

# Journal of the Senate

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FRIDAY, APRIL 26, 2013

The Senate was called to order by the President.

## Devotional Exercises

A moment of silence was observed in lieu of devotions.

## Message from the House No. 51

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. 54.** An act relating to Public Records Act exemptions.

**H. 226.** An act relating to the regulation of underground storage tanks.

**H. 517.** An act relating to approval of the adoption and the codification of the charter of the Town of St. Albans.

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

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

**S. 47.** An act relating to protection orders and second degree domestic assault.

**S. 161.** An act relating to mitigation of traffic fines and approval of a DLS Diversion Program contract.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the Senate is requested.

The House has considered Senate proposal of amendment to the following House bill:

**H. 71.** An act relating to tobacco products.

And has severally concurred therein.

**Bill Referred to Committee on Finance****H. 262.**

House 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 establishing a program for the collection and recycling of paint.

**Bills Referred**

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

**H. 54.**

An act relating to Public Records Act exemptions.

To the Committee on Rules.

**H. 226.**

An act relating to the regulation of underground storage tanks.

To the Committee on Rules.

**H. 517.**

An act relating to approval of the adoption and the codification of the charter of the Town of St. Albans.

To the Committee on Rules.

**Bills Passed in Concurrence with Proposals of Amendment**

House bills of the following titles were severally read the third time and passed in concurrence with proposals of amendment:

**H. 2.** An act relating to the Governor's Snowmobile Council.

**H. 95.** An act relating to unclaimed life insurance benefits.

**H. 105.** An act relating to adult protective services reporting requirements.

**H. 377.** An act relating to neighborhood planning and development for municipalities with designated centers.

**H. 513.** An act relating to the Department of Financial Regulation.

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**Bill Passed in Concurrence with Proposal of Amendment; Rules  
Suspended; Bill Messaged**

**H. 533.**

House bill of the following title:

An act relating to capital construction and state bonding.

Was taken up.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment, on a roll call, Yeas 24, Nays 0.

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

**Roll Call**

**Those Senators who voted in the affirmative were:** Ayer, Baruth, Benning, Collins, Cummings, Doyle, Flory, Fox, French, Galbraith, Hartwell, Kitchel, Lyons, MacDonald, Mazza, McAllister, McCormack, Mullin, Nitka, Pollina, Rodgers, Snelling, Starr, Zuckerman.

**Those Senators who voted in the negative were:** None.

**Those Senators absent and not voting were:** Ashe, Bray, Campbell, Sears, Westman, White.

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

**Third Readings Ordered**

**H. 474.**

Senator Pollina, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to amending the membership and charge of the Government Accountability Committee.

Reported that the bill ought to pass in concurrence.

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

**H. 525.**

Senator French, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to approval of amendments to the charter of the Town of Stowe.

Reported that the bill ought to pass in concurrence.

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

**H. 529.**

Senator McAllister, for the Committee on Government Operations, to which was referred House bill entitled:

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

Reported that the bill ought to pass in concurrence.

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

**Committee Relieved of Further Consideration; Bills Committed**

**H. 512.**

On motion of Senator Baruth, the Committee on Rules was relieved of further consideration of House bill entitled:

An act relating to approval of amendments to the charter of the City of Barre,

and the bill was committed to the Committee on Government Operations.

**H. 517.**

On motion of Senator Baruth, the Committee on Rules was relieved of further consideration of House bill entitled:

An act relating to approval of the adoption and the codification of the charter of the Town of St. Albans,

and the bill was committed to the Committee on Government Operations.

**Committee Relieved of Further Consideration**

**S. 37.**

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

An act relating to the creation of a tax increment financing district,

Thereupon, under the rule, the bill was ordered placed on the Calendar for notice the next legislative day.

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**Message from the Governor**

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

Mr. President:

I am directed by the Governor to inform the Senate that on the twenty-sixth day of April, 2013, he approved and signed bills originating in the Senate of the following titles:

**S. 3.** An act relating to allowing participation in out-of-state contests requiring a fee to enter.

**S. 144.** An act relating to the St. Albans state office building.

**S. 159.** An act relating to various amendments to Vermont's land use control law and related statutes.

**Message from the House No. 52**

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. 403.** An act relating to community supports for persons with serious functional impairments.

**H. 450.** An act relating to expanding the powers of regional planning commissions.

**H. 538.** An act relating to making miscellaneous amendments to education funding laws.

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

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

**S. 1.** An act relating to consideration of financial cost of criminal sentencing options.

**S. 151.** An act relating to miscellaneous changes to the laws governing commercial motor vehicle licensing and operation.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the Senate is requested.

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

**H.C.R. 116.** House concurrent resolution commemorating the second annual Turkic Cultural Day in Vermont.

**H.C.R. 117.** House concurrent resolution designating April 19, 2013 as Alzheimer's Awareness Day at the State House.

**H.C.R. 118.** House concurrent resolution designating April 2013 as the month of the military child in Vermont.

**H.C.R. 119.** House concurrent resolution in memory of Richard Swift of Barre Town.

**H.C.R. 120.** House concurrent resolution commemorating the sestercentennial of the Town of Stowe.

**H.C.R. 121.** House concurrent resolution celebrating Latchis Arts' 10th anniversary as the owner of the Latchis Hotel and Theatre.

**H.C.R. 122.** House concurrent resolution commemorating the sestercentennial of the Town of Swanton.

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

#### **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, were severally adopted in concurrence:

By Representative Johnson and others,

#### **H.C.R. 116.**

House concurrent resolution commemorating the second annual Turkic Cultural Day in Vermont.

By All Members of the House,

By All Members of the Senate,

#### **H.C.R. 117.**

House concurrent resolution designating April 19, 2013 as Alzheimer's Awareness Day at the State House.

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By Representative Cole and others,

By Senators Ashe, Baruth, Benning, Bray, Campbell, Cummings, Doyle, Flory, Fox, French, Galbraith, Hartwell, Kitchel, Lyons, Mazza, McCormack, Nitka, Rodgers, Starr, White and Zuckerman,

**H.C.R. 118.**

House concurrent resolution designating April 2013 as the month of the military child in Vermont.

By Representatives Koch and McFaun,

**H.C.R. 119.**

House concurrent resolution in memory of Richard Swift of Barre Town.

By Representative Scheuermann,

By Senator Westman,

**H.C.R. 120.**

House concurrent resolution commemorating the sestercentennial of the Town of Stowe.

By Representative Stuart and others,

**H.C.R. 121.**

House concurrent resolution celebrating Latchis Arts' 10th anniversary as the owner of the Latchis Hotel and Theatre.

By Representatives Savage and Consejo,

**H.C.R. 122.**

House concurrent resolution commemorating the sestercentennial of the Town of Swanton.

**Adjournment**

On motion of Senator Baruth, the Senate adjourned, to reconvene on Monday, April 29, 2013, at Noon pursuant to J.R.S. 28.