

Senate Calendar

TUESDAY, APRIL 16, 2019

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ORDERS OF THE DAY

ACTION CALENDAR

NEW BUSINESS

Third Reading

S. 162.

An act relating to promoting economic development.

Amendment to S. 162 to be offered by Senator Brock before Third Reading

Senator Brock moves to amend the bill in Sec. 2 in subdivision (b)(4) by striking out the word “income” and in subdivision (d)(2)(B) by striking out the word “repayment” and inserting in lieu thereof the word payment

Second Reading

Favorable

H. 204.

An act relating to miscellaneous provisions affecting navigators, Medicaid records, and the Department of Vermont Health Access.

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

(Committee vote: 5-0-0)

(No House amendments)

NOTICE CALENDAR

Second Reading

Favorable

H. 321.

An act relating to aggravated murder for killing a firefighter or an emergency medical provider.

Reported favorably by Senator Benning for the Committee on Judiciary.

(Committee vote: 4-1-0)

(No House amendments)

Proposed Amendment to the Vermont Constitution

PROPOSAL 2

(First day on Notice Calendar pursuant to Rule 77)

Offered by: Senators Ingram, Ashe, Kitchel, Balint, Baruth, Benning, Bray, Brock, Champion, Clarkson, Collamore, Hardy, Hooker, Lyons, Mazza, Parent, Pearson, Perchlik, Pollina, Rodgers, Sears, Sirotkin, Starr and White

Subject: Declaration of rights; eliminating reference to slavery

PENDING ACTION: Second reading of the proposed amendment

Text of Proposal 2:

PROPOSAL 2

Sec. 1. HISTORY; PURPOSE

(a) History. While Vermont was the first state to include a prohibition on slavery in its Constitution in 1777, it was only a partial prohibition, applicable to adults reaching a certain age, “unless bound by the person’s own consent, after arriving to such age, or bound by law for the payment of debts, damages, fines, costs, or the like.” The 13th Amendment to the U.S. Constitution, ratified in 1865, prohibited slavery within the United States “except as a punishment for crime whereof the party shall have been duly convicted[.]” Despite subsequent revisions to it, the Vermont Constitution continues to contain only a partial prohibition on slavery.

(b) Purpose. This proposal would amend the Constitution of the State of Vermont to eliminate reference to slavery. Eliminating reference to slavery in the Vermont Constitution will serve as a foundation for addressing systemic racism in our State’s laws and institutions.

Sec. 2. Article 1 of Chapter I of the Vermont Constitution is amended to read:

Article 1. [All persons born free; their natural rights; ~~slavery prohibited~~]

That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety; ~~therefore no person born in this country, or brought from over sea, ought to be holden by law, to serve any person as a servant, slave or apprentice, after arriving to the age of twenty-one years, unless bound by the person's own consent, after arriving to such age, or bound by law for the payment of debts, damages, fines, costs, or the like.~~

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

Reported favorably with recommendation of amendment by Senator White for the Committee on Government Operations

The Committee on Government Operations recommends that Proposal 2 be amended by striking out the proposal in its entirety and inserting in lieu thereof the following:

PROPOSAL 2

Sec. 1. PURPOSE

This proposal would amend the Constitution of the State of Vermont to clarify that slavery and indentured servitude in any form are prohibited.

Sec. 2. Article 1 of Chapter I of the Vermont Constitution is amended to read:

Article 1. [All persons born free; their natural rights; slavery and indentured servitude prohibited]

That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety; therefore ~~no person born in this country, or brought from over sea, ought to be holden by law, to serve any person as a servant, slave or apprentice, after arriving to the age of twenty-one years, unless bound by the person's own consent, after arriving to such age, or bound by law for the payment of debts, damages, fines, costs, or the like~~ slavery and indentured servitude in any form are prohibited.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

(Committee vote: 5-0-0)

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.

Cory G. Gustafson of Montpelier – Commissioner, Department of Vermont Health Access – By Sen. Westman for the Committee on Health and Welfare. (4/17/19)

Monica C. Hutt of Williston – Commissioner, Department of Disabilities, Aging and Independent Living – By Sen. Ingram for the Committee on Health and Welfare. (4/17/19)

Amy Davenport of Montpelier – Member, Children and Family Council for Prevention Programs – By Sen. Cummings for the Committee on Health and Welfare. (4/17/19)

Donn Hutchins of Dorset – Member, Children and Family Council for Prevention Programs – By Sen. Westman for the Committee on Health and Welfare. (4/17/19)

Judy P. Rosenstreich of Shelburne – Member, Board of Medical Practice – By Sen. Lyons for the Committee on Health and Welfare. (4/17/19)

PUBLIC HEARINGS

SENATE APPROPRIATIONS COMMITTEE

H.542 (FY 2020 Budget)

ADVOCATES TESTIMONY

On **Tuesday, April 16, 2019 from 1:30-4:30 pm**, the Senate Appropriations Committee will be taking testimony from advocates regarding the Fiscal Year 2020 Budget (H.542) in Room 10 of the State House. **All available time slots have been filled.** To submit written testimony to the committee please contact Becky Buck at the Legislative Joint Fiscal Office located at 1 Baldwin Street (phone: 828-5969) or via email at: rbuck@leg.state.vt.us

April 23, 2019 - 5:00 - 7:00 P.M. - Room 11 - Re: H. 51, H. 175, H. 214
Fossil fuel Infrastructure- - House Committee on Natural Resources and
Energy and Technology.

FOR INFORMATIONAL PURPOSES

CONSTITUTIONAL AMENDMENTS

The 2019-2020 biennium is the second reading of a proposal of amendment; there is only a second reading this biennium. Third reading is during the 2021-2022 biennium.

Upon being reported by a committee, the proposal is printed in full in the Senate Calendar on the Notice Calendar for five legislative days. Senate Rule 77.

At second reading the proposal of amendment is read in full. Senate Rule 77.

The vote on any constitutional proposal of amendment and any amendment thereto is by yeas and nays. Senate Rules 77 and 80, and Vermont Constitutional §72 (requirement of 2/3 vote of members).

At second reading, the questions is: “Shall the Senate adopt the proposal of amendment to the Constitution of Vermont (as amended) as recommended by the Committee on ____ and request the concurrence of the House?” which requires 20 votes – 2/3 of the Senate. Vermont Constitution §72. Any amendments to the proposal of amendment require a majority. Senate Rule 80.

Amendments recommended by any senator shall be submitted to the committee of reference, in written form, where they shall be acted upon by the committee. Upon adoption or rejection of any amendment by the committee, the amendment and recommendation shall be printed in the calendar at least one legislative day before second reading. Senate Rule 78