

Journal of the Senate

FRIDAY, MAY 5, 2023

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the Governor

A message was received from His Excellency, the Governor, by 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 fourth date of May, 2023 he returned without signature and *vetoed* a bill originating in the Senate of the following title:

S. 5. An act relating to affordably meeting the mandated greenhouse gas reductions for the thermal sector through efficiency, weatherization measures, electrification, and decarbonization.

Text of Communication from Governor

The text of the communication from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. 5** to the Senate is as follows:

May 4, 2023

The Honorable John Bloomer, Jr.
Secretary of the Senate
115 State House
Montpelier, VT 05633-5401

Dear Secretary Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning S.5, *An act relating to affordably meeting the mandated greenhouse gas reductions for the thermal sector through efficiency, weatherization measures, electrification, and decarbonization*, without my signature because of my objections described herein:

As Governor, I believe we must make Vermont more affordable by helping Vermonters keep more of what they earn, while we simultaneously make

transformative, strategic investments in important areas like community revitalization, climate action, housing, childcare, clean water, and broadband.

I also believe government transparency is essential to maintaining faith and trust in our democracy. When we pass laws, we must clearly communicate both the burdens and the benefits to Vermonters. From my perspective, S.5 conflicts with these principles, and I cannot support it.

It's important to note despite significant concerns with the policy, I would not veto a bill that directs the Public Utilities Commission (PUC) to design a potential clean heat standard – provided it's returned to the Legislature, in bill form with all the details, and debated, amended, and voted on with the transparency Vermonters deserve.

The so-called “check back” in S.5 does not achieve my simple request. Instead, the “check back” language in the bill is confusing, easily misconstrued, and contradictory to multiple portions of the bill.

As I have repeatedly stated publicly, this veto could have been avoided had the Legislature eliminated the confusion and spelled out, in plain language, that the proposed plan would return to the Legislature to be considered for codification and voted on in bill form.

Again, I continue to fully support efforts to reduce greenhouse gas emissions. As the Legislature is well aware, more than any previous governor, I have proposed, supported, and invested hundreds of millions of dollars to reduce emissions in the transportation and thermal sectors. I'm also committed to following through on the work outlined in our thermal sector action plan.

Here's the bottom line: The risk to Vermonters and our economy throughout the state is too great; the confusion around the language and the unknowns are too numerous; and we are making real and measurable progress reducing emissions with a more thoughtful, strategic approach that is already in motion.

For these reasons I cannot allow this bill to go into law. It's my sincere hope that members of the Legislature will have the courage to put their constituents ahead of party politics and sustain this veto.

Sincerely,

/s/Philip B. Scott

Governor

PBS/kp

Rules Suspended; Third Reading Ordered; Rules Suspended; Senate Resolution Adopted

S.R. 11.

Appearing on the Calendar for notice, on motion of Senator Baruth, the rules were suspended and Senate resolution entitled:

Senate resolution supporting the continuing resiliency and strengthening of the Abenaki communities in Vermont and encouraging a greater appreciation and respect for Abenaki culture during Abenaki Recognition and Heritage Week and throughout the year.

Was taken up for immediate consideration.

Senator Watson, for the Committee on Government Operations, reported that the resolution ought to be adopted.

Thereupon, the Senate resolution was read the second time by title only pursuant to Rule 43, and third reading of the Senate resolution was ordered.

Thereupon, on motion of Senator Baruth, the rules were suspended and Senate resolution was placed in all remaining stages of adoption.

Thereupon, the Senate resolution was read the third time and adopted.

Committee of Conference Appointed

S. 14.

An act relating to a report on criminal justice-related investments and trends.

Was taken up. Pursuant to the request of the Senate, the President announced the appointment of

Senator Hashim
Senator Vyhovsky
Senator Norris

as members of the Committee of Conference on the part of the Senate to consider the disagreeing votes of the two Houses.

Bill Referred to Committee on Appropriations

H. 270.

House bill of the following title, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule, was referred to the Committee on Appropriations:

An act relating to miscellaneous amendments to the adult-use and medical cannabis programs.

Bills Referred

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

H. 490. An act relating to approving the merger of the Village of Lyndonville with the Town of Lyndon.

H. 506. An act relating to approval of amendments to the election boundary provisions of the charter of the City of Burlington.

H. 507. An act relating to approval of amendments to the polling place provisions of the charter of the City of Burlington.

H. 508. An act relating to approval of an amendment to the ranked choice voting provisions of the charter of the City of Burlington.

H. 509. An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington.

And pursuant to Temporary Rule 44A were referred to the Committee on Rules.

Bill Passed in Concurrence

H. 161.

House bill of the following title was read the third time and passed in concurrence:

An act relating to issuance of burning permits.

House Proposal of Amendment Concurred In

H. 222.

House proposal of amendment to Senate bill entitled:

An act relating to reducing overdoses.

Was taken up.

The House concurs in the Senate proposal of amendment with further amendment thereto as follows:

First: In Sec. 9, 24 V.S.A. § 4412, in subdivision (1)(G)(i), by striking out the phrase “persons in recovery” and inserting in lieu thereof the word “tenants”

Second: By striking out Sec. 11, 18 V.S.A. § 4201, in its entirety and inserting in lieu thereof a new Sec. 11 to read as follows:

Sec. 11. 18 V.S.A. § 4201 is amended to read:

§ 4201. DEFINITIONS

As used in this chapter, ~~unless the context otherwise requires:~~

* * *

(45) “Approved drug-checking service provider” means a provider who complies with operating guidelines developed by the Department of Health pursuant to section 4240a of this title.

(46) “Drug-checking” means the testing of a substance to determine its chemical composition or assist in determining whether the substance contains contaminants, toxic substances, or hazardous compounds.

Third: By striking out Sec. 12, 18 V.S.A. § 4240a, in its entirety and inserting in lieu thereof a new Sec. 12 to read as follows:

Sec. 12. 18 V.S.A. § 4240a is added to read:

§ 4240a. OVERDOSE PREVENTION; DRUG-CHECKING FOR
CONTAMINANT DETECTION

(a) Notwithstanding any other provision of law, it shall not be a violation of this chapter for an approved drug-checking service provider to receive, possess, transport, or store samples of a substance that may contain a regulated drug solely for purposes of analyzing the substance to determine its chemical composition and disseminate information regarding the analysis to the provider of the substance.

(b) On-site approved drug-checking service providers shall be permitted to:

(1) collect voluntarily provided residual samples of substances potentially containing regulated drugs, possess, transport, or store samples of a regulated drug solely for purposes of analyzing the substances to determine its chemical composition as a lifesaving intervention;

(2) use any available technologies to analyze the contents of samples to obtain timely, highly accurate information regarding the composition of drugs to prevent overdose and mitigate health risks;

(3) provide results of analysis obtained from drug-checking technology to the person requesting drug services;

(4) disseminate data containing only the results of analysis and containing no personally identifiable information to community members at risk of overdose; and

(5) if necessary, arrange for a sample of a drug or substance to be tested by an approved laboratory.

(c) In operating any drug-checking service, personally identifiable information may be collected from a person providing a controlled substance to an approved drug-checking service provider only as necessary to communicate drug-checking results to the person. Personally identifiable information collected solely for the purposes of communicating drug-checking results shall not be retained or shared by an approved drug-checking service provider.

(d) An employee, contractor, volunteer, or other person acting in the good faith provision of drug-checking services and, acting in accordance with established protocols shall not:

(1) be subject to arrest, charge, or prosecution for a violation pursuant to this chapter, including for attempting to, aiding and abetting in, or conspiracy to commit a violation of this chapter;

(2) have their property subject to forfeiture, any civil or administrative penalty, or liability of any kind, including disciplinary action by a professional licensing board, credentialing restrictions, contractual or civil liability, or medical staff or other employment action; or

(3) be denied any right or privilege for actions, conduct, or omissions relating to the operation of a drug-checking service in compliance with this chapter and any rules adopted pursuant to this chapter.

(e) An individual possessing a regulated substance and who provides any portion of the substance to an approved drug-checking service provider pursuant to this section for purposes of obtaining drug-checking services shall not be subject to arrest, charge, or prosecution for possession of a regulated substance pursuant to this chapter or civil or administrative penalty or disciplinary action by a professional licensing board for a violation of this chapter based on the individual's use or attempted use of drug-checking services in accordance with this section. The immunity provisions of this subsection shall apply only to the use and derivative use of evidence gained as a proximate result of an individual seeking drug-checking services and shall not preclude prosecution of the individual on the basis of evidence obtained from an independent source.

(f) Local governments shall not collect, maintain, use, or disclose any personal information relating to an individual from whom local government receives any drug or substance for checking or disposal.

(g) The result of a test carried out by an approved drug-checking service provider shall not be admissible as evidence in any criminal or civil proceeding.

(h)(1) The Department shall provide technical assistance to and develop operating guidelines for drug-checking service providers.

(2) The Department shall coordinate the collection and dissemination of deidentified data related to drug-checking services to inform prevention and public health initiatives.

Fourth: In Sec. 13, 18 V.S.A. § 4774, in subdivision (a)(2), in the first sentence, by inserting the phrase “annually on or before January 15” after “subchapter, as part of its annual budget submission,”

Fifth: In Sec. 14, appropriation; Opioid Abatement Special Fund, in subdivision (3)(A), by striking out the phrase “and within syringe service organizations”

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

Bill Passed in Concurrence

H. 102.

House bill of the following title was read the third time and passed in concurrence:

An act relating to the Art in State Buildings Program.

Bills Passed in Concurrence with Proposals of Amendment

House bills of the following titles were severally read the third time and passed in concurrence with proposals of amendment:

H. 206. An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access.

H. 305. An act relating to professions and occupations regulated by the Office of Professional Regulation.

Bill Passed in Concurrence

H. 414.

House bill of the following title was read the third time and passed in concurrence:

An act relating to establishing an unused drug repository for Vermont.

Bill Passed in Concurrence with Proposal of Amendment**H. 493.**

House bill of the following title was read the third time and passed in concurrence with proposal of amendment:

An act relating to capital construction and State bonding.

Proposal of Amendment, Third Reading Ordered**H. 165.**

Senator Hashim, for the Committee on Education, to which was referred House bill entitled:

An act relating to school food programs and universal school meals.

Reported that the bill ought to pass in concurrence.

Senator Baruth, for the Committee on Appropriations, to which the bill was referred, reported recommending that the Senate propose to the House that the bill be amended by adding a reader assistance heading and new section to be Sec. 3a to read as follows:

* * * Appropriation * * *

Sec. 3a. APPROPRIATION; SCHOOL MEALS

The sum of \$29,000,000.00 is appropriated from the Education Fund to the Agency of Education for fiscal year 2024 to provide reimbursement for school meals under 16 V.S.A. § 4017.

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

Thereupon, the bill was read the second time by title only pursuant to Rule 43 and the proposal of amendment of the Committee on Appropriations was agreed to.

Thereupon, pending the question, Shall the bill be read a third time?, Senator Williams moved that the Senate propose to the House to amend the bill in Sec. 3, 16 V.S.A. § 4017, by striking out subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c) Approved independent schools. From State funds appropriated to the Agency from the Education Fund for the universal meals supplement, the Agency shall provide a universal meals supplement for the cost of each meal actually provided to each student enrolled in the approved independent school when meals are offered to all students at no charge pursuant to subdivision 1264(a)(1)(B) of this title.

(1) An approved independent school is eligible for the universal meals supplement only if it operates a food program that makes available a school lunch, as provided in the National School Lunch Act as amended, and a school breakfast, as provided in the Child Nutrition Act as amended, to each attending student who qualifies for those meals under these acts every school day.

(2) Reimbursement from State funds shall be available only to approved independent schools that maximize access to federal funds for the cost of the school breakfast and lunch program by participating in the Community Eligibility Provision under 7 C.F.R. § 245.9(f), or Provision 2 under 7 C.F.R. § 245.9(b), of these programs, or any other federal provision that in the opinion of the Agency draws down the most possible federal funding for meals served in that program. At the start of each school year, the Agency of Education may require that a school food authority requesting the universal meals supplement begin a new cycle of the relevant federal provision and group sites in a manner the Agency determines will maximize the drawdown of federal funds.

(3) Second breakfasts, as allowed under 7 C.F.R. § 220.9(a), do not qualify for reimbursement under this subsection.

Thereupon, pending the question, Shall the bill be amended as recommended by Senator Williams?, Senator Williams requested and was granted leave to withdraw the proposal of amendment.

Thereupon, third reading of the bill was ordered.

Proposal of Amendment; Third Reading Ordered

H. 492.

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

An act relating to setting the homestead property tax yields and the nonhomestead property tax rate.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: In Sec. 1, property dollar equivalent yield, income dollar equivalent yield, and nonhomestead property tax rate for fiscal year 2024, in subdivision (1) (property dollar equivalent yield), by striking out “\$15,477.00” and inserting in lieu thereof \$15,443.00

Second: In Sec. 1, property dollar equivalent yield, income dollar equivalent yield, and nonhomestead property tax rate for fiscal year 2024, in

subdivision (2) (income dollar equivalent yield), by striking out “\$17,577.00” and inserting in lieu thereof \$17,537.00

Third: In Sec. 1, property dollar equivalent yield, income dollar equivalent yield, and nonhomestead property tax rate for fiscal year 2024, in subdivision (3) (nonhomestead property tax rate), by striking out “\$1.388” and inserting in lieu thereof \$1.391

Fourth: In Sec. 2, education fund reserve; property tax rate offset, by striking out both instances of “\$22,000,000.00” and inserting in lieu thereof \$13,000,000.00

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 was agreed to, and third reading of the bill was ordered.

**House Proposal of Amendment to Senate Proposal of Amendment
Concurred In with Amendment**

H. 53.

House proposal of amendment to Senate proposal of amendment to House bill entitled:

An act relating to driver’s license suspensions.

Was taken up.

The House concurs in the Senate proposal of amendment with further amendment thereto by striking out Secs. 2 and 3 in their entireties and inserting in lieu thereof the following:

Sec. 2. IMPLEMENTATION

The Commissioner of Motor Vehicles shall not suspend any driver’s licenses or privileges to operate that are not already suspended as of the effective date of this section solely for the nonpayment of a civil penalty for a traffic violation committed prior to the effective date of this section.

Sec. 3. LEGISLATIVE FINDINGS

The General Assembly finds that the Domestic and Sexual Violence Special Fund, created by 13 V.S.A. § 5360 and which receives \$10.00 from each Judicial Bureau Surcharge imposed pursuant to 13 V.S.A. § 7282(a)(8)(D), might see decreased revenue if fewer individuals promptly pay judgments owed on traffic violations for which the imposition of points against the individual’s driving record is authorized by law and that an increased revenue

source is needed in order to ensure sufficient grant funding for the Vermont Network against Domestic and Sexual Violence and for the Criminal Justice Training Council position dedicated to domestic violence training.

Sec. 4. 32 V.S.A. § 1712 is amended to read:

§ 1712. TOWN CLERKS

Town clerks shall receive the following fees for issuing marriage licenses and vital event certificates:

(1) For issuing and recording a civil marriage license, ~~\$60.00~~ \$80.00 to be paid by the applicant, ~~\$10.00~~ \$15.00 of which sum shall be retained by the town clerk as a fee, ~~\$35.00~~ \$50.00 of which shall be deposited in the Domestic and Sexual Violence Special Fund created by 13 V.S.A. § 5360, and \$15.00 of which sum shall be paid by the town clerk to the State Treasurer in a return filed quarterly upon forms furnished by the State Treasurer and specifying all fees received by ~~him or her~~ the town clerk during the quarter. Such quarterly period shall be as of the first day of January, April, July, and October.

* * *

Sec. 5. EFFECTIVE DATES

(a) Sec. 4 (marriage licenses; 32 V.S.A. § 1712) shall take effect on July 1, 2023.

(b) All other sections shall take effect 30 calendar days after passage.

and that after passage the title of the bill be amended to read: “An act relating to driver’s license suspensions and revenue for the Domestic and Sexual Violence Special Fund”

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment to the Senate proposal of amendment?, Senators Sears and Cummings moved that the Senate concur in the House proposal of amendment to the Senate proposal of amendment with an amendment as follows:

By striking out Sec. 5, effective dates, in its entirety and inserting in lieu thereof the following:

Sec. 5. 32 V.S.A. § 1712 is amended to read:

§ 1712. TOWN CLERKS

Town clerks shall receive the following fees for issuing marriage licenses and vital event certificates:

(1) For issuing and recording a civil marriage license, ~~\$80.00~~ \$60.00 to be paid by the applicant, ~~\$15.00~~ \$10.00 of which sum shall be retained by the

town clerk as a fee, ~~\$50.00~~ \$35.00 of which shall be deposited in the Domestic and Sexual Violence Special Fund created by 13 V.S.A. § 5360, and \$15.00 of which sum shall be paid by the town clerk to the State Treasurer in a return filed quarterly upon forms furnished by the State Treasurer and specifying all fees received by the town clerk during the quarter. Such quarterly period shall be as of the first day of January, April, July, and October.

* * *

Sec. 6. EFFECTIVE DATES

(a) Sec. 4 (marriage licenses; 32 V.S.A. § 1712) shall take effect on July 1, 2023.

(b) Sec. 5 (marriage licenses; 32 V.S.A. § 1712) shall take effect on July 1, 2025.

(c) All other sections shall take effect 30 calendar days after passage.

Thereupon, the question, Shall the Senate concur in the House proposal of amendment to the Senate proposal of amendment with further proposal of amendment?, was decided in the affirmative.

Appointments Confirmed

Under suspension of the rules (and particularly, Senate Rule 93), as moved by Senator Hardy, the following Gubernatorial appointments were confirmed together as a group by the Senate, without reports given by the Committees to which they were referred and without debate:

O'Brien, Benjamin of Randolph - Member of the Vermont Occupational Safety and Health Review Board - July 1, 2022 to February 28, 2027.

Thomas, Brian of Shrewsbury - Member of the Plumbers' Examining Board - March 1, 2023 to February 28, 2026.

Thomas, Brian of Shrewsbury - Member of the Plumbers' Examining Board - October 10, 2022 to June 30, 2024.

Goodrich, Steve of North Bennington - Member of the Plumbers' Examining Board - October 10, 2022 to June 30, 2023.

Greemore, Robert of Barre - Member of the State Labor Relations Board - September 21, 2022 to February 29, 2028.

Saudek, Karen of Montpelier - Member of the State Labor Relations Board - May 4, 2022 to June 30, 2027.

Troiano, Jo Ann of Montpelier - Member of the Vermont State Housing Authority - December 12, 2022 to February 28, 2027.

Farrell, Alex of South Burlington - Member of the Vermont State Housing Authority - March 1, 2023 to February 29, 2028.

Cicio, Megan of Northfield - Member of the Liquor and Lottery, Board of - March 1, 2023 to January 31, 2026.

George, Dean of Middlebury - Member of the Parole Board - March 1, 2023 to February 28, 2026.

Donegan, Roger of Hinesburg - Member of the State Labor Relations Board - May 4, 2022 to June 30, 2026.

Christie, Kevin of White River Junction - Member of the Human Rights Commission - March 13, 2023 to February 29, 2028.

Appointments Confirmed

The following Gubernatorial appointments were confirmed separately by the Senate, upon full reports given by the Committees to which they were referred:

The nomination of

Clouser, Kristin L. of Jericho - Secretary, Agency of Administration - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 28, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, MacDonald, Mazza, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: McCormack, Weeks.

The nomination of

Harrington, Michael A. of Northfield - Commissioner Department of Labor - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 26, Nays 1.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, MacDonald, Mazza, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Watson, Westman, White, Williams, Wrenner.

The Senator who voted in the negative was: Vyhovsky.

Those Senators absent and not voting were: Gulick, McCormack, Weeks.

The nomination of

Kurrle, Lindsay H. of Middlesex - Secretary, Agency of Commerce and Community Development - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 27, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, MacDonald, Mazza, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: Gulick, McCormack, Weeks.

The nomination of

Haskell, Sabina of Burlington - Chair, Natural Resources Board - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 27, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Ingalls, Kitchel, Lyons, MacDonald, Mazza, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: Hashim, McCormack, Weeks.

The nomination of

Bolio, Craig of Essex Junction - Commissioner, Department of Taxes - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 28, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, MacDonald, Mazza, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: McCormack, Weeks.

The nomination of

Greshin, Adam of Warren - Commissioner, Department of Finance and Management - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 26, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, Mazza, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: MacDonald, McCormack, Vyhovsky, Weeks.

The nomination of

Samuelson, Jennifer of Shelburne - Secretary, Agency of Human Services - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 24, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Hashim, Ingalls, Kitchel, Lyons, Mazza, Norris, Perchlik, Ram Hinsdale, Starr, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: Harrison, MacDonald, McCormack, Sears, Vyhovsky, Weeks.

The nomination of

Philibert, Dawn of South Burlington - Chair, State Board of Health - October 17, 2022 to February 28, 2027.

Was confirmed by the Senate on a roll call, Yeas 25, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, Mazza, Norris, Perchlik, Sears, Starr, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: MacDonald, McCormack, Ram Hinsdale, Vyhovsky, Weeks.

The nomination of

Winters, Christopher of Berlin - Commissioner, Department of Children and Families - February 19, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 25, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, Mazza, Norris, Perchlik, Sears, Starr, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: MacDonald, McCormack, Ram Hinsdale, Vyhovsky, Weeks.

The nomination of

Beling, John of East Montpelier - Commissioner, Department of Environmental Conservation - July 13, 2022 to February 28, 2023.

Was confirmed by the Senate on a roll call, Yeas 24, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Mazza, Norris, Perchlik, Sears, Starr, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: Lyons, MacDonald, McCormack, Ram Hinsdale, Vyhovsky, Weeks.

The nomination of

Knight, Wendy of Panton - Commissioner, Department of Liquor and Lottery - March 1, 2023 to February 28, 2025.

Was confirmed by the Senate on a roll call, Yeas 26, Nays 0.

Senator Collamore having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, Mazza, Norris, Perchlik, Sears, Starr, Vyhovsky, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: MacDonald, McCormack, Ram Hinsdale, Weeks.

Rules Suspended; Bills Messaged

On motion of Senator Baruth, the rules were suspended, and the following bills were severally ordered messaged to the House forthwith:

H.53, H. 102, H. 161, H. 206, H. 222, H. 305, H. 414, H. 493.

Senate Concurrent Resolution Adopted

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

By All Members of the Senate,

S.C.R. 6. Senate concurrent resolution honoring Vanessa Davison for her extraordinary dedication as a staff member of the General Assembly.

Whereas, Vanessa Davison, a daily Hardwick-to-Montpelier commuter, has an abiding work ethic that is second to none, and she has always performed her legislative staffing duties courteously, effectively, and with the utmost professionalism, and

Whereas, in 1978, following her graduation from Hazen Union High School, she started her public service career in the General Assembly, reporting for work at the former Legislative Council, and

Whereas, during the next decade, Vanessa Davison assisted attorneys and support staff in myriad administrative and research tasks, eventually managing the Legislative Council's Wang computer system as the General Assembly entered the digital era, and

Whereas, a pivotal year for Vanessa Davison was 1988 when she embarked on a new career path as the Journal Clerk of the Vermont Senate, working collaboratively with Senate Secretaries Robert Gibson, David Gibson, and, since 2011, John Bloomer, and

Whereas, Vanessa Davison quickly mastered the intricacies required to prepare the daily and annual Senate Journals, and

Whereas, on occasion, she ferried text pages to a halfway point along I-89 in order to deliver them to a representative of the Burlington-based printer, and, on many nights, Vanessa Davison sat patiently at her desk while the next day's Journal slowly transmitted to the printer's office, a duty that improved technology fortunately eliminated, and

Whereas, senators knew they could rely on her discretion and knowledge in discussing parliamentary matters, and she had a great rapport with staff throughout the legislative branch, and

Whereas, during the past year, she has expertly trained her successor, ensuring that the high quality of the Senate Journal will continue, and

Whereas, in the spring of 2023, after 45 rewarding years on the staff of the General Assembly, including 35 years in the Office of the Senate Secretary, Vanessa Davison is concluding her legislative staff service, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly honors Vanessa Davison for her extraordinary dedication as a staff member of the General Assembly, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to Vanessa Davison.

Thereupon, the pending question, Shall the Concurrent resolution be adopted on the part of the Senate was agreed to on a roll call, Yeas 26, Nays 0.

Senator Ingalls having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: *Baruth, Bray, Brock, Champion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Ingalls, Kitchel, Lyons, Mazza, Norris, Perchlik, Sears, Starr, Vyhovsky, Watson, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: MacDonald, McCormack, Ram Hinsdale, Weeks.

*Senator Baruth explained his vote as follows:

Thank you Mr. President:

I voted “yes” because I love Vanessa Davison.

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 Collamore, Weeks and Williams,

By Rep. Sammis,

S.C.R. 5.

Senate concurrent resolution honoring Castleton Town Mechanic Robert B. Ward for his outstanding 24-year municipal public service career.

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. Taylor and others,

By Senator Wrenner,

H.C.R. 108.

House concurrent resolution congratulating the Milton Theater Company of Milton High School on an award-winning 2022–2023 season.

By Reps. Lipsky and others,

H.C.R. 109.

House concurrent resolution congratulating the Vermont-associated 2023 International Ski and Snowboard Federation World Championship medalists.

By Reps. Morrissey and others,

By Senators Champion and Sears,

H.C.R. 110.

House concurrent resolution congratulating the Bennington Rescue Squad on its 60th anniversary.

By Reps. Morrissey and others,

By Senators Champion and Sears,

H.C.R. 111.

House concurrent resolution congratulating the Bennington Rural Fire Department on its 70th anniversary.

By Reps. Hooper and Satcowitz,

By Senator MacDonald,

H.C.R. 112.

House concurrent resolution in memory of former Brookfield Fire Captain and Vermont Cartoonist Laureate Edward Benjamin Koren.

By Rep. Coffey,

H.C.R. 113.

House concurrent resolution congratulating 2023 Peacemaker Award winners Liz Brown and Mia Fowler.

By All Members of the House,

H.C.R. 114.

House concurrent resolution honoring Karen Horn of Moretown for her exemplary leadership representing and strengthening local government in Vermont.

Adjournment

On motion of Senator Baruth, the Senate adjourned, to reconvene on Monday, May 8, 2023, at ten o'clock and thirty minutes in the forenoon pursuant to J.R.S. 26.