

Senate Calendar

THURSDAY, JANUARY 26, 2012

SENATE CONVENES AT: 1:30 PM

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ACTION CALENDAR

UNFINISHED BUSINESS

of Wednesday, January 25, 2012

Second Reading

Favorable

H. 505.

An act relating to allowing the treasurer to defer the December 1, 2011 education payments to help towns affected by federal disasters in 2011 in Vermont.

Reported favorably by Senator MacDonald for the Committee on Finance.

(Committee vote: 7-0-0)

Resolution for Action

J.R.H. 20.

Joint resolution authorizing 2012 Green Mountain Boys' State to conduct a civic education program at the State House.

PENDING QUESTION: Shall the joint resolution be adopted?

(For text of resolution, see Senate Journal of January 24, 2012, page 66.)

NEW BUSINESS

Second Reading

Favorable with Proposal of Amendment

H. 258.

An act relating to public participation in environmental enforcement proceedings.

Reported favorably with recommendation of proposal of amendment by Senator Lyons for the Committee on Natural Resources and Energy.

The Committee recommends that the Senate propose to the House to amend the bill by striking out Secs. 11 and 12 in their entirety and inserting in lieu thereof the following:

Sec. 11. EFFECTIVE DATE

This act shall take effect on July 1, 2012.

(Committee vote: 4-0-1)

(For House amendments, see House Journal for April 12, 2011, page 840 and April 13, 2011, page 863.)

NOTICE CALENDAR

Favorable

H. 515.

An act relating to holding public agencies harmless for disclosure of property tax adjustment information.

Reported favorably by Senator Flory for the Committee on Government Operations.

(Committee vote: 4-0-1)

(For House amendments, see House Journal of January 12, 2012, page 34)

Favorable with Recommendation of Amendment

S. 181.

An act relating to school resource officers.

Reported favorably with recommendation of amendment by Senator Baruth for the Committee on Education.

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 16 V.S.A. § 1167 is added to read:

§ 1167. SCHOOL RESOURCE OFFICER; MEMORANDUM OF UNDERSTANDING

(a) Neither the state board nor the department shall regulate the use of restraint and seclusion in a school by a fully sworn school resource officer certified pursuant to 20 V.S.A. § 2358. This subsection supersedes any state board rule that purports to regulate that use.

(b) A school board or its designee may enter into a memorandum of understanding with a municipal police department or other law enforcement entity to restrict the use or possession of any weapon or device by a school resource officer on school property.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee vote: 5-0-0)

S. 249.

An act relating to Vermont Strong commemorative motor vehicle plates.

Reported favorably with recommendation of amendment by Senator Westman for the Committee on Finance.

The Committee recommends that the bill be amended in Sec. 1, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read:

(b) Authority; accounting and reporting.

(1) The department of motor vehicles (“department”) is authorized to design, manufacture or procure, and distribute commemorative plates that include the text “Vermont Strong” in accordance with this section. The department and Vermont Life magazine are authorized to sell commemorative plates. The department may also authorize other persons to sell commemorative plates, provided that such persons are required to pay the department \$25.00 per plate within 30 days of receiving the plates from the department.

(2) A Vermont Strong commemorative plate fund (the “fund”) is established. The fund shall be under the control of the commissioner of motor vehicles or designee, and shall consist of all receipts from the sales of Vermont Strong commemorative plates. The commissioner shall account for all proceeds of sales of commemorative plates and all receipts into and disbursements from the fund; shall track the number of plates distributed and sold; and shall track and collect payments owed for plates distributed. The commissioner shall transfer funds from the fund in accordance with subsection (d) of this section no less often than once per month. The department shall report its accounting of fund receipts and disbursements, plate inventory, and uncollected payments for plates distributed to the joint fiscal committee at its November 2012 meeting.

(Committee vote: 7-0-0)

Reported favorably with recommendation of amendment by Senator Illuzzi for the Committee on Appropriations.

The Committee recommends that the bill be amended as recommended by the Committee on Finance with the following amendment thereto:

In Sec. 1, in subsection (e), by striking the words “transportation fund” and inserting in lieu thereof the words Vermont Strong commemorative plate fund

(Committee vote: 7-0-0)

CONCURRENT RESOLUTIONS FOR NOTICE

S.C.R. 34 - 35 (For text of Resolutions, see Addendum to Senate Calendar for January 26, 2012)

H.C.R. 243 - 251 (For text of Resolutions, see Addendum to House Calendar for January 26, 2012)

CONFIRMATIONS

The following appointments will be considered by the Senate, as a group, under suspension of the Rules, as moved by the President *pro tempore*, for confirmation together and without debate, by consent thereby given by the Senate. However, upon request of any senator, any appointment may be singled out and acted upon separately by the Senate, with consideration given to the report of the Committee to which the appointment was referred, and with full debate; and further, all appointments for the positions of Secretaries of Agencies, Commissioners of Departments, Judges, Magistrates, and members of the Public Service Board shall be fully and separately acted upon.

David Luce of Waterbury Center – Member of the Community High School of Vermont Board- By Sen. Kittell for the Committee on Education. (1/13/12)

Beth Robinson of Ferrisburgh – Associate Justice, Vermont Supreme Court – By Sen. Snelling for the Committee on Judiciary. (1/25/12)

Lamont Barnett of Rockingham – Member of the Vermont Housing Finance Agency – by Sen. McCormack for the Committee on Finance (1/31/12)

PUBLIC HEARINGS

Joint Public Hearing on Fiscal Year 2013 state budget on Vermont Interactive Television House and Senate Committees on Appropriations

Monday, February 13, 2011, 4:00 - 6:30 p.m. – The House and Senate Committees on Appropriations will hold a joint public hearing on Vermont Interactive Television (V.I.T.) to give Vermonters throughout the state an opportunity to express their views about the state budget for fiscal year 2013. All 14 V.I.T. sites will be available for the hearing: Bennington, Brattleboro, Castleton, Johnson, Lyndonville, Middlebury, Montpelier, Newport, Randolph Center, Rutland, Springfield, St. Albans, White River Junction and Williston. V.I.T.'s web site has an up-to-date location listing, including driving directions, addresses and telephone numbers, <http://www.vitlink.org/>.

The Governor's budget proposal can be viewed at the Department of Finance's website: http://finance.vermont.gov/state_budget/rec. For information about the format of this event or to submit written testimony, call the House Appropriations Committee office at 802/828-5767 or email

tutton@leg.state.vt.us. Requests for interpreters should be made to the office by 12:00 noon on Monday, January 30, 2011.

REPORTS ON FILE

Reports 2012

Pursuant to the provisions of 2 V.S.A. §20(c), one (1) hard copy of the following reports is on file in the office of the Secretary of the Senate. Effective January 2010, pursuant to Act No. 192, Adj. Sess. (2008) §5.005(g) some reports will automatically be sent by electronic copy only and can be found on the State of Vermont webpage.

1. Certificate of Need Application of Bio-Medical Applications of New Hampshire, Inc. (BISHCA Docket No. 11004.H). (January 2012).
2. Joint Legislative Corrections Oversight Committee. (January 2012).
3. Vermont Center for Geographic Information 2012 Annual Report. (January 2012).
4. Report of the Travel Information Council. (Agency of Commerce and Community Development). (January 2012)
5. Report Re: Sec. 71. Study; net cost of government contracting; economic modeling. (Office of the Secretary of Administration). (January 2012)

NOTICE OF JOINT ASSEMBLY

Thursday, February 16, 2012 - 10:30 A.M. - Election of two (2) trustees for the Vermont State Colleges Corporation.

Candidates for the positions of trustee must notify the Secretary of State **in writing** not later than Thursday, February 9, 2012, by 5:00 P.M. pursuant to the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.