

# Journal of the Senate

WEDNESDAY, FEBRUARY 23, 2022

The Senate was called to order by the President.

## Devotional Exercises

Devotional exercises were conducted by the Reverend Fredrick Little, Jr. of Huntington.

## Senate Resolution Placed on Calendar

### S.R. 18.

Senate resolution of the following title was offered, read the first time and is as follows:

By the Committee on Rules,

**S.R. 18.** Senate resolution relating to adoption of a temporary Rule 44A.

### *Resolved by the Senate:*

That a temporary rule, to be designated Rule 44A, be adopted by the Senate, to read as follows:

Rule 44A. (a) Any bills failing to make the crossover dates of March 11, 2022 and March 18, 2022 shall be referred to the Committee on Rules. This provision shall not apply to the following measures:

- (1) The transportation capital bill;
- (2) The capital construction bill
- (3) The general appropriations bill (“The Big Bill”);
- (4) The pay bill;
- (5) The fee and revenue bills.

(b) The Rules Committee may report any bills referred to it for reference to another committee of jurisdiction pursuant to Senate Rule 24.

(c) The Temporary Rule 44A shall expire when the Legislature adjourns sine die.

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

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**Joint Resolution Placed on Calendar****J.R.S. 43.**

Joint Senate resolution of the following title was offered, read the first time and is as follows:

By Committee on Institutions,

**J.R.S. 43.** Joint resolution authorizing the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the land co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere.

*Whereas*, the Department of Forests, Parks and Recreation (the Department) owns and manages certain lands in the Towns of Eden and Belvidere, known as the Long Trail State Forest, that abut lands co-owned by the Vermont Land Trust (VLT) and the Nature Conservancy (TNC), and

*Whereas*, approximately 3.5 miles of the common boundary between the Long Trail State Forest and the lands that VLT and TNC co-own is uncertain as to its location on the ground and in existing deeds, and

*Whereas*, the Department and VLT and TNC have reached an agreement to confirm and locate the shared common boundaries through the exchange of quitclaim deeds and a survey of the boundary to be recorded in the land records of the Towns of Eden and Belvidere, and

*Whereas*, 10 V.S.A. § 2606(b) authorizes the Commissioner of Forests, Parks and Recreation “to sell, convey, exchange or lease land, or interests in land, or to amend deeds, leases and easement interests, under his or her jurisdiction,” with the approval of the General Assembly, *now therefore be it*

***Resolved by the Senate and House of Representatives:***

That the General Assembly authorizes the Commissioner of Forests, Parks and Recreation to exchange quit claim deeds with the Vermont Land Trust and the Nature Conservancy in order to confirm the boundary between the Long Trail State Forest and the lands co-owned by the Vermont Land Trust and the Nature Conservancy in the Towns of Eden and Belvidere, *and be it further*

***Resolved:*** That the Secretary of State be directed to send a copy of this resolution to the Commissioner of Forests, Parks and Recreation, the Vermont Land Trust, and the Nature Conservancy.

Thereupon, under Rule 34 and 51, the resolution was placed on the Calendar for notice.

**Bill Referred**

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

**H. 411.**

An act relating to the retrieval and use of covered animals.

To the Committee on Natural Resources and Energy.

**Proposal of Amendment; Third Reading Ordered****H. 367.**

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

An act relating to the management of perpetual care funds by cemetery associations.

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:

Sec. 1. 18 V.S.A. § 5384 is amended to read:

§ 5384. PAYMENT TO TREASURER; RECORD; INVESTMENT

(a) Unless otherwise directed by the donor, all monies received by a town for cemetery purposes shall be paid to the town treasurer, who shall give a receipt therefor, which shall be recorded in the office of the town clerk in a book kept for that purpose. ~~In such~~ The book shall also ~~be stated~~ state the amount received from each donor, the time when, and the specific purpose ~~to~~ for which the use thereof it is appropriated.

(b)(1) All monies so received by the town may be invested and reinvested by the treasurer, with the approval of the selectboard, by deposit in:

(A) ~~banks chartered by the State~~ certificates of deposit and other evidences of deposit at Vermont, national, or federal chartered banks, and savings and loan associations that are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor;

(B) ~~national banks~~ obligations of the United States, its agencies, and instrumentalities, which have a liquid market with readily determinable market value;

(C) ~~bonds of the United States or of municipalities whose bonds are legal investment for banks chartered by the State~~ investment-grade obligations of state or local governments, instrumentalities, and public authorities; and

~~(D) bonds or notes legally issued in anticipation of taxes by a town, village, or city in this State, or first mortgages on real estate in Vermont;~~

~~(E) the shares of an investment company or an investment trust, such as a mutual fund, closed-end fund, or unit investment trust, that is registered under the federal Investment Company Act of 1940, as amended, if such fund has been in operation for at least five years and has net assets of at least \$100,000,000.00; or~~

~~(F) shares of a savings and loan association of this State, or share accounts of a federal savings and loan association with its principal office in this State, when and to the extent to which the withdrawal or repurchase value of such shares or accounts are insured by the Federal Savings and Loan Insurance Corporation.~~

\* \* \*

Sec. 2. 18 V.S.A. § 5437 is amended to read:

§ 5437. INVESTMENT

~~A cemetery association shall invest such trust funds and shall expend the income therefrom in accordance with the provisions of in the same manner as town cemeteries pursuant to section 5309 5384 of this title and may delegate the management and investment of cemetery association funds pursuant to subdivision (b)(3) of that section.~~

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2022.

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

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

**Joint Resolution Adopted on the Part of the Senate**

**S.R. 17.**

Joint Senate resolution entitled:

Senate resolution extending concurrently conducted electronic sessions and committee meetings.

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

**Adjournment**

On motion of Senator Balint, the Senate adjourned until one o'clock in the afternoon on Thursday, February 24, 2022.