

Journal of the Senate

FRIDAY, APRIL 6, 2018

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Rick Swanson of Stowe.

Message from the House No. 41

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 adopted joint resolution of the following title:

J.R.H. 15. Joint resolution requesting the Federal Trade Commission, the Federal Communications Commission, and Congress to adopt more effective measures to enforce the federal Do Not Call list and to police illegal robocalls.

In the adoption 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. 54. 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. 693. An act relating to the Honor and Remember Flag.

And has severally concurred therein.

Message from the House No. 42

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 a House bill of the following title:

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H. 548. An act relating to tax increment financing districts.

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

The House has adopted joint resolution of the following title:

J.R.H. 16. Joint resolution authorizing the Green Mountain Girls State educational program to use the State House.

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

The House has considered Senate proposals of amendment to the following House bills:

H. 422. An act relating to removal of firearms from a person arrested or cited for domestic assault.

H. 563. An act relating to repealing the crimes of vagrancy.

H. 611. An act relating to compensation for victims of crime.

And has severally concurred therein.

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

H. 771. An act relating to the Vermont National Guard.

And has severally concurred therein with a further proposal of amendment thereto, in the adoption of which the concurrence of the Senate is requested.

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

H. 836. An act relating to electronic court filings for relief from abuse orders.

And has severally concurred therein with a further proposal of amendment thereto, in the adoption of which the concurrence of the Senate is requested.

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

H.C.R. 302. House concurrent resolution congratulating Bennington Fire Department's Eagle Hose Company No.4 President Joseph A. Wassick for his 60-year tenure as a company member.

H.C.R. 303. House concurrent resolution congratulating the 2018 Norwich University Cadets NCAA Division III championship women's ice hockey team.

H.C.R. 304. House concurrent resolution commemorating the 125th anniversary of the legislative incorporation of the Village of Essex Junction.

H.C.R. 305. House concurrent resolution designating Thursday, March 29, 2018 as Alzheimer's Awareness and Advocacy Day.

H.C.R. 306. House concurrent resolution congratulating the 2018 Rutland High School Raiders Division I championship boys' basketball team.

H.C.R. 307. House concurrent resolution congratulating the 2018 Sharon Academy Phoenix Division IV championship boys' basketball team.

H.C.R. 308. House concurrent resolution congratulating the 2018 St. Johnsbury Academy Hilltoppers Division I championship girls' basketball team.

H.C.R. 309. House concurrent resolution designating Tuesday, April 3, 2018 as National Service Day in Vermont.

H.C.R. 310. House concurrent resolution designating April 2018 as the Month of the Military Child in Vermont.

H.C.R. 311. House concurrent resolution commemorating the 150th anniversary of the founding of the Benevolent and Protective Order of Elks.

H.C.R. 312. House concurrent resolution congratulating Amy Rounds of Westminster on her selection as the 2018 Vermont State Mother of the Year.

H.C.R. 313. House concurrent resolution honoring Jeannine Griffin of Brandon as an educator and as a woman active in her faith community.

H.C.R. 314. House concurrent resolution congratulating the 2018 Essex High School Hornets Division I championship boys' ice hockey team.

H.C.R. 315. House concurrent resolution in memory of Antonio B. Pomerleau of Burlington.

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

Rules Suspended; Bill Committed

H. 27.

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

An act relating to eliminating the statute of limitations on prosecutions for sexual assault.

Was taken up for immediate consideration.

Thereupon, pending the reading of the report of the Committee on Judiciary, Senator Sears moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Education with the report of the Committee on Judiciary *intact*,

Which was agreed to.

Committee Relieved of Further Consideration; Bill Committed

H. 777.

On motion of Senator MacDonald, the Committee on Natural Resources and Energy was relieved of further consideration of House bill entitled:

An act relating to the Clean Water State Revolving Loan Fund,
and the bill was committed to the Committee on Institutions.

Bill Referred to Committee on Finance

H. 894.

House bill of the following title, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule was referred to the Committee on Finance:

An act relating to pensions, retirement, and setting the contribution rates for municipal employees.

Joint Resolution Referred

J.R.H. 15.

Joint resolution originating in the House of the following title was read the first time and is as follows:

Joint resolution requesting the Federal Trade Commission, the Federal Communications Commission, and Congress to adopt more effective measures to enforce the federal Do Not Call list and to police illegal robocalls.

Whereas, millions of Americans would prefer not to receive annoying telephone calls soliciting them to make unwanted purchases, and

Whereas, in 1991, Congress enacted legislation that created the first Do Not Call registry; however, the registry was not federally maintained, and

Whereas, in 2003, Congress realized a more assertive federal response was required, and Congress adopted, with strong bipartisan support, a new Do Not Call registry and assigned its administration and enforcement to the Federal Trade Commission (FTC), and

Whereas, only one person at the FTC is responsible for maintaining the list of 230 million numbers, although contractors field 19,000 complaints daily and a relatively small contingent of FTC staff conduct enforcement proceedings, and

Whereas, the placement of a telephone number on the list is supposed to alert private telemarketers not to call that number, but it does not technically block a telemarketer from calling the number, and

Whereas, the advancement of robocalling technology greatly increased the number of telemarketing calls, and in 2009, the FTC adopted new regulations prohibiting most uses of robocalling, except by schools, political organizations, and other organizations not selling a product, and

Whereas, in 2016, the Federal Communications Commission (FCC), which shares jurisdiction with the FTC on these topics, convened the Robocall Strike Force, in which telecommunications industry leaders brainstormed, and

Whereas, an increasingly prevalent telemarketing phenomenon is known as neighborhood spoofing, a technology by which national telemarketers use a false local number to give cell phone owners the misleading impression that the call is from a neighbor, and

Whereas, separately, in 2015, the FCC adopted an order giving telecommunication carriers new authority to block certain robocalls directly, addressing in part, but not eliminating, the persisting and annoying problem of neighborhood spoofing, and

Thereupon, in the discretion of the President, under Rule 51, the joint resolution was treated as a bill and referred to the Committee on Finance.

Joint Resolution Placed on Calendar

J.R.H. 16.

Joint resolution originating in the House of the following title was read the first time and is as follows:

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

Whereas, the American Legion Auxiliary Department of Vermont sponsors the Green Mountain Girls State educational program, providing a group of girls entering the 12th grade a special opportunity to study the workings of State government in Montpelier, and

Whereas, the Green Mountain Girls State education program serves as an outstanding leadership training forum for future women civic leaders in Vermont, and

Whereas, as part of their visit to the State's capital city, the girls conduct a mock legislative session in the State House, now therefore be it

Resolved by the Senate and House of Representatives:

That the Sergeant at Arms shall make available the chambers and committee rooms of the State House for the Green Mountain Girls State educational program on Wednesday, June 20, 2018, from 8:00 a.m. to 4:15 p.m., and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the American Legion Auxiliary Department of Vermont in Montpelier.

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

Bill Referred

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

H. 548. An act relating to tax increment financing districts.

Was taken up and pursuant to Temporary Rule 44A was referred to the Committee on Rules.

Proposal of Amendment; Bill Passed in Concurrence with Proposal of Amendment

H. 562.

House bill entitled:

An act relating to parentage proceedings.

Was taken up.

Thereupon, pending third reading of the bill, Senator White moved to amend the Senate proposal of amendment in Sec. 1, 15C V.S.A. § 611, by adding a new subsection (c) to read as follows:

(c) A genetic specimen taken pursuant to this section shall be destroyed after final determination of the parentage case.

Which was agreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Third Reading Ordered

H. 843.

Senator Collamore, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to technical corrections.

Reported that the bill ought to pass in concurrence.

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

House Concurrent Resolutions

The following joint concurrent resolutions having been placed on the consent calendar on the preceding legislative day, and no Senator having requested floor consideration as provided by the Joint Rules of the Senate and House of Representatives, were severally adopted in concurrence:

By Reps. Morrissey and others,

By Senators Champion and Sears,

H.C.R. 302.

House concurrent resolution congratulating Bennington Fire Department's Eagle Hose Company No.4 President Joseph A. Wassick for his 60-year tenure as a company member.

By Reps. Donahue and others,

H.C.R. 303.

House concurrent resolution congratulating the 2018 Norwich University Cadets NCAA Division III championship women's ice hockey team.

By Reps. Houghton and Giambatista,

H.C.R. 304.

House concurrent resolution commemorating the 125th anniversary of the legislative incorporation of the Village of Essex Junction.

By Reps. Noyes and others,

H.C.R. 305.

House concurrent resolution designating Thursday, March 29, 2018 as Alzheimer's Awareness and Advocacy Day.

By Reps. Fagan and others,

By Senators Collamore, Flory and Soucy,

H.C.R. 306.

House concurrent resolution congratulating the 2018 Rutland High School Raiders Division I championship boys' basketball team.

By Reps. Masland and Briglin,

By Senators Clarkson, McCormack and Nitka,

H.C.R. 307.

House concurrent resolution congratulating the 2018 Sharon Academy Phoenix Division IV championship boys' basketball team.

By Reps. Beck and others,

By Senators Kitchel and Benning,

H.C.R. 308.

House concurrent resolution congratulating the 2018 St. Johnsbury Academy Hilltoppers Division I championship girls' basketball team.

By All Members of the House,

H.C.R. 309.

House concurrent resolution designating Tuesday, April 3, 2018 as National Service Day in Vermont.

By Reps. Head and others,

H.C.R. 310.

House concurrent resolution designating April 2018 as the Month of the Military Child in Vermont.

By Reps. Dickinson and others,

H.C.R. 311.

House concurrent resolution commemorating the 150th anniversary of the founding of the Benevolent and Protective Order of Elks.

By Reps. Partridge and others,

By Senators Balint, White and Branagan,

H.C.R. 312.

House concurrent resolution congratulating Amy Rounds of Westminster on her selection as the 2018 Vermont State Mother of the Year.

By Reps. Shaw and Carr,

By Senators Collamore, Flory and Soucy,

H.C.R. 313.

House concurrent resolution honoring Jeannine Griffin of Brandon as an educator and as a woman active in her faith community.

By Reps. Myers and others,

H.C.R. 314.

House concurrent resolution congratulating the 2018 Essex High School Hornets Division I championship boys' ice hockey team.

By All Members of the House,

H.C.R. 315.

House concurrent resolution in memory of Antonio B. Pomerleau of Burlington.

Adjournment

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, April 10, 2018, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 54.