

# Journal of the Senate

FRIDAY, MARCH 21, 2014

Pursuant to the Senate Rules, in the absence of the President, the Senate was called to order by the President *pro tempore*.

## Devotional Exercises

Devotional exercises were conducted by the Reverend Rick Swanson of Stowe.

## Rules Suspended; Bill Committed

### S. 239.

Pending entry on the Calendar for notice, on motion of Senator Baruth, the rules were suspended and Senate bill entitled:

An act relating to the regulation of toxic substances.

Was taken up for immediate consideration.

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

Which was agreed to.

## Bill Amended; Bill Passed

### S. 261.

Senate bill entitled:

An act relating to electrical installations.

Was taken up.

Thereupon, pending third reading of the bill, Senator McAllister moved to amend the bill as follows:

First: In Sec. 1, 26 V.S.A. § 894, in subsection (b), after the following: “licensed journeyman or licensed master electrician.” by inserting the following: This subsection does not include the use of a generator due to an external loss of power.

Second: In Sec. 3, by striking out Sec. 3 in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. 26 V.S.A. § 910 is amended to read:

§ 910. LICENSE NOT REQUIRED

A license shall not be required for the following types of work:

(1) Any electrical work, including construction, installation, operation, maintenance, and repair of electrical installations in, on, or about equipment or premises, which are owned or leased by the operator of any industrial or manufacturing plant, if the work is done under the supervision of an electrical engineer or master electrician in the employ of the operator;

(2) Installation in laboratories of exposed electrical wiring for experimental purposes only;

(3) Any electrical work by ~~an~~ the owner ~~or his or her regular employees~~ in the ~~owner's~~ owner-occupied freestanding single unit residence, ~~in~~ or duplex as defined in subdivision (6) of this section and outbuildings accessory to ~~such~~ the freestanding single unit residence, ~~or any structure on owner-occupied farms;~~

(4) Electrical installations performed as a part of a training project of a vocational school or other educational institution. However, the installation shall be inspected if the building in which the installation is made, is to be used as a "complex ~~structure~~"; structure."

(5) Electrical work performed by an electrician's helper under the direct supervision of a person who holds an appropriate license issued under this chapter;

(6) Any electrical work in a building used for ~~dwelling~~ or residential purposes which contains no more than two dwelling units, provided that at least one unit is owner-occupied.

(7) Installation of solar electric modules and racking on complex structures to the point of connection to field-fabricated wiring and erection of net metered wind turbines.

(8) Installation of solar electric systems, including modules, racking, and inverters, and the balance of the system on freestanding single-family and two-family dwellings up to and including the point of connection with the existing electrical system, that connection being one or more back-fed breakers in an existing breaker panel.

Which was agreed to.

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

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**Bill Passed****S. 175.**

Senate bill of the following title was read the third time and passed:

An act relating to permitting a student to remain enrolled in a Vermont public school after moving to a new school district.

**Bill Amended; Bill Passed****S. 293.**

Senate bill entitled:

An act relating to reporting on population-level outcomes and indicators and on program-level performance measures.

Was taken up.

Thereupon, pending third reading of the bill, Senator Snelling moved to amend the bill as follows:

First: In Sec. 3 (initial population-level indicators), in subdivision (1) (Vermont has a prosperous economy), by striking out subparagraph (G) and inserting in lieu thereof a new subparagraph (G) to read as follows:

(G) Percent of food sales that come from Vermont farms.

Second: In Sec. 3, in subdivision (4) (Vermont's communities are safe and supportive), by striking out subparagraph (A) in its entirety and relettering the remaining subparagraphs to be alphabetically correct.

Third: In Sec. 3, in subdivision (4), in subparagraph (B), after "residents of petitions" by striking out "filed" and inserting in lieu thereof granted

Fourth: In Sec. 3, in subdivision (5) (Vermont's families are safe, nurturing, stable, and supported), in subparagraph (A), after the following: "rate per 1,000 children of" by striking out the word confirmed and inserting in lieu thereof substantiated

Fifth: In Sec. 3, in subdivision (6) (Vermont's children and young people achieve their potential), in subparagraph (E) (youths successfully transition to adulthood), by striking out sub-subparagraph (iv) and inserting in lieu thereof the following:

(iv) Percent of all deaths for Vermont youths 10–19 years of age.

Which was agreed to.

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

**Bill Passed****H. 718.**

Senate bill of the following title was read the third time and passed:

An act relating to approval of amendments to the charter of the Village of Derby Line.

**Joint Resolution Adopted on the Part of the Senate****J.R.S. 27.**

Joint Senate resolution of the following title was read the third time and adopted on the part of the Senate:

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

**Proposal of Amendment; Third Reading Ordered****H. 559.**

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

An act relating to membership on the Building Bright Futures Council.

Reported that the bill ought to pass in concurrence.

Senator Nitka, for the Committee on Appropriations, to which the bill was referred, reported recommending that the Senate propose to the House that the bill be amended as follows:

In Sec. 1, 33 V.S.A. § 4602, by striking out subsection (a) and inserting a new subsection (a) in lieu thereof as follows:

(a) The Building Bright Futures Program shall be governed by a statewide council comprising no more than 23 members. The Building Bright Futures Council's membership shall be as follows:

- (1) ~~the~~ The Secretary of Human Services or designee;
- (2) ~~the~~ The Secretary of Commerce and Community Development or designee;
- (3) ~~the~~ The Secretary of Education; or designee.
- (4) ~~the~~ The Commissioner for Children and Families; or designee.
- (5) ~~the~~ The Commissioner of Health; or designee.
- (6) ~~the~~ The Commissioner of Mental Health; or designee.

(7) ~~two members~~ One member of the House of Representatives, appointed by the Speaker of the House;

(8) ~~at least one but no more than two members~~ One member of the Senate, appointed by the Senate Committee on Committees;

(9) ~~the~~ The Head Start Collaboration Office Director; ~~and~~.

(10) ~~12~~ Fourteen at-large members, appointed by the Governor based on their commitment to early childhood well-being and representing a range of perspectives and geographic diversity. The Governor shall consider the recommendations of the Council's nominating committee. One of the at-large members shall be a representative of a local Head Start program and one shall be a member of a school board, to be recommended by the Vermont School Boards Association.

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 proposal of amendment was agreed to, and third reading of the bill was ordered.

### Message from the House No. 35

A message was received from the House of Representatives by Ms. Melissa Kucserik, 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. 325.** An act relating to a bill of rights for children of arrested and incarcerated parents.

**H. 646.** An act relating to unemployment insurance.

**H. 699.** An act relating to temporary housing.

**H. 758.** An act relating to Worker Adjustment and Retraining Notification.

**H. 866.** An act relating to qualifications of judicial officers and judicial selection and retention.

**H. 874.** An act relating to consent for admission to hospice care and for DNR/COLST orders.

**H. 875.** An act relating to the elimination of a defendant's right to a trial by jury in traffic appeals and fines for driving with license suspended.

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

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

**H. 702.** An act relating to self-generation and net metering.

And has severally concurred therein.

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

**H.C.R. 265.** House concurrent resolution celebrating the music of Vermont and designating November 2014 as Vermont Music Month.

**H.C.R. 266.** House concurrent resolution in memory of Beverly Mae Shores of Granby.

**H.C.R. 267.** House concurrent resolution honoring the Vermont Rail Action Network for its efforts to improve the State's rail service.

**H.C.R. 268.** House concurrent resolution congratulating the Vermont Rail System on its 50th anniversary.

**H.C.R. 269.** House concurrent resolution congratulating Norwich University on being ranked the second-best school nationally for cybersecurity education.

**H.C.R. 270.** House concurrent resolution honoring the youth education program of Unbound Grace-Sentinel Farms.

**H.C.R. 271.** House concurrent resolution congratulating Vermont's first ENERGY STAR qualified elementary and secondary schools.

**H.C.R. 272.** House concurrent resolution honoring former Rutland Town Fire Chief Joseph J. Denardo.

**H.C.R. 273.** House concurrent resolution in memory of Pownal Selectboard Member Dale Palmer.

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

The House has considered concurrent resolution originating in the Senate of the following title:

**S.C.R. 51.** Senate concurrent resolution congratulating Howard Coffin on his Gettysburg Sesquicentennial address.

And has adopted the same in concurrence.

#### **Senate Concurrent Resolution**

The following joint concurrent resolution, having been placed on the consent calendar on the preceding legislative day, and no Senator having

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requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, was adopted on the part of the Senate:

By All Members of the Senate,

By Representative Branagan and others,

**S.C.R. 51.**

Senate concurrent resolution congratulating Howard Coffin on his Gettysburg Sesquicentennial address.

**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 Pugh and others,

**H.C.R. 265.**

House concurrent resolution celebrating the music of Vermont and designating November 2014 as Vermont Music Month.

By Representative Quimby and others,

By Senators Benning, Rodgers and Starr,

**H.C.R. 266.**

House concurrent resolution in memory of Beverly Mae Shores of Granby.

By Representative Russell,

**H.C.R. 267.**

House concurrent resolution honoring the Vermont Rail Action Network for its efforts to improve the State's rail service.

By Representative Russell and others,

By Senators Campbell, Flory, French, Kitchel, Mazza, Mullin and Westman,

**H.C.R. 268.**

House concurrent resolution congratulating the Vermont Rail System on its 50th anniversary.

By Representative Grad and others,

**H.C.R. 269.**

House concurrent resolution congratulating Norwich University on being ranked the second-best school nationally for cybersecurity education.

By Representative Spengler and others,

By Senators Ayer and Bray,

**H.C.R. 270.**

House concurrent resolution honoring the youth education program of Unbound Grace-Sentinel Farms.

By Representative O'Brien and others,

**H.C.R. 271.**

House concurrent resolution congratulating Vermont's first ENERGY STAR qualified elementary and secondary schools.

By Representative Terenzini and others,

By Senators Flory, French and Mullin,

**H.C.R. 272.**

House concurrent resolution honoring former Rutland Town Fire Chief Joseph J. Denardo.

By Representative Botzow and others,

By Senators Hartwell and Sears,

**H.C.R. 273.**

House concurrent resolution in memory of Pownal Selectboard Member Dale Palmer.

**Adjournment**

On motion of Senator Baruth, the Senate adjourned, to reconvene on Tuesday, March 25, 2014, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 49.