (February 2011).

14. Mercury Education & Reduction Campaign 2011 Annual Report. (Advisory Committee on Mercury Pollution) (February 2011).

15. Vermont Coalition of Runaway & Homeless Youth Programs Annual Report. (February 2011).

16. Uniform Enforcement Act 2010 Report. (Agency of Natural Resources, Department of Environmental Conservation Compliance & Enforcement Division) (February 2011).

17. Vermont Center for Geographic Information 2010 Annual Report. (February 2011).