

Senate Calendar

WEDNESDAY, FEBRUARY 19, 2020

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ACTION CALENDAR

UNFINISHED BUSINESS OF TUESDAY, JANUARY 7, 2020

GOVERNOR'S VETOES

S. 37.

An act relating to medical monitoring.

Pending question (to be voted by call of the roll): Shall the bill pass, notwithstanding the Governor's refusal to approve the bill? (Two-thirds of the members present required to override the Governor's veto.)

(For text of veto message, see Senate Calendar for January 7, 2020, page 1.)

S. 169.

An act relating to firearms procedures.

Pending question (to be voted by call of the roll): Shall the bill pass, notwithstanding the Governor's refusal to approve the bill? (Two-thirds of the members present required to override the Governor's veto.)

(For text of veto message, see Senate Calendar for January 7, 2020, page 9.)

NEW BUSINESS

Second Reading

Favorable with Proposal of Amendment

H. 550.

An act relating to unclaimed property.

Reported favorably with recommendation of proposal of amendment by Senator White 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. 2. 27 V.S.A. § 1461(5) after the word “a” by inserting payroll card or and by striking out “other than amounts held on a payroll card, but”

Second: In Sec. 2. 27 V.S.A § 1461(11) by striking out “including” and inserting in lieu thereof other than and by striking out the word “on” and inserting in lieu thereof the word in

Third: In Sec. 2. 27 V.S.A. § 1462(a) after “years after” by inserting the later of

Fourth: In Sec. 2. 27 V.S.A. § 1462(a)(1) by striking out “the later of”

Fifth: In Sec. 2. 27 V.S.A. § 1462(a)(2)(A) by striking out “70.5” and inserting in lieu thereof 72

Sixth: In Sec. 2. 27 V.S.A. § 1469(b)(4) after “is held,” by inserting or in another account of the owner’s held by the same business association or financial organization,

Seventh: By striking out Sec. 3, effective date, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. EFFECTIVE DATE

This act shall take effect on January 1, 2021.

(Committee vote: 5-0-0)

(No House amendments.)

Reported favorably by Senator McCormack for the Committee on Appropriations.

The Committee recommends that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Government Operations.

(Committee vote: 6-0-1)

NOTICE CALENDAR

Committee Bills for Second Reading

S. 339.

An act relating to miscellaneous changes to laws related to vehicles.

By the Committee on Transportation. (Senator Perchlik for the Committee.)

Favorable with Recommendation of Amendment

S. 338.

An act relating to justice reinvestment.

By the Committee on Judiciary. (Senator Sears for the Committee.)

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

The Committee recommends that the bill be amended as follows:

First: By striking out Sec. 21, justice reinvestment II appropriation, in its entirety.

Second: In Sec. 23, effective dates, by striking out subsection (a) in its entirety, and inserting in lieu thereof the following:

(a) This section and Secs. 16 (earned good time; reduction of term) and 21 (repeals) shall take effect on passage.

And by renumbering the sections to be numerically correct.

(Committee vote: 7-0-0)

Favorable with Recommendation of Amendment

Second Reading

S. 324.

An act relating to prohibiting robocalls.

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

The Committee recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 9 V.S.A. § 2464e is added to read:

§ 2464e. ROBOCALLS; PROHIBITION; PENALTY

(a) A person shall not initiate a telephone call to a Vermont consumer using an automatic telephone dialing system or an artificial or prerecorded voice in violation of the federal Telephone Consumer Protection Act, 47 U.S.C. § 227, or the federal Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. §§ 6101–6108, and the regulations adopted pursuant to those laws.

(b) Civil violation.

(1) A violation of this section constitutes a violation of section 2453 of this title.

(2) Each prohibited telephone call constitutes a separate violation under this subsection.

(3)(A) A person who receives a telephone call in violation of this section may bring an action in Superior Court for damages or a civil penalty,

injunctive relief, punitive damages in the case of a willful violation, and reasonable costs and attorney's fees.

(B) The court may issue an award for the greater of a person's damages or a civil penalty of \$500.00 for a first violation and \$1,000.00 for each subsequent violation.

(c) Criminal Penalties.

(1) A person who violates this section shall be imprisoned for not more than 90 days or fined not more than \$1,000.00 per violation, or both.

(2) Each telephone call constitutes a separate violation under this subsection.

(d) The Attorney General shall exercise his or her authority and discretion to work cooperatively with other state and federal government entities to identify callers who initiate robocalls to consumers in violation of this section and to enforce the provisions of this section regardless of the location of the caller.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2020.

(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.

Craig Bolio of Winooski – Commissioner, Department of Taxes – By Sen. Cummings for the Committee on Finance. (01/21/20)

Michael Schirling of Burlington – Commissioner, Department of Public Safety – Sen. Mazza for the Committee on Transportation. (01/29/20)

Michael K. Smith of Westford – Secretary, Agency of Human Services – Sen. Lyons for the Committee on Health and Welfare. (02/12/02)

Sabina Brochu of Williston - Member, State Board of Education - By Sen. Ingram for the Committee on Education. (01/24/20)

Kyle Courtois of Georgia - Member, State Board of Education - By Sen. Perchlik for the Committee on Education. (01/24/20)

Margaret Tandoh of South Burlington – Member, Board of Medical Practice – By Sen. McCormack for the Committee on Health and Welfare. (02/11/20)

Holly Morehouse of Burlington – Member, Children and Family Council for Prevention Programs – By Sen. Lyons for the Committee on Health and Welfare. (02/12/20)

Susan Hayward of Middlesex – Member, Capitol Complex Commission – By Sen. Benning for the Committee on Institutions. (02/14/20)

Heather Shouldice – Member, Capitol Complex Commission – By Sen. Benning for the Committee on Institutions. (02/14/20)

PUBLIC HEARINGS

February 19, 2020 - 7:00 p.m. - Room 11 - Re: Judicial retention of Superior Court Judges: David Barra, Michael Harris, Katherine Hayes, Martin Maley, John Valente and Thomas Walsh - Joint Committee on Judicial Retention.

March 11, 2020 - 4:00 p.m. - 6:00 p.m. - Room 11 - Re: Re: Pupil weighting study - Senate Committee on Education.

NOTICE OF JOINT ASSEMBLY

Thursday, February 20, 2020 - 10:30 A.M. - Election of two (2) trustees for the Vermont State Colleges Corporation.

Candidates for the positions of trustee must notify the Secretary of State **in writing** not later than Thursday, February 13, 2020, by 5:00 P.M. pursuant to the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.

FOR INFORMATION ONLY

CROSSOVER DATES

The Joint Rules Committee established the following Crossover deadlines:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 13, 2020**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by Friday March 13, 2020.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 20, 2020**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Note: The Senate will not act on bills that do not meet these crossover deadlines, without the consent of the Senate Rules Committee.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill, and the Fee/Revenue bills.