

Senate Calendar

TUESDAY, JANUARY 31, 2012

SENATE CONVENES AT: 9:30 A.M.

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ORDERS OF THE DAY

ACTION CALENDAR

CONSIDERATION INTERRUPTED BY ADJOURNMENT

Second Reading

Favorable with Proposal of Amendment

H. 258.

An act relating to public participation in environmental enforcement proceedings.

PENDING QUESTION: Shall the Senate propose to the House to amend the bill as recommended by the Committee on Natural Resources and Energy?

(For text of the Committee recommendation, see Senate Journal for January 26, 2012, page 78.)

NEW BUSINESS

Third Reading

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.

Second Reading

Favorable with Recommendation of Amendment

S. 181.

An act relating to school resource officers.

Reported favorably with recommendation of amendment by Senator Doyle 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)

Joint Resolutions For Action

J.R.H. 21.

Joint resolution supporting the establishment of the National Women's History Museum in Washington, D.C.

PENDING QUESTION: Shall the joint resolution be adopted in concurrence

(For text of resolution, see Senate Journal of January 26, 2012, page 74.)

Senate Resolutions For Action

S.R. 14.

Senate resolution urging Vermonters to respect personal privacy in the dissemination of information heard on a public safety scanning receiver.

PENDING QUESTION: Shall the resolution be adopted?

(For text of resolution, see Senate Journal of January 26, 2012, page 72.)

NOTICE CALENDAR

Second Reading

Favorable

H. 507.

An act relating to authorizing the city of Burlington to issue in fiscal year 2013 the school bond approved in 2009.

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

(Committee vote: 4-0-1)

Favorable with Recommendation of Amendment

S. 245.

An act relating to requiring cardiovascular care instruction as a secondary school graduation requirement.

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. § 906 is amended to read:

§ 906. COURSE OF STUDY

(a) In public schools, approved and recognized independent schools, and in home study programs, learning experiences shall be provided for pupils in the minimum course of study.

(b) For purposes of this title, the minimum course of study means learning experiences adapted to a pupil's age and ability in the fields of:

* * *

(3) Physical education and comprehensive health education pursuant to §§ 131–135 of this title, including the effects of tobacco, alcoholic drinks, and drugs on the human system and on society and including instruction in cardiopulmonary resuscitation and the use of automated external defibrillators;

* * *

Sec. 2. 16 V.S.A. § 131 is amended to read:

§ 131. DEFINITIONS

For the purposes of this subchapter, “comprehensive health education” means a systematic and extensive elementary and secondary educational program designed to provide a variety of learning experiences based upon knowledge of the human organism as it functions within its environment. The term includes the study of:

* * *

(3) Safety including:

(A) first aid, disaster prevention, and accident prevention; and

(B) cardiopulmonary resuscitation and the use of automated external defibrillators;

* * *

Sec. 3. 16 V.S.A. § 133 is amended to read:

§ 133. SUPERVISOR; CURRICULA

(a) The commissioner with the approval of the state board may appoint one qualified person to supervise the preparation of appropriate curricula for use in the public schools, to promote programs for the preparation of teachers to teach

these curricula, and to assist in the development of comprehensive health education programs.

~~(b) The commissioner shall evaluate and report the status of the comprehensive health education program as defined above to the board of education and to the chairmen of the house and senate committees on education no later than January 15, 1979. [Repealed.]~~

(c) Vermont school districts may include a module within the secondary school health class curricula relating to cervical cancer and the human papillomavirus. The department of education shall work with relevant medical authorities to update the current model module to reflect up-to-date information and practices for health education in this area.

(d) Instruction in cardiopulmonary resuscitation and the use of automated external defibrillators shall be offered to all students at the secondary school level and:

(1) shall be a program based on current, nationally recognized guidelines and developed by the American Heart Association, the American Red Cross, or another nationally recognized entity;

(2) shall include practical, skills-based experiences and assessments to support cognitive learning; and

(3) if successful completion of the program will result in certification of the student to perform cardiopulmonary resuscitation or to use an automated external defibrillator, shall be taught by a certified instructor.

Sec. 4. 16 V.S.A. § 212 is amended to read:

§ 212. COMMISSIONER'S DUTIES GENERALLY

The commissioner shall execute those policies adopted by the state board in the legal exercise of its powers and shall:

* * *

(18) Annually inform superintendents and principals of regional resources available to assist schools to provide instruction in cardiopulmonary resuscitation and the use of automated external defibrillators.

Sec. 5. EFFECTIVE DATE; IMPLEMENTATION

(a) This act shall take effect on passage.

(b) Schools shall begin providing instruction in cardiopulmonary resuscitation and the use of automated external defibrillators as required in this act no later than the 2013–2014 academic year.

CONCURRENT RESOLUTIONS FOR ACTION

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.