

Senate Calendar

TUESDAY, APRIL 10, 2018

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ACTION CALENDAR

NEW BUSINESS

Third Reading

H. 843.

An act relating to technical corrections.

Second Reading

Favorable

H. 673.

An act relating to miscellaneous amendments to the Reach Up program.

Reported favorably by Senator Ingram for the Committee on Health and Welfare.

(Committee vote: 5-0-0)

(For House amendments, see House Journal of February 15, 2018, page 367)

Favorable with Proposal of Amendment

H. 551.

An act relating to flying the Green Mountain Boys Flag at the State House.

Reported favorably with recommendation of proposal of amendment by Senator Flory for the Committee on Institutions.

The Committee recommends that the Senate propose to the House to amend the bill as follows:

First: By adding a new Sec. 5 to read:

Sec. 5. 1 V.S.A. § 496c is added to read:

§ 496c. POW-MIA FLAG; FLYING ON STATE FLAGPOLES

The State of Vermont shall fly on State-owned flagpoles, where practicable, the National League of Families Prisoner of War and Missing in Action Flag, as designated in 36 U.S.C. § 189, provided the flag is donated.

Second: By adding a Sec. 6 to read:

Sec. 6. 1 V.S.A. § 496d is added to read

496d. FLAG PROTOCOL

The Department of Buildings and General Services shall adopt and update as necessary a protocol for the flying of any flag on a State-owned flagpole and on municipally owned flagpoles if statutorily directed. The protocol shall incorporate any existing flag-flying policies or protocols that the Department has previously adopted.

Third: By adding a Sec. 7 to read:

Sec. 7. REPEAL

29 V.S.A. § 7 (POW-MIA flag) is repealed.

And by renumbering the remaining section to be numerically correct

And that after passage the title of the bill be amended to read:

An act relating to flags and flag-flying protocol

(Committee vote: 5-0-0)

(No House amendments)

H. 566.

An act relating to animal cruelty.

Reported favorably with recommendation of proposal of amendment by Senator Ashe for the Committee on Judiciary.

The Committee recommends that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 352 is amended to read:

§ 352. CRUELTY TO ANIMALS

A person commits the crime of cruelty to animals if the person:

(1) ~~intentionally~~ Intentionally kills or attempts to kill any animal belonging to another person without first obtaining legal authority or consent of the owner;

(2) ~~overworks~~ Overworks, overloads, tortures, torments, abandons, administers poison to, cruelly ~~beats~~ harms or mutilates an animal, or exposes a poison with intent that it be taken by an animal;

(3) ~~ties~~ Ties, tethers, or restrains an animal, either a pet or livestock, in a manner that is inhumane or is detrimental to its welfare. Livestock and poultry husbandry practices are exempted;

(4) ~~deprives~~ Deprives an animal ~~which that~~ a person owns, possesses, or acts as an agent for, of adequate food, water, shelter, rest, sanitation, or necessary medical attention, or transports an animal in overcrowded vehicles;

(5)(A) ~~owns~~ Owns, possesses, keeps, or trains an animal engaged in an exhibition of fighting, or possesses, keeps, or trains any animal with intent that it be engaged in an exhibition of fighting, or permits any such act to be done on premises under his or her charge or control;

(B) ~~owns~~ Owns, possesses, ships, transports, delivers, or keeps a device, equipment, or implement for the purpose of training or conditioning an animal for participation in animal fighting, or enhancing an animal's fighting capability.

(6) ~~acts~~ Acts as judge or spectator at events of animal fighting or bets or wagers on the outcome of such fight;

(7) ~~as~~ As poundkeeper, officer, or agent of a humane society or as an owner or employee of an establishment for treatment, board, or care of an animal, knowingly receives, sells, transfers, or otherwise conveys an animal in his or her care for the purpose of research or vivisection;

(8) ~~intentionally~~ Intentionally torments or harasses an animal owned or engaged by a police department or public agency of the State or its political subdivisions, or interferes with the lawful performance of a police animal;

(9) ~~knowingly~~ Knowingly sells, offers for sale, barter, or displays living baby chicks, ducklings, or other fowl ~~which that~~ have been dyed, colored, or otherwise treated so as to impart to them an artificial color, or fails to provide poultry with proper brooder facilities;

(10) ~~uses~~ Uses a live animal as bait or lure in a race, game, or contest, or in training animals in a manner inconsistent with 10 V.S.A. Part 4 or the rules adopted thereunder;

(11)(A) ~~engages~~ Engages in sexual conduct with an animal;

(B) ~~possesses~~ Possesses, sells, transfers, purchases, or otherwise obtains an animal with the intent that it be used for sexual conduct;

(C) ~~organizes~~ Organizes, promotes, conducts, aids, abets, or participates in as an observer an act involving any sexual conduct with an animal;

(D) ~~causes~~ Causes, aids, or abets another person to engage in sexual conduct with an animal;

(E) ~~permits~~ Permits sexual conduct with an animal to be conducted on premises under his or her charge or control;

(F) ~~advertises~~ Advertises, offers, or accepts the offer of an animal with the intent that it be subject to sexual conduct in this State.

Sec. 1a. 13 V.S.A. § 353(a) is amended to read:

(a) Penalties.

* * *

(5) A person who violates § 352(1) of this title by intentionally killing or attempting to kill an animal belonging to another or § 352(2) of this title by torturing, administering poison to, or cruelly ~~beating~~ harms or mutilating an animal shall be imprisoned not more than two years or fined not more than \$5,000.00, or both.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee vote: 5-0-0)

(For House amendments, see House Journal for January 30, 2018, page 200)

H. 874.

An act relating to inmate access to prescription drugs.

Reported favorably with recommendation of proposal of amendment by Senator Rodgers for the Committee on Institutions.

The Committee recommends that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 28 V.S.A. § 801 is amended to read:

§ 801. MEDICAL CARE OF INMATES

* * *

(e)(1) Except as otherwise provided in this subsection, an offender who is admitted to a correctional facility while under the medical care of a licensed physician, a licensed physician assistant, or a licensed advanced practice registered nurse, ~~or a licensed nurse practitioner~~ and who is taking medication at the time of admission pursuant to a valid prescription as verified by the inmate's pharmacy of record, primary care provider, other licensed care provider, or as verified by the Vermont Prescription Monitoring System or other prescription monitoring or information system shall be entitled to continue that medication and to be provided that medication by the Department pending an evaluation by a licensed physician, a licensed physician assistant, ~~a licensed nurse practitioner,~~ or a licensed advanced practice registered nurse.

(2) However, Notwithstanding subdivision (1) of this subsection, the Department may defer provision of a validly prescribed medication in accordance with this subsection if, in the clinical judgment of a licensed physician, a physician assistant, a nurse practitioner, or an advanced practice registered nurse, it is not in the inmate's best interest medically necessary to continue the medication at that time.

(3) The licensed practitioner who makes the clinical judgment to discontinue a medication shall enter cause the reason for the discontinuance to be entered into the inmate's permanent medical record, specifically stating the reason for the discontinuance. The inmate shall be provided, both orally and in writing, with a specific explanation of the decision to discontinue the medication and with notice of the right to have his or her community-based prescriber notified of the decision. If the inmate provides signed authorization, the Department shall notify the community-based prescriber in writing of the decision to discontinue the medication.

(4) It is not the intent of the General Assembly that this subsection shall create a new or additional private right of action.

* * *

Sec. 2. DATA COLLECTION

(a) The Department of Corrections shall collect information on: how often a medication for which an inmate has a valid prescription is continued or discontinued upon incarceration at each correctional facility, the name of the medication, and the reason for discontinuance.

(b) The Department shall collect this information for a period of at least six months and provide a written report of its findings based on the data collected, including a breakdown by correctional facility of record, to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on or before January 31, 2019. Prior to finalizing the report, the Department shall consult with the Prisoners' Rights Office and Disability Rights Vermont.

(c) Nothing in this section shall require the Department to reveal individually identifiable health information in violation of State or federal law.

Sec. 3. EFFECTIVE DATES

(a) This section and Sec. 2 shall take effect on passage.

(b) Sec. 1 shall take effect on July 1, 2018.

(Committee vote: 5-0-0)

(For House amendments, see House Journal for March 13, 2018, page 594)

H. 906.

An act relating to professional licensing for service members and veterans.

Reported favorably with recommendation of proposal of amendment by Senator Clarkson for the Committee on Government Operations.

The Committee recommends that the Senate propose to the House to amend the bill as follows:

First: In Sec. 1, 26 V.S.A. § 906(c)(3), after the following: “has completed a minimum of 8,000 hours and four years of active duty field work” by inserting the following: as a 12R Electrician or equivalent

Second: In Sec. 3, 26 V.S.A. 2194(b)(3), after the following: “has completed a minimum of 8,000 hours and four years of active duty field work” by inserting the following: as a 12K Plumber or equivalent

Third: After Sec. 7, by inserting a Sec. 8 to read as follows:

Sec. 8. REPORTING; UTILIZATION BY SERVICE MEMBERS AND VETERANS

(a) The Executive Director of the Division of Fire Safety shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding:

(1) the number of journeyman electrician licenses issued to service members and veterans pursuant to 26 V.S.A. § 906(c) during the previous calendar year;

(2) the number of journeyman plumber licenses issued to service members and veterans pursuant to 26 V.S.A. § 2194(b) during the previous calendar year; and

(3) the number of instances during the previous calendar year in which the Electrician’s Licensing Board, in determining the qualifications of a service member or veteran for a master electrician license, gave recognition to an applicant’s experience as a 12R Electrician or equivalent in the U.S. Armed Forces as required by 26 V.S.A. § 907(b).

(b) The Director of the Office of Professional Regulation shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding:

(1) the number of licenses to practice as a registered nurse issued to service members and veterans pursuant to 26 V.S.A. § 1622(b) during the previous calendar year; and

(2) the number of licenses to practice as a nursing assistant issued to service members and veterans pursuant to 26 V.S.A. § 1643(b) during the previous calendar year.

(c) The Commissioner of Motor Vehicles shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding the number of service members and veterans who, during the previous calendar year, were certified to perform inspections without being required to pass an examination as provided pursuant to 23 V.S.A. § 1227(b)(2).

(d) The Commissioner of Health shall, on or before February 1 of each year, report to the House Committees on Commerce and Economic Development, on General, Housing, and Military Affairs, and on Government Operations and the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations regarding the number of service members and veterans who, during the previous calendar year, were deemed to have knowledge of the prevention of food-borne disease, be able to apply the Hazard Analysis Critical Control Point principles, and have met the criteria for “demonstration of knowledge” requirements set forth by the Department of Health in rule for the purposes of obtaining a food establishment license as provided pursuant to 18 V.S.A. § 4303(b) and the total number of food establishment licenses issued to those service members and veterans.

And by renumbering the remaining section to be numerically correct.

(Committee vote: 5-0-0)

(For House amendments, see House Journal for March 14, 2018, page 648)

Joint Resolution For Action

J.R.H. 16.

Joint resolution authorizing the Green Mountain Girls State educational program to use the State House.

PENDING QUESTION: Shall the resolution be adopted in concurrence?

(For text of resolution, see Senate Journal of April 6, 2018, page 679)

NOTICE CALENDAR

Second Reading

Favorable

H. 429.

An act relating to establishment of a communication facilitator program.

Reported favorably by Senator Lyons for the Committee on Finance.

(Committee vote: 6-0-1)

(For House amendments, see House Journal of March 20, 2018, page 720)

Favorable with Proposal of Amendment

H. 300.

An act relating to the statute of limitations for recovery and possession of property actions against the grantee of a tax collector's deed.

Reported favorably with recommendation of proposal of amendment by Senator Sears for the Committee on Judiciary.

The Committee recommends that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 9 V.S.A. § 2293 is amended to read:

§ 2293. EXTINGUISHMENT OF CLAIM FOR RELIEF

A claim for relief with respect to a transfer or obligation under this chapter is extinguished unless action is brought:

(1) under subdivision 2288(a)(1) of this title not later than four years after the transfer was made or the obligation was incurred or, if later, not later than one year after the transfer or obligation was or could reasonably have been discovered by the claimant;

(2) under subdivision 2288(a)(2) or subsection 2289(a) of this title not later than four years after the transfer was made or the obligation was incurred; or

(3) under subsection 2289(b) of this title, not later than one year after the transfer was made or the obligation was incurred; or

(4) pursuant to the provisions of 32 V.S.A. chapter 133, subchapter 9 for a tax sale, not later than two years after the tax collector's deed is delivered to the successful bidder at the tax sale.

Sec. 2. 32 V.S.A. § 5263 is amended to read:

§ 5263. LIMITATION OF ACTIONS AGAINST GRANTEE IN
POSSESSION

An action for the recovery of lands, or the possession thereof, shall not be maintained against the grantee of such lands in a tax collector's deed, duly recorded, or his or her heirs or assigns, when the grantee, his or her heirs or assigns have been in continuous and open possession of the land conveyed in such deed and have paid the taxes thereon, unless commenced within ~~three~~ years one year after the cause of action first accrues to the plaintiff or those under whom he or she claims.

Sec. 3. 32 V.S.A. § 5252 is amended to read:

§ 5252. LEVY AND NOTICE OF SALE; SECURING PROPERTY

(a) When the collector of taxes of a town or of a municipality within it has for collection a tax assessed against real estate in the town and the taxpayer is delinquent, the collector may extend a warrant on such land. If a collector receives notice from a mobile home park owner pursuant to 10 V.S.A. § 6248(c), the collector shall, within 15 days ~~of~~ after the notice, commence tax sale proceedings to hold a tax sale within 60 days ~~of~~ after the notice. If the collector fails to initiate such proceedings, the town may initiate tax sale proceedings only after complying with 10 V.S.A. § 6249(f). If the tax collector extends the warrant, the collector shall:

(1) File in the office of the town clerk for record a true and attested copy of the warrant and so much of the tax bill committed to the collector for collection as relates to the tax against the delinquent taxpayer, a sufficient description of the land so levied upon, and a statement in writing that by virtue of the original tax warrant and tax bill committed to the collector for collection, the collector has levied upon the described land.

(2) Advertise forthwith such land for sale at public auction in the town where it lies three weeks successively in a newspaper circulating in the vicinity, the last publication to be at least 10 days before such sale.

(3) Give the delinquent taxpayer written notice by ~~registered~~ certified mail requiring a return receipt directed to the last known address of the delinquent of the date and place of such sale at least 10 days prior thereto if the delinquent is a resident of the town, and 20 days prior thereto if the delinquent is a nonresident of the town. If the notice by certified mail is returned unclaimed, notice shall be provided to the taxpayer by resending the notice by first-class mail or by personal service pursuant to Rule 4 of the Vermont Rules of Civil Procedure.

(4) Give to the mortgagee or lien holder of record written notice of such sale at least 10 days prior thereto if a resident of the town, and if a nonresident,

20 days' notice to the mortgagee or lien holder of record or his or her agent or attorney by ~~registered~~ certified mail requiring a return receipt directed to the last known address of such person. If the notice by certified mail is returned unclaimed, notice shall be provided by resending the notice by first-class mail or by personal service pursuant to Rule 4 of the Vermont Rules of Civil Procedure.

(5) Post a notice of such sale in some public place in the town.

* * *

Sec. 4. 32 V.S.A. § 5258 is amended to read:

§ 5258. FEES AND COSTS ALLOWED AFTER WARRANT AND LEVY RECORDED

(a) The fees and costs allowed after the warrant and levy for delinquent taxes have been recorded shall be as follows:

(1) levy and extending of warrant, \$10.00;

(2) recording levy and extending of warrant in the town clerk's office, \$10.00, to be paid to the town clerk;

(3) notices and publication of notices, actual costs incurred, including the costs of service pursuant to subdivisions 5252(a)(3) and (4) of this title;

(4) expenses actually and reasonably incurred by the town in securing a property for which property taxes are delinquent against illegal activity and fire hazards, to be paid to the town clerk, provided that the expenses shall not exceed 20 percent of the uncollected tax;

(5) when authorized by the selectboard, expenses actually and reasonably incurred by the tax collector for legal assistance in the preparation for or conduct of a tax sale, provided that the expenses shall not exceed 15 percent of the uncollected tax;

(6) travel reimbursement at the rate established by the contract governing State employees;

(7) attending and holding the sale, \$10.00;

(8) making return and recording the return in the town clerk's office, \$10.00, to be paid to the town clerk;

(9) collector's deed, \$30.00;_

(b) ~~the~~ The fees and costs allowed in subsection (a) of this section, together with a collector's fee of up to eight percent, shall be in lieu of all other fees and costs.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2018.

(Committee vote: 5-0-0)

(For House amendments, see House Journal for January 23, 2018, page 167)

House Proposals of Amendment to Senate Proposal of Amendment

H. 771

An act relating to the Vermont National Guard

The House concurs in the Senate proposal of amendment with further amendment thereto as follows:

First: In Sec. 2, 20 V.S.A. § 363, by striking out subdivision (a)(3) in its entirety.

Second: In Sec. 2, 20 V.S.A. § 363, by striking out subsection (d) in its entirety and inserting in lieu thereof a new subsection (d) to read:

(d) ~~The appointments~~ Appointments made pursuant to subsection (b) of this section shall be in writing and recorded in the office of the secretary of state Office of the Secretary of State.

Third: By striking out Sec. 3, Effective Date, in its entirety and inserting in lieu thereof Secs. 3 through 9 to read:

Sec. 3. 20 V.S.A. § 370 is added to read:

§ 370. ADJUTANT AND INSPECTOR GENERAL RECOMMENDATION BOARD

(a) The Adjutant and Inspector General Recommendation Board is created to nominate candidates for Adjutant and Inspector General.

(b)(1) The Board shall consist of 10 members who shall be selected as follows:

(A) The Senate Committee on Committees shall appoint four members of the Senate, not all of whom shall be members of the same party.

(B) The Speaker of the House shall appoint four members of the House, not all of whom shall be members of the same party.

(C) The Governor shall appoint two members who shall have served in the U.S. Armed Forces.

(2)(A) The members of the Board appointed by the Governor shall serve for terms of two years and may serve for no more than three terms.

(B) The members of the Board appointed by the House and Senate shall serve for terms of two years and may serve for no more than three consecutive terms.

(C) All appointments shall occur between January 1 and February 1 of each odd-numbered year, except to fill a vacancy. Members shall serve until their successors are appointed.

(3) The members of the Board shall elect their own chair who shall serve for a term of two years.

(c) Legislative members of the Board shall be entitled to per diem compensation and reimbursement for expenses in accordance with 2 V.S.A. § 406. Members of the Board who are not otherwise compensated by their employer shall be entitled to per diem compensation and reimbursement for expenses in the same manner as members of boards and commissions are compensated under 32 V.S.A. § 1010. All compensation and reimbursement shall be paid from the legislative appropriation.

(d) A quorum of the Board shall consist of six members.

(e) The Board is authorized to use the staff and services of appropriate State agencies and departments as necessary to conduct investigations of applicants.

Sec. 4. 20 V.S.A. § 371 is added to read:

§ 371. DECLARATION OF CANDIDACY FOR ADJUTANT AND INSPECTOR GENERAL

(a) A candidate for Adjutant and Inspector General shall, not later than four months prior to the election, declare his or her candidacy to the Board and demonstrate that he or she meets the qualifications set forth in subsection 363(a) of this chapter as required pursuant to procedures adopted by the Board.

(b) In the case of a vacancy in the office of Adjutant and Inspector General that occurs during a term, a candidate shall, not later than 14 days after the office of Adjutant and Inspector General becomes vacant, declare his or her candidacy to the Board and demonstrate that he or she meets the qualifications set forth in subsection 363(a) of this chapter as required pursuant to procedures adopted by the Board.

(c) The procedures necessary to carry out subsections (a) and (b) of this section may be adopted and revised at the discretion of the Board and shall not be subject to rulemaking under 3 V.S.A. §§ 836–844.

Sec. 5. 20 V.S.A. § 372 is added to read:

§ 372. DUTIES OF RECOMMENDATION BOARD

(a) Establishment of criteria, standards, and procedures. The Board shall adopt rules under 3 V.S.A. chapter 25 that establish criteria and standards for the evaluation and nomination of qualified candidates for Adjutant and Inspector General. In adopting criteria and standards, the Board shall consult with current and retired members of the Vermont Army National Guard and the Vermont Air National Guard. The criteria and standards adopted by the Board shall include:

(1) leadership;

(2) integrity;

(3) administrative and communication skills; and

(4) other criteria and standards as determined by the Board from time to time.

(b) Interview and selection.

(1) The Board shall interview each candidate for Adjutant and Inspector General who meets the qualifications set forth in subsection 363(a) of this chapter.

(2) The Board may, as necessary to determine whether a candidate meets the criteria and standards adopted pursuant to subsection (a) of this section:

(A) review records kept or maintained by the State, the Vermont National Guard, or the U.S. Armed Forces; and

(B) conduct interviews with current and former members of the National Guard of any state or the U.S. Armed Forces.

(3) Based on the information gathered pursuant to subdivisions (1) and (2) of this subsection, the Board shall evaluate each candidate against the criteria and standards established pursuant to subsection (a) of this section and shall nominate for election to the office of Adjutant and Inspector General all qualified candidates which satisfy those criteria and standards.

(c) Nomination. The Board shall submit the list of its nominees for Adjutant and Inspector General to the General Assembly and to the Secretary of State at least seven weeks prior to the election of the Adjutant and Inspector General.

(d) Confidentiality of proceedings and records.

(1) Except as otherwise provided by subdivision (2) of this subsection:

(A) all proceedings of the Board shall be confidential and exempt from the Vermont Open Meeting Law, 1 V.S.A. chapter 5, subchapter 2; and

(B) all records of the Board, including the names of candidates and any information related to candidates, shall be exempt from public inspection and copying under the Public Records Act and shall be kept confidential.

(2) The following shall be public:

(A) the Board's rules and operating procedures;

(B) the Board's application procedures and any application forms or other forms used by the Board, provided they do not contain information about a candidate or confidential proceedings;

(C) proceedings of the Board that are not directly related to the consideration of candidates;

(D) the names of the candidates submitted to the Secretary of State pursuant to 2 V.S.A. § 12; and

(E) once the Board has submitted the list of candidates to the Secretary of State, the total number of applicants interviewed by the Board and the total number of candidates submitted to the Secretary of State.

Sec. 6. 2 V.S.A. § 12 is amended to read:

§ 12. LEGISLATIVE ELECTIONS; UNIFORM BALLOTS

* * *

(b)(1) A candidate for office, other than for Adjutant and Inspector General, shall, not later than one week preceding the election, notify the Secretary of State in writing of his or her candidacy, naming the particular office. If he or she fails so to notify the Secretary of State, his or her name shall not be printed on the ballot.

(2) Not later than seven weeks prior to the election, the Adjutant and Inspector General Recommendation Board shall, pursuant to 20 V.S.A. § 372, submit the list of its nominees for Adjutant and Inspector General to the Secretary of State to be printed on the ballot prepared by the Secretary. The list shall constitute the complete list of candidates for Adjutant and Inspector General that are included on the ballot.

(3) No ballot may be used other than the official ballot provided by the Secretary of State.

Sec. 7. IMPLEMENTATION OF THE ADJUTANT AND INSPECTOR
GENERAL RECOMMENDATION BOARD

(a) The Senate Committee on Committees, the Speaker of the House, and the Governor shall appoint the members of the Adjutant and Inspector General Recommendation Board pursuant to 20 V.S.A. § 370 on or before March 15, 2019. Initially, the members of the Board shall be appointed for a term that expires when their successors are appointed pursuant to 20 V.S.A. § 370.

(b) On or before September 1, 2019, the Adjutant and Inspector General Recommendation Board shall propose for adoption rules that establish criteria and standards for the evaluation and nomination of qualified candidates for Adjutant and Inspector General.

Sec. 8. 2019 ELECTION OF ADJUTANT AND INSPECTOR GENERAL;
CERTIFICATION OF QUALIFICATIONS

For purposes of the 2019 election, a candidate for Adjutant and Inspector General shall, at the time he or she notifies the Secretary of State of his or her candidacy pursuant to 2 V.S.A. § 12(b), certify under oath to the Secretary that he or she satisfies the requirements set forth in 20 V.S.A. § 363(a)(2).

Sec. 9. EFFECTIVE DATES

(a) This section and Secs. 1, 2, and 8 shall take effect on July 1, 2018.

(b) The remaining sections of this act shall take effect on March 1, 2019.

House Proposal of Amendment to Senate Proposal of Amendment

H. 836

An act relating to electronic court filings for relief from abuse orders

The House concurs in the Senate proposal of amendment with further amendment thereto as follows:

By adding a new Sec. 3 to read as follows:

Sec. 3. ORDERS AGAINST STALKING OR SEXUAL ASSAULT;
REPORT FROM OFFICE OF COURT ADMINISTRATOR

On or before March 1, 2019, the Office of the Court Administrator shall report to the House and Senate Committees on Judiciary regarding the feasibility of ensuring that orders against stalking or sexual assault issued under 12 V.S.A. chapter 178 are available after regular court hours and on weekends and holidays. The report required by this section may be provided through oral testimony.

And by renumbering the remaining section to be numerically correct.

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 Utility Commission shall be fully and separately acted upon.

Joseph M. Lorman of Rutland – Family Division Magistrate for Rutland, Bennington and Addison Counties – By Senator Sears for the Committee on Judiciary. (3/27/18)

Nathan Besio of Colchester – Member, Vermont Human Rights Commission – By Senator Benning for the Committee on Judiciary. (3/28/18)

Kevin Christie of White River Junction – Chair, Vermont Human Rights Commission – By Senator Nitka for the Committee on Judiciary. (3/28/18)

Richard Bailey of Hyde Park – Member, Transportation Board – By Senator Westman for the Committee on Transportation. (4/3/18)

David Markowski of Florence – Member, Transportation Board – By Senator Flory for the Committee on Transportation. (4/3/18)

David Coen of Shelburne – Chair, Transportation Board – By Senator Mazza for the Committee on Transportation. (4/11/18)

PUBLIC HEARINGS

Tuesday, April 10, 2018 - 5:00 - 7:00 P.M. - Room 11 - Re: H. 196 - An act relating to paid family leave - Senate Committee on Economic Development, Housing and General Affairs.