

Journal of the Senate

TUESDAY, APRIL 1, 2014

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Stephen Edington of Montpelier.

Pledge of Allegiance

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

Message from the House No. 39

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. 695. An act relating to establishing a product stewardship program for primary batteries.

H. 590. An act relating to the safety and regulation of dams.

H. 555. An act relating to the commitment of a criminal defendant who is incompetent to stand trial because of a traumatic brain injury.

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

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

H.C.R. 274. House concurrent resolution congratulating Devin Logan on winning the silver medal at the first Olympic slopestyle skiing women's competition.

H.C.R. 275. House concurrent resolution designating April 9, 2014 as the Battle of Cedar Creek Remembrance Day.

H.C.R. 276. House concurrent resolution congratulating the 2014 Williamstown High School Blue Devils Division III championship boys' basketball team.

H.C.R. 277. House concurrent resolution honoring the Vermont State Grange.

H.C.R. 278. House concurrent resolution honoring Joyce Pedone for her municipal public service in the town of Clarendon.

H.C.R. 279. House concurrent resolution recognizing Project VISION for its role in addressing opiate addiction in Rutland City.

H.C.R. 280. House concurrent resolution honoring cancer survivors and their caregivers.

H.C.R. 281. House concurrent resolution congratulating the 2014 and ninth consecutive Essex High School State championship gymnastics team.

H.C.R. 282. House concurrent resolution congratulating the 2014 Essex High School Division I championship girls' indoor track team.

H.C.R. 283. House concurrent resolution designating April 15, 2014 as MS Awareness Day in Vermont.

H.C.R. 284. House concurrent resolution congratulating Lida Croteau Surridge on her 100th birthday.

H.C.R. 285. House concurrent resolution congratulating Rochester High School 2014 valedictorian Pavin Parrish on his academic and basketball accomplishments.

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

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

S.C.R. 52. Senate concurrent resolution expressing appreciation and gratitude to the Agency of Transportation Maintenance Section's employees for their 2013–2014 winter highway work.

S.C.R. 53. Senate concurrent resolution honoring Air Pollution Control Division Director Richard Valentinetti.

And has adopted the same in concurrence.

Bills Referred to Committee on Appropriations

House bills of the following titles, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule were severally referred to the Committee on Finance:

H. 589. An act relating to hunting, fishing, and trapping.

H. 650. An act relating to establishing the Ecosystem Restoration and Water Quality Improvement Special Fund.

H. 872. An act relating to the State's Transportation Program and miscellaneous changes to the State's transportation laws.

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. 53. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 4, 2014, it be to meet again no later than Tuesday, April 8, 2014.

Bills Referred

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

H. 555.

An act relating to the commitment of a criminal defendant who is incompetent to stand trial because of a traumatic brain injury.

To the Committee on Judiciary.

H. 590.

An act relating to the safety and regulation of dams.

To the Committee on Natural Resources and Energy.

H. 695.

An act relating to establishing a product stewardship program for primary batteries.

To the Committee on Natural Resources and Energy.

Bill Passed in Concurrence with Proposal of Amendment

H. 676.

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

An act relating to regulation of land uses within flood hazard areas.

Proposals of Amendment; Third Reading Ordered**H. 543.**

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

An act relating to records and reports of the Auditor of Accounts.

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

First: By striking Sec. 1 in its entirety and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. REPEAL

2012 Acts and Resolves No. 155, Sec. 24 (auditor website; audit findings) is repealed.

Second: In Sec. 2, 32 V.S.A. § 163, by striking subdivision (3) in its entirety and inserting in lieu thereof a new subdivision (3) to read as follows:

(3) ~~[Repealed.]~~ (A) Prominently post and retain on his or her official State website, and update at least annually on or before July 1, the following information:

(i) All reports with findings that result from audits conducted under subdivision (1) of this section.

(ii) A summary of significant recommendations contained in audit reports issued since January 1, 2012 arising from audits conducted under subdivision (1) of this section, and the dates on which corrective actions were taken related to those recommendations.

(iii) A summary of all embezzlement convictions, and false claim convictions as described in 13 V.S.A. § 3016, against any agency or department of the State, since July 1, 2007. The summary shall include the names of all persons convicted of those offenses.

(B) Follow up on recommendations described in subdivision (A)(ii) of this subdivision (3) at least biennially and for at least four years from the date of the audit report.

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

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.

Appointments Confirmed

The following Gubernatorial appointments were confirmed separately by the Senate, upon full reports given by the Committees to which they were referred:

DeMag, Allison Crowley of South Burlington - Member, State Police Advisory Commission - February 12, 2014, to June 30, 2016.

Gosselin, Lisa of Stowe - Commissioner, Economic Development, Department of - September 3, 2013, to February 28, 2015.

Adjournment

On motion of Senator Campbell, the Senate adjourned until one o'clock and thirty minutes in the afternoon on Wednesday, April 2, 2014.