

**JOURNAL OF THE SENATE**  
OF THE  
**STATE OF VERMONT**

**BIENNIAL SESSION, 2019**

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**STATE OF VERMONT**

**BUILDINGS AND GENERAL SERVICES,**

**MIDDLESEX, VERMONT**

**JOHN H. BLOOMER, JR.**  
**SECRETARY OF THE SENATE**

**VANESSA J. DAVISON**  
**JOURNAL CLERK**



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# Journal of the Senate

## Of the STATE OF VERMONT BIENNIAL SESSION, 2019

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WEDNESDAY, JANUARY 9, 2019

Pursuant to the provisions of the Constitution and the laws of the State of Vermont, the Senate convened at the State House at Montpelier, on the first Wednesday, after the first Monday, the 9th day of January in the year of two thousand nineteen.

At ten o'clock in the forenoon, eastern standard time, the Senate was called to order by the President, Lieutenant Governor David E. Zuckerman.

### Devotional Exercises

Devotional exercises were conducted by the Reverend Joan Javier-Duval of Montpelier.

### Pledge of Allegiance

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

### Roll Call

The roll of the Senate was thereupon called by the Secretary, John H. Bloomer, Jr., and it appeared that the following Senators were present.

Addison District	Senator Christopher A. Bray Senator Ruth Ellen Hardy
Bennington District	Senator Brian A. Campion Senator Richard W. Sears, Jr.
Caledonia District	Senator Joseph C. Benning Senator M. Jane Kitchel
Chittenden District	Senator Timothy R. Ashe Senator Philip E. Baruth Senator Deborah J. Ingram Senator Virginia V. Lyons Senator Christopher A. Pearson Senator Michael D. Sirotkin

Essex-Orleans District	Senator John S. Rodgers Senator Robert A. Starr
Franklin District	Senator Randolph D. Brock Senator Corey J. Parent
Grand Isle District	Senator Richard T. Mazza
Lamoille District	Senator Richard A. Westman
Orange District	Senator Mark A. MacDonald
Rutland District	Senator Brian P. Collamore Senator Cheryl Mazzariello Hooker Senator James L. McNeil
Washington District	Senator Ann E. Cummings Senator Andrew J. Perchlik Senator Anthony Pollina
Windham District	Senator Rebecca A. Balint Senator Jeanette K. White
Windsor District	Senator Alison Clarkson Senator Alice W. Nitka

#### **Oath Administered**

The Senators-elect were duly sworn by the Secretary and severally subscribed the oath of office.

#### **Election of Officers**

The President announced that the next order of business was the election of officers, and that nominations for Secretary were in order:

Senator Balint of Windham District nominated

**JOHN H. BLOOMER, JR.**

of the Town of Wallingford.

Senator Collamore of Rutland District seconded the nomination.

There being no further nominations, on motion of Senator Rodgers, the nominations were closed and the Assistant Secretary was instructed to cast one ballot for

**JOHN H. BLOOMER JR.**

of the Town of Wallingford, as Secretary of the Senate for the two years next ensuing.

Thereupon, he presented himself at the bar of the Senate and received the oath of office from the President.

**Election of President *Pro Tempore***

The President then announced that the next order of business was the election of a President *pro tempore*.

Senator Sears of Bennington District nominated

**TIMOTHY R. ASHE**

of Chittenden District.

Senator Pearson of Chittenden District seconded the nomination.

There being no further nominations, on motion of Senator Benning, the nominations were closed and the Secretary was instructed to cast one ballot for

**TIMOTHY R. ASHE**

of Chittenden District as President *pro tempore* of the Senate for the two years next ensuing.

Thereupon, he presented himself at the bar of the Senate and received the oath of office from the President.

**Election of Third Member of Committee on Committees**

The Senate then proceeded to the election of a Senator to serve with the President and President *pro tempore* as a member of the Committee on Committees, which appoints the standing committees of the Senate.

Senator Kitchel of Caledonia District nominated

**RICHARD T. MAZZA**

of Grand Isle District.

Senator Benning of Caledonia District seconded the nomination.

There being no further nominations, on motion of Senator Sears, the nominations were closed and the Secretary was instructed to cast one ballot for

**RICHARD T. MAZZA**

of Grand Isle District to serve with the President and President *pro tempore* as a member of the Committee on Committees.

Thereupon, he presented himself at the bar of the Senate and received the oath of office from the President.

**Appointments**

The President announced the appointment by the Secretary of

**STEVEN D. MARSHALL**

of Swanton, as Assistant Secretary of the Senate, and he presented himself at the bar of the Senate and received the oath of office from the Secretary.

The President announced the appointment by the Secretary of

**VANESSA J. DAVISON**

of Hardwick, as Journal Clerk, and

**HELEN E. ESTROFF**

of Montpelier, as Calendar Clerk, and

**PENNY M. CARPENTER**

of Waterbury, as Office Assistant.

**Senate Resolutions Adopted**

Senate resolutions of the following titles were severally offered, read and adopted, and are as follows:

By Senator Ashe,

**S.R. 1.** Senate resolution relating to the rules of the Senate.

***Resolved by the Senate:***

That the Senate be governed by the Permanent Rules of the Senate for the 2019 biennial session, as adopted in 1989, with amendments adopted in 1997, 2003, 2004, 2007, 2008, 2013 and 2016 until others are adopted.

By Senator Balint,

**S.R. 2.** Senate resolution relating to appointment of a committee to inform the Governor of the organization of the Senate.

***Resolved by the Senate:***

That a committee of four Senators be appointed by the President to wait upon His Excellency, the Governor, and to inform him that the Senate has organized and is ready on its part to proceed with the business of the session.



By Senator MacDonald,

**S.R. 3.** Senate resolution relating to informing the House of the organization of the Senate.

***Resolved by the Senate:***

That the Secretary be directed to inform the House of Representatives that a quorum of the Senate has assembled and organized by the election of **John H. Bloomer, Jr.**, of Wallingford, as Secretary, and **Timothy R. Ashe**, a Senator from Chittenden District, as President *pro tempore*, and is ready on its part to proceed with the business of the session.

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

Joint Senate resolutions of the following titles were severally offered, read and adopted on the part of the Senate, and are as follows:

By Senator Mazza,

**J.R.S. 1.** Joint resolution relating to joint rules.

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

That the joint rules of the Senate and the House as adopted in 2017 be adopted as the joint rules of this biennial session until others are adopted.

By Senator White,

**J.R.S. 2.** Joint resolution to provide for a Joint Assembly to receive the report of the committee appointed to canvass votes for state officers.

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

That the two Houses meet in Joint Assembly on Thursday, January 10, 2019, at ten o'clock in the forenoon to receive the report of the Joint Canvassing Committee appointed to canvass votes for Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts and Attorney General, and if it shall be declared by said Committee that there had been no election by the voters of any of said state officers, then to proceed forthwith to elect such officers as have not been elected by the voters.

By Senator Ashe,

**J.R.S. 3.** Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

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

That the two Houses meet in Joint Assembly on Thursday, January 10, 2019, at one o'clock and thirty minutes in the afternoon to receive the inaugural message of the Governor.

By Senator Ashe,

**J.R.S. 4.** Joint resolution relating to Town Meeting adjournment.

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

That when the two Houses adjourn on Friday, March 1, 2019, or Saturday, March 2, 2019, it be to meet again no later than Tuesday, March 12, 2019.

By Senator Kitchel,

**J.R.S. 5.** Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

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

That the two Houses meet in Joint Assembly on Thursday, January 24, 2019, at two o'clock in the afternoon to receive the budget message of the Governor.

#### **Committee Appointed**

Pursuant to the provisions of S.R. 2, the President appointed a Committee to wait upon His Excellency, the Governor, to inform him that the Senate is ready on its part to proceed with the business of the session:

Senator Balint  
 Senator MacDonald  
 Senator Benning  
 Senator Pollina

#### **Report of Committee**

Senator Balint, of Windham District, for the Committee appointed to wait upon His Excellency, the Governor, to inform him that the Senate is ready on its part to proceed with the business of the session, appeared at the bar of the Senate and reported that it had performed the duties assigned to it.

#### **Canvassing Committee Elected**

The President nominated as a committee on the part of the Senate to canvass votes for state officers,

Senator Hardy, of Addison District  
 Senator Campion, of Bennington District  
 Senator Benning, of Caledonia District  
 Senator Ingram, of Chittenden District  
 Senator Rodgers, of Essex-Orleans District

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Senator Parent, of Franklin District  
Senator Mazza, of Grand Isle District  
Senator Westman, of Lamoille District  
Senator MacDonald, of Orange District  
Senator McNeil, of Rutland District  
Senator Perchlik, of Washington District  
Senator White, of Windham District  
Senator Clarkson, of Windsor District

Thereupon, Senator Ashe moved that the nominees be elected by the Senate, which was agreed to.

Thereupon, the President declared the nominees elected, and the Committee so elected received the oath of office from the Secretary.

The President designated Senator White, of Windham District, as Chair of the Joint Canvassing Committee to canvass votes for state officers.

**Message from the House No. 1**

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:

A quorum of the House has assembled and organized by the election of

**Mitzi Johnson**

the Representative from South Hero, as Speaker, and

**William M. MaGill**

of Moretown, as Clerk, who in turn has appointed Melissa Kucserik of Montpelier as First Assistant Clerk and Rebecca Silbernagel of Fayston as Second Assistant Clerk, and is ready on its part to proceed with the business of the session.

**Message from the House No. 2**

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 House has considered joint resolutions originating in the Senate of the following titles:

**J.R.S. 1.** Joint resolution relating to joint rules.

**J.R.S. 2.** Joint resolution to provide for a Joint Assembly to receive the report of the committee appointed to canvass votes for state officers.

**J.R.S. 3.** Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

**J.R.S. 4.** Joint resolution relating to Town Meeting adjournment.

**J.R.S. 5.** Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

And has adopted the same in concurrence.

The House has appointed as members of the Joint Canvassing Committee on the part of the House to canvass votes for state officers:

**Canvassing Committee Elected**

Addison District	Elder of Starksboro Conlon of Cornwall Norris of Shoreham
Bennington District	Corcoran of Bennington James of Manchester Sullivan of Dorset
Caledonia District	Seymour of Sutton Martel of Waterford Copeland-Hanzas of Bradford
Chittenden District	Redmond of Essex Lalonde of South Burlington Mattos of Milton
Essex-Orleans District	Noyes of Wolcott Smith of Derby Quimby of Concord
Franklin District	McCarthy of St. Albans City Murphy of Fairfax Dickinson of St. Albans Town
Grand Isle District	Morgan of Milton Austin of Colchester Taylor of Colchester
Lamoille District	Yacovone of Morristown Rogers of Waterville Scheuermann of Stowe

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Orange District	Jickling of Randolph Demrow of Corinth Masland of Thetford
Rutland District	Harrison of Chittenden Cupoli of Rutland City Howard of Rutland City
Washington District	Walz of Barre City Donahue of Northfield Patt of Worcester
Windham District	Sibilia of Dover Coffey of Guilford Burke of Brattleboro
Windsor District	Haas of Rochester White of Hartford Nicoll of Ludlow

#### **Adjournment**

On motion of Senator Ashe, the Senate adjourned until eight o'clock and thirty minutes in the morning.

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#### **THURSDAY, JANUARY 10, 2019**

The Senate was called to order by the President.

#### **Devotional Exercises**

A moment of silence was observed in lieu of devotions.

#### **Recess**

On motion of Senator Balint the Senate recessed until 9:45 A.M.

#### **Called to Order**

The Senate was called to order by the President.

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

#### **J.R.S. 6.**

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. 6.** Joint resolution relating to weekend adjournment.

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

That when the two Houses adjourn on Friday, January 11, 2019, it be to meet again no later than Tuesday, January 15, 2019.

**Recess**

The Chair declared a recess until 9:50 A.M.

**Called to Order**

The Senate was called to order by the President.

**Joint Assembly**

At ten o'clock in the morning, the hour having arrived for the meeting of the two Houses in Joint Assembly pursuant to:

**J.R.S. 2.** Joint resolution to provide for a Joint Assembly to receive the report of the committee appointed to canvass votes for state officers.

The Senate repaired to the hall of the House.

Having returned therefrom, at ten o'clock and twenty minutes in the morning, the President assumed the Chair.

**Recess**

The Chair declared a recess until 11:25 A.M.

**Called to Order**

The Senate was called to order by the President *pro tempore*.

**Incoming President Takes Oath of Office**

Senator Balint moved that the President *pro tempore* appoint a Committee of two Senators to wait upon His Excellency, David E. Zuckerman, Lieutenant Governor-elect, and escort him to the bar of the Senate.

Which was agreed to.

Thereupon, the President *pro tempore* appointed as members of such Committee:

Senator MacDonald

Senator Benning

The Committee appointed to wait upon His Excellency, David E. Zuckerman, Lieutenant Governor-elect, performed the duties assigned to it and appeared at the bar of the Senate accompanied by His Excellency, David E. Zuckerman, who took and subscribed the oath of office required by the

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Constitution from Senator Rebecca A. Balint, long-time friend and colleague of the Lieutenant Governor.

**Remarks of Incoming Lieutenant Governor David E. Zuckerman  
Journalized**

Thereupon, the incoming President addressed the Senate, assuring his full cooperation and accommodation on a nonpartisan and objective basis, and, on motion of Senator Ashe, his remarks were ordered entered in the Journal, and are as follows:

“Good morning - It is my distinct honor and pleasure to preside before you for another Biennium. As is true for all of you, I do not arrive here without the help of many people: my family, friends, neighbors and most importantly, the thousands of Vermonters from around the state who have placed their trust in me. To all of them, I extend a hearty thank you.

“We are so fortunate here in Vermont to have a healthy democracy. Our job is to maintain that trust, preserved by our ability to work together. Service to Vermont will guide us over the hurdles and across the ravines that we face on this challenging yet incredibly important journey. Our broad decisions affect individual Vermonters. Senators of all three parties have shown that you can and do work closely and collaboratively to meet the needs of all Vermonters. We know that when we work together, recognize the unique perspective each person brings, dedicate ourselves to a process of honesty and inclusion and remember we were elected to serve Vermonters, we make Vermont a better place for everyone.

“As we enter the New Year, the World is witnessing from Washington the exact opposite of how our democracy should operate. Around the Country and here in Vermont we have felt the negative consequences of last-minute gamesmanship and a deep partisan divide that’s been brought on by financial interests, ego and sound bite politics. Right now in Vermont, 1,491 Federal employees are working without pay to maintain the services and programs we rely on. Many more Vermont-based Federal contractors are out of work completely. With our Town Meeting tradition and our pride in democracy, Vermont can and must be an example for Washington. Our citizens deserve to be more than political pawns.

“This Biennium we have the opportunity to pass legislation that will ease the struggle for many. Affordability has two parts; expenses and income. We can and must work on both. Since 1980, while the wealthiest have seen their incomes climb dramatically, working class Vermonters have seen their incomes remain flat. The most tangible ways we can improve affordability for working Vermonters is by raising the minimum wage and enacting Universal

Healthcare. When wages increase just 50¢ an hour, a full-time worker adds \$1000 to their pocket over the year. Enacting paid family leave would also have a direct and positive impact on families around our state.

“In Vermont, and in this Chamber, we know how to nurture and strengthen our democracy. In the past when Vermonters have struggled, we came together. We know what we need:

- We need more job training opportunities for Vermonters ready to fill the 10,000 job vacancies we currently have.
- We need clean water for personal health and agriculture and our recreational and tourist economies. Water is life.
- We need broadband extended into more corners of Vermont to boost our rural economy and support our farms.
- We have a planet that is telling us we must change our fossil fuel consumption and we need to respond by investing to meet climate goals already in statute.
- All Vermonters, our businesses, municipalities, schools and personal households need affordable and efficient healthcare.
- We need all members of our state treated fairly and with equal justice in; education, employment, religion, housing and criminal justice, regardless of where they are from, who they love or the color of their skin.

“We have everything we need to make progress right here in this Chamber. We each bring our knowledge and skills to the table. Every day we bring our commitment to and love for this great state into this building. We can do this.

- Let’s find ways to make home ownership possible for more Vermonters. This alone is one of the greatest steps to economic security.
- Let’s seize the opportunity to improve our infrastructure, including broadband, in a way that reduces fossil fuel dependency, recognizes the challenges of those living in rural communities, and improves affordability for hard working Vermonters.
- Let’s continue to recognize our Veterans and First Responders and seek further opportunities to recruit, retain and reward those who serve to protect us and maintain our freedoms and opportunities.
- When we recognize our implicit biases and change our Constitution and laws, we can improve the daily life for all our citizens.



- We can thoughtfully examine and carefully amend our Constitution to reflect the 21<sup>st</sup> century by guaranteeing equal protections under the law for everyone, including women, people of color and LGBTQ sisters and brothers and removing all mention of slavery from its doctrine.

“All of this is possible. In this building and from political leaders of all parties I’ve experienced great collaboration, seen impressive, thoughtful and diligent debate and been inspired by the dedication of all who serve. In the future we will be judged by how we came together and the positive results we achieved for all Vermonters. This is a new beginning, and we have been entrusted to find solutions and rebuild faith in our democratic institutions. I look forward to working with you, and for you, during the next two years. Thank you for this opportunity and responsibility.”

#### **Appointment**

The President announced the appointment of

#### **MEGAN POLYTE**

of Burlington, as Chief of Staff to the incoming President.

#### **Recess**

On motion of Senator Ashe the Senate recessed until 1:25 P.M.

#### **Called to Order**

The Senate was called to order by the President.

#### **Joint Assembly**

At one o'clock and thirty minutes in the afternoon, the hour having arrived for the meeting of the two Houses in Joint Assembly pursuant to:

**J.R.S. 3.** Joint resolution to provide for a Joint Assembly to hear the inaugural message of the Governor.

The Senate repaired to the hall of the House.

Having returned therefrom, at three o'clock and twenty minutes in the afternoon, the President assumed the Chair.

#### **Recess**

On motion of Senator Ashe the Senate recessed until the fall of the gavel.

#### **Called to Order**

The Senate was called to order by the President.

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**Standing Committees Appointed**

The President, on behalf of the Committee on Committees, reported the appointment of the standing committees, as follows:

**Agriculture**

A.M.	Senator Starr, Chair Pearson, Vice-Chair Pollina Collamore Hardy	Room 26
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**Appropriations**

P.M.	Senator Kitchel, Chair Nitka, Vice-Chair Sears Starr McCormack Westman Ashe	Room 5
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**Economic Development, Housing and General Affairs**

A.M.	Senator Sirotkin, Chair Clarkson, Vice-Chair Balint Brock Hooker	Room 27
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**Education**

P.M.	Senator Baruth, Chair Ingram, Vice-Chair Hardy McNeil Parent Perchlik	Room 28
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**Finance**

P.M.	Senator Cummings, Chair MacDonald, Vice-Chair Sirotkin Campion Balint Brock Pearson	Room 6
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**Government Operations**

P.M. Senator White, Chair Room 4  
Pollina, Vice-Chair  
Bray  
Clarkson  
Collamore

**Health and Welfare**

A.M. Senator Lyons, Chair Room 17  
Westman, Vice-Chair  
Cummings  
McCormack  
Ingram

**Institutions**

P.M. Senator Benning, Chair Room 7  
Rodgers, Vice-Chair  
Mazza  
Lyons  
Hooker

**Judiciary**

A.M. Senator Sears, Chair Room 1  
Nitka, Vice-Chair  
White  
Benning  
Baruth

**Natural Resources and Energy**

A.M. Senator Bray, Chair Room 8  
Campion, Vice-Chair  
MacDonald  
Rodgers  
Parent

**Transportation**

A.M. Senator Mazza, Chair Room 3  
Ashe, Vice-Chair  
Kitchel  
Perchlik  
McNeil

**Adjournment**

On motion of Senator Ashe, the Senate adjourned until nine o'clock and thirty minutes in the morning.

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**FRIDAY, JANUARY 11, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

A moment of silence was observed in lieu of devotions.

**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 Sears and Ashe,

**S.C.R. 1.**

Senate concurrent resolution congratulating the Boston Red Sox on winning the 2018 World Series.

**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. Marcotte and Page,

By Senators Rodgers and Starr,

**H.C.R. 1.**

House concurrent resolution honoring Newport City Fire Department Lieutenant James LeClair Jr. and Firefighter Ryan Abel on their successful September 2018 rescue effort.

By Reps. Sibilina and others,

**H.C.R. 2.**

House concurrent resolution designating January 2019 as School Board Recognition Month in Vermont.

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By Reps. Burke and others,

By Senators Balint and White,

**H.C.R. 3.**

House concurrent resolution congratulating the Winston Prouty Center for Child and Family Development on its 50th anniversary.

By Rep. Toof,

By Senator Parent,

**H.C.R. 4.**

House concurrent resolution honoring Mary Ann Dion for her leadership in the Vermont insurance industry.

By Reps. Pugh and others,

**H.C.R. 5.**

House concurrent resolution honoring Trevor Whipple on the completion of his extraordinary law enforcement career.

By Reps. Stevens and others,

**H.C.R. 6.**

House concurrent resolution designating January 16, 2019 as Homelessness Awareness Day at the State House.

**Message from the House No. 3**

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

**J.R.S. 6.** Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

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

**H.C.R. 1.** House concurrent resolution honoring Newport City Fire Department Lieutenant James LeClair Jr. and Firefighter Ryan Abel on their successful September 2018 rescue effort.

**H.C.R. 2.** House concurrent resolution designating January 2019 as School Board Recognition Month in Vermont.

**H.C.R. 3.** House concurrent resolution congratulating the Winston Prouty Center for Child and Family Development on its 50th anniversary.

**H.C.R. 4.** House concurrent resolution honoring Mary Ann Dion for her leadership in the Vermont insurance industry.

**H.C.R. 5.** House concurrent resolution honoring Trevor Whipple on the completion of his extraordinary law enforcement career.

**H.C.R. 6.** House concurrent resolution designating January 16, 2019 as Homelessness Awareness Day at the State House.

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

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

**S.C.R. 1.** Senate concurrent resolution congratulating the Boston Red Sox on winning the 2018 World Series.

And has adopted the same in concurrence.

### **Adjournment**

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, January 15, 2019, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 6.

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## **TUESDAY, JANUARY 15, 2019**

The Senate was called to order by the President.

### **Devotional Exercises**

Devotional exercises were conducted by the Reverend Daniel Jordan of Williston.

### **Pledge of Allegiance**

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

### **Oath Administered to Thirtieth Senate Member**

The President stated that the first order of business was to complete the composition of the body, and bring it to a full complement of 30 members.

Whereupon, he directed the Secretary to administer the oath of office to the thirtieth member, the Senator-elect from Windsor District, Richard J. McCormack.

Thereupon, the thirtieth Senator-elect presented himself at the bar of the Senate and was duly sworn by the Secretary and subscribed the oath of office.

### **Standing Committee Appointed**

The President, on behalf of the Committee on Committees, announced the appointment of a standing committee as follows:

#### **Rules**

At Call                      Senator Ashe, Chair  
                                    Mazza, Vice-Chair  
                                    Balint  
                                    MacDonald  
                                    Benning

### **Appointment of Senate Members to Joint Rules Committee**

The President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Rules Committee for terms of two years pursuant to the provisions of Joint Rule No. 5:

Senator Ashe, *ex officio*  
Senator Mazza  
Senator Balint  
Senator Benning

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

#### **J.R.S. 7.**

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. 7.** Joint resolution relating to weekend adjournment.

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

That when the two Houses adjourn on Friday, January 18, 2019, it be to meet again no later than Tuesday, January 22, 2019.

### **Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 1.**

By Senator Rodgers,

An act relating to repealing a sunset related to transporting large capacity ammunition feeding devices into Vermont for shooting competitions.

To the Committee on Judiciary.

**S. 2.**

By Senator Rodgers,

An act relating to the transfer by will of large capacity ammunition feeding devices.

To the Committee on Judiciary.

**S. 3.**

By Senator Rodgers,

An act relating to amending the definition of large capacity ammunition feeding devices.

To the Committee on Judiciary.

**S. 4.**

By Senators Ingram and Lyons,

An act relating to amending the charge of the Advisory Council on Child Poverty and Strengthening Families.

To the Committee on Health and Welfare.

**S. 5.**

By Senator Lyons,

An act relating to prohibiting the involuntary sterilization of individuals with an intellectual disability.

To the Committee on Health and Welfare.

**S. 6.**

By Senator Lyons,

An act relating to implementation of the Bright Futures Guidelines.

To the Committee on Health and Welfare.



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**S. 7.**

By Senator Lyons,

An act relating to the evaluation of social service integration with accountable care organizations.

To the Committee on Health and Welfare.

**S. 8.**

By Senator White,

An act relating to the qualifications of candidates for Adjutant and Inspector General.

To the Committee on Government Operations.

**S. 9.**

By Senator Baruth,

An act relating to conducting background checks for home study programs.

To the Committee on Education.

**S. 10.**

By Senator Baruth,

An act relating to prekindergarten education.

To the Committee on Education.

**S. 11.**

By Senators Ashe, Benning and Sirotkin,

An act relating to limiting senatorial districts to a maximum of three members.

To the Committee on Government Operations.

**S. 12.**

By Senator Ashe,

An act relating to the State Energy Management Program.

To the Committee on Natural Resources and Energy.

**Adjournment**

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Wednesday, January 16, 2019.

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**WEDNESDAY, JANUARY 16, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

Devotional exercises were conducted by the Reverend Mark Pitton of Sharon.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 13.**

By Senator Rodgers,

An act relating to the transfer of large capacity ammunition feeding devices between immediate family members.

To the Committee on Judiciary.

**S. 14.**

By Senator Ashe,

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

To the Committee on Health and Welfare.

**S. 15.**

By Senator Sirotkin,

An act relating to unemployment compensation.

To the Committee on Finance.

**S. 16.**

By Senator Ashe,

An act relating to alternatives to animal testing.

To the Committee on Economic Development, Housing and General Affairs.

**S. 17.**

By Senator Sears,

An act relating to filing fees for petitions to expunge or seal a criminal history record.

To the Committee on Judiciary.

**S. 18.**

By Senators Pearson, Sears, Perchlik and Sirotkin,

An act relating to consumer justice enforcement.

To the Committee on Judiciary.

**S. 19.**

By Senator Sears,

An act relating to violent habitual criminals.

To the Committee on Judiciary.

**S. 20.**

By Senator Sears,

An act relating to bank robbery.

To the Committee on Judiciary.

**S. 21.**

By Senator White,

An act relating to establishing the Public Employee Health Benefit Plan.

To the Committee on Government Operations.

**S. 22.**

By Senators Baruth, Clarkson and Hardy,

An act relating to firearms.

To the Committee on Judiciary.

**S. 23.**

By Senators Sirotkin, Balint, Baruth, Bray, Clarkson, Cummings, Hardy, Hooker, Ingram, Lyons, MacDonald, McCormack, Pearson, Perchlik, Pollina and White,

An act relating to increasing the minimum wage.

To the Committee on Economic Development, Housing and General Affairs.

**S. 24.**

By Senators Collamore, Hooker, McNeil and Sears,

An act relating to naming the Courthouse located at 9 Merchants Row in Rutland.

To the Committee on Institutions.

**S. 25.**

By Senator Baruth,

An act relating to the right to have an abortion.

To the Committee on Health and Welfare.

**Message from the House No. 4**

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

**J.R.S. 7.** Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

**Adjournment**

On motion of Senator Ashe, the Senate adjourned until twelve o'clock and thirty minutes in the afternoon on Thursday, January 17, 2019.

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**THURSDAY, JANUARY 17, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

Devotional exercises were conducted by the Rabbi Tobi M. Weisman of Montpelier.

**Recess**

The Chair declared a recess until the fall of the gavel.

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**Called to Order**

The Senate was called to order by the President *pro tempore*.

**Proposed Amendment to the Constitution Introduced**

The Proposed Amendment to the Constitution of the State of Vermont designated Proposal 1 was introduced, read the first time and referred:

By Senators Ashe, Balint, Brock, Campion, Collamore, Hardy, Ingram, Sears, Sirotkin, Starr, and Westman,

**PROPOSAL 1**

## Sec. 1. PURPOSE

(a) This proposal would amend the Constitution of the State of Vermont to provide the Governor with a four-year term of office, beginning in the year 2024.

(b) This proposal would also amend Chapter II, Section 43 of the Vermont Constitution to clarify that Assistant Judges, Sheriffs, States Attorneys, and Judges of Probate—who already have a four-year term of office—are elected every four years.

Sec. 2. Section 43 of Chapter II of the Vermont Constitution is amended to read:

§ 43. [~~BIENNIAL ELECTIONS~~]

~~The Governor, Lieutenant-Governor, Treasurer, Secretary of State, Auditor of Accounts, Senators, Town Representatives, shall be elected every four years on the first Tuesday next after the first Monday of November, beginning in A.D. 2024.~~

The Lieutenant-Governor, Treasurer, Secretary of State, Auditor of Accounts, Senators, Representatives, High Bailiffs, and Justices of the Peace shall be elected biennially on the first Tuesday next after the first Monday of November, beginning in A.D. 2022.

~~Assistant Judges of the County Court, Sheriffs, High Bailiffs, State's Attorneys, and Judges of Probate and Justices of the Peace, shall be elected biennially every four years on the first Tuesday next after the first Monday of November, beginning in A.D. 1914 2022.~~

Sec. 3. Section 47 of Chapter II of the Vermont Constitution is amended to read:

## § 47. [ELECTION OF GOVERNOR, LIEUTENANT-GOVERNOR, AND TREASURER]

The voters of each town shall, on the day of the election ~~for choosing Representatives to attend the General Assembly,~~ bring in their votes for Governor, with the name fairly written, to the Constable, who shall seal them up, and write on them, *Votes for Governor*, and deliver them to the Representatives chosen to attend the General Assembly; and at the opening of the General Assembly, there shall be a committee appointed out of the Senate and House of Representatives, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, sort, and count the votes for Governor, and declare the person who has the major part of the votes, to be Governor for the ~~two~~ four years ensuing. The Lieutenant-Governor and the Treasurer shall be chosen in the manner above directed for the two years ensuing.

The votes for Governor, Lieutenant-Governor, and Treasurer, of the State, shall be sorted and counted, and the result declared, by a committee appointed by the Senate and House of Representatives.

If, at any time, there shall be no election, of Governor, Lieutenant-Governor, or Treasurer, of the State, the Senate and House of Representatives shall by a joint ballot, elect to fill the office, not filled as aforesaid, one of the three candidates for such office (if there be so many) for whom the greatest number of votes shall have been returned.

Sec. 4. Section 48 of Chapter II of the Vermont Constitution is amended to read:

§ 48. [ELECTION OF SECRETARY OF STATE AND AUDITOR OF ACCOUNTS]

The Secretary of State and the Auditor of Accounts shall be elected by the voters of the State upon the same ticket with the ~~Governor,~~ Lieutenant-Governor and Treasurer; and the Legislature shall carry this provision into effect by appropriate legislation.

Sec. 5. Section 49 of Chapter II of the Vermont Constitution is amended to read:

§ 49. [TERM OF GOVERNOR, LIEUTENANT-GOVERNOR, AND TREASURER]

The term of office of the Governor, shall be four years, and the terms of office of the Lieutenant-Governor and Treasurer of the State, respectively, shall be two years. The terms of these officers shall commence when they shall be chosen and qualified, and shall continue for the duration of their term ~~of two years,~~ or until their successors shall be chosen and qualified, or to the adjournment of the session of the Legislature at which, by the Constitution and

laws, their successors are required to be chosen, and not after such adjournment.

#### Sec. 6. EFFECTIVE DATE

The amendments set forth in this proposal shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

To the Committee on Government Operations.

### **Proposed Amendment to the Constitution Introduced**

The Proposed Amendment to the Constitution of the State of Vermont designated as Proposal 2 was introduced, read the first time and referred:

By Senators Ingram, Ashe, Kitchel, Balint, Baruth, Benning, Bray, Brock, Campion, Clarkson, Collamore, Hardy, Hooker, Lyons, Mazza, Parent, Pearson, Perchlik, Pollina, Rodgers, Sears, Sirotkin, Starr, and White,

### **PROPOSAL 2**

#### Sec. 1. HISTORY; PURPOSE

(a) History. While Vermont was the first state to include a prohibition on slavery in its Constitution in 1777, it was only a partial prohibition, applicable to adults reaching a certain age, “unless bound by the person’s own consent, after arriving to such age, or bound by law for the payment of debts, damages, fines, costs, or the like.” The 13th Amendment to the U.S. Constitution, ratified in 1865, prohibited slavery within the United States “except as a punishment for crime whereof the party shall have been duly convicted[.]” Despite subsequent revisions to it, the Vermont Constitution continues to contain only a partial prohibition on slavery.

(b) Purpose. This proposal would amend the Constitution of the State of Vermont to eliminate reference to slavery. Eliminating reference to slavery in the Vermont Constitution will serve as a foundation for addressing systemic racism in our State’s laws and institutions.

Sec. 2. Article 1 of Chapter I of the Vermont Constitution is amended to read:

Article 1. [All persons born free; their natural rights; ~~slavery prohibited~~]

That all persons are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety; ~~therefore no person born in this country, or brought from over sea, ought to be holden by law, to serve any~~

~~person as a servant, slave or apprentice, after arriving to the age of twenty-one years, unless bound by the person's own consent, after arriving to such age, or bound by law for the payment of debts, damages, fines, costs, or the like.~~

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

To the Committee on Government Operations.

**Proposed Amendment to the Constitution Introduced**

The Proposed Amendment to the Constitution of the State of Vermont designated as Proposal 3 was introduced, read the first time and referred:

By Senators Benning and McCormack,

**PROPOSAL 3**

Sec. 1. PURPOSE

This proposal would amend the Constitution of the State of Vermont specifically to provide that each individual has a right to privacy, including the right to keep personal information private; to communicate with others privately; and to make decisions concerning his or her body. The proposal shall not be construed to modify the public's right of access to public records and open meetings as provided by law.

Sec. 2. Article 22 of Chapter I of the Vermont Constitution is added to read:

Article 22. [RIGHT TO PRIVACY]

That each individual has a right to privacy that shall not be infringed without the showing of a compelling State interest. This right includes the individual's right to keep personal information private; to communicate with others privately; and to make decisions concerning his or her body.

Sec. 3. EFFECTIVE DATE

The amendment set forth in Sec. 2 shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people of this State in accordance with the provisions of 17 V.S.A. chapter 32.

To the Committee on Judiciary.



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**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 26.**

By Senators Baruth, Clarkson, Hardy and Ingram,  
An act relating to firearms and three-dimensional printers.  
To the Committee on Judiciary.

**S. 27.**

By Senators Cummings and MacDonald,  
An act relating to maintaining the home health agency provider tax.  
To the Committee on Finance.

**S. 28.**

By Senator White,  
An act relating to selling or dispensing a regulated drug with death resulting.  
To the Committee on Judiciary.

**S. 29.**

By Senators Pearson, Balint and Clarkson,  
An act relating to trade in covered animal parts or products.  
To the Committee on Economic Development, Housing and General Affairs.

**S. 30.**

By Senators Pearson and Ashe,  
An act relating to the regulation of hydrofluorocarbons.  
To the Committee on Natural Resources and Energy.

**Adjournment**

On motion of Senator Mazza, the Senate adjourned until eleven o'clock and thirty minutes in the morning.

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**FRIDAY, JANUARY 18, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

Devotional exercises were conducted by the Reverend Stannard Baker of Burlington.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 31.**

By Senator Pearson,

An act relating to requiring hospitals to provide certain financial information to patients and prohibiting surprise billing for emergency medical services.

To the Committee on Health and Welfare.

**S. 32.**

By Senator Pearson,

An act relating to the public financing of campaigns.

To the Committee on Government Operations.

**S. 33.**

By Senator Baruth,

An act relating to lowering the rate of increase for mobile home lot rents.

To the Committee on Economic Development, Housing and General Affairs.

**S. 34.**

By Senators Benning, Collamore, McCormack, McNeil and Parent,

An act relating to shared parental rights and responsibilities.

To the Committee on Judiciary.

**S. 35.**

By Senator Baruth,

An act relating to the use of employer-provided benefits.

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To the Committee on Economic Development, Housing and General Affairs.

**S. 36.**

By Senator Baruth,

An act relating to collective bargaining.

To the Committee on Economic Development, Housing and General Affairs.

**S. 37.**

By Senators Campion, Sears and Bray,

An act relating to medical monitoring damages.

To the Committee on Judiciary.

**S. 38.**

By Senators Pollina, Hardy, Ingram, Pearson and Perchlik,

An act relating to the creation of a tuition-free scholarship program for Vermont students.

To the Committee on Education.

**S. 39.**

By Senators Pollina and Perchlik,

An act relating to voter approval of school district mergers ordered by the State Board of Education under Act 46.

To the Committee on Education.

**S. 40.**

By Senators Campion, Ashe, Bray, Clarkson, Lyons and Sears,

An act relating to testing and remediation of lead in the drinking water of schools and child care facilities.

To the Committee on Education.

**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:

**S.C.R. 2.**

Senate concurrent resolution honoring former Vermont State Police Major Glenn Hall for three decades of exemplary public service.

**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. Myers and others,

**H.C.R. 7.**

House concurrent resolution congratulating the Essex High School Hornets girls' volleyball team on winning its second consecutive State championship.

By Reps. Grad and Pugh,

**H.C.R. 8.**

House concurrent resolution recognizing January as National Stalking Awareness Month in Vermont.

By All Members of the House,

**H.C.R. 9.**

House concurrent resolution in memory of Representative James O'Neill Condon of Colchester.

By Reps. Fagan and others,

By Senators Collamore, Hooker and McNeil,

**H.C.R. 10.**

House concurrent resolution congratulating Team Mooney of the Rutland Rocks Curling Club on winning the 2018 Grand National Curling Club Arena Championship.

By Reps. Sullivan and others,

**H.C.R. 11.**

House concurrent resolution honoring Jamie Heath of Barre for her personal perseverance and unique literary contribution to the Make-A-Wish Foundation.

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By Rep. LaClair,

**H.C.R. 12.**

House concurrent resolution recognizing the important health care contribution of Nurse Anesthetists in Vermont.

By Rep. Wood,

**H.C.R. 13.**

House concurrent resolution designating January 23, 2019 as Vermont Retired State Employees Association Day at the State House.

By Rep. Webb,

**H.C.R. 14.**

House concurrent resolution recognizing the important work of MENTOR Vermont and designating January 23, 2019 as Mentoring Day at the State House.

By Rep. Sullivan,

**H.C.R. 15.**

House concurrent resolution honoring James Hathaway for his dedication to improving the lives of children.

By Reps. Partridge and Trieber,

**H.C.R. 16.**

House concurrent resolution congratulating the Women's Community Club of Grafton on its centennial.

By Reps. Myers and others,

**H.C.R. 17.**

House concurrent resolution congratulating the Essex High School Hornets boys' cross country team on winning a second consecutive Division I championship.

By Reps. Partridge and others,

**H.C.R. 18.**

House concurrent resolution congratulating American Legion Pierce Lawton Post #37 in Bellows Falls on its centennial.

By Reps. Till and others,

**H.C.R. 19.**

House concurrent resolution congratulating Vermont Army National Guard Sergeant First Class Damien Larose of Westford for his fire rescue bravery.

**Message from the House No. 5**

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 House has adopted House concurrent resolutions of the following titles:

**H.C.R. 7.** House concurrent resolution congratulating the Essex High School Hornets girls' volleyball team on winning its second consecutive State championship.

**H.C.R. 8.** House concurrent resolution recognizing January as National Stalking Awareness Month in Vermont.

**H.C.R. 9.** House concurrent resolution in memory of Representative James O'Neill Condon of Colchester.

**H.C.R. 10.** House concurrent resolution congratulating Team Mooney of the Rutland Rocks Curling Club on winning the 2018 Grand National Curling Club Arena Championship.

**H.C.R. 11.** House concurrent resolution honoring Jamie Heath of Barre for her personal perseverance and unique literary contribution to the Make-A-Wish Foundation.

**H.C.R. 12.** House concurrent resolution recognizing the important health care contribution of Nurse Anesthetists in Vermont.

**H.C.R. 13.** House concurrent resolution designating January 23, 2019 as Vermont Retired State Employees Association Day at the State House.

**H.C.R. 14.** House concurrent resolution recognizing the important work of MENTOR Vermont and designating January 23, 2019 as Mentoring Day at the State House.

**H.C.R. 15.** House concurrent resolution honoring James Hathaway for his dedication to improving the lives of children.

**H.C.R. 16.** House concurrent resolution congratulating the Women's Community Club of Grafton on its centennial.

**H.C.R. 17.** House concurrent resolution congratulating the Essex High School Hornets boys' cross country team on winning a second consecutive Division I championship.

**H.C.R. 18.** House concurrent resolution congratulating American Legion Pierce Lawton Post #37 in Bellows Falls on its centennial.

**H.C.R. 19.** House concurrent resolution congratulating Vermont Army National Guard Sergeant First Class Damien Larose of Westford for his fire rescue bravery.

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

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

**S.C.R. 2.** Senate concurrent resolution honoring former Vermont State Police Major Glenn Hall for three decades of exemplary public service.

And has adopted the same in concurrence.

### **Adjournment**

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, January 22, 2019, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 7.

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## **TUESDAY, JANUARY 22, 2019**

The Senate was called to order by the President.

### **Devotional Exercises**

Devotional exercises were conducted by the Reverend Thomas Harty of Bethel.

### **Pledge of Allegiance**

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

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

#### **J.R.S. 8.**

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. 8.** Joint resolution relating to weekend adjournment.

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

That when the two Houses adjourn on Friday, January 25, 2019, it be to meet again no later than Tuesday, January 29, 2019.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 41.**

By Senators Bray, Balint, Baruth, Benning, Campion and Ingram,

An act relating to regulating entities that administer health reimbursement arrangements.

To the Committee on Finance.

**S. 42.**

By Senators Lyons, Cummings, Ingram, McCormack and Westman,

An act relating to requiring at least one member of the Green Mountain Care Board to be a health care professional.

To the Committee on Health and Welfare.

**S. 43.**

By Senators Lyons, Cummings, Ingram, McCormack and Westman,

An act relating to prohibiting prior authorization requirements for medication-assisted treatment.

To the Committee on Health and Welfare.

**S. 44.**

By Senators Cummings, McCormack and Westman,

An act relating to the administration of influenza immunizations by pharmacists.

To the Committee on Health and Welfare.

**S. 45.**

By Senators Ingram and Baruth,

An act relating to the eligibility of students attending approved independent schools that are parochial schools to be eligible for dual enrollment courses.

To the Committee on Education.



**S. 46.**

By Senators Pollina, Balint, Hardy, Ingram and Perchlik,

An act relating to ethnic and social equity studies standards for public schools.

To the Committee on Education.

**S. 47.**

By Senators Pearson, Pollina, Bray and Perchlik,

An act relating to the persons authorized to make contributions to candidates and political parties.

To the Committee on Government Operations.

**S. 48.**

By Senator Pollina,

An act relating to authorizing a person with a temporary physical disability to take game from a motor vehicle.

To the Committee on Natural Resources and Energy.

**Adjournment**

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Wednesday, January 23, 2019.

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**WEDNESDAY, JANUARY 23, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

Devotional exercises were conducted by the Reverend Bruce Wilkinson of St. Albans.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 49.**

By Senators Bray, Balint, Campion and MacDonald,

An act relating to the regulation of polyfluoroalkyl substances in drinking and surface waters.

To the Committee on Natural Resources and Energy.

**S. 50.**

By Senators Brock, Balint, Benning, Bray, McCormack, Parent, Pollina, Rodgers, Starr, Westman and White,

An act relating to the extension of the deadline of school district mergers required by the State Board of Education.

To the Committee on Education.

**S. 51.**

By Senators Brock, Benning, McCormack, Parent, Pollina, Rodgers, Starr and Westman,

An act relating to placing a moratorium on school district mergers ordered by the State Board of Education.

To the Committee on Education.

**S. 52.**

By Senators Pollina and Pearson,

An act relating to creating an education property tax that is adjusted by income for all taxpayers.

To the Committee on Finance.

**Message from the House No. 6**

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

**J.R.S. 8.** Joint resolution relating to weekend adjournment.

And has adopted the same in concurrence.

**Adjournment**

On motion of Senator Ashe, the Senate adjourned until one o'clock and fifty minutes in the afternoon on Thursday, January 24, 2019.

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**THURSDAY, JANUARY 24, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

Devotional exercises were conducted by the Reverend Kim Kie of Barre.

**Committee Relieved of Further Consideration; Bill Committed****S. 15.**

On motion of Senator Cummings, the Committee on Finance was relieved of further consideration of Senate bill entitled:

An act relating to unemployment compensation,

and the bill was committed to the Committee on Economic Development, Housing and General Affairs.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 53.**

By Senator Ashe,

An act relating to increasing the proportion of health care spending allocated to primary care.

To the Committee on Health and Welfare.

**S. 54.**

By Senators Sears, Ashe, Benning, Pearson, Rodgers, White, Balint, Baruth, Campion, Clarkson, Cummings, Hardy, Hooker, Perchlik, and Westman,

An act relating to the regulation of cannabis.

To the Committee on Judiciary.

**Joint Assembly**

At two o'clock in the afternoon, the hour having arrived for the meeting of the two Houses in Joint Assembly pursuant to:

**J.R.S. 5.** Joint resolution to provide for a Joint Assembly to hear the budget message of the Governor.

The Senate repaired to the hall of the House.

Having returned therefrom, at two o'clock and fifty minutes in the afternoon, the President assumed the Chair.

**Appointment of Senate Members to Legislative Committee on Judicial Rules**

Pursuant to the provisions of 12 V.S.A. § 3, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Legislative Committee on Judicial Rules for terms of two (2) years ending February 1, 2021:

Senator Sears  
Senator Balint  
Senator Benning  
Senator Clarkson

**Appointment of Senate Member to Vermont State Infrastructure Bank Board**

Pursuant to the provisions of 10 V.S.A. § 280e(b)(2), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Vermont State Infrastructure Bank Board for a term of two years:

Senator Balint

**Appointment of Senate Members to Joint Fiscal Committee**

Pursuant to the provisions of 2 V.S.A. § 501, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Fiscal Committee for terms of two years ending February 1, 2021:

Senator Cummings, *ex officio*  
Senator Sears  
Senator Kitchel, *ex officio*  
Senator Ashe  
Senator Westman

**Appointment of Senate Members to Commission on Alzheimer's Disease and Related Disorders**

Pursuant to the provisions of 3 V.S.A. § 3085b(b), the President announced the appointment by the President of the following Senator to serve on the Commission on Alzheimer's Disease and Related Disorders during this biennium:

Senator Brock

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**Adjournment**

On motion of Senator Ashe, the Senate adjourned until eleven o'clock and thirty minutes in the morning.

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**FRIDAY, JANUARY 25, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

A moment of silence was observed in lieu of devotions.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 55.**

By Senators Lyons, Campion, Balint, Bray, Cummings, Ingram, McCormack, Pearson, Pollina and Sears,

An act relating to the regulation of toxic substances and hazardous materials.

To the Committee on Health and Welfare.

**S. 56.**

By Senators Perchlik and Lyons,

An act relating to the use of colored signal lamps on fire department and emergency medical service vehicles.

To the Committee on Transportation.

**S. 57.**

By Senators Rodgers and Pearson,

An act relating to limiting drug-related criminal liability and civil forfeiture actions against persons associated with an approved safer drug consumption program.

To the Committee on Judiciary.

**S. 58.**

By Senator Rodgers,

An act relating to the State hemp program.

To the Committee on Agriculture.

**Message from the House No. 7**

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 House has adopted House concurrent resolutions of the following titles:

**H.C.R. 20.** House concurrent resolution congratulating the Champlain Valley Union High School Redhawks girls' cross-country team on a historic 2018 championship season.

**H.C.R. 21.** House concurrent resolution honoring the Kelly Brush Foundation for its contributions to adaptive sports and the safety of ski racing.

**H.C.R. 22.** House concurrent resolution congratulating the Champlain Valley Union High School Redhawks girls' soccer team on winning its second consecutive Division I championship.

**H.C.R. 23.** House concurrent resolution designating Wednesday, January 30, 2019 as Mental Health Advocacy Day at the State House.

**H.C.R. 24.** House concurrent resolution honoring Aaron Adler for his exemplary public service as an attorney in Vermont State government.

**H.C.R. 25.** House concurrent resolution designating January 25, 2019 as Vermont Pharmacists Day at the State House.

**H.C.R. 26.** House concurrent resolution honoring former Representative and Groton Town Moderator Mary E. Grant for her exemplary career in community and public service.

**H.C.R. 27.** House concurrent resolution honoring Forrest B. Randall of Springfield for his leadership in solid waste management governance.

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:

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By Reps. Yantachka and others,

By Senators Lyons, Ashe, Baruth, Ingram, Pearson and Sirotkin,

**H.C.R. 20.**

House concurrent resolution congratulating the Champlain Valley Union High School Redhawks girls' cross-country team on a historic 2018 championship season.

By Rep. Yantachka,

**H.C.R. 21.**

House concurrent resolution honoring the Kelly Brush Foundation for its contributions to adaptive sports and the safety of ski racing.

By Reps. Yantachka and others,

By Senators Lyons, Ashe, Baruth, Ingram, Pearson and Sirotkin,

**H.C.R. 22.**

House concurrent resolution congratulating the Champlain Valley Union High School Redhawks girls' soccer team on winning its second consecutive Division I championship.

By the Committee on Health Care,

**H.C.R. 23.**

House concurrent resolution designating Wednesday, January 30, 2019 as Mental Health Advocacy Day at the State House.

By Reps. Sullivan and others,

By All Members of the Senate,

**H.C.R. 24.**

House concurrent resolution honoring Aaron Adler for his exemplary public service as an attorney in Vermont State government.

By Rep. Patt,

**H.C.R. 25.**

House concurrent resolution designating January 25, 2019 as Vermont Pharmacists Day at the State House.

By Reps. Conquest and others,

By Senators Kitchel, Benning, Rodgers, Starr and Westman,

**H.C.R. 26.**

House concurrent resolution honoring former Representative and Groton Town Moderator Mary E. Grant for her exemplary career in community and public service.

By Reps. Forguites and others,

**H.C.R. 27.**

House concurrent resolution honoring Forrest B. Randall of Springfield for his leadership in solid waste management governance.

**Adjournment**

On motion of Senator Ashe, the Senate adjourned, to reconvene on Tuesday, January 29, 2019, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 8.

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**TUESDAY, JANUARY 29, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

Devotional exercises were conducted by the Reverend Adrienne Carr of Underhill.

**Pledge of Allegiance**

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

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

**J.R.S. 9.**

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. 9.** Joint resolution relating to weekend adjournment.

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

That when the two Houses adjourn on Friday, February 1, 2019, it be to meet again no later than Tuesday, February 5, 2019.



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**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 59.**

By Senators Sirotkin, Balint, Campion, Collamore and Pearson,

An act relating to the creation of the Sports Betting Study Committee.

To the Committee on Economic Development, Housing and General Affairs.

**S. 60.**

By Senators Pollina and Bray,

An act relating to expanding the scope of the beverage container redemption system.

To the Committee on Natural Resources and Energy.

**Adjournment**

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Wednesday, January 30, 2019.

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**WEDNESDAY, JANUARY 30, 2019**

The Senate was called to order by the President.

**Devotional Exercises**

Devotional exercises were conducted by the Reverend Rosaire Bisson of Barre.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 61.**

By Senators Westman, Cummings, Kitchel and Lyons,

An act relating to providing meals to health care providers at conferences.

To the Committee on Health and Welfare.

**S. 62.**

By Senator Perchlik,

An act relating to the administration of immunizations by pharmacists.

To the Committee on Health and Welfare.

### **Adjournment**

On motion of Senator Ashe, the Senate adjourned until one o'clock in the afternoon on Thursday, January 31, 2019.

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### **THURSDAY, JANUARY 31, 2019**

Pursuant to the Senate Rules, in the absence of the President, the Senate was called to order by the President *pro tempore*.

### **Devotional Exercises**

Devotional exercises were conducted by the Reverend Deborah McKinley of East Craftsbury.

### **Joint Resolutions Placed on Calendar**

Joint Senate resolutions of the following titles were severally offered, read the first time and are as follows:

By Senator Ashe,

**J.R.S. 10.** Joint resolution providing for the election of a Sergeant at Arms, an Adjutant and Inspector General, and three Trustees of the University of Vermont and State Agricultural College.

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

That the two Houses meet in Joint Assembly on Thursday, February 21, 2019, at ten o'clock and thirty minutes in the forenoon to elect a Sergeant at Arms, an Adjutant and Inspector General, and three trustees of the University of Vermont and State Agricultural College. In case election of all such officers shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until all such officers are elected.

By Senator Ashe,

**J.R.S. 11.** Joint resolution establishing a procedure for the conduct of the election of UVM trustees by plurality vote by the General Assembly in 2019.

*Whereas*, in 1997 the election of three trustees of the University of Vermont and State Agricultural College was decided by plurality vote, which required one ballot only, and

*Whereas*, in 1999 the election of three trustees of the University of Vermont and State Agricultural College was decided by majority vote, which required a total of eight ballots, and

*Whereas*, in 2001 and subsequent bienniums the elections of three trustees of the University of Vermont and State Agricultural College were decided by plurality vote, each of which required one ballot only, and

*Whereas*, if an election for multiple vacancies is to be decided by a plurality vote, then a great savings of time can be effectuated, *now therefore be it*

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

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of three trustees of the University of Vermont and State Agricultural College at a Joint Assembly to be held on February 21, 2019, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be three.

(2) The three candidates receiving the most votes shall be declared elected to fill the three vacancies.

(3) In the event that the first balloting for the Trustee vacancies results in a tie vote for one or more of the three vacant positions, then voting shall continue on successive ballots until the vacancies have been filled, again by election declared of those candidates receiving the most votes.

Thereupon, in the discretion of the President, under Rule 51, the joint resolutions were severally placed on the Calendar for action tomorrow.

**Bills Introduced**

Senate bills of the following titles were severally introduced, read the first time and referred:

**S. 63.**

By Senators Sears and Campion,

An act relating to expanding dual enrollment to students who attend schools outside of Vermont.

To the Committee on Education.

**S. 64.**

By Senator Westman,

An act relating to presuit mediation of disputes related to access to landlocked property.

To the Committee on Judiciary.

**S. 65.**

By Senators Lyons, Ingram and McCormack,

An act relating to banning baby bumper pads.

To the Committee on Health and Welfare.

**S. 66.**

By Senators Clarkson, Ingram, McCormack and Pollina,

An act relating to fossil fuel infrastructure.

To the Committee on Natural Resources and Energy.

**S. 67.**

By Senators Sirotkin, Brock and MacDonald,

An act relating to the property transfer tax.

To the Committee on Finance.

**S. 68.**

By Senators Ingram, Clarkson, Hardy and Pollina,

An act relating to Indigenous Peoples' Day.

To the Committee on Government Operations.

**Bill Amended; Third Reading Ordered****S. 14.**

Senator Westman, for the Committee on Health and Welfare, to which was referred Senate bill entitled:

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

Reported recommending that the bill be amended in Sec. 1, Sec. 2. CERTIFICATE OF NEED WORK GROUP; MORATORIUM, in subsection (d), by striking out the following: "2022" and inserting in lieu thereof the following: 2025

And that when so amended the bill ought to pass.

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

**Appointment of Senate Member to the Access Board**

Pursuant to the provisions of 20 V.S.A. § 2901, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Access Board for a term of two years:

Senator Benning, *ex officio*

**Appointment of Senate Member to Art in State Buildings Advisory Panel**

Pursuant to the provisions of 29 V.S.A. § 47, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Art in State Buildings Advisory Panel during this biennium:

Senator Hooker

**Appointment of Senate Member to the Barre Granite and Ethnic Culture Museum Steering Committee**

Pursuant to the provisions of Sec. 6(a)(7) of No. 233 of the Acts of 1994, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Barre Granite and Ethnic Culture Museum Steering Committee during this biennium:

Senator Benning, *ex officio*

Senator Cummings

Senator Perchlik

Senator Pollina

**Appointment of Senate Member to the Building Bright Futures Council**

Pursuant to the provisions of 33 V.S.A. § 4602(a)(8), the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Building Bright Futures Council during this biennium:

Senator Westman

**Appointment of Senate Members to Committee to Oversee Planning and Design of the State House**

Pursuant to the provisions of Act No. 43, § 28(b) (Acts of 2005), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Committee to Oversee Planning and Design of the State House:

Senator Benning, *ex officio*  
Senator Rodgers, *ex officio*  
Senator Perchlik

**Appointment of Senate Members to Government Accountability Committee**

Pursuant to the provisions of Sec. 5(b) of No. 206 of the Acts of 2008, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Legislative Government Accountability for the current biennium:

Senator White  
Senator Collamore  
Senator Nitka  
Senator Brock

**Appointment of Senate Member to the Governor's Criminal Justice and Substance Abuse Cabinet**

Pursuant to the provisions of Executive Order No. 3-61, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator as a member of the Governor's Criminal Justice and Substance Abuse Cabinet during this biennium:

Senator Sears

**Appointment of Senate Member to Governor's Snowmobile Council**

Pursuant to the provisions of 23 V.S.A. § 3216, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Governor's Snowmobile Council for a term of two years:

Senator Kitchel

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**Appointment of Senate Members to Green Mountain Care Board  
Nominating Committee**

Pursuant to the provisions of 18 V.S.A. § 9390, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Green Mountain Care Board Nominating Committee, for a term of two years:

Senator Pearson  
Senator Lyons

**Appointment of Senate Members to Health Reform Oversight Committee**

Pursuant to the provisions of 2 V.S.A. § 691(2)(4)(6)(8), the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Health Reform Oversight Committee:

Senator Kitchel  
Senator Cummings  
Senator Lyons  
Senator Westman

**Appointment of Senate Member to Human Services and Educational  
Facilities Grant Advisory Committee**

Pursuant to the provisions of 24 V.S.A. § 5606, the President, on behalf of the Committee on Committees, announced the appointment of the following Senator to serve on the Human Services and Educational Facilities Grant Advisory Committee:

Senator Hooker

**Appointment of Senate Members to the Joint Committee on Judicial  
Retention**

Pursuant to the provisions of 4 V.S.A. § 607, the President, on behalf of the Committee on Committees, announced the appointment of the following Senators to serve on the Joint Committee on Judicial Retention during this biennium:

Senator Nitka  
Senator Hardy  
Senator Benning  
Senator McCormack

**Appointment of Senate Members to the Joint Information Technology  
Oversight Committee**

Pursuant to the provisions of 2 V.S.A. § 614(b)(2), the President, on behalf of the Committee on Committees, announced the appointment of the following