

Journal of the Senate

TUESDAY, APRIL 23, 2019

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Marisa Laviola of Morrisville.

Pledge of Allegiance

The President then led the members of the Senate in the pledge of allegiance.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the nineteenth day of April, 2019 he approved and signed a bill originating in the Senate of the following title:

S. 14. An act relating to extending the moratorium on home health agency certificates of need.

Message from the House No. 49

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 Governor has informed the House that on April 19, 2019, he approved and signed bills originating in the House of the following titles:

H. 58. An act relating to approval of amendments to the charter of the Town of Barre.

H. 59. An act relating to the codification of the charter of the Rutland County Solid Waste District.

H. 73. An act relating to approval of amendments to the charter of the City of Barre.

H. 218. An act relating to lead poisoning prevention.

The Governor has informed the House that on April 22, 2019, he approved and signed a bill originating in the House of the following title:

H. 532. An act relating to fiscal year 2019 budget adjustments.

Bills Referred to Committee on Finance

House bills of the following titles, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule were severally referred to the Committee on Finance:

H. 205. An act relating to the regulation of neonicotinoid pesticides.

H. 249. An act related to the Reach Up and Reach Ahead pilot program.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 25.

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Ashe,

J.R.S. 25. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, April 26, 2019, it be to meet again no later than Tuesday, April 30, 2019.

Proposals of Amendment; Third Reading Ordered

H. 514.

Senator Pearson, for the Committee on Finance, to which was referred House bill entitled:

An act relating to miscellaneous tax provisions.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

First: In Sec. 10, in subdivision (10)(D)(ii)(I), after the following: “as defined in 24 V.S.A. § 1951,” by inserting the following: or provides emergency medical services or first responder services, as defined under 24 V.S.A. § 2651,

Second: By inserting a new section to be numbered Sec. 12a to read as follows:

Sec. 12a. TAX DATA ANALYSIS

(a) The Department of Taxes, with the cooperation of other executive agencies, shall analyze how existing federal and State tax data could be used to identify opportunities for State executive agencies to maximize the eligibility of Vermonters for federal and State programs. For each opportunity, the Department shall identify:

(1) how existing tax data could be used to streamline eligibility criteria and application processes;

(2) any current restrictions on the use of federal and State tax data in the context of the opportunity; and

(3) any changes to current law or to current data practices that would be required to maximize the benefit to the Vermont beneficiary while ensuring taxpayer confidentiality.

(b) The Department of Taxes shall submit its analysis in the form of a report to the Senate Committee on Finance and the House Committee on Ways and Means no later than December 1, 2019.

Third: In Sec. 17 after the section heading “REPORT ON NONPOSTSECONDARY USE OF HIGHER EDUCATION INVESTMENT PLAN FUNDS” by striking out the word “The” and inserting in lieu thereof the following: As far as practicable, the

Fourth: By inserting a new section to be numbered Sec. 17a to read as follows:

Sec. 17a. REPEAL

Sec. 17 (report) of this act shall be repealed on July 1, 2021.

Fifth: In Sec. 32, land use change tax, in subsection (a), by striking out the following: “In the instance where a parcel is withdrawn and value established, and then a portion of the withdrawn parcel is developed, the land use change tax on the entire originally withdrawn parcel is due.”

Sixth: By inserting a new section to be numbered Sec. 32a to read as follows:

Sec. 32a. LAND USE CHANGE TAX

No later than October 15, 2019, the Department of Taxes shall make recommendations to the Current Use Advisory Board for rulemaking to

address the application of the land use change tax when land is withdrawn from current use and subsequently only a portion of the land is developed.

Seventh: By inserting a new section to be numbered Sec. 36b to read as follows:

Sec. 36b. 32 V.S.A. § 9741 is amended to read:

§ 9741. SALES NOT COVERED

Retail sales and use of the following shall be exempt from the tax on retail sales imposed under section 9771 of this title and the use tax imposed under section 9773 of this title.

* * *

(3) Agriculture feeds, seed, plants, baler twine, silage bags, agricultural wrap, sheets of plastic for bunker covers, liming materials, breeding and other livestock, semen breeding fees, baby chicks, turkey poults, agriculture chemicals other than pesticides, ~~veterinary supplies~~, and bedding; and fertilizers and pesticides for use and consumption directly in the production for sale of tangible personal property on farms, including stock, dairy, poultry, fruit and truck farms, orchards, nurseries, or in greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities for sale.

* * *

(53) Prescription drugs intended for animal use, and durable medical equipment and prosthetics intended for animal use, and veterinary supplies intended for animal use. As used in this subdivision, “prescription drugs intended for animal use” means a drug dispensed only by or upon the lawful written order of a licensed veterinarian, and “veterinary supplies” mean tangible personal property therapeutic in nature, not normally used absent illness or injury, and not intended for repeated usage.

Eighth: In Sec. 38, effective dates, in subdivision (3), by striking out “and” and inserting in lieu thereof , and after “36a (automotive parts)” by inserting and 36b (veterinary supplies)

And that the bill ought to pass in concurrence with such proposals of amendment.

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

Joint Resolution Adopted in Concurrence**J.R.H. 5.**

Joint House resolution entitled:

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

Having been placed on the Calendar for action, was taken up and adopted in concurrence.

Adjournment

On motion of Senator Ashe, the Senate adjourned until two o'clock in the afternoon on Wednesday, April 24, 2019.