

Journal of the Senate

TUESDAY, APRIL 16, 2013

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

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

Bill Referred to Committee on Appropriations

S. 165.

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to collective bargaining for deputy state's attorneys.

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. 26. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 19, 2013, it be to meet again no later than Tuesday, April 23, 2013.

Joint Resolution Referred

J.R.S. 27.

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

By Senators Lyons, Ashe, Baruth, Cummings, Fox, Hartwell, Pollina and Rodgers,

J.R.S. 27. Joint resolution relating to an application of the General Assembly for Congress to call a convention for proposing amendments to the U.S. Constitution.

Whereas, it was the stated intention of the framers of the Constitution of the United States of America that the Congress of the United States of America should be “dependent on the people alone” (James Madison or Alexander Hamilton, Federalist 52), and

Whereas, that dependency has evolved from a dependency on the people alone to a dependency on those who spend excessively in elections through campaigns or third-party groups, and

Whereas, the U.S. Supreme Court ruling in *Citizens United v. Federal Election Commission*, 130 S.Ct. 876 (2010), removed restrictions on amounts of independent political spending, and

Whereas, the removal of those restrictions has resulted in the corrupting influence of powerful economic forces, which have supplanted the will of the people by undermining our ability to choose our political leadership, write our own laws, and determine the fate of our State, and

Whereas, the State of Vermont believes that a convention called pursuant to Article V of the U.S. Constitution should be convened to consider amendments to that Constitution to limit the corrupting influence of money in our political system and desires that said convention should be so limited, and

Whereas, the Congress of the United States has failed to propose, pursuant to Article V of the Constitution, amendments that would adequately address the concerns of Vermont, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly, pursuant to Article V of the U.S. Constitution, hereby petitions the U.S. Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States of America, *and be it further*

Resolved: That not intending to condition this petition, Vermont requests that its specific concerns notwithstanding, the agenda of the convention be limited to those matters enumerated by at least 10 of the states calling for the convention, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vice President of the United States; the President Pro Tempore and the Secretary of the Senate of the United States; the Speaker and Clerk of the House of Representatives of the United States; the Archivist of the United States; and the Vermont Congressional Delegation.

Thereupon, the President, in his discretion, treated the joint resolution as a bill and referred it to the Committee on Judiciary.

Bills Referred

House bills of the following titles were severally read the first time and referred:

H. 198.

An act relating to the Legacy Insurance Management Act.

To the Committee on Rules.

H. 529.

An act relating to approval of an amendment to the charter of the Winooski Incorporated School District related to the term of district treasurer.

To the Committee on Rules.

House Proposal of Amendment Concurred In

S. 144.

House proposal of amendment to Senate bill entitled:

An act relating to the St. Albans state office building.

Was taken up.

The House proposes to the Senate to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. SALE OF ST. ALBANS STATE OFFICE BUILDING

(a) Notwithstanding 29 V.S.A. § 166(b), the Commissioner of Buildings and General Services is authorized to sell the state office building at 20 Houghton Street in St. Albans. The Commissioner is authorized to convey 20 Houghton Street by warranty deed.

(b) The Commissioner of Buildings and General Services is authorized to negotiate and enter into a lease or lease-purchase agreement to replace the state office building at 20 Houghton Street in St. Albans. It is the intent of the General Assembly that the replacement state office building remain in downtown St. Albans.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

Bill Passed in Concurrence**H. 13.**

House bill of the following title was read the third time and passed in concurrence:

An act relating to statutory revision.

Proposals of Amendment; Third Reading Ordered**H. 71.**

Senator Cummings, for the Committee on Economic Development, Housing and General Affairs, to which was referred House bill entitled:

An act relating to tobacco products.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: In Sec. 22, 33 V.S.A. § 1918, in subdivision (f)(1), by striking out the second sentence in its entirety and inserting in lieu thereof the following: The bond shall be issued by a surety company in good standing and authorized to transact business in this State to secure the payment of any escrow due or which may become due from the nonparticipating manufacturer or its United States importer.

Second: By striking out Sec. 23 in its entirety and inserting in lieu thereof a new Sec. 23 to read as follows:

Sec. 23. EFFECTIVE DATES

This section shall take effect on passage. Sec. 19 of this act shall take effect on June 30, 2013. All remaining sections shall take effect on July 1, 2013.

And that the bill ought to pass in concurrence with such proposals of amendment.

Senator MacDonald, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Economic Development, Housing and General Affairs.

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

Adjournment

On motion of Senator Baruth, the Senate adjourned until one o'clock and thirty minutes in the afternoon on Wednesday, April 17, 2013.