

# Journal of the Senate

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THURSDAY, FEBRUARY 9, 2012

The Senate was called to order by the President.

## Devotional Exercises

Devotional exercises were conducted by the Reverend Dr. Robert A. Potter of Peacham.

## Bill Called Up

### S. 245.

Senate bill of the following title was called up by Senator Mullin, and, under the rule, placed on the Calendar for action the next legislative day:

An act relating to requiring cardiovascular care instruction as a secondary school graduation requirement.

## Pages Honored

In appreciation of their many services to the members of the General Assembly, the President recognized the following-named pages who are completing their services today and presented them with letters of appreciation.

Josselyne Blakely of Barre  
Nina Brundage of Waterbury  
Isabel Colby of Worcester  
Thunder Keck of Montpelier  
Katherine Massell of Burlington  
Sally Matson of Burlington  
Ethan McCollister of Montpelier  
Elijah Ransom of Bethel  
Megan Walker of Cabot  
Gretchen Wright of Jericho

## Message from the Governor Appointments Referred

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

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Howrigan, Harold, Jr. of Sheldon - Member of the Current Use Advisory Board, - from February 1, 2012, to January 31, 2015.

To the Committee on Natural Resources and Energy.

Shields, Bruce of Wolcott - Member of the Current Use Advisory Board, - from February 1, 2012, to January 31, 2015.

To the Committee on Natural Resources and Energy.

Peterson, Barry of East Fairfield - Magistrate of the Superior Court Family Division, - from February 6, 2012, to March 31, 2018.

To the Committee on Judiciary.

#### **Joint Senate Resolution Adopted on the Part of the Senate**

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By the Committee on Judiciary,

**J.R.S. 45.** Joint resolution expressing sincere appreciation to Margaret Lucenti for her dedicated public service.

*Whereas*, Margaret Lucenti is an ardent adherent to the principle that civic participation is a societal duty, and

*Whereas*, this commitment to social justice resulted in her appointment as the original volunteer chair of the Vermont Commission on Human Rights, and

*Whereas*, Margaret Lucenti's desire to improve society inspired her to pursue political and electoral paths as Vice Chair of the Vermont Democratic Party and as a candidate for a seat in the Vermont House and Senate and the United States Congress, and

*Whereas*, on the local level, she has served as a justice of the peace in Montpelier and over the years presided at many weddings, and

*Whereas*, Margaret Lucenti, who has a steel-lined stamina, wished to continue participating in the workforce and be a contributor to the public policy process, even after she reached the typical retirement age, and

*Whereas*, to fulfill this worthy ambition, Margaret Lucenti sought employment as a committee assistant at the General Assembly, and deemed eminently qualified for this position, she was hired to work with the Senate Committee on Judiciary, a fitting assignment for a woman dedicated to the rule of law as an avenue to achieve social justice, and

*Whereas*, Margaret Lucenti proved an excellent choice as she performed her duties with great competence and punctuality and won the respect of all senators, regardless of their partisan persuasion, and

*Whereas*, the administrative details associated with scheduling and preparing meetings and hearings of the Senate Committee on Judiciary were always in the best possible hands under Margaret Lucenti's careful scrutiny and supervision, and

*Whereas*, other legislative staff always found her to be an invaluable colleague, a great friend, and a marvelous story teller, and

*Whereas*, although the rumor has long persisted that Margaret Lucenti would staff the Senate Committee on Judiciary indefinitely, even after Senator Alice Nitka accidentally locked Margaret Lucenti in the Senate Judiciary Committee vault, this superb committee staffer has decided that her 90th birthday marks the moment to conclude her tenure to spend more time with her wonderful husband, Sal, children, grandchildren, and great grandchildren, and she will be truly missed, *now therefore be it*

***Resolved by the Senate and House of Representatives:***

That the General Assembly expresses its sincere appreciation to Margaret Lucenti for her dedicated public service, and wishes her all the best, *and be it further*

***Resolved:*** That the Secretary of State be directed to send a copy of this resolution to Margaret Lucenti in Montpelier.

**Recess**

The Chair declared a recess until two o'clock and fifteen minutes.

**Called to Order**

The Senate was called to order by the President.

**Proposal of Amendment; Consideration Postponed**

**H. 558.**

House bill entitled:

An act relating to fiscal year 2012 budget adjustment.

Was taken up.

Thereupon, pending third reading of the bill, Senator Benning moved to amend the Senate proposal of amendment as follows:

First: In Sec. 87, subsection (a), after the word “existing” by inserting the word vacant

Second: In Sec. 87, subsection (b), after the word “accumulating” by inserting the word vacant and after the words “authorized to assign” by deleting the word the and inserting in lieu thereof the word these

Thereupon, pending the question, Shall the Senate proposal be amended as recommended by Senator Benning?, Senator Campbell moved that consideration of the bill be postponed, which was agreed to.

### **Bill Amended; Third Reading Ordered**

#### **S. 203.**

Senator Sears, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to child support enforcement.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 15 V.S.A. § 603 is amended to read:

§ 603. CONTEMPT

(a) ~~A person who disobeys a lawful order or decree of a court or judge, made under the provisions of this chapter, may be proceeded against for contempt as provided by 12 V.S.A. § 122. The department for children and families may institute such proceedings in all cases in which a party or dependent children of the parties are the recipients of financial assistance from the department~~ Nonfinancial obligations. If a person disobeys a lawful order of the family division made under the provisions of this chapter and the order does not relate to payment of a financial obligation, the person may be subject to proceedings for civil contempt as provided by 12 V.S.A. § 122.

(b) ~~For contempt of an order or decree made under the provisions of this chapter, the court may:~~

- ~~(1) order restitution to the department;~~
- ~~(2) order payments be made to the department for distribution;~~
- ~~(3) order a party to serve not more than 30 days of preapproved furlough as provided in 28 V.S.A. § 808(a)(7); or~~
- ~~(4) make such other orders or conditions as it deems proper~~

Financial obligations. If a person disobeys a lawful order of the family division made under the provisions of this chapter and the order creates a financial obligation, including payment of child support, spousal maintenance, or a lump sum property settlement, the person may be subject to proceedings for civil contempt as provided by 12 V.S.A. § 122 and the provisions set forth herein.

(c) Parties. The office of child support may institute such proceedings in all cases in which the office provides services under Title IV-D of the Social Security Act to either or both parties.

(d) Notice of hearing. The person against whom the contempt proceedings are brought shall be served with a notice of a hearing ordering the person to appear at the hearing to show cause why he or she should not be held in contempt. The notice shall inform the person that:

(1) failure to appear at the hearing may result in the issuance of an arrest warrant directing a law enforcement officer to transport the person to court; and

(2) the person has a right to be represented by counsel and that counsel may be appointed for the person if the person is financially needy.

(e) Rebuttable presumption of ability to comply. A person who is subject to a court-ordered financial obligation and who has received notice of such obligation shall be presumed to have the ability to comply with the order. In a contempt proceeding, the noncomplying party may overcome the presumption by demonstrating that, due to circumstances beyond his or her control, he or she did not have the ability to comply with the court-ordered obligation.

(f) Finding of contempt. A person may be held in contempt of court if the court finds all of the following:

(1) The person knew or reasonably should have known that he or she was subject to a court-ordered obligation.

(2) The person has failed to comply with the court order. If the failure to comply involves a failure to pay child support or spousal maintenance, the person who brings the action has the burden to establish the total amount of the obligation, the amount unpaid, and any unpaid surcharges or penalties.

(3) The person has willfully violated the court order in that he or she had the ability to comply with the order and failed to do so.

(g) Findings of fact. The court shall make findings of fact on the record based on the evidence presented which may include direct or circumstantial evidence.

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(h) Order upon finding of contempt. Upon a finding of contempt, the court shall determine appropriate sanctions to obtain compliance with the court order. The court shall be authorized to order:

(1) The person to perform a work search and report the results of his or her search to the court or to the office of child support, or both.

(2) The person to appear before a reparative board. The person shall return to court for further orders if:

(A) the reparative board does not accept the case; or

(B) the person fails to complete the reparative board program to the satisfaction of the board in a time deemed reasonable by the board.

(3) Incarceration of the person unless he or she complies with purge conditions established by the court. A court may order payment of all or a portion of the unpaid financial obligation as a purge condition, providing that the court finds that the person has the present ability to pay the amount ordered and sets a date certain for payment. If the purge conditions are not met by the date established by the court and the date set for payment is within 30 days of finding of ability to pay, the court may issue a mittimus placing the contemnor in the custody of the commissioner of corrections.

(A) As long as the person remains in the custody of the commissioner of corrections, the court shall schedule the case for a review hearing every 15 days.

(B) The commissioner shall immediately release such a person from custody upon the contemnor's compliance with the purge conditions ordered by the court.

(C) The commissioner may, in his or her sole discretion, place the contemnor on home confinement furlough or work crew furlough without prior approval of the court.

(4) Orders and conditions as the court deems appropriate.

(i) Finding of present ability to pay. A finding of present ability to pay a purge condition shall be effective for up to 30 days from the date of the finding. In determining present ability to pay for purposes of imposing necessary and appropriate coercive sanctions to bring the noncomplying person into compliance and purge the contempt, the court may consider:

(1) A person's reasonable ability to use or access available funds or other assets to make all or a portion of the amount due by a date certain set by the court.

(2) A person's reasonable ability to obtain sufficient funds necessary to pay all or a portion of the amount due by a date certain set by the court, as demonstrated by the person's prior payment history and ability to comply with previous contempt orders.

Sec. 2. 15 V.S.A. § 653 is amended to read:

§ 653. DEFINITIONS

As used in this subchapter:

(1) "Available income" means gross income, less:

(A) the amount of spousal support or preexisting child support obligations, including any court-ordered periodic repayment toward arrearages, actually paid;

\* \* \*

(7) "Self-support reserve" means the needs standard established annually by the commissioner for children and families which shall be an amount sufficient to provide a reasonable subsistence compatible with decency and health. The needs standard shall take into account the available income of the parent responsible for payment of child support, and calculated at 120 percent of the United States Department of Health and Human Services poverty guideline per year for a single individual.

\* \* \*

Sec. 3. 15 V.S.A. § 658 is amended to read:

§ 658. SUPPORT

\* \* \*

(d) The court or magistrate may order a parent who is in default of a child support order, an obligor or a parent who will become the obligor pending an anticipated child support order to participate in employment, educational, or ~~training-related~~ training-related activities if the court finds that participation in such activities would assist in providing support for a child, or in addressing the causes of the default. The court may also order the parent to participate in substance abuse or other counseling if the court finds that such counseling may assist the parent to achieve stable employment. Activities ordered under this section shall ~~not be inconsistent~~ consistent with, and may be more rigorous than, any requirements of a state or federal program in which the parent is participating. For the purpose of this subsection, "employment, educational, or ~~training-related~~ training-related activities" shall mean:

(1) unsubsidized employment;

- 
- (2) subsidized private sector employment;
  - (3) subsidized public sector employment;
  - (4) work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
  - (5) on-the-job training;
  - (6) job search and job readiness assistance;
  - (7) community service programs;
  - (8) vocational educational training (not to exceed 12 months with respect to any individual);
  - (9) job skills training directly related to employment;
  - (10) education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;
  - (11) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate; and
  - (12) the provision of child care services to an individual who is participating in a community service program.

\* \* \*

Sec. 4. 15 V.S.A. § 660 is amended to read:

§ 660. MODIFICATION

(a)(1) On motion of either parent ~~or~~, the office of child support, any other person to whom support has previously been granted, or any person previously charged with support, and upon a showing of a real, substantial and unanticipated change of circumstances, the court may annul, vary, or modify a child support order, whether or not the order is based upon a stipulation or agreement. If the child support order has not been modified by the court for at least three years, the court may waive the requirement of a showing of a real, substantial, and unanticipated change of circumstances.

(2) The office of child support may independently file a motion to modify child support or change payee if providing services under Title IV-D of the Social Security Act, if a party is or will be incarcerated for more than one year, if the family has reunited or is living together, if the child is no longer living with the payee, or if a party receives means-tested benefits.



(b) A child support order, including an order in effect prior to adoption of the support guideline, which varies more than ten percent from the amounts required to be paid under the support guideline, shall be considered a real, substantial, and unanticipated change of circumstances.

(c) ~~Receipt of workers' compensation, unemployment compensation or disability benefits~~ The following shall be considered a real, substantial, and unanticipated change of circumstances:

(1) Receipt of workers' compensation, disability benefits, or means-tested public assistance benefits.

(2) Unemployment compensation, unless the period of unemployment was considered when the child support order was established.

(3) Incarceration for more than 90 days, unless incarceration is for failure to pay child support.

(d) A motion to modify a support order under subsection (b) or (c) of this section shall be accompanied by an affidavit setting forth calculations demonstrating entitlement to modification and shall be served on other parties and filed with the court. Upon proof of service, and if the calculations demonstrate cause for modification, the ~~clerk of the court~~ magistrate shall enter an order modifying the support award in accordance with the calculations provided, unless within 15 days of service of, or receipt of, the request for modification, either party requests a hearing. The court shall conduct a hearing within 20 days of the request. No order shall be modified without a hearing if one is requested.

(e) An order may be modified only as to future support installments and installments which accrued subsequent to the date of notice of the motion to the other party or parties. The date the motion for modification is filed shall be deemed to be the date of notice to the opposing party or parties.

Sec. 5. 15 V.S.A. § 662 is amended to read:

§ 662. INCOME STATEMENTS

(a) A party to a proceeding under this subchapter shall file an affidavit of income and assets which shall be in a form prescribed by the court administrator. Upon request of either party, or the court, the other party shall furnish information documenting the affidavit. The court may require a party who fails to comply with this section to pay an economic penalty to the other party.

(b) If a party fails to provide information as required under subsection (a) of this section, the court shall use the available evidence to estimate the

noncomplying parent's income. Failure to provide the information required under subsection (a) of this section ~~shall~~ may create a presumption that the noncomplying parent's gross income is ~~the greater of:~~

(1) 150 percent of the most recently available annual average covered wage for all employment as calculated by the department of labor; ~~or~~

(2) ~~the gross income indicated by the evidence.~~

(c)(1) Upon a motion filed by either party or the office of child support, the court may relieve a party from a final judgment or child support order upon a showing that the income used in a default child support order was inaccurate by at least 10 percent. A showing that the court used incorrect financial information shall be considered a mistake for the purposes of Rule 60 of the Vermont Rules of Civil Procedure.

(2) The motion in subdivision (1) of this subsection shall be filed within one year of the date of service of the child support order being contested.

Sec. 6. 15 V.S.A. § 795 is amended to read:

§ 795. LICENSES OR GOVERNMENTAL CONTRACTS; MOTOR VEHICLE REGISTRATIONS

(a) As used in this section:

(1) "Agency" means any unit of state government, including agencies, departments, boards, commissions, authorities, or public corporations.

(2) "License" means any license, certification or registration issued by an agency:

(A) to conduct a trade or business, including a license;

(B) to practice a profession or occupation, or a license required;

(C) to engage in recreational activities, including the license to hunt, fish, or trap; or

(D) to operate a motor vehicle or a commercial vehicle.

(3) "Contract" means a contract for the provision of goods, services, or real estate space.

(4) "Vehicle registration" means the certificate or number plate issued by the commissioner of motor vehicles pursuant to the provisions of 23 V.S.A. chapters 7, 29, and 31.

(b) Every applicant for a license or vehicle registration shall sign a statement that the applicant is not subject to a child support order, or if subject

to a child support order is in good standing with respect thereto or in full compliance with a plan to pay any and all child support payable under a support order as of the date the application is filed. A license or vehicle registration may not be issued or renewed without such a statement.

\* \* \*

Sec. 7. 28 V.S.A. § 2a(a) is amended to read:

(a) State policy. It is the policy of this state that principles of restorative justice be included in shaping how the criminal justice system responds to persons charged with or convicted of criminal offenses, and how the state responds to persons who are in contempt of child support orders. The policy goal is a community response to a person's wrongdoing at its earliest onset, and a type and intensity of sanction tailored to each instance of wrongdoing. Policy objectives are to:

(1) Resolve conflicts and disputes by means of a nonadversarial community process.

(2) Repair damage caused by criminal acts to communities in which they occur, and to address wrongs inflicted on individual victims.

(3) Reduce the risk of an offender committing a more serious crime in the future, that would require a more intensive and more costly sanction, such as incarceration.

Sec. 8. 28 V.S.A. § 3 is amended to read:

### § 3. GENERAL DEFINITIONS

Whenever used in this title:

\* \* \*

(8) "Offender" means any person convicted of a crime or offense under the laws of this state, and, for purposes of work crew, a person found in civil contempt under 15 V.S.A. § 603.

\* \* \*

Sec. 9. 28 V.S.A. § 352 is amended to read:

### § 352. SUPERVISED COMMUNITY SENTENCE

(a) At the request of the court, the commissioner of corrections shall prepare a preliminary assessment to determine whether an offender should be considered for a supervised community sentence.

(b) Upon adjudication of guilt, ~~or~~ a finding of violation of probation, or a finding of civil contempt, and only after the filing of a recommendation for supervised community sentence by the commissioner of corrections, the court may impose a sentence of imprisonment and order that all or part of the term of imprisonment be served in the community subject to the provisions of this chapter. Such a sentence shall not limit the court's authority to place a person on probation and to establish conditions of probation.

\* \* \*

Sec. 10. 28 V.S.A. § 910 is amended to read:

§ 910. RESTORATIVE JUSTICE PROGRAM ~~FOR PROBATIONERS~~

This chapter establishes a program of restorative justice for use with offenders required to participate in such a program as a condition of a sentence of probation or as ordered for civil contempt of a child support order under 15 V.S.A. § 603. The program shall be carried out by community reparative boards under the supervision of the commissioner, as provided by this chapter.

Sec. 11. 28 V.S.A. § 910a is amended to read:

§ 910a. REPARATIVE BOARDS; FUNCTIONS

\* \* \*

(d) Each board shall conduct its meetings in a manner that promotes safe interactions among ~~a probationer~~ an offender, victim or victims, and community members, and shall:

(1) In collaboration with the department, municipalities, the courts, and other entities of the criminal justice system, implement the restorative justice program of seeking to obtain ~~probationer~~ offender accountability, repair harm and compensate a victim or victims and the community, increase a ~~probationer's~~ an offender's awareness of the effect of his or her behavior on a victim or victims and the community, and identify ways to help ~~a probationer~~ an offender comply with the law.

(2) Educate the public about, and promote community support for, the restorative justice program.

(e) Each board shall have access to the central file of any ~~probationer~~ offender required to participate with that board in the restorative justice program.

\* \* \*

## Sec. 12. EFFECTIVE DATE

This act shall take effect on July 1, 2012.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

**Consideration Postponed**

Senate bill entitled:

**S. 217.**

An act relating to closely held benefit corporations.

Was taken up.

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

**Bill Amended; Third Reading Ordered****S. 236.**

Senator Ayer, for the Committee on Health and Welfare, to which was referred Senate bill entitled:

An act relating to health care practitioner signature authority.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 26 V.S.A. § 1616 is added to read:

**§ 1616. NURSE PRACTITIONER SIGNATURE AUTHORITY**

Whenever any provision of Vermont statute or rule or any form provided to any person in this state requires a signature, certification, stamp, verification, affidavit, or other endorsement by a physician, such statute, rule, or form shall be deemed to include a signature, certification, stamp, verification, affidavit, or other endorsement by an advanced practice registered nurse (APRN) licensed pursuant to this chapter and certified as a nurse practitioner; provided, however, that nothing in this section shall be construed to expand the scope of practice of APRNs.

## Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2012.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

**Consideration Resumed; Proposal of Amendment Amended; Point of Order; Bill Passed in Concurrence; Rules Suspended; Bill Messaged**

**H. 558.**

Consideration was resumed on House bill entitled:

An act relating to fiscal year 2012 budget adjustment.

Thereupon, the pending question, Shall the Senate proposal of amendment be amended as recommended by Senator Benning?, was decided in the affirmative.

Thereupon, pending third reading of the bill, Senator Galbraith moved to amend the Senate proposal of amendment as follows:

First: By adding a new section to be numbered Sec. 89a to read as follows:

Sec. 89a. STUDY OF STATE OWNERSHIP INTEREST IN VERMONT'S TRANSMISSION ASSETS

(a) The joint fiscal office shall retain the services of a financial advisor to study the costs, benefits, and risks associated with the state's acquisition of up to a 51-percent ownership interest in Vermont's high-voltage bulk electric (115 kV and above) transmission assets, which are currently owned and financed by Vermont Transco, LLC (Transco) and managed by the Vermont Electric Power Co., Inc. (VELCO). The financial advisor shall report his or her findings and recommendations to the senate committees on economic development, housing, and general affairs and on finance and the house committees on commerce and economic development and on ways and means not later than April 2, 2012. The advisor may rely on public financial filings with the U.S. Federal Energy Regulatory Commission, the Vermont public service board, ISO-New England, any bond prospectus prepared and issued by the corporation, as well as any other available, relevant information.

(b) The joint fiscal office shall retain the services of a consultant, who may or may not be the same advisor retained under subsection (a) of this section, to study whether the state's acquisition of transmission assets would position the state to influence public benefits such as:

(1) providing low income or underserved individuals or communities with beneficial products or services;

(2) promoting economic opportunity for individuals or communities with beneficial products or services;

(3) preserving or improving the environment; and

(4) accomplishing any other identifiable benefit for society or the environment.

The consultant shall report his or her findings and recommendations to the senate committees on economic development, housing, and general affairs and on finance and the house committees on commerce and economic development and on ways and means not later than April 2, 2012.

(c) Based on the reports authorized under subsections (a) and (b) of this section, the secretary of administration shall make a recommendation as to whether the acquisition of up to 51-percent of Vermont's transmission assets would benefit the people of Vermont and shall provide the reasons for his or her recommendation. The secretary shall submit his or her recommendation to the senate committees on economic development, housing, and general affairs and on finance and the house committees on commerce and economic development and on ways and means not later than April 9, 2012.

(d) Costs incurred in preparing the studies authorized by this section may be reimbursed to the joint fiscal office up to \$250,000.00, as provided under Sec. 89 of this act.

Second: Sec. 72a is amended to read as follows:

Sec. 72a. Sec. D.101(b) of No. 63 of the Acts of 2011 is amended to read:

(b) The amount of ~~\$29,500,000~~ \$39,203,264 is unreserved and made available for expenditure in fiscal year 2012 from the human services caseload reserve created by 32V.S.A. § 308b.

Third: In Sec. 89 Sec. B.1103 subsection (a) subparagraph (1) by adding a new subdivision (B) as follows:

(B) To the joint fiscal office for the transmission asset ownership study authorized by Sec. 89a of this act.

General fund

\$250,000

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as moved by Senator Galbraith? Senator Sears raised a *point of order* under Sec. 402 of Mason's Manual of Legislative Procedure on the grounds that the proposal of amendment offered by Senator Galbraith was *not germane* to the bill and therefore could not be considered by the Senate.

The President *overruled* the point of order and ruled that the proposal of amendment was *germane* and could be considered by the Senate.

Thereupon, pending the question, Shall the Senate proposal of amendment be amended as recommended by Senator Galbraith?, Senator Galbraith requested and was granted leave to withdraw the proposal of amendment.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Thereupon, on motion of Senator Campbell, the rules were suspended and the bill was ordered messaged to the House forthwith.

### **Rules Suspended; Bill Committed**

#### **S. 172.**

Senate bill entitled:

An act relating to creating a private activity bond advisory committee.

Was taken up.

Thereupon, pending the reading of the report of the Committee on Economic Development, Housing and General Affairs, Senator Illuzzi moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Finance with the report of the Committee on Economic Development, Housing and General Affairs *intact*,

Which was agreed to.

### **Third Reading Ordered**

#### **S. 113.**

Senator Mullin, for the Committee on Education, to which was referred Senate bill entitled:

An act relating to prevention, identification, and reporting of child abuse and neglect at independent schools.

Reported that the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

### **Message from the Governor**

A message was received from His Excellency, the Governor, by Alexandra McLean, Secretary of Civil and Military Affairs, as follows:



Mr. President:

I am directed by the Governor to inform the Senate that on the ninth he approved and signed a bill originating in the Senate of the following title:

**S. 249.** An act relating to Vermont Strong commemorative motor vehicle plates.

#### **Adjournment**

On motion of Senator Campbell, the Senate adjourned, to reconvene on Tuesday, February 14, 2012, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 44.