

Journal of the Senate

Special Session

THURSDAY, JUNE 7, 2018

The Senate was called to order by the President *pro tempore*.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Pledge of Allegiance

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

Bill Referred

House bill of the following title was read the first time and referred:

H. 13.

An act relating to making appropriations for the support of government.

To the Committee on Rules.

Adjournment

On motion of Senator Mazza, the Senate adjourned until two o'clock in the afternoon.

Called to Order

The Senate was called to order by the President.

Senate Resolution Adopted

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

By the Committee on Rules,

S.R. 4. Senate resolution reaffirming support for the Joint Fiscal Office and the nonpartisan nature of its work.

Whereas, the Joint Fiscal Office has provided trusted, nonpartisan analysis of fiscal issues to all members of the General Assembly for decades, and

Whereas, the Joint Fiscal Office conducts its analysis on the same independent and neutral basis for the newest member of the minority party as it would for the most senior member of the majority party, and

Whereas, the integrity with which the Joint Fiscal Office performs its duties allows the General Assembly to work with fiscal estimates and analysis free from any partisan bias, and

Whereas, in recent weeks the nonpartisan nature of the Joint Fiscal Office has been called into question by an individual in the Executive Branch, and

Whereas, Vermont's political culture has until now resisted attempts to undermine public confidence in nonpartisan staff in the manner seen in Washington, D.C., *now therefore be it*

Resolved by the Senate:

That the Vermont Senate affirms its continued support for the Joint Fiscal Office in the face of attempts to malign its integrity and reaffirms that the Joint Fiscal Office's work is free from political interference or partisan bias, *and be it further*

Resolved: That the Secretary of the Senate be directed to send a copy of this resolution to Stephen Klein, Chief Fiscal Officer of the Joint Fiscal Office, and to Governor Philip B. Scott.

Which was adopted on a roll call, Yeas 25, Nays 0.

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

Roll Call

Those Senators who voted in the affirmative were: Ashe, Balint, Baruth, Branagan, Bray, Brock, Brooks, Campion, Clarkson, Collamore, Cummings, Ingram, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Rodgers, Sears, Sirotkin, Soucy, Starr, Westman, White.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: Ayer, Benning, Flory, Pearson, Pollina.

Committee Bills Introduced

Senate committee bill of the following title was introduced, read the first time, and, under the rule, placed on the Calendar for notice the next legislative day:

S. 4.

By the Committee on Judiciary,

An act relating to miscellaneous judiciary procedures.

Senate committee bill of the following title was introduced, read the first time, and, under the rule, placed on the Calendar for notice the next legislative day:

S. 5.

By the Committee on Government Operations,

An act relating to the mitigation of systemic racism.

Senate committee bill of the following title was introduced, read the first time, and, under the rule, placed on the Calendar for notice the next legislative day:

S. 6.

By the Committee on Economic Development, Housing and General Affairs,

An act relating to short-term rentals.

House Proposal of Amendment Concurred In

S. 1.

House proposal of amendment to Senate bill entitled:

An act relating to co-payment limits for chiropractic care and physical therapy.

Was taken up.

The House proposes to the Senate to amend the bill as follows:

First: In Sec. 2, 8 V.S.A. § 4088a, in subdivision (a)(4), following “under the plan,” by striking out “, up to a maximum of 50 percent of the total reimbursement amount to the chiropractic physician for providing the services”

Second: In Sec. 3, 8 V.S.A. § 4088k, following “under the plan,” by striking out “, up to a maximum of 50 percent of the total reimbursement amount to the physical therapist for providing the services”

Third: In Sec. 5, health insurance coverage for non-opioid approaches to treating and managing pain; report, in subdivision (b)(3), following “total charge”, by inserting “or reimbursement”

Thereupon, the question, Shall the Senate concur in the House proposals of amendment?, was decided in the affirmative.

Rules Suspended; Bills Pending Entry on Notice Calendar taken up for Immediate Consideration

Senator Ashe moved the rules be suspended and the following bills be taken up for immediate consideration:

H. 7, H. 8, H. 9, H. 10, H. 13, S. 4, S. 5, S. 6.

Which was agreed to, on a roll call, Yeas 21, Nays 4 (the necessary 3/4ths vote being attained).

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

Roll Call

Those Senators who voted in the affirmative were: Ashe, Balint, Baruth, Bray, Brooks, Campion, Clarkson, Cummings, Ingram, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Rodgers, Sears, Sirotkin, Starr, Westman, White.

Those Senators who voted in the negative were: Branagan, Brock, Collamore, Soucy.

Those Senators absent and not voting were: Ayer, Benning, Flory, Pearson, Pollina.

Third Readings Ordered; Rules Suspended; Bills Passed In Concurrence**H. 7.**

House bill entitled:

An act relating to creating the Department of Liquor and Lottery and the Board of Liquor and Lottery.

Was taken up for immediate consideration.

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

Thereupon, on motion of Senator Ashe, 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.

H. 8.

House bill entitled:

An act relating to boards and commissions.

Was taken up for immediate consideration.

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

Thereupon, on motion of Senator Ashe, 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.

H. 9.

House bill entitled:

An act relating to the fair repair of consumer electronic devices.

Was taken up for immediate consideration.

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

Thereupon, on motion of Senator Ashe, 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.

H. 10.

House bill entitled:

An act relating to transportation network companies.

Was taken up for immediate consideration.

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

Thereupon, on motion of Senator Ashe, 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.

Third Reading Ordered; Rules Suspended; Bill Passed in Concurrence

H. 13.

House bill entitled:

An act relating to making appropriations for the support of government.

Was taken up for immediate consideration.

Thereupon, the bill was read the second time by title only pursuant to Rule 43.

Thereupon, pending the question, Shall the bill be read third time?, Senators Brock, Branagan, Collamore and Soucy moved that the Senate

propose to the House to amend the bill by renumbering Sec. H.11a (intents) to be Sec. H.11b, and by inserting a new Sec. H.11a to read as follows:

Sec. H.11a 32 V.S.A. § 5402(a)(1) is amended to read:

(1) The tax rate for nonresidential property shall be ~~\$1.59 per \$100.00~~ the same as in the prior fiscal year, unless set otherwise by the General Assembly.

Which was disagreed to on a roll call, Yeas 5, Nays 20.

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

Roll Call

Those Senators who voted in the affirmative were: Branagan, Brock, Collamore, Soucy, Westman.

Those Senators who voted in the negative were: Ashe, Balint, Baruth, Bray, Brooks, Campion, Clarkson, Cummings, Ingram, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Rodgers, Sears, Sirotkin, Starr, White.

Those Senators absent and not voting were: Ayer, Benning, Flory, Pearson, Pollina.

Thereupon, third reading of the bill was ordered on a roll call, Yeas 22, Nays 3.

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

Roll Call

Those Senators who voted in the affirmative were: Ashe, Balint, Baruth, Branagan, Bray, Brooks, Campion, Clarkson, Cummings, Ingram, Kitchel, Lyons, MacDonald, Mazza, McCormack, Nitka, Rodgers, Sears, Sirotkin, Starr, Westman, White.

Those Senators who voted in the negative were: Brock, Collamore, Soucy.

Those Senators absent and not voting were: Ayer, Benning, Flory, Pearson, Pollina.

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

Thereupon, the bill was passed in concurrence.

Third Readings Ordered; Rules Suspended; Bills Passed**S. 4.**

Senate bill entitled:

An act relating to miscellaneous judiciary procedures.

Was taken up for immediate consideration.

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

Thereupon, on motion of Senator Ashe, 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.

S. 5.

Senate bill entitled:

An act relating to the mitigation of systemic racism.

Was taken up for immediate consideration.

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

Thereupon, on motion of Senator Ashe, 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.

S. 6.

Senate bill entitled:

An act relating to short-term rentals.

Was taken up for immediate consideration.

Thereupon, the bill was read the second time by title only pursuant to Rule 43.

Senator Nitka requested and was granted leave to be excused from voting on this question pursuant to the provisions of Senate Rules 69.

Thereupon, third reading of the bill was ordered.

Thereupon, on motion of Senator Ashe, 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.

Rules Suspended; Bills Messaged

On motion of Senator Ashe, the rules were suspended, and the following bills were severally ordered messaged to the House forthwith:

S. 4, S. 5, S. 6, H. 7, H. 8, H. 9, H. 10, H. 13.

Adjournment

On motion of Senator Ashe, the Senate adjourned until ten o'clock in the morning.