

# Journal of the Senate

WEDNESDAY, FEBRUARY 11, 2015

The Senate was called to order by the President.

## Devotional Exercises

Devotional exercises were conducted by the Reverend Taehaku of East Calais.

## Message from the House No. 18

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 a House bill of the following title:

**H. 73.** An act relating to the corporate governance structure of insurers.

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

## Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

### S. 78.

By Senator Flory,

An act relating to eliminating reciprocity as a precondition to recognizing out-of-state ATV registrations.

To the Committee on Transportation.

### S. 79.

By Senators Ayer, White, Lyons and Westman,

An act relating to requiring a town vote for each property exempt from the statewide education property tax.

To the Committee on Finance.

**S. 80.**

By Senators Collamore, Cummings, Doyle, Flory, Mullin and Pollina,

An act relating to the sale of fortified wine.

To the Committee on Economic Development, Housing & General Affairs.

**Bill Referred**

House bill of the following title was read the first time and referred:

**H. 73.**

An act relating to the corporate governance structure of insurers.

To the Committee on Finance.

**Proposals of Amendment; Substitute Proposals of Amendment; Third Reading Ordered****H. 82.**

Senator Kitchel, for the Committee on Appropriations, to which was referred House bill entitled:

An act relating to fiscal year 2015 budget adjustments.

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

First: By inserting two new sections to be numbered Secs. 42a and 42b to read as follows:

Sec. 42a. 2014 Acts and Resolves No. 179, Sec. B.605 is amended to read:

Sec. B.605 Vermont student assistance corporation

Grants	<u>19,511,514</u>	<u>19,511,587</u>
Total	<u>19,511,514</u>	19,511,587
Source of funds		
General fund	<u>19,511,514</u>	<u>19,511,587</u>
Total	<u>19,511,514</u>	19,511,587

Sec. 42b. 2104 Acts and Resolves No. 179, Sec. B.608 is amended to read:

Sec. B.608 Total higher education

Source of funds		
General fund	84,791,486	84,791,559
Global Commitment fund	<u>4,455,678</u>	<u>4,455,678</u>
Total	<u>89,247,164</u>	89,247,237

Second: By inserting a new section to be numbered Sec. 56a to read as follows:

Sec. 56a. 2014 Acts and Resolves No. 179, Sec. B.911 is amended to read:

Sec. B.911 Transportation - town highway structures

Grants	<u>6,333,500</u>	<u>3,833,500</u>
Total	6,333,500	3,833,500
Source of funds		
Transportation fund	<u>6,333,500</u>	<u>3,833,500</u>
Total	6,333,500	3,833,500

and by striking out Sec. 58 in its entirety and inserting in lieu thereof a new Sec. 58 to read as follows:

Sec. 58. 2014 Acts and Resolves No. 179, Sec. B.922 is amended to read:

Sec. B.922 Total transportation

Source of funds		
Transportation fund	<u>229,903,089</u>	227,403,089
TIB fund	<u>19,895,087</u>	19,395,087
Special funds	3,630,222	3,630,222
Federal funds	<u>407,147,672</u>	405,897,672
Internal service funds	<u>20,200,226</u>	19,452,400
Interdepartmental transfers	2,395,041	2,395,041
Local match	<u>2,592,411</u>	<u>2,592,411</u>
Total	<u>685,763,748</u>	680,765,922

and in Sec. 61(a), by inserting a new subdivision (4) to read as follows:

(4) The following amounts shall be transferred to the Transportation Infrastructure Bond Fund from the Transportation Fund: 2,500,000.00

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 pending the question, Shall the Senate propose to the House to amend the bill as recommended by the Committee on Appropriations?, Senator Kitchel, on behalf of the Committee on Appropriations, moved to substitute a proposal of amendment for the proposal of amendment of the Committee on Appropriations as follows:

That the Senate propose to the House to amend the bill as follows:

First: By inserting two new sections to be numbered Secs. 42a and 42b to read as follows:

Sec. 42a. 2014 Acts and Resolves No. 179, Sec. B.605 is amended to read:

Sec. B.605 Vermont student assistance corporation

Grants	<u>19,511,514</u>	<u>19,511,587</u>
Total	<u>19,511,514</u>	<u>19,511,587</u>
Source of funds		
General fund	<u>19,511,514</u>	<u>19,511,587</u>
Total	<u>19,511,514</u>	<u>19,511,587</u>

Sec. 42b. 2104 Acts and Resolves No. 179, Sec. B.608 is amended to read:

Sec. B.608 Total higher education

Source of funds		
General fund	84,791,486	84,791,559
Global Commitment fund	<u>4,455,678</u>	<u>4,455,678</u>
Total	<u>89,247,164</u>	<u>89,247,237</u>

Second: By inserting a new section to be numbered Sec. 56a to read as follows:

Sec. 56a. 2014 Acts and Resolves No. 179, Sec. B.911 is amended to read:

Sec. B.911 Transportation - town highway structures

Grants	<u>6,333,500</u>	<u>3,183,500</u>
Total	<u>6,333,500</u>	<u>3,183,500</u>
Source of funds		
Transportation fund	<u>6,333,500</u>	<u>3,183,500</u>
Total	<u>6,333,500</u>	<u>3,183,500</u>

and by striking out Sec. 58 in its entirety and inserting in lieu thereof a new Sec. 58 to read as follows:

Sec. 58. 2014 Acts and Resolves No. 179, Sec. B.922 is amended to read:

Sec. B.922 Total transportation

Source of funds		
Transportation fund	<u>229,903,089</u>	<u>226,753,089</u>
TIB fund	<u>19,895,087</u>	<u>19,395,087</u>
Special funds	3,630,222	3,630,222
Federal funds	<u>407,147,672</u>	<u>405,897,672</u>
Internal service funds	<u>20,200,226</u>	<u>19,452,400</u>
Interdepartmental transfers	2,395,041	2,395,041
Local match	<u>2,592,411</u>	<u>2,592,411</u>
Total	<u>685,763,748</u>	<u>680,115,922</u>

and in Sec. 61(a), by inserting a new subdivision (4) to read as follows:

(4) The following amounts shall be transferred to the Transportation Infrastructure Bond Fund from the Transportation Fund: 3,150,000.00

Third: In Sec. 89, in the first paragraph, by striking out the words “Agency of Administration” and inserting in lieu thereof the words Executive Office

Fourth: By inserting a new section to be numbered Sec. 91 to read as follows:

Sec. 91. GRANT ACCEPTANCE

(a) The following grant is hereby accepted and appropriated to the department indicated for the purpose specified by the grantor:

(1) JFO #2742 – \$21,593 grant from the Department of Justice, Office of Justice Programs to the Vermont Department of Public Safety. These funds will be used for planning, training and education for all agencies responsible for safeguarding communities and preventing prison rape.

And by renumbering the remaining section of the bill to be numerically correct.

Which was agreed to.

Thereupon, the proposals of amendment as substituted, were agreed to, and third reading of the bill was ordered on a roll call, Yeas 27, Nays 2.

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

**Roll Call**

**Those Senators who voted in the affirmative were:** Ashe, Ayer, Balint, Baruth, Bray, Campbell, Champion, Collamore, Cummings, Doyle, Flory, Kitchel, Lyons, MacDonald, Mazza, McCormack, Mullin, Nitka, Pollina, Rodgers, Sears, Sirotkin, Snelling, Starr, Westman, White, Zuckerman.

**Those Senators who voted in the negative were:** Degree, McAllister.

**The Senator absent and not voting was:** Benning.

**Bill Passed in Concurrence**

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

**H. 10.** An act relating to approval of amendments to the charter of the Town of Barre.

**Third Reading Ordered****H. 16.**

Senator Ashe, for the Committee on Judiciary, to which was referred House bill entitled:

An act relating to requiring an inmate to report to the Sex Offender Registry prior to release from a correctional facility.

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; Bill Committed****S. 66.**

On motion of Senator Ayer, the Committee on Health & Welfare was relieved of further consideration of Senate bill entitled:

An act relating to persons who are deaf or hard of hearing,

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

**Appointment of Senate Members to Joint Fiscal Committee**

Pursuant to the provisions of 2 V.S.A. §501, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Fiscal Committee for terms of two years ending February 1, 2017:

Senator Kitchel, *ex officio*

Senator Ashe, *ex officio*

Senator Sears

Senator Snelling

Senator Ayer

**Appointment of Senate Members of the Legislative Committee on Administrative Rules**

Pursuant to the provisions of 3 V.S.A. §817, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Committee on Administrative Rules for terms of two years ending February 1, 2017:

Senator MacDonald

Senator Flory

Senator Snelling

Senator Lyons

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**Message from the House No. 19**

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. 15.** Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

**Adjournment**

On motion of Senator Campbell, the Senate adjourned until one o'clock in the afternoon on Thursday, February 12, 2015.