

# Journal of the Senate

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TUESDAY, JANUARY 17, 2012

The Senate was called to order by the President.

## Devotional Exercises

Devotional exercises were conducted by the Reverend Paul Habersang of Montpelier.

## Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

## Message from the House No. 5

A message was received from the House of Representatives by Ms. H. Gwynn Zakov, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

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

**H.C.R. 217.** House concurrent resolution in memory of United States Marine Corporal Ian M. Muller of Danville.

**H.C.R. 218.** House concurrent resolution congratulating the 2011 Hartford High School Hurricanes Division I championship football team.

**H.C.R. 219.** House concurrent resolution congratulating Bruce Garrow on being named the 2011 Henry Giaouque Vermont Elementary Principal of the Year.

**H.C.R. 220.** House concurrent resolution congratulating the 2011 Fair Haven Union High School Slaters Division II championship football team.

**H.C.R. 221.** House concurrent resolution congratulating the 2011 Milton High School Yellowjackets Division II girls' soccer championship team.

**H.C.R. 222.** House concurrent resolution congratulating Grafton Elementary School students on winning a Governor's Award for Environmental Excellence.

**H.C.R. 223.** House concurrent resolution congratulating Ann Thompson of Cavendish on her winning a Presidential Award for Excellence in Mathematics and Science Teaching.

**H.C.R. 224.** House concurrent resolution honoring Vermont Public Radio's Vermont Edition for its extraordinary community service in the aftermath of Tropical Storm Irene.

**H.C.R. 225.** House concurrent resolution congratulating the 2011 Woodstock Union High School Wasps Division III championship football team.

**H.C.R. 226.** House concurrent resolution congratulating Edward Webbley on his selection as the 2011 Vermont Principals' Association's Robert F. Pierce Vermont Secondary Principal of the Year.

**H.C.R. 227.** House concurrent resolution congratulating Essex High School teacher Maria Ung on her receipt of a Milken Family Foundation National Education Award.

**H.C.R. 228.** House concurrent resolution honoring outstanding recently retired employees of the Northfield public school system.

**H.C.R. 229.** House concurrent resolution in memory of former Representative Rene L. Blanchard of Essex.

**H.C.R. 230.** House concurrent resolution congratulating the 2011 recipients of the Vermont Truck & Bus Association Master Truck Driver certification.

**H.C.R. 231.** House concurrent resolution expressing sympathy and good wishes to Lieutenant Governor Phil Scott on the fire that severely damaged DuBois Construction Inc..

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

**Committee Relieved of Further Consideration; Bill Committed**

**S. 248.**

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

An act relating to law enforcement officer licensing and regulation.

Thereupon, pending entry of the bill on the Calendar for notice the next legislative day, on motion of Senator Sears, the bill was committed to the Committee on Government Operations.

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**Joint Senate Resolution Adopted on the Part of the Senate**

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senators Carris and Mullin,

**J.R.S. 39.** Joint resolution relating to weekend adjournment.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Thursday, January 19, 2012, or, Friday, January 20, 2012, it be to meet again no later than Tuesday, January 24, 2012.

**Rules Suspended; Third Reading Ordered; Rules Suspended; Bill Passed in Concurrence; Bill Messaged**

**H. 461.**

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

An act relating to the reimbursement of statewide education property taxes that were abated due to flood damage.

Was taken up for immediate consideration.

Senator MacDonald, for the Committee on Finance, to which the bill was referred, reported that the bill ought to pass in concurrence.

Senator Kitchel, for the Committee on Appropriations, to which the bill was referred, 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 on a roll call, Yeas 23, Nays 0.

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

**Roll Call**

**Those Senators who voted in the affirmative were:** Ayer, Benning, Brock, Campbell, Carris, Cummings, Flory, Fox, Giard, Hartwell, Kitchel, Kittell, Lyons, MacDonald, Mazza, McCormack, Miller, Mullin, Nitka, Pollina, Sears, Starr, White.

**Those Senators who voted in the negative were:** None.

**Those Senators absent and not voting were:** Ashe, Baruth, Doyle, Galbraith, Illuzzi, Snelling, Westman.

Thereupon, on motion of Senator Campbell, the rules were suspended and the bill was placed on all remaining stages of its passage in concurrence forthwith.

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

Thereupon, on motion of Senator Campbell, the rules were suspended, and the bill was ordered messaged to the House forthwith.

#### **Committee of the Whole**

On motion of Senator Campbell the Senate resolved itself into a Committee of the Whole to discuss the impacts and devastation of Hurricane Irene.

Thereupon, the President appointed Senator Campbell as Chair of the Committee of the Whole, and the Committee proceeded to the consideration of its business.

Thereupon, Senator Carris moved that the Committee of the Whole rise and report, which was agreed to.

Thereupon, the President resumed the Chair.

Thereupon, Senator Campbell, on behalf of the Committee of the Whole, reported progress.

#### **Message from the House No. 6**

A message was received from the House of Representatives by Ms. H. Gwynn Zakov, 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. 493.** An act relating to approval of amendments to the charter of the city of South Burlington.

**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.

**H. 515.** An act relating to holding public agencies harmless for disclosure of property tax adjustment information.

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

**Adjournment**

On motion of Senator Campbell, the Senate adjourned until one o'clock and thirty minutes in the afternoon on Thursday, January 19, 2012.