

# Journal of the Senate

THURSDAY, MARCH 15, 2018

Pursuant to the Senate Rules, in the absence of the President, the Senate was called to order by the President *pro tempore*.

## Message from the House No. 29

A message was received from the House of Representatives by Ms. Rebecca Silbernagel, 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. 378.** An act relating to the creation of the Artificial Intelligence Task Force.

**H. 615.** An act relating to prohibiting the use of drones near correctional facilities.

**H. 726.** An act relating to creating a voluntary pollinator-friendly standard for solar arrays.

**H. 806.** An act relating to the Southeast State Correctional Facility.

**H. 881.** An act relating to corrective action plans under Act 250.

**H. 904.** An act relating to miscellaneous agricultural subjects.

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

The House has considered joint resolution originating in the Senate of the following title:

**J.R.S. 51.** Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

The House has considered Senate proposal of amendment to the following House bill:

**H. 150.** An act relating to parole eligibility.

And has severally concurred therein.

The Governor has informed the House that on March 8, 2018, he approved and signed a bill originating in the House of the following title:

**H. 694.** An act relating to captive insurance companies.

#### **Bills Referred to Committee on Appropriations**

Senate bills of the following titles, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule were severally referred to the Committee on Appropriations:

**S. 85.** An act relating to simplifying government for small businesses.

**S. 94.** An act relating to promoting remote work and flexible work arrangements.

**S. 192.** An act relating to transferring the professional regulation of law enforcement officers from the Vermont Criminal Justice Training Council to the Office of Professional Regulation.

**S. 253.** An act relating to Vermont's adoption of the Interstate Medical Licensure Compact.

**S. 269.** An act relating to blockchain, cryptocurrency, and financial technology.

#### **Joint Assembly**

At ten o'clock and thirty minutes in the morning, the hour having arrived for the meeting of the two Houses in Joint Assembly pursuant to:

**J.R.S. 50.** Joint resolution providing for a Joint Assembly to vote on the retention of one Superior Judge and one Magistrate.

The Senate repaired to the hall of the House.

Having returned therefrom, at eleven o'clock and thirteen minutes in the morning, the President assumed the Chair.

#### **Bills Referred**

House bills of the following titles were severally read the first time and referred:

**H. 378.**

An act relating to the creation of the Artificial Intelligence Task Force.

To the Committee on Government Operations.

**H. 615.**

An act relating to prohibiting the use of drones near correctional facilities.

To the Committee on Judiciary.

**H. 726.**

An act relating to creating a voluntary pollinator-friendly standard for solar arrays.

To the Committee on Natural Resources and Energy.

**H. 806.**

An act relating to the Southeast State Correctional Facility.

To the Committee on Institutions.

**H. 881.**

An act relating to corrective action plans under Act 250.

To the Committee on Natural Resources and Energy.

**H. 904.**

An act relating to miscellaneous agricultural subjects.

To the Committee on Agriculture.

**Rules Suspended; Bill Committed**

Pending entry on the Calendar for notice, on motion of Senator Cummings the rules were suspended and Senate bill entitled:

**S. 276.** An act relating to rural economic development.

was committed to the Committee on Appropriations pursuant to Rule 31 with the reports of the Committee on Agriculture, Committee on Natural Resources and Committee on Finance *intact*,

Which was agreed to.

**Adjournment**

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

**Afternoon**

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

**Devotional Exercises**

Devotional exercises were conducted by the Reverend Leon Dunkley of Woodstock.

---

**Bills Passed**

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

**S. 168.** An act relating to employment protection for volunteer emergency responders.

**S. 180.** An act relating to the Vermont Fair Repair Act.

**S. 222.** An act relating to technical amendments to civil and criminal procedure statutes.

**S. 225.** An act relating to access to Vermont Prescription Monitoring System data by academic researchers and coverage by commercial health insurers for costs associated with medication-assisted treatment.

**Bill Amended; Third Reading Ordered****S. 111.**

Senator Pearson, for the Committee on Government Operations, to which was referred Senate bill entitled:

An act relating to privatization contracts.

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

**Sec. 1. IMPROVEMENTS TO PRIVATIZATION CONTRACTING**

The Secretary of Administration, the Commissioner of Buildings and General Services, the Attorney General, the Auditor of Accounts, and the President of the Vermont State Employees' Association or designee shall study and recommend to the House and Senate Committees on Government Operations, on or before January 15, 2019, improvements to the method by which privatization contracts are awarded, including recommendations to ensure that any State service that is privatized may include provisions regarding livable wages and benefits, and follow-up annual audits to ensure that the projected cost savings are realized through the contracted activity.

And that when so amended the bill ought to pass.

Senator Kitchel, 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; Third Reading Ordered****S. 287.**

Senator Rodgers, for the Committee on Natural Resources and Energy, to which was referred Senate bill entitled:

An act relating to universal recycling requirements.

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

**Sec. 1. USE OF BOTTOM BARRIERS WITHOUT PERMIT**

(a) The Secretary of Natural Resources shall not require an aquatic nuisance control permit under 10 V.S.A. § 1455 for the use of up to 15 bottom barriers on an inland lake to control nonnative aquatic nuisance species, provided that:

(1) the bottom barriers are managed and controlled by a lake association;

(2) each bottom barrier shall be of no greater size than 14 feet by 14 feet;

(3) the bottom barriers are not installed in an area where they:

(A) create a hazard to public health; or

(B) unreasonably impede boating or navigation;

(4) the lake association notifies the Secretary of the use of the barriers:

(A) three days prior to placement of the barriers in the water if the Secretary has identified the water as containing threatened or endangered species; or

(B) on the day the barriers are placed in the water if the Secretary has not identified the water as containing threatened or endangered species; and

(5) the Secretary may require the removal of the bottom barriers upon a determination that the barriers pose a threat to a threatened or endangered species.

(b) The Secretary of Natural Resources shall designate an e-mail address, telephone number, or other publicly available method by which a lake association may provide the notice required by this section seven days a week.

**Sec. 2. ANR REPORT TO GENERAL ASSEMBLY; AQUATIC NUISANCE CONTROL PERMIT; RULE**

(a) On or before January 15, 2019 and prior to issuing the general permit required by 2017 Acts and Resolves No. 67 Sec. 9 or any new aquatic nuisance

general permit under 10 V.S.A. chapter 50, the Secretary of Natural Resources shall submit a proposed final draft of the general permit to the Senate Committee on Natural Resources and Energy and the House Committee on Natural Resources, Fish, and Wildlife while the General Assembly is in session so that the General Assembly may review the general permit and recommend changes.

(b) Prior to filing under 3 V.S.A. § 841, final proposed rule for aquatic nuisance control under 10 V.S.A. chapter 50, the Secretary of Natural Resources shall submit the proposed rule to the Senate Committee on Natural Resources and Energy and the House Committee on Natural Resources, Fish, and Wildlife while the General Assembly is in session so that the General Assembly may review the rule and recommend changes.

### Sec. 3. 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 aquatic nuisance control.

And that when so amended the bill ought to pass.

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

### **Adjournment**

On motion of Senator Mazza, the Senate adjourned until eleven o'clock and thirty minutes in the morning.