

Journal of the Senate

FRIDAY, FEBRUARY 1, 2019

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Thomas Harty of Bethel.

Message from the House No. 9

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. 19. An act relating to sexual exploitation of a person in law enforcement officer custody.

H. 97. An act relating to fiscal year 2019 budget adjustments.

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

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

H.C.R. 28. House concurrent resolution congratulating Drake Hull of Rutland on winning the Vermont Golf Association's 2018 Vermont Amateur Golf Championship.

H.C.R. 29. House concurrent resolution congratulating the 2018 Harwood Union High School Highlanders Division II championship girls' cross-country team.

H.C.R. 30. House concurrent resolution congratulating the 2018 Harwood Union High School Highlanders Division II championship boys' soccer team.

H.C.R. 31. House concurrent resolution congratulating the 2018 Bellows Falls Union High School Terriers Division I championship field hockey team.

H.C.R. 32. House concurrent resolution congratulating Eric Maxham on establishing a new Vermont boys' soccer goal-scoring record and his father, Scott Maxham, on the conclusion of his outstanding West Rutland coaching career.

H.C.R. 33. House concurrent resolution congratulating the Champlain Valley Union High School Redhawks on winning their third consecutive boys' volleyball State championship.

H.C.R. 34. House concurrent resolution recognizing February 1, 2019 as Wear Red for Women Day at the State House.

H.C.R. 35. House concurrent resolution designating Wednesday, February 6, 2019 as Farm-to-School Awareness Day at the State House.

H.C.R. 36. House concurrent resolution congratulating the 2018 Woodstock Union High School Wasps Division III championship football team.

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

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

S.C.R. 3. Senate concurrent resolution in memory of Judge Francis Bernard McCaffrey Jr. of Weston.

And has adopted the same in concurrence.

Appointment of Senate Members to the Joint Transportation Oversight Committee

Pursuant to the provisions of 19 V.S.A. §12b (Supp.), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Transportation Oversight Committee during this biennium:

Senator Mazza, *ex officio*
 Senator Kitchel, *ex officio*
 Senator Cummings, *ex officio*

Appointment of Senate Members to the Joint Legislative Justice Oversight Committee

Pursuant to the provisions of 2 V.S.A. §801, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Legislative Justice Oversight Committee for terms of two years:

Senator Sears
 Senator Baruth
 Senator Lyons
 Senator McNeil
 Senator Hooker

**Appointment of Senate Members to the Legislative Advisory Committee
on the State House**

Pursuant to the provisions of 2 V.S.A. §651, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Advisory Committee on the State House for terms of two years:

Senator Rodgers
Senator Benning
Senator Mazza

**Appointment of Senate Members to Legislative Information Technology
Committee**

Pursuant to the provisions of 2 V.S.A. §751, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Information Technology Committee for the current biennium:

Senator Pearson
Senator Rodgers
Senator Westman
Senator Champion

**Appointment of Senate Member to Petroleum Clean-Up Fund Advisory
Committee**

Pursuant to the provisions of 10 V.S.A. §1941(e), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Petroleum Clean-Up Fund Advisory Committee during this biennium:

Senator Champion

Appointment of Senate Member to Pre-Kindergarten – 16 Council

Pursuant to the provisions of 16 V.S.A. §2905(b)(5), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Pre-Kindergarten – 16 Council:

Senator Baruth

Appointment of Senate Member to Advisory Council on Special Education

Pursuant to the provisions of 16 V.S.A. § 2945(a)(2), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Advisory Council on Special Education for a term of three years:

Senator Hardy

Appointment of Senate Members to the Joint Energy Committee

Pursuant to the provisions of 2 V.S.A. § 601, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Energy Committee for terms of two years ending on February 1, 2021

Senator Bray
Senator Pearson
Senator MacDonald
Senator Parent

Election of Senate Members to Judicial Nominating Board

The President announced that the next order of business was the election of three members of the Senate to serve on the Judicial Nominating Board pursuant to 4 V.S.A. §601.

Senator Ashe, on behalf of the Committee on Committees, placed in nomination the names of the following Senators to serve on the Board:

CHERYL MAZZARIELLO HOOKER

of Rutland District, as the majority party member of the Board.

BRIAN P. COLLAMORE

of Rutland District, as the minority party member of the Board.

JEANETTE K. WHITE

of Windham District, as the third member of the Board.

Senator Mazza of Grand Isle District seconded these nominations.

There being no further nominations, on motion of Senator Ashe, the nominations were closed, and the Secretary was instructed to cast one ballot for

CHERYL MAZZARIELLO HOOKER

of Rutland District, as the majority party member of the Board, for a term of two years or until her successor is elected and has qualified.

BRIAN P. COLLAMORE

of Rutland District, as the minority party member of the Board, for a term of two years or until his successor is elected and has qualified.

JEANETTE K. WHITE

of Windham District, as the third member of the Board, for a term of two years or until his successor is elected and has qualified.

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 69.

By Senator Rodgers,

An act relating to regulating the use of wake boats on State waters.

To the Committee on Natural Resources and Energy.

S. 70.

By Senators Perchlik, Lyons, Pearson and Pollina,

An act relating to prohibiting the disposal of waste from hydraulic fracturing.

To the Committee on Natural Resources and Energy.

S. 71.

By Senators Perchlik and Ingram,

An act relating to eliminating the sales tax exemption for candy and using that money to support child care assistance.

To the Committee on Finance.

S. 72.

By Senator Sears,

An act relating to extreme risk protection orders.

To the Committee on Judiciary.

Bills Referred

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

H. 19.

An act relating to sexual exploitation of a person in law enforcement officer custody.

To the Committee on Judiciary.

H. 97.

An act relating to fiscal year 2019 budget adjustments.

To the Committee on Appropriations.

Bill Passed**S. 14.**

Senate bill of the following title was read the third time and passed:

An act relating to extending the moratorium on home health agency certificates of need.

Joint Resolutions Adopted on the Part of the Senate

Joint Senate resolutions entitled:

J.R.S. 10. Joint resolution providing for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

J.R.S. 11. Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2019.

Having been placed on the Calendar for action, were taken up and adopted severally on the part of the Senate.

Senate Concurrent Resolution

The following joint concurrent resolution, 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, was adopted on the part of the Senate:

By Senators Ashe, Balint, Baruth, Benning, Bray, Brock, Campion, Clarkson, Collamore, Cummings, Hardy, Hooker, Ingram, Kitchel, Lyons, MacDonald, Mazza, McCormack, McNeil, Nitka, Parent, Pearson, Perchlik, Pollina, Rodgers, Sears, Sirotkin, Starr, Westman and White,

By Reps. Pajala and others,

S.C.R. 3.

Senate concurrent resolution in memory of Judge Francis Bernard McCaffrey Jr. of Weston.

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. Potter and others,

H.C.R. 28.

House concurrent resolution congratulating Drake Hull of Rutland on winning the Vermont Golf Association's 2018 Vermont Amateur Golf Championship.

By Reps. Stevens and others,

H.C.R. 29.

House concurrent resolution congratulating the 2018 Harwood Union High School Highlanders Division II championship girls' cross-country team.

By Reps. Stevens and others,

H.C.R. 30.

House concurrent resolution congratulating the 2018 Harwood Union High School Highlanders Division II championship boys' soccer team.

By Reps. Partridge and others,

H.C.R. 31.

House concurrent resolution congratulating the 2018 Bellows Falls Union High School Terriers Division I championship field hockey team.

By Reps. Potter and others,

H.C.R. 32.

House concurrent resolution congratulating Eric Maxham on establishing a new Vermont boys' soccer goal-scoring record and his father, Scott Maxham, on the conclusion of his outstanding West Rutland coaching career.

By Reps. Yantachka and others,

By Senators Lyons, Ashe, Baruth, Ingram, Pearson and Sirotkin,

H.C.R. 33.

House concurrent resolution congratulating the Champlain Valley Union High School Redhawks on winning their third consecutive boys' volleyball State championship.

By Rep. Krowinski,

By Senators Clarkson and Lyons,

H.C.R. 34.

House concurrent resolution recognizing February 1, 2019 as Wear Red for Women Day at the State House.

By Rep. Hooper,

H.C.R. 35.

House concurrent resolution designating Wednesday, February 6, 2019 as Farm-to-School Awareness Day at the State House.

By Reps. Harrison and Szott,

By Senators Clarkson, McCormack and Nitka,

H.C.R. 36.

House concurrent resolution congratulating the 2018 Woodstock Union High School Wasps Division III championship football team.

Adjournment

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, February 5, 2019, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 9.