

Journal of the Senate

WEDNESDAY, APRIL 2, 2014

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Ken White of Burlington.

Message from the House No. 40

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. 882. An act relating to compensation for certain State employees.

H. 884. An act relating to miscellaneous tax changes.

H. 885. An act relating to making appropriations for the support of government.

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

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

J.R.S. 51. Joint resolution providing for a Joint Assembly for the election of a successor legislative Trustees of the University of Vermont and State Agricultural College to fill the vacancy created by the resignation of Representative Sarah E. Buxton of Tunbridge.

J.R.S. 52. Joint resolution establishing a procedure for the conduct of the election of a UVM trustee by plurality vote by the General Assembly in 2014.

And has adopted the same in concurrence.

Senate Resolution Referred

S.R. 9.

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

Senate resolution requesting that the President and Congress of the United States recognize the independent Nagorno Karabakh Republic.

By Senator White, Baruth, Campbell, Doyle, Hartwell, Lyons, and Snelling,

S.R. 9. Senate resolution relating to requesting that the President and Congress of the United States recognize the independent Nagorno Karabakh Republic.

Whereas, the people of Vermont, dating back to the era of the independent Commonwealth of Vermont, have recognized the universal principle of self-determination, as underscored in the Constitution of the State of Vermont, which states, “That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community,” and

Whereas, the Constitution of the State of Vermont reaffirms that all power is originally inherent in and consequently derived from the people, and defends the “indubitable, unalienable, and inalienable right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal,” and

Whereas, the people of Nagorno Karabakh, during seven decades of Soviet dictatorship, sought for themselves and all those behind the Iron Curtain the same basic rights enjoyed by the people of Vermont and all the citizens of United States, namely the freedom to live in peace and security in their homeland, under a democratic government of their own choosing, and

Whereas, the citizens of Nagorno Karabakh, many of whom identify ethnically as Armenian but were placed under Azerbaijani control by Joseph Stalin, followed in the footsteps of Vermont’s founding fathers and, in the American spirit of democratic self-governance, on September 2, 1991, declared the independence of the Nagorno Karabakh Republic, and

Whereas, for more than two decades, the Nagorno Karabakh Republic has built a democratic, free-market-oriented society that has held Parliamentary and Presidential elections, and

Whereas, the Nagorno Karabakh Republic has been a responsible partner in international efforts toward a fair and lasting regional peace, *now therefore be it*

Resolved by the Senate:

That the Senate of the State of Vermont requests that the President and Congress of the United States recognize the independent Nagorno Karabakh Republic and reaffirm U.S. support for the progress of its people and government in building a democratic, free-market-oriented society committed

to freedom, security, and peace for its citizens and for all the peoples of the region, *and be it further*

Resolved: That the Secretary of the Senate be directed to send a copy of this resolution to President Obama and to the Vermont Congressional Delegation.

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

Bills Referred

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

H. 882.

An act relating to compensation for certain State employees.

To the Committee on Rules.

H. 884.

An act relating to miscellaneous tax changes.

To the Committee on Finance.

H. 885.

An act relating to making appropriations for the support of government.

To the Committee on Appropriations.

Rules Suspended; Bill Committed

S. 202.

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

An act relating to the energy efficiency charge.

Was taken up for immediate consideration.

Thereupon, pending the reading of the report of the Committee on Natural Resources and Energy, Senator Baruth moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Rules with the reports of the Committee on Natural Resources and Energy and Committee on Appropriations *intact*,

Which was agreed to.

Committee Relieved of Further Consideration; Bill Committed**H. 882.**

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

An act relating to compensation for certain State employees,
and the bill was committed to the Committee on Government Operations.

Committee Relieved of Further Consideration**S. 23.**

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

An act relating to access to records in adult protective services investigations.

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

Bill Passed in Concurrence with Proposals of Amendment**H. 543.**

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

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

Third Readings Ordered**H. 576.**

Senator Lyons, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to applications for the Lifeline program.

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. 631.

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

An act relating to lottery commissions.

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.

Proposals of Amendment; Third Reading Ordered

H. 799.

Senator Rodgers, for the Committee on Natural Resources and Energy, to which was referred House bill entitled:

An act relating to the importation of firewood.

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

First: In Sec. 1, in 10 V.S.A. § 2681, by inserting a new subsection (c) to read as follows:

(c) Penalties. Any person who violates a provision of this subchapter or the rules adopted under this subchapter shall be subject to a civil citation under section 8019 of this title.

Second: By striking out Sec. 2 in its entirety and inserting in lieu thereof 3 new sections to be numbered Secs. 2, 3, and 4 to read as follows:

Sec. 2. 10 V.S.A. § 8003 is amended to read:

§ 8003. APPLICABILITY

(a) The Secretary may take action under this chapter to enforce the following statutes and rules, permits, assurances, or orders implementing the following statutes:

* * *

(17) 10 V.S.A. § 2625, relating to heavy cutting of timber;

* * *

(22) 10 V.S.A. chapter 164A, collection and disposal of mercury-containing lamps; ~~and~~

(23) 24 V.S.A. § 2202a, relating to a municipality's adoption and implementation of a solid waste implementation plan that is consistent with the State Solid Waste Plan; and

(24) 10 V.S.A. chapter 83, subchapter 8, relating to the importation of firewood.

* * *

Sec. 3. 10 V.S.A. § 8503 is amended to read:

§ 8503. APPLICABILITY

(a) This chapter shall govern all appeals of an act or decision of the Secretary, excluding enforcement actions under chapters 201 and 211 of this title and rulemaking, under the following authorities and under the rules adopted under those authorities:

(1) The following provisions of this title:

* * *

(L) section 2625 (regulation of heavy cutting).

* * *

(R) chapter 32 (flood hazard areas).

(S) chapter 83, subchapter 8 (importation of firewood).

(2) 29 V.S.A. chapter 11 (management of lakes and ponds).

(3) 24 V.S.A. chapter 61, subchapter 10 (relating to salvage yards).

* * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2014.

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.

Message from the House No. 41

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 considered joint resolution originating in the Senate of the following title:

J.R.S. 53. Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

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

H. 559. An act relating to membership on the Building Bright Futures Council.

And has severally concurred therein.

Adjournment

On motion of Senator Campbell, the Senate adjourned until one o'clock in the afternoon on Thursday, April 3, 2014.