

Journal of the Senate

TUESDAY, FEBRUARY 12, 2013

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Kooperkamp of Barre.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Bills Introduced

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

S. 92.

By Senator McCormack,

An act relating to first class alcoholic beverage licenses.

To the Committee on Economic Development, Housing and General Affairs.

S. 93.

By Senators Rodgers and Starr,

An act relating to notice of placement at designated residential service homes.

To the Committee on Health and Welfare.

S. 94.

By Senators Sears, Ashe, Benning, Campbell, Hartwell, Kitchel, McAllister, Nitka and Starr,

An act relating to reporting dangerous and mentally ill persons to the National Instant Criminal Background Check System.

To the Committee on Health and Welfare.

S. 95.

By Senator McCormack,

An act relating to negligent storage of a firearm.

To the Committee on Judiciary.

S. 96.

By Senator McCormack,

An act relating to criminal investigation records related to alleged criminal conduct by law enforcement officers.

To the Committee on Government Operations.

S. 97.

By Senators Rodgers, Bray, French, McAllister, Starr and Zuckerman,

An act relating to farm structures.

To the Committee on Government Operations.

S. 98.

By Senators McCormack, Collins and Flory,

An act relating to shared parental rights and responsibilities.

To the Committee on Judiciary.

S. 99.

By Senator Sears,

An act relating to the standard measure of recidivism.

To the Committee on Judiciary.

S. 100.

By Senators Galbraith, Ashe, Ayer, Benning, Campbell, Cummings, Doyle, Fox, French, Hartwell, Kitchel, McCormack, Mullin, Pollina, Sears, Starr, Westman, White and Zuckerman,

An act relating to forest integrity.

To the Committee on Natural Resources and Energy.

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 Senators Baruth and Benning,

J.R.S. 15. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 15, 2013, it be to meet again no later than Tuesday, February 19, 2013.

Bill Referred

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

H. 51.

An act relating to payment of workers' compensation benefits by electronic payroll card.

To the Committee on Economic Development, Housing and General Affairs.

Proposal of Amendment; Bill Passed in Concurrence with Proposal of Amendment

H. 47.

House bill entitled:

An act relating to fiscal year 2013 budget adjustment.

Was taken up.

Thereupon, pending third reading of the bill, Senator Sears moved that the Senate propose to the House to amend the bill by adding a new section to be numbered Sec. 99.1 to read as follows:

Sec. 99.1. 2014 LEGISLATOR DRAFTING LIMITATION

(a) Notwithstanding any other provision of law, during the 2014 legislative session individual members of the Vermont House shall request no more than three bills be drafted and individual members of the Vermont Senate shall request no more than five bills be drafted.

Thereupon, pending the question, Shall the Senate propose to the House to amend the bill as moved by Senator Sears?, Senator Sears requested and was granted leave to withdraw the proposal of amendment.

Thereupon, the bill was read the third time and passed.

Rules Suspended; Committee Report Rejected; Consideration Postponed**S. 77.**

Appearing on the Calendar for notice, on motion of Senator Campbell, the rules were suspended and Senate committee bill entitled:

An act relating to patient choice and control at end of life.

Was taken up for immediate consideration.

Senator Sears, for the Committee on Judiciary, to which the bill was committed, reported that the bill ought to be rejected.

Thereupon, the question, Shall the bill be rejected?, was disagreed to on a roll call, Yeas 13, Nays 17.

Senator Sears having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Benning, Campbell, Cummings, Doyle, Flory, Kitchel, Mazza, McAllister, Mullin, Nitka, Sears, Starr, Westman.

Those Senators who voted in the negative were: Ashe, Ayer, Baruth, Bray, Collins, Fox, French, Galbraith, *Hartwell, Lyons, MacDonald, McCormack, Pollina, Rodgers, Snelling, White, Zuckerman.

*Senator Hartwell explained his vote as follows:

I have been a member of the Senate for almost seven years serving on several committees and chairing two; in that time I have been a fervent believer in the greatest possible public participation by Vermonters on the momentous issues affecting their state.

It would be highly inconsistent for me to assist to truncate the process at this point; however the bill has flaws which I trust will be rectified between now and end of debate.

Thereupon, the bill was read the second time by title only pursuant to Rule 43.

Thereupon, the question, Shall the bill be read a third time?, Senator Campbell, moved that consideration of the bill be postpone until one o'clock and thirty minutes in the afternoon on Wednesday, February 13, 2013, which was agreed to.

Message from the House No. 15

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 adopted joint resolution of the following title:

J.R.H. 3. Joint resolution supporting the Coalition for Captive Insurance Clarity.

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

Adjournment

On motion of Senator Campbell, the Senate adjourned until one o'clock and thirty minutes in the afternoon on Wednesday, February 13, 2013.