

# Journal of the Senate

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FRIDAY, APRIL 12, 2024

The Senate was called to order by the President.

## Devotional Exercises

Devotional exercises were conducted by the Reverend Diane Nancekivell of Middlebury.

## Message from the House No. 44

A message was received from the House of Representatives by Ms. Courtney Reckord, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

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

**J.R.S. 52.** Joint resolution relating to weekend adjournment on April 12, 2024.

And has adopted the same in concurrence.

The House has considered Senate proposal of amendment to House bill of the following title:

**H. 659.** An act relating to captive insurance.

And has concurred therein with a further proposal of amendment thereto, in the adoption of which the concurrence of the Senate is requested.

## Bill Referred to Committee on Appropriations

### H. 629.

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 changes to property tax abatement and tax sales.

**Bill Passed in Concurrence with Proposal of Amendment****H. 40.**

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

An act relating to nonconsensual removal of or tampering with a condom.

**Bill Passed in Concurrence****H. 363.**

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

An act relating to prohibiting discrimination based on certain hair types and styles.

**Bill Passed in Concurrence with Proposal of Amendment****H. 666.**

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

An act relating to escrow deposit bonds.

**Third Reading Ordered****H. 664.**

Senator Wrenner, for the Committee on Agriculture, to which was referred House bill entitled:

An act relating to designating a State Mushroom.

Reported that the bill ought to pass in concurrence.

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

**Proposal of Amendment; Third Reading Ordered****H. 563.**

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

An act relating to criminal motor vehicle offenses involving unlawful trespass, theft, or unauthorized operation

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. 13 V.S.A. § 3705 is amended to read:

§ 3705. UNLAWFUL TRESPASS

(a)(1) A person shall be imprisoned for not more than three months or fined not more than \$500.00, or both, if, without legal authority or the consent of the person in lawful possession, ~~he or she~~ the person enters or remains on any land or in any place as to which notice against trespass is given by:

(A) actual communication by the person in lawful possession or ~~his or her~~ the person's agent or by a law enforcement officer acting on behalf of such person or ~~his or her~~ the person's agent;

(B) signs or placards so designed and situated as to give reasonable notice; or

(C) in the case of abandoned property:

(i) signs or placards, posted by the owner, the owner's agent, or a law enforcement officer, and so designed and situated as to give reasonable notice; or

(ii) actual communication by a law enforcement officer.

(2) As used in this subsection, "abandoned property" means:

(A) real property on which there is a vacant structure that for the previous 60 days has been continuously unoccupied by a person with the legal right to occupy it and with respect to which the municipality has by first-class mail to the owner's last known address provided the owner with notice and an opportunity to be heard; and

(i) property taxes have been delinquent for six months or more; or

(ii) one or more utility services have been disconnected; or

(B) a railroad car that for the previous 60 days has been unmoved and unoccupied by a person with the legal right to occupy it.

(b) Prosecutions for offenses under subsection (a) of this section shall be commenced within 60 days following the commission of the offense and not thereafter.

(c) A person who enters the motor vehicle of another and knows that the person does not have legal authority or the consent of the person in lawful possession of the motor vehicle to do so shall be imprisoned not more than three months or fined not more than \$500.00, or both. For a second or subsequent offense, a person who violates this subsection shall be imprisoned not more than one year or fined not more than \$500.00, or both. Notice against trespass shall not be required under this subsection.

(d) A person who enters a building other than a residence, whose access is normally locked, whether or not the access is actually locked, or a residence in violation of an order of any court of competent jurisdiction in this State shall be imprisoned for not more than one year or fined not more than \$500.00, or both.

~~(d)~~(e) A person who enters a dwelling house, whether or not a person is actually present, knowing that ~~he or she~~ the person is not licensed or privileged to do so shall be imprisoned for not more than three years or fined not more than \$2,000.00, or both.

~~(e)~~(f) A law enforcement officer shall not be prosecuted under subsection (a) of this section if ~~he or she~~ the law enforcement officer is authorized to serve civil or criminal process, including citations, summons, subpoenas, warrants, and other court orders, and the scope of ~~his or her~~ the law enforcement officer's entrance onto the land or place of another is ~~no~~ not more than necessary to effectuate the service of process.

## Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2024.

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.

### **Message from the House No. 45**

A message was received from the House of Representatives by Ms. Courtney Reckord, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has considered a bill originating in the Senate of the following title:

**S. 25.** An act relating to regulating cosmetic and menstrual products containing certain chemicals and chemical classes and textiles and athletic turf fields containing perfluoroalkyl and polyfluoroalkyl substances.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

The House has considered Senate proposal of amendment to the following House bill:

**H. 543.** An act relating to Vermont's adoption of the Social Work Licensure Compact.

And has concurred therein.

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

**H.C.R. 214.** House concurrent resolution congratulating the 2024 Hartford High School Hurricanes Division II championship boys' ice hockey team.

**H.C.R. 215.** House concurrent resolution congratulating the 2024 Hartford High School Hurricanes Division II championship girls' ice hockey team.

**H.C.R. 216.** House concurrent resolution congratulating the winning school teams of the 2024 Jr Iron Chef VT competition.

**H.C.R. 217.** House concurrent resolution recognizing April 18, 2024 as Electric Utility Lineworker Appreciation Day in Vermont.

**H.C.R. 218.** House concurrent resolution congratulating the Washington Electric Cooperative on its 85th anniversary.

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

#### **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. Christie and Cole,

By Senators Clarkson, Collamore, McCormack and White,

#### **H.C.R. 214.**

House concurrent resolution congratulating the 2024 Hartford High School Hurricanes Division II championship boys' ice hockey team.

By Reps. Christie and Cole,

By Senators Clarkson, Collamore, McCormack and White,

#### **H.C.R. 215.**

House concurrent resolution congratulating the 2024 Hartford High School Hurricanes Division II championship girls' ice hockey team.

By Reps. Sibilias and others,

**H.C.R. 216.**

House concurrent resolution congratulating the winning school teams of the 2024 Jr Iron Chef VT competition.

By Rep. Noyes,

By Senator Westman,

**H.C.R. 217.**

House concurrent resolution recognizing April 18, 2024 as Electric Utility Lineworker Appreciation Day in Vermont.

By Rep. Patt,

By Senator Perchlik,

**H.C.R. 218.**

House concurrent resolution congratulating the Washington Electric Cooperative on its 85th anniversary.

**Adjournment**

On motion of Senator Baruth, the Senate adjourned, to reconvene on Tuesday, April 16, 2024, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 52.