

Journal of the Senate

TUESDAY, MARCH 22, 2016

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 Michael Caldwell of North Wolcott.

Pledge of Allegiance

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

Bill Called Up

S. 220.

Senate bill of the following title was called up by Senator White, and, under the rule, placed on the Calendar for action the next legislative day:

An act relating to the public financing of campaigns.

Senate Resolution Placed on Calendar

S.R. 11.

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

By the Committee on Rules,

S.R. 11. Senate resolution relating to amending the permanent rules of the Senate.

Resolved by the Senate:

That the permanent rules of the Senate are amended as follows:

First: Senate Rule 102 is added to read:

102. Ethics: (Reserved)

Second: Senate Rule 103 is added to read:

103. Disclosure: (Reserved)

Third: Senate Rule 104 is added to read:

104. State House Interns/Employees/Assistants:

All State House interns, aides, employees and/or assistants of a Senator, whether paid or unpaid, shall complete and file with the Sergeant at Arms a form prepared by the Secretary disclosing their name, contact information and other pertinent information. Each Senator shall ensure compliance of their State House interns, aides, employees and/or assistants with this rule.

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

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 48.

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

By Senators Baruth and Benning,

J.R.S. 48. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, March 25, 2016, it be to meet again no later than Tuesday, March 29, 2016.

Message from the House No. 36

A message was received from the House of Representatives by Mr. Jeremy Weiss, 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. 111. An act relating to the removal of grievance decisions from the Vermont Labor Relations Board's website.

H. 531. An act relating to aboveground storage tanks.

H. 580. An act relating to conservation easements.

H. 595. An act relating to potable water supplies from surface waters.

H. 623. An act relating to parole eligibility.

H. 640. An act relating to expenses for the repair of town cemeteries.

H. 690. An act relating to the practice of acupuncture by physicians, osteopaths, and physician assistants.

H. 769. An act relating to strategies to reduce the incarcerated population.

H. 805. An act relating to employment rights for members of the National Guard and Reserve Components of the U.S. Armed Forces.

H. 812. An act relating to implementing an all-payer model and oversight of accountable care organizations.

H. 824. An act relating to the adoption of occupational safety and health rules and standards.

H. 860. An act relating to on-farm livestock slaughter.

H. 861. An act relating to regulation of treated article pesticides.

H. 862. An act relating to insurance laws.

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

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

H.C.R. 279. House concurrent resolution congratulating Peggy Fischer of St. Johnsbury on reaching the final four in the Food Network's 2016 Kids Baking Championship.

H.C.R. 280. House concurrent resolution designating March 9, 2016 as Turkish Cultural Day in Vermont.

H.C.R. 281. House concurrent resolution recognizing March as Meals on Wheels Month in Vermont.

H.C.R. 282. House concurrent resolution congratulating Abby McKearin on being named the 2015-2016 Vermont girls' soccer Gatorade Player of the Year.

H.C.R. 283. House concurrent resolution in memory of former Lyndon Town Moderator Norman R. Messier.

H.C.R. 284. House concurrent resolution designating May as Cystic Fibrosis Awareness Month in Vermont.

H.C.R. 285. House concurrent resolution in memory of Vermont journalist Rod Clarke .

H.C.R. 286. House concurrent resolution congratulating the 2016 Rutland High School Raiders Division I championship cheerleading 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. 111.

An act relating to the removal of grievance decisions from the Vermont Labor Relations Board's website.

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

H. 531.

An act relating to aboveground storage tanks.

To the Committee on Natural Resources & Energy.

H. 580.

An act relating to conservation easements.

To the Committee on Natural Resources & Energy.

H. 595.

An act relating to potable water supplies from surface waters.

To the Committee on Natural Resources & Energy.

H. 623.

An act relating to parole eligibility.

To the Committee on Institutions.

H. 640.

An act relating to expenses for the repair of town cemeteries.

To the Committee on Government Operations.

H. 690.

An act relating to the practice of acupuncture by physicians, osteopaths, and physician assistants.

To the Committee on Health & Welfare.

H. 769.

An act relating to strategies to reduce the incarcerated population.

To the Committee on Institutions.

H. 805.

An act relating to employment rights for members of the National Guard and Reserve Components of the U.S. Armed Forces.

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

H. 812.

An act relating to implementing an all-payer model and oversight of accountable care organizations.

To the Committee on Health & Welfare.

H. 824.

An act relating to the adoption of occupational safety and health rules and standards.

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

H. 860.

An act relating to on-farm livestock slaughter.

To the Committee on Agriculture.

H. 861.

An act relating to regulation of treated article pesticides.

To the Committee on Agriculture.

H. 862.

An act relating to insurance laws.

To the Committee on Finance.

Bill Ordered to Lie**S. 245.**

Senate bill entitled:

An act relating to disclosure of health care provider affiliations.

Was taken up.

Thereupon, pending the question Shall the bill be read the third time?, on motion of Senator Baruth, the bill was ordered to lie.

Bill Amended; Third Reading Ordered**S. 52.**

Senator White, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to the Uniform Interstate Family Support Act.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. SPOUSAL SUPPORT AND MAINTENANCE TASK FORCE

(a) Creation. There is created a Spousal Support and Maintenance Task Force for the purpose of reviewing and modernizing Vermont's law concerning spousal support and maintenance.

(b) Membership. The Task Force shall be composed of the following seven members:

(1) a current member of the House of Representatives who shall be appointed by the Speaker of the House;

(2) a current member of the Senate who shall be appointed by the Committee on Committees;

(3) a Superior Court judge who has significant experience in the Family Division of Superior Court appointed by the Chief Justice;

(4) the Chief Superior Court Judge;

(5) two experienced family law attorneys appointed by the Family Law Section of the Vermont Bar Association; and

(6) a representative of Vermont Alimony Reform who is a resident of Vermont.

(c) Powers and duties. The Task Force shall consider amendments to Vermont's spousal support and maintenance laws aimed to improve clarity, fairness, and predictability in recognition of changes to the family structure in recent decades. The Task Force may hold public hearings and shall endeavor to hear a wide variety of perspectives from stakeholders and interested parties.

(d) Assistance. The Task Force shall have the administrative, technical, and legal assistance of the Office of Legislative Council.

(e) Recommendation. On or before January 15, 2017, the Task Force shall submit its recommendations for any legislative action to the Senate and House Committees on Judiciary.

(f) Meetings.

(1) The Superior Court judge appointed in accordance with subdivision (b)(3) of this section shall serve as chair.

(2) A majority of the membership shall constitute a quorum.

(3) The Task Force shall cease to exist on March 1, 2017.

(g) Reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, legislative members of the Task Force shall be entitled to per diem

compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than four regular meetings and two public hearings.

(2) Other members of the Task Force who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for no more than four regular meetings and two public hearings.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read: “An act relating to creating a Spousal Support and Maintenance Task Force”

And that when so amended the bill ought to pass.

Senator Nitka, for the Committee on Appropriations, to which the bill was referred, reported that the bill ought to pass when so amended.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of amendment was agreed to, and third reading of the bill was ordered.

Bill Amended; Bill Passed

S. 169.

Senate bill entitled:

An act relating to the Rozo McLaughlin Farm-to-School Program.

Was taken up.

Thereupon, pending third reading of the bill, Senators Sirotkin, Starr, and Zuckerman moved to amend the bill in Sec. 1, 6 V.S.A. § 4719, subsection (a), by adding a new subdivision (4) to read as follows:

(4) encourage youth involvement in the collection of excess fresh foods, known as gleaning, from farms, gardens, farmers' markets, grocers, and restaurants through classroom and cafeteria activities and educational materials regarding gleaning and nutrient management;

And by renumbering the remaining subdivisions to be numerically correct.

Which was agreed to.

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

Bills Passed

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

S. 189. An act relating to foster parents' rights and protections.

S. 250. An act relating to alcoholic beverages.

Senate Resolution Adopted**S.R. 10.**

Senate resolution entitled:

Senate resolution relating to adoption of a temporary Rule 44A

Having been placed on the Calendar for action, was taken up and adopted.

Adjournment

On motion of Senator Baruth, the Senate adjourned until one o'clock in the afternoon on Wednesday, March 23, 2016.