

Journal of the Senate of the STATE OF VERMONT ADJOURNED SESSION, 2024

WEDNESDAY, JANUARY 3, 2024

Pursuant to the provisions of the 2023 final adjournment joint resolution of the two Houses (J.R.S. 29), the Senate convened at the State House at Montpelier, on Wednesday, the third day of January, two thousand twenty-four.

At ten o'clock in the forenoon, Eastern Standard Time, the Senate was called to order by the President, Lieutenant Governor David E. Zuckerman.

Devotional Exercises

Devotional exercises were conducted by the Reverend Devon Thomas of South Burlington.

Pledge of Allegiance

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

Message from the Governor Appointments Referred

A message was received from the Governor, by Brittney L. Wilson, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

The nominations of

Barron, Lisa M. of Milton - Member of the Board of Libraries - from July 12, 2023 to February 28, 2026.

To the Committee on Education.

Bates, Roderick of Perkinsville - Member of the Board of Libraries - from July 12, 2023 to February 28, 2027.

To the Committee on Education.

Battles, Benjamin D. of Waterbury - Superior Court Judge - from December 12, 2023 to March 31, 2026.

To the Committee on Judiciary.

Becher, Jeffrey of Vergennes - Member of the Electricians' Licensing Board - from June 5, 2023 to June 30, 2024.

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

Benoit, John of Barre - Member of the Electricians' Licensing Board - from July 5, 2023 to June 30, 2026.

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

Bloomer, Betsy Ide of Rutland - Member of the Vermont State Colleges Board of Trustees - from September 25, 2023 to February 28, 2027.

To the Committee on Education.

Bolton, Margaret of Vergennes - Member of the State Board of Health - from March 27, 2023 to February 28, 2029.

To the Committee on Health and Welfare.

Burke, Alexander N. of Arlington - Superior Court Judge - from November 17, 2023 to March 31, 2029.

To the Committee on Judiciary.

Ciappenelli, Rob of Warren - Member of the Board of Medical Practice - from November 1, 2023 to December 31, 2023.

To the Committee on Health and Welfare.

Clifford, Eric of Starksboro - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 28, 2026.

To the Committee on Natural Resources and Energy.

Cruickshank, Brenda A. of Northfield - Member of the Human Services Board - from April 10, 2023 to February 28, 2029.

To the Committee on Health and Welfare.

Dailey, Karina of Jericho - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 28, 2026.

To the Committee on Natural Resources and Energy.

Davis, Clarence of Shelburne - Member of the Vermont Housing and Conservation Board - from March 27, 2023 to January 31, 2026.

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

Elliott, Wayne of South Burlington - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 28, 2026.

To the Committee on Natural Resources and Energy.

Farrell, Alex of South Burlington - Commissioner of the Department of Housing and Community Development - from November 1, 2023 to February 28, 2025.

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

Fearon, Grey of Panton - Student Member of the State Board of Education - from June 23, 2023 to June 30, 2025.

To the Committee on Education.

Fels, Jennifer of North Bennington - Member of the Board of Libraries - from July 12, 2023 to February 28, 2026.

To the Committee on Education.

Fisher, Lori of Williston - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 28, 2026.

To the Committee on Natural Resources and Energy.

Fisher, Robert of Barre - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 28, 2024.

To the Committee on Natural Resources and Energy.

Gobeille, Kim of Shelburne - Member of the Vermont Economic Progress Council - from April 10, 2023 to March 31, 2027.

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

Goodrich, Steven of North Bennington - Member of the Plumbers' Examining Board - from July 5, 2023 to June 30, 2027.

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

Hankerson, Mario of Barre - Member of the Vermont Educational and Health Buildings Financing Agency - from April 10, 2023 to February 29, 2028.

To the Committee on Finance.

Harritt, Susan of Jericho - Member of the Human Services Board - from April 10, 2023 to February 28, 2029.

To the Committee on Health and Welfare.

Houghton, Mary of Putney - Commissioner of the Vermont State Housing Authority - from September 25, 2023 to February 28, 2024.

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

Katz, Adriene of Williston - Member of the Board of Libraries - from June 5, 2023 to February 28, 2027.

To the Committee on Education.

Lucci, William of Poultney - Member of the Community High School of Vermont Board - from September 25, 2023 to February 28, 2026.

To the Committee on Education.

Lunge, Robin of Berlin - Member of the Green Mountain Care Board - from October 2, 2023 to September 30, 2029.

To the Committee on Health and Welfare.

Malone, Rachel Marie of South Burlington - Superior Court Judge - from December 12, 2023 to March 31, 2026.

To the Committee on Judiciary.

McManus, Susan Ann of Manchester - Superior Court Judge - from November 17, 2023 to March 31, 2029.

To the Committee on Judiciary.

Metz, Janet of Jericho - Member of the Employment Security Board - from August 14, 2023 to February 28, 2029.

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

Naud, Mark of South Hero - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 28, 2024.

To the Committee on Natural Resources and Energy.

Philibert, Dawn of Williston - Member of the Board of Medical Practice - from November 1, 2023 to December 31, 2023.

To the Committee on Health and Welfare.

Reilly-Hughes, Denise of Cavendish - Secretary of the Agency of Digital Services - from September 14, 2023 to February 28, 2025.

To the Committee on Government Operations.

Scott, Judith of St. George - Member of the Board of Medical Practice - from November 15, 2023 to December 31, 2023.

To the Committee on Health and Welfare.

Smith, Denise of St. Albans - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 29, 2024.

To the Committee on Natural Resources and Energy.

Soloman, Hilary of Middletown Springs - Member of the VT Citizens' Advisory Committee on Lake Champlain's Future - from July 14, 2023 to February 28, 2024.

To the Committee on Natural Resources and Energy.

Spero, Navah C. of Richmond - Superior Court Judge - from December 21, 2023 to March 31, 2029.

To the Committee on Judiciary.

Thibault, Rory Thomas of Cabot - Superior Court Judge - from June 9, 2023 to March 31, 2029.

To the Committee on Judiciary.

Westervelt, Jan of Cabot - Member of the Human Services Board - from April 10, 2023 to February 28, 2029.

To the Committee on Health and Welfare.

Wilburn, Aaliyah of Derby - Student Member of the State Board of Education - from June 23, 2023 to June 30, 2024.

To the Committee on Education.

Joint Senate Resolutions Adopted on the Part of the Senate

Joint Senate resolutions of the following titles were offered, read and adopted on the part of the Senate, and are as follows:

By Senator Baruth,

J.R.S. 31. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, January 5, 2024, it be to meet again no later than Tuesday, January 9, 2024.

By Senator Baruth,

J.R.S. 32. Joint resolution to provide for a Joint Assembly to receive the State-of-the-State message from the Governor.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, January 4, 2024, at two o'clock in the afternoon to receive the State-of-the-State message from the Governor.

By Senator Baruth,

J.R.S. 33. Joint resolution relating to Town Meeting adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 1, 2024, or Saturday, March 2, 2024, it be to meet again no later than Tuesday, March 12, 2024.

Senate Resolutions Adopted

Senate resolutions of the following titles were offered, read and adopted, and are as follows:

By Senator Baruth,

S.R. 12. Senate resolution relating to concurrently conducted electronic committee meetings.

Resolved by the Senate:

Notwithstanding the language in Permanent Senate Rule 32A limiting the applicability of Senate Rule 32A to Declarations of Emergency, the provisions of Permanent Senate Rule 32A regarding committee meetings shall be in effect through Friday, March 1, 2024.

By Senator Baruth,

S.R. 13. Senate resolution relating to electronic participation in Senate Sessions.

Resolved by the Senate:

That temporary Rule 9B(b), be amended as follows:

Rule 9B. Temporary Rule Regarding Electronic Participation in Senate Sessions

* * *

(b) This temporary rule shall remain in effect through Friday, ~~January 5,~~ 2024 March 1, 2024.

Senate Resolution Placed on Calendar

S.R. 14.

Senate resolution of the following title was offered, read the first time and is as follows:

By Senator Baruth,

S.R. 14. Senate resolution relating to updating the Senate disclosure form.

Whereas, Under Senate Rule 103, on or before the 10th day of the beginning of the biennium, each senator shall submit to the Secretary a completed disclosure form, and

Whereas, the current disclosure form was adopted by the Senate in 2016, and

Whereas, as it has been over seven years since the form was adopted, and

Whereas, an improved disclosure form should require senators to disclose the information currently required by the Secretary of State when filing for their election, *now therefore be it*

Resolved by the Senate:

That the updated Senate disclosure form be ordered printed in the Senate Journal on the date of this resolution's adoption.

Thereupon, in the discretion of the President, under Rule 51, the resolution was placed on the Calendar for action tomorrow.

Bill Placed on Notice Calendar

S. 79.

Pursuant to Temporary Rule 44A, Senate bill of the following title, having failed to meet crossover and being released from the Committee on Rules, is placed on the Calendar for notice the next legislative day:

An act relating to limitations on hospital liens.

Bill Referred to Committee on Appropriations**S. 148.**

Pursuant to Temporary Rule 44A and Rule 31, Senate bill of the following title, having failed to meet crossover and being released from the Committee on Rules and carrying an appropriation or requiring the expenditure of funds, was referred to the Committee on Appropriations:

An act relating to child care and early childhood education.

Bills Referred

Pursuant to Temporary Rule 44A the following bills having failed to meet crossover and being released by the Committee on Rules were referred to their respective committees of jurisdictions:

H. 21. An act relating to landlord notice of utility disconnections.

To the Committee on Finance.

H. 81. An act relating to fair repair of agricultural equipment.

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

H. 469. An act relating to allowing remote witnesses and explainers for a Ulysses clause in an advance directive.

To the Committee on Health and Welfare.

Rules Suspended; Bills Introduced

On motion of Senator Baruth, the rules were suspended so that all Senate bills being introduced and read for the first time today be read by number only.

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

S. 158.

By Senators Collamore, Chittenden, Norris, Starr, Weeks and Williams,

An act relating to excepting persons 70 years of age or older from jury service.

To the Committee on Judiciary.

S. 159.

By Senators Hardy, Clarkson, Norris, Vyhovsky, Watson and White,

An act relating to the County Governance Study Committee.

To the Committee on Government Operations.

S. 160.

By Senators Cummings, Baruth, Bray, Chittenden, Collamore, Hardy, Harrison, Kitchel, Lyons, Ram Hinsdale, Watson, Westman and White,

An act relating to State education property taxes and flood-related damage.

To the Committee on Finance.

S. 161.

By Senator Hardy,

An act relating to the meeting of presidential electors.

To the Committee on Government Operations.

S. 162.

By Senator Lyons,

An act relating to extending the moratorium on home health agency certificates of need.

To the Committee on Health and Welfare.

S. 163.

By Senators Hashim and Harrison,

An act relating to establishing two Superior judge positions.

To the Committee on Judiciary.

S. 164.

By Senators Hardy and Ram Hinsdale,

An act relating to health insurance coverage for obesity care.

To the Committee on Finance.

S. 165.

By Senator Ram Hinsdale,

An act relating to stolen motor vehicles and drug paraphernalia.

To the Committee on Judiciary.

S. 166.

By Senator Perchlik,

An act relating to the Vermont charitable contribution credit.

To the Committee on Finance.

S. 167.

By Senator Champion,

An act relating to miscellaneous amendments to education law.

To the Committee on Education.

S. 168.

By Senator Champion,

An act relating to a report on the postgraduation career and settlement behaviors of students attending Vermont colleges and universities.

To the Committee on Education.

S. 169.

By Senator Champion,

An act relating to virtual learning.

To the Committee on Education.

S. 170.

By Senator Champion,

An act relating to the creation of the statewide Study Abroad Program.

To the Committee on Education.

S. 171.

By Senator Ram Hinsdale,

An act relating to the legal residency of a student following displacement by a natural disaster.

To the Committee on Education.

S. 172.

By Senator Hashim,

An act relating to the Education Bill of Rights for Children Who Are Deaf, Hard of Hearing, or DeafBlind.

To the Committee on Education.

S. 173.

By Senator Lyons,

An act relating to the collection, sharing, and selling of consumer health data.

To the Committee on Health and Welfare.

S. 174.

By Senator Lyons,

An act relating to best interests of the child standard in custody determinations.

To the Committee on Judiciary.

S. 175.

By Senator Perchlik,

An act relating to requiring retail businesses to accept cash.

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

S. 176.

By Senator Hashim,

An act relating to subsequent evaluations of competency to stand trial.

To the Committee on Judiciary.

S. 177.

By Senator Hashim,

An act relating to e-mail notice for residential rental agreements.

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

S. 178.

By Senator Cummings,

An act relating to escrow deposit bonds.

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

S. 179.

By Senator Cummings,

An act relating to flood recovery bonds.

To the Committee on Government Operations.

S. 180.

By Senator Cummings,

An act relating to the investment of State funds in credit unions.

To the Committee on Finance.

S. 181.

By Senator Baruth,

An act relating to the Community Media Public Benefit Fund.

To the Committee on Finance.

S. 182.

By Senator MacDonald,

An act relating to contractor liability related to subcontractor work.

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

S. 183.

By Senators Kitchel, Hardy and Lyons,

An act relating to planning for the Agency of Health Care Administration.

To the Committee on Government Operations.

S. 184.

By Senators Gulick, Chittenden and Hashim,

An act relating to the use of automated traffic law enforcement (ATLE) systems.

To the Committee on Transportation.

S. 185.

By Senator Clarkson,

An act relating to the right of entry following a tax sale.

To the Committee on Government Operations.

S. 186.

By Senator Lyons,

An act relating to the systemic evaluation of recovery residences and recovery communities.

To the Committee on Health and Welfare.

S. 187.

By Senators Wrenner and Lyons,

An act relating to student application of sunscreen and car seat safety.

To the Committee on Transportation.

S. 188.

By Senator Lyons,

An act relating to supports for child care providers.

To the Committee on Health and Welfare.

S. 189.

By Senator Lyons,

An act relating to mental health response service protocols.

To the Committee on Health and Welfare.

S. 190.

By Senators Norris, Collamore, Lyons and Wrenner,

An act relating to statements made by a child victim of an offense involving serious bodily injury.

To the Committee on Judiciary.

S. 191.

By Senator Hashim,

An act relating to New American Advancement Grant Applicants.

To the Committee on Education.

S. 192.

By Senators Lyons and Sears,

An act relating to forensic facility admissions criteria and processes.

To the Committee on Health and Welfare.

S. 193.

By Senators Gulick, Chittenden, Cummings, Hardy, Harrison, Hashim, Lyons, Vyhovsky, Weeks, White and Wrenner,

An act relating to Vermont's adoption of the Social Work Licensure Compact.

To the Committee on Health and Welfare.

S. 194.

By Senators Gulick, Hashim and Weeks,

An act relating to public safety reporting.

To the Committee on Government Operations.

S. 195.

By Senators Collamore, Hardy, Sears and Weeks,

An act relating to how a defendant's criminal record is considered in imposing conditions of release.

To the Committee on Judiciary.

S. 196.

By Senators Hashim, Gulick, Harrison, Kitchel, MacDonald, Perchlik, Watson, Williams and Wrenner,

An act relating to the types of evidence permitted in weight of the evidence hearings.

To the Committee on Judiciary.

S. 197.

By Senators Lyons, Gulick, Watson and Wrenner,

An act relating to the procurement and distribution of products containing perfluoroalkyl and polyfluoroalkyl substances and monitoring adverse health conditions attributed to perfluoroalkyl and polyfluoroalkyl substances.

To the Committee on Health and Welfare.

S. 198.

By Senator Weeks,

An act relating to a governor's mansion study committee.

To the Committee on Government Operations.

S. 199.

By Senator Clarkson,

An act relating to mergers and governance of communications union districts.

To the Committee on Finance.

S. 200.

By Senator Starr,

An act relating to establishing the Vermont Imagination Library.

To the Committee on Education.

S. 201.

By Senators Gulick, Vyhovsky, Watson and Wrenner,

An act relating to requiring employers to provide delivery vehicles equipped with air conditioning.

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

S. 202.

By Senators Gulick, Hardy, Harrison, Hashim, Lyons, MacDonald, Watson and White,

An act relating to the approval of independent schools.

To the Committee on Education.

S. 203.

By Senators Gulick, Baruth, Hashim and Perchlik,

An act relating to the appointment of State Board of Education members.

To the Committee on Education.

S. 204.

By Senators Gulick, Baruth, Clarkson, Hardy, Harrison, Hashim, Perchlik, Starr, Vyhovsky and Wrenner,

An act relating to reading assessment and intervention.

To the Committee on Education.

S. 205.

By Senators Lyons, Bray, Gulick, MacDonald, Williams and Wrenner,

An act relating to prohibiting the use of trichloroethylene.

To the Committee on Health and Welfare.

S. 206.

By Senators Wrenner, Chittenden, Gulick, Lyons, Vyhovsky and White,

An act relating to designating Juneteenth as a legal holiday.

To the Committee on Government Operations.

S. 207.

By Senators Clarkson and Campion,

An act relating to revising the funding for and governance of career technical education.

To the Committee on Education.

S. 208.

By Senators Hardy and Gulick,

An act relating to judicial retention and judicial nominations.

To the Committee on Judiciary.

S. 209.

By Senators Sears, Baruth, Campion, Bray, Chittenden, Gulick, Harrison, Lyons, McCormack, Watson, Weeks, White and Wrenner,

An act relating to prohibiting unserialized firearms and unserialized firearms frames and receivers, and to juvenile offenses in the Criminal Division.

To the Committee on Judiciary.

Adjournment

On motion of Senator Baruth, the Senate adjourned until one o'clock in the afternoon on Thursday, January 4, 2024.