

Journal of the Senate

WEDNESDAY, APRIL 23, 2025

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Bill Referred to Committee on Appropriations

H. 488.

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 the fiscal year 2026 Transportation Program and miscellaneous changes to laws related to transportation.

Senate Resolution Referred

S.R. 14.

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

Offered by Senators Hardy, Collamore, Heffernan, Major and Plunkett,

S.R. 14. Senate resolution relating to strongly urging the U.S. Department of Agriculture (USDA) and the Centers for Disease Control and Prevention (CDC) to expedite the establishment and implementation of an avian influenza vaccine national reserve and distribution system for small-and medium-sized poultry farms.

Whereas, according to the USDA Animal and Plant Health Inspection Service (APHIS), there is an HPAI (highly pathogenic avian influenza) H5N1 virus present worldwide and outbreaks among U.S. domestic birds (including poultry) are continuing to occur, and

Whereas, as of April 9, 2025, the CDC reported that HPAI H5N1 had stricken 168,771,718 birds in commercial, hobbyist, and backyard poultry flocks in 1,680 outbreaks across the country, and

Whereas, the severity of this avian flu outbreak cannot be minimized, and

Whereas, to date, the CDC has assessed that HPAI H5N1 poses a low risk to humans, but nonetheless, one person has died, 70 cases have been reported, and the potential for additional human impact cannot be ignored, and

Whereas, APHIS has created a five-prong set of responses to the animal health crisis encompassing investment in gold-standard biosecurity measures for all U.S. poultry; increased relief to aid farmers and acceleration of repopulation; removal of unnecessary regulatory burdens on the chicken and egg industry to further innovation and reduce customer prices; the exploration of pathways toward vaccines, therapeutics, and other strategies for the protection of egg-laying chickens to reduce instances of depopulation; and the consideration of temporary import-export options to reduce costs and the evaluation of international best practices, and

Whereas, although these steps attempt to address aspects of the continuing presence of the HPAI H5N1 avian virus in the nation's poultry flocks, there must be a more comprehensive and direct measure to halt the spread and reduce, if not eliminate, the presence of the virus, and

Whereas, on February 14, 2025, the USDA issued a conditional license to Zoetis for an avian influenza vaccine, H5N2 Subtype, Killed Virus, intended for use in chickens, and

Whereas, although the approval is conditioned on the "demonstration of safety, purity, and reasonable expectation of efficacy based on serology data," the need for this vaccine is immediate, and

Whereas, this new Zoetis vaccine is an updated version of a vaccine originally issued in 2001 and 2002, when an avian influenza outbreak occurred in Southeast Asia, and

Whereas, in 2014 and 2015, during a prior avian flu outbreak, the federal government created a national avian flu vaccine stockpile, which, while not used, was ready for deployment, and

Whereas, the rapid federal distribution of COVID-19 vaccines demonstrates that, with the necessary planning, the complex logistics required for an accelerated national stockpiling/deployment of an avian flu vaccine is possible, and

Whereas, the continuing avian flu crisis and its impact on commercial, hobby, and backyard poultry flocks demands a decisive and prompt federal response, *now therefore be it*

Resolved by the Senate:

That the Senate of the State of Vermont strongly urges the USDA and the CDC to expedite the establishment and implementation of an avian influenza

vaccine national reserve and distribution system for small- and medium-sized poultry farms, *and be it further*

Resolved: That the Secretary of the Senate be directed to send a copy of this resolution to the U.S. Secretary of Agriculture; the Vermont Secretary of Agriculture, Food and Markets; the Acting Director of the CDC; and the Vermont Congressional Delegation.

Thereupon, the President, in his discretion, treated the resolution as a bill and referred it to the Committee on Agriculture.

Third Reading Ordered

H. 17.

Senator Collamore, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to approval of the adoption of the charter of the Town of Morristown.

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; Bill Passed in Concurrence with Proposal of Amendment

H. 13.

House bill entitled:

An act relating to Medicaid payment rates for home- and community-based service providers.

Was taken up.

Thereupon, pending third reading of the bill, Senators Gulick, Cummings, Douglass, Hart and Lyons move to amend the Senate proposal of amendment as follows:

First: By striking out Sec. 2, 33 V.S.A. § 911, in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. 33 V.S.A. § 911 is added to read:

§ 911. PAYMENT RATES FOR PROVIDERS OF COMMUNITY-BASED SERVICES

(a) The Secretary of Human Services shall calculate payment rates for providers of community-based services that are reasonable and adequate to

achieve the required outcomes for the populations they serve. When calculating these payment rates, the Secretary:

(1) for informational purposes, shall ensure that the calculations take into account factors that include:

(A) the reasonable cost of any governmental mandate that has been enacted, adopted, or imposed by any State or federal authority; and

(B) a cost adjustment factor to reflect changes in reasonable costs of goods to and services of providers of community-based services, including those attributed to inflation and labor market dynamics; and

(2) may consider geographic differences in wages, benefits, housing, and real estate costs in each region of the State.

(b) The Secretary shall establish a methodology for calculating payment rates for providers of community-based services in accordance with this section. The methodology shall:

(1) provide a schedule for conducting studies of the Medicaid reimbursement rates paid to the providers of community-based services, including the rates' adequacy and their underlying methodologies, that includes studying the rates paid to providers for each type of service at least once every five years;

(2) set forth a predictable timeline for redetermination of base rates;

(3) include a process for calculating an annual inflationary rate adjustment;

(4) to the extent permitted by the Centers for Medicare and Medicaid Services, take into account the financial needs of providers whose reimbursements may be negatively affected by client absences; and

(5) use Vermont labor market rates and Vermont costs of operation.

(c) The Secretary shall establish a process by which a provider of community-based services whose financial condition places it at imminent risk of closure may request provider stabilization from the Agency.

(d) The Secretary shall recalculate the payment rates for providers of community-based services in accordance with this section at least annually and shall report those rates, and the amounts necessary to fund them, to the House Committees on Appropriations, on Human Services, and on Health Care and the Senate Committees on Appropriations and on Health and Welfare annually as part of the Agency's budget presentation.

Second: In Sec. 3, 18 V.S.A. § 8914, preceding “the Departments of Health’s,” by striking out “determine” and inserting in lieu thereof “calculate”

Third: In Sec. 4, payment rates for providers of community-based services; update on implementation; report, following “developed for,” by striking out “determining” and inserting in lieu thereof “calculating”

Which was agreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Bill Passed in Concurrence

H. 21.

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

An act relating to service of writs of possession.

Proposal of Amendment; Bill Passed in Concurrence with Proposal of Amendment

H. 206.

House bill entitled:

An act relating to the Uniform Commercial Code.

Was taken up.

Thereupon, pending third reading of the bill, Senators Cummings, Beck, Brock, Chittenden, Gulick, Hardy, and Mattos move that the Senate propose to the House that the bill be amended as follows:

First: In Sec. 11, transitional provisions for articles 9 and 12 of the Uniform Commercial Code amendments, in subdivision (b)(1)(A), following “transaction validly entered into”, by inserting “before”

Second: In Sec. 11, transitional provisions for articles 9 and 12 of the Uniform Commercial Code amendments, in subdivision (d)(2), following “as amended by this act, on”, by striking out “July 1, 2025”

Which was agreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Bill Passed in Concurrence with Proposal of Amendment**H. 463.**

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

An act relating to technical corrections for the 2025 legislative session.

Point of Privilege Journalized

During announcements, on a point of personal privilege, Senator Major addressed the Chair, and on motion of Senator Hardy, his remarks were entered into the Journal and are as follows:

“Thank you Mr. President,

“I rise today not just as the Vice Chair of this chamber’s Agriculture Committee, but as a proud member of the Vermont community, where generations of farmers have worked the land with grit, heart, and unshakable hope.

“And today, I come to this floor not with hope, but with heartbreak—and with fury. Because what has happened to our farmers over the past few months is not just an unfortunate byproduct of global economics. It’s not just ‘the way things go.’ No, what’s happened is nothing short of sabotage.

“And that sabotage came from 1600 Pennsylvania Avenue.

“Under the Trump administration, American farmers were handed a raw deal—over and over again. And no one felt it more than the small, family-owned farms of Vermont.

“Let’s talk about facts. Not tweets. Not talking points. Not political theater.

“Let’s talk about what actually happened.

“This administration launched a chaotic trade war with China, supposedly in the name of protecting American industry. But guess what? While billionaires flew to Mar-a-Lago, Vermont farmers’ work force was devastated by antiquated and often illegal immigration policies. Maple producers watched international orders vanish, tariffs gut their margins, and longstanding relationships dissolve overnight.

“We were told to be patient. That the pain was ‘short-term.’ But patience doesn’t pay the bills. Patience doesn’t stop the foreclosure notice. Patience doesn’t pass the farm down to the next generation—it buries it.

“In Trump’s prior administration he tossed around billion-dollar bailouts like they were doing farmers a favor—like they should be grateful. But let me

be clear: Vermont farmers don't want handouts. They want fair markets, stable policy, and a government that works with them, not against them.

“And then, there's climate policy—or more accurately, the complete abandonment of it. In Vermont, where we are on the front lines of a changing climate, our farmers are seeing floods one month and droughts the next. And what did President Trump do? He pulled us out of the Paris Agreement, rolled back protections, and told us climate change was a hoax. A hoax! You try telling that to a farmer who's lost \$55 million over two year period.

“But it didn't stop there.

“USDA programs were gutted. Cooperative Extension funding was slashed. Mental health resources for farmers? Neglected. Rural broadband expansion? Ignored. And now, we have the nerve to wonder why our young people are fleeing family farms, and why more farmers are turning in their boots for good?

“Mr. President, this isn't just bad policy—it's a betrayal.

“It's a betrayal of rural America. A betrayal of the people who grow our food, who steward our land, who do the work nobody else wants to do but everybody relies on.

“I say enough is enough.

“We in this Senate must hold Trump administration accountable. We must reject the politics of photo-ops and start passing policies that actually serve working families—policies that stabilize milk pricing, invest in climate-smart agriculture, expand local food systems, and yes—finally give our farmers the dignity and support they deserve.

“Vermont's agricultural future depends on it.

“And I, for one, won't stand by while more barns go dark, more fields lie empty, and more farmers give up hope.

“Thank you.”

Message from the House No. 48

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. 27. An act relating to medical debt relief and excluding medical debt from credit reports.

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

Adjournment

On motion of Senator Baruth, the Senate adjourned until one o'clock in the afternoon on Thursday, April 24, 2025.