

Journal of the Senate

FRIDAY, FEBRUARY 18, 2011

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Lisa Ramson of Barre.

Message from the House No. 22

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 a House bill of the following title:

H. 88. An act relating to uniform child custody jurisdiction and enforcement.

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

The House has considered joint resolution originating in the Senate of the following title:

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.

And has adopted the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

Message from the House No. 23

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 Governor has informed the House that on the February 3, 2011, he approved and signed a bill originating in the House of the following title:

H. 81. An act relating to approval of the adoption and codification of the charters of the town of Danville and the Danville school district.

The Governor has informed the House that on the February 11, 2011, he approved and signed a bill originating in the House of the following title:

H. 1. An act relating to challenges for change outcomes for persons with disabilities.

The Governor has informed the House that on the February 17, 2011, he approved and signed bills originating in the House of the following titles:

H. 8. An act relating to approval of amendments to and codification of the charter of the town of Jamaica.

H. 65. An act relating to fiscal year 2011 budget adjustment.

Bill Referred to Committee on Finance

S. 53.

Senate bill of the following title, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule was referred to the Committee on Finance:

An act relating to the number of prekindergarten children included within a school district's average daily membership.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 74.

By Senators Campbell, Giard, Kittell and McCormack,

An act relating to the transferring of the animal spaying and neutering program to the office of the secretary of state.

To the Committee on Government Operations.

S. 75.

By Senators Illuzzi and Sears,

An act relating to operating a motor vehicle under the influence of alcohol or drugs.

To the Committee on Judiciary.

S. 76.

By Senators Westman, Ayer, Galbraith and White,
An act relating to the taxation of spirituous liquors.
To the Committee on Finance.

Committee Bill Introduced

Senate committee bill of the following title was introduced, read the first time, and, under the rule, placed on the Calendar for notice the next legislative day:

S. 77.

By the Committee on Natural Resources and Energy,
An act relating to water testing of private wells.

Bill Referred

House bill of the following title was read the first time and referred:

H. 88.

An act relating to uniform child custody jurisdiction and enforcement.
To the Committee on Judiciary.

Rules Suspended; Bill Committed

Pending entry on the Calendar for notice, on motion of Senator Lyons the rules were suspended and Senate Committee bill entitled:

S. 77. An act relating to water testing of private wells.

Was taken up for immediate consideration.

Thereupon, pending second reading of the bill, on motion of Senator Lyons the bill was committed to the Committee on Natural Resources and Energy.

Committee Relieved of Further Consideration; Bill Committed**S. 61.**

On motion of Senator White, the Committee on Finance was relieved of further consideration of Senate bill entitled:

An act relating to the imposition of a delinquency penalty for the paying of property taxes,

Thereupon, pending entry of the bill on the Calendar for notice the next legislative day, on motion of Senator White, the bill was committed to the Committee on Government Operations.

Message from the House No. 24

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. 45. An act relating to the Winhall school district's budget.

H. 52. An act relating to the definition of poultry products.

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

The House has adopted House concurrent resolutions of the following titles:

H.C.R. 55. House concurrent resolution commemorating the birth of Maxten Smith at the Whiting Elementary School.

H.C.R. 56. House concurrent resolution honoring the 2010 Harwood Union High School Division II girls' cross-country championship team.

H.C.R. 57. House concurrent resolution congratulating the Harwood Union High School Highlanders 2010 Division II championship girls' golf team.

H.C.R. 58. House concurrent resolution congratulating the 2010 Harwood Union High School Division II championship girls' soccer team.

H.C.R. 59. House concurrent resolution congratulating the 2010 Harwood Union High School Highlanders Division II championship field hockey team.

H.C.R. 60. House concurrent resolution congratulating the Harwood Union High School Highlanders 2010 Division II championship boys' track and field team.

H.C.R. 61. House concurrent resolution congratulating the Harwood Union High School Highlanders 2010 Division II championship boys' lacrosse team.

H.C.R. 62. House concurrent resolution congratulating Southwestern Vermont Medical Center on earning its third consecutive designation as a Magnet Hospital for Nursing Excellence.

H.C.R. 63. House concurrent resolution honoring Ken Barrett as a most distinguished citizen of the town of Chester.

H.C.R. 64. House concurrent resolution congratulating Milton town clerk John Cushing on his receipt of a 2010 National Association of Secretaries of State Medallion Award.

H.C.R. 65. House concurrent resolution honoring Frederick Henry Webster of Coventry as a truly venerable Vermonter.

H.C.R. 66. House concurrent resolution congratulating Currier's Market in Glover and its owner, James Currier, on being named the 2010 Vermont Grocers' Association Retailer of the Year.

H.C.R. 67. House concurrent resolution congratulating Elizabeth Josephine Surdam Hoag Bushee on her 100th birthday.

H.C.R. 68. House concurrent resolution commemorating the semiquincentennial anniversary of the incorporation of the town of Shoreham.

H.C.R. 69. House concurrent resolution congratulating the town of Poultney on its 250th anniversary.

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

The House has considered concurrent resolutions originating in the Senate of the following titles:

S.C.R. 5. Senate concurrent resolution designating March 31, 2011 as Congenital Diaphragmatic Hernia Awareness Day.

S.C.R. 6. Senate concurrent resolution recognizing Gerald Myers for his outstanding accomplishments in the United States military and in local and state government.

S.C.R. 7. Senate concurrent resolution congratulating the Waitsfield-Fayston Volunteer Fire Department on its centennial anniversary.

S.C.R. 8. Senate concurrent resolution commemorating the 20th anniversary of the enactment of the federal Americans with Disabilities Act and the Vermont Center for Independent Living's celebration of this landmark legislation.

S.C.R. 9. Senate concurrent resolution congratulating Onion River Community Access Media on its silver anniversary.

S.C.R. 10. Senate concurrent resolution congratulating Capitol Stationers of Montpelier on its 60th anniversary.

S.C.R. 11. Senate concurrent resolution honoring the visionary leadership of Tracy Gallo during her state government service.

S.C.R. 12. Senate concurrent resolution congratulating the Central Vermont Tennis Association on its 40th anniversary.

S.C.R. 13. Senate concurrent resolution congratulating the Riverside Grange on its centennial anniversary.

And has adopted the same in concurrence.

Senate Concurrent Resolution

The following joint concurrent resolution, having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, is hereby adopted on the part of the Senate:

By Senators Kitchel, Benning and MacDonald,

By Representative Conquest and others,

S.C.R. 13.

Senate concurrent resolution congratulating the Riverside Grange on its centennial anniversary.

[The full text of the Senate concurrent resolution appeared in the House and Senate calendar addendum for February 17, 2011, and will appear in the volume of the Public Acts and Resolves to be published for this session of the seventy-first biennial session of the Vermont General Assembly.]

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence:

By Representative Stevens and others,

H.C.R. 55.

House concurrent resolution commemorating the birth of Maxten Smith at the Whiting Elementary School.

By Representative Stevens and others,

By Senators Cummings, Doyle and Pollina,

H.C.R. 56.

House concurrent resolution honoring the 2010 Harwood Union High School Division II girls' cross-country championship team.

By Representative Stevens and others,
By Senators Cummings, Doyle and Pollina,

H.C.R. 57.

House concurrent resolution congratulating the Harwood Union High School Highlanders 2010 Division II championship girls' golf team.

By Representative Stevens and others,
By Senators Cummings, Doyle and Pollina,

H.C.R. 58.

House concurrent resolution congratulating the 2010 Harwood Union High School Division II championship girls' soccer team.

By Representative Stevens and others,
By Senators Cummings, Doyle and Pollina,

H.C.R. 59.

House concurrent resolution congratulating the 2010 Harwood Union High School Highlanders Division II championship field hockey team.

By Representative Stevens and others,
By Senators Cummings, Doyle and Pollina,

H.C.R. 60.

House concurrent resolution congratulating the Harwood Union High School Highlanders 2010 Division II championship boys' track and field team.

By Representative Stevens and others,
By Senators Cummings, Doyle and Pollina,

H.C.R. 61.

House concurrent resolution congratulating the Harwood Union High School Highlanders 2010 Division II championship boys' lacrosse team.

By Representative Morrissey and others,
By Senators Hartwell and Sears,

H.C.R. 62.

House concurrent resolution congratulating Southwestern Vermont Medical Center on earning its third consecutive designation as a Magnet Hospital for Nursing Excellence.

By Representative Dakin,

H.C.R. 63.

House concurrent resolution honoring Ken Barrett as a most distinguished citizen of the town of Chester.

By Representative Hubert and others,

H.C.R. 64.

House concurrent resolution congratulating Milton town clerk John Cushing on his receipt of a 2010 National Association of Secretaries of State Medallion Award.

By Representative Marcotte and others,

By Senators Illuzzi and Starr,

H.C.R. 65.

House concurrent resolution honoring Frederick Henry Webster of Coventry as a truly venerable Vermonter.

By Representative Young and others,

H.C.R. 66.

House concurrent resolution congratulating Currier's Market in Glover and its owner, James Currier, on being named the 2010 Vermont Grocers' Association Retailer of the Year.

By Representatives Morrissey and Corcoran,

H.C.R. 67.

House concurrent resolution congratulating Elizabeth Josephine Surdam Hoag Bushee on her 100th birthday.

By Representative Stevens,

By Senators Ayer and Giard,

H.C.R. 68.

House concurrent resolution commemorating the semiquincentennial anniversary of the incorporation of the town of Shoreham.

By Representative Donaghy,

By Senators Carris, Flory and Mullin,

H.C.R. 69.

House concurrent resolution congratulating the town of Poultney on its 250th anniversary.

[The full text of the House concurrent resolutions appeared in the House and Senate calendar addendum for February 17, 2011, and will appear in the volume of the Public Acts and Resolves to be published for this session of the seventy-first biennial session of the Vermont General Assembly.]

Adjournment

On motion of Senator Campbell, the Senate adjourned, to reconvene on Tuesday, February 22, 2011, at ten o'clock in the forenoon pursuant to J.R.S. 19.