

Journal of the Senate

FRIDAY, FEBRUARY 17, 2017

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.

Message from the House No. 21

A message was received from the House of Representatives by Ms. Rebecca Silbernagel, 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. 55. An act relating to appointing public defenders for accused persons 25 years of age or less.

H. 75. An act relating to the Government Accountability Committee and the State Outcomes Report.

H. 238. An act relating to modernizing and reorganizing Title 7.

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. 125. An act relating to fiscal year 2017 budget adjustments.

And has severally concurred therein.

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

H.C.R. 39. House concurrent resolution in memory of Londonderry Selectboard Chair Steve Prouty.

H.C.R. 40. House concurrent resolution congratulating the Vermont League of Cities and Towns on its 50th anniversary.

H.C.R. 41. House concurrent resolution congratulating Alicia Dana of Putney on winning a silver medal in the women's handcycling time trial at the Rio 2016 Paralympic Games.

H.C.R. 42. House concurrent resolution honoring the creators of “Our Time” song and music video.

H.C.R. 43. House concurrent resolution designating February 16, 2017 as Suicide Prevention Awareness Day in Vermont.

H.C.R. 44. House concurrent resolution congratulating the 2016 Windsor High School Yellow Jackets Division III championship football team.

H.C.R. 45. House concurrent resolution in memory of Barbara A. MacIntyre.

H.C.R. 46. House concurrent resolution congratulating the 2016 Proctor High School Division IV girls’ soccer championship team.

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

Bills Referred

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

H. 55.

An act relating to appointing public defenders for accused persons 25 years of age or less.

To the Committee on Judiciary.

H. 75.

An act relating to the Government Accountability Committee and the State Outcomes Report.

To the Committee on Rules.

H. 238.

An act relating to modernizing and reorganizing Title 7.

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

Bills Passed

Senate bills of the following titles were severally read the third time and passed:

S. 12. An act relating to increasing the maximum prison sentence for first, second, and subsequent offenses of aggravated animal cruelty.

S. 14. An act relating to expanding the Vermont Practitioner Recovery Network.

S. 16. An act relating to expanding patient access to the Medical Marijuana Registry.

Bill Amended; Bill Passed

S. 23.

Senate bill entitled:

An act relating to juvenile jurisdiction.

Was taken up.

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

First: In Sec. 4, in 33 V.S.A. § 5281, subsection (b), after the following: “the Family Division shall hold a hearing pursuant to section 5283 of this title.” by inserting a new sentence to read as follows: Pursuant to section 5110 of this title, the hearing shall be confidential.

Second: In Sec. 4, in 33 V.S.A. § 5282, by striking out subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c) A report filed pursuant to this section is privileged and shall not be disclosed to any person other than:

(1) the Department;

(2) the court;

(3) the State’s Attorney;

(4) the youth, the youth’s attorney, and the youth’s guardian ad litem;

(5) the youth’s parent, guardian, or custodian if the youth is under 18 years of age, unless the court finds that disclosure would be contrary to the best interest of the child;

(6) the Department of Corrections; or

(7) any other person when the court determines that the best interests of the youth would make such a disclosure desirable or helpful.

Which were collectively agreed to.

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

Third Reading Ordered

H. 53.

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

An act relating to permitting planting projects in flood hazard areas.

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.

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 Olsen,

H.C.R. 39.

House concurrent resolution in memory of Londonderry Selectboard Chair Steve Prouty.

By Reps. Devereux and others,

H.C.R. 40.

House concurrent resolution congratulating the Vermont League of Cities and Towns on its 50th anniversary.

By Reps. Deen and others,

H.C.R. 41.

House concurrent resolution congratulating Alicia Dana of Putney on winning a silver medal in the women's handcycling time trial at the Rio 2016 Paralympic Games.

By Reps. Troiano and others,

H.C.R. 42.

House concurrent resolution honoring the creators of "Our Time" song and music video.

By Reps. Donahue and others,

By Senators Ayer, Nitka, and White,

H.C.R. 43.

House concurrent resolution designating February 16, 2017 as Suicide Prevention Awareness Day in Vermont

By Reps. Belaski and others,

H.C.R. 44.

House concurrent resolution congratulating the 2016 Windsor High School Yellow Jackets Division III championship football team.

By Reps. Miller and others,

By Senators Campion and Sears,

H.C.R. 45.

House concurrent resolution in memory of Barbara A. MacIntyre.

By Reps. Potter and others,

By Senators Collamore, Flory, and Mullin,

H.C.R. 46.

House concurrent resolution congratulating the 2016 Proctor High School Division IV girls' soccer championship team.

Adjournment

On motion of Senator Mazza, the Senate adjourned, to reconvene on Tuesday, February 21, 2017, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 16.