

Journal of the Senate

WEDNESDAY, JANUARY 30, 2013

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Earl Kooperkamp of Barre.

Message from the House No. 10

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. 26. An act relating to technical corrections.

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. 9. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

Bills Introduced

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

S. 64.

By Senators Pollina, Doyle and Zuckerman,

An act relating to designating kale as the state vegetable.

To the Committee on Agriculture.

S. 65.

By Senators Pollina, Doyle and Zuckerman,

An act relating to the beverage container redemption system.

To the Committee on Natural Resources and Energy.

Bill Referred

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

H. 26.

An act relating to technical corrections.

To the Committee on Government Operations.

Joint Resolutions Placed on Calendar**J.R.S. 10.**

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

By Senator Campbell,

J.R.S. 10. Joint resolution providing for a Joint Assembly for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 21, 2013, at ten o'clock and thirty minutes in the forenoon to elect a Sergeant at Arms, an Adjutant and Inspector General, and three trustees of the University of Vermont and State Agricultural College. In case election of all such officers shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until all such officers are elected.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action tomorrow.

J.R.S. 11.

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

By Senator Campbell,

J.R.S. 11. Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2013.

Whereas, in 1997 the election of three trustees of the University of Vermont and State Agricultural College was decided by plurality vote, which required one ballot only, and

Whereas, in 1999 the election of three trustees of the University of Vermont and State Agricultural College was decided by majority vote, which required a total of eight ballots, and

Whereas, in 2001 and subsequent bienniums the elections of three trustees of the University of Vermont and State Agricultural College were decided by plurality vote, each of which required one ballot only, and

Whereas, if an election for multiple vacancies is to be decided by a plurality vote, then a great savings of time can be effectuated, *now therefore be it*

Resolved by the Senate and House of Representatives:

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of three trustees of the University of Vermont and State Agricultural College at a Joint Assembly to be held on February 21, 2013, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be three.

(2) The three candidates receiving the most votes shall be declared elected to fill the three vacancies.

(3) In the event that the first balloting for the Trustee vacancies results in a tie vote for one or more of the three vacant positions, then voting shall continue on successive ballots until the vacancies have been filled, again by election declared of those candidates receiving the most votes.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action tomorrow.

J.R.S. 12.

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

By Committee on Institutions,

J.R.S. 12. Joint resolution supporting the return of the Battle of Winchester Memorial to its original battlefield location.

Whereas, Vermont Civil War troops were key to the important Union victory at the Third Battle of Winchester fought at Winchester, Virginia on September 19, 1864, and

Whereas, the Third Battle of Winchester was the first major battle of the campaign that resulted in Union control of the Shenandoah Valley, and

Whereas, Colonel Stephen Thomas told his Eighth Vermont Regiment to “remember Ethan Allen and Old Vermont” as he ordered the bayonet charge so important to victory at Winchester, and

Whereas, on September 19, 1885, the 21st anniversary of the battle, veterans of the Eighth Vermont Regiment dedicated a monument, which Herbert Hill constructed on the Winchester battlefield, overlooking the scene of the bayonet charge, and

Whereas, Virginians joined the Vermont veterans in the celebration at the dedication, and

Whereas, the General Assembly, in a resolution adopted in 1886, praised the “kindly spirit in which the inhabitants of the Shenandoah Valley received the citizens of this State, September 19, 1885,” and

Whereas, subsequently, the Eighth Vermont Monument was removed from the battlefield to the Winchester National Cemetery, and

Whereas, with the approach of the Battle of Winchester’s 150th anniversary, the General Assembly wishes to return the Eighth Vermont Monument to the battlefield at a site as close as possible to the original location where our veterans of the battle had placed it, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the Vermont General Assembly respectfully asks the Vermont Congressional Delegation, the National Park Service, the U.S. Department of Veterans Affairs, the Civil War Trust, and the City of Winchester, Virginia to facilitate the return of the Eighth Vermont Monument to the hallowed ground of the Winchester battlefield in a timely fashion to enable the rededication of the monument to occur on the battle’s 150th anniversary, September 19, 2014, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to National Park Service Director Jon Jarvis, U.S. Secretary of Veterans Affairs Eric Shinseki, the Civil War Trust in Washington, D.C., Winchester, Virginia City Manager Dale Iman, and the Vermont Congressional Delegation.

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was placed on the Calendar for action tomorrow.

Adjournment

On motion of Senator Campbell, the Senate adjourned until one o’clock in the afternoon on Thursday, January 31, 2013.