

Journal of the Senate

FRIDAY, FEBRUARY 2, 2024

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Rabbi Jan Salzman of Burlington.

Message from the House No. 13

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 passed a House bill of the following title:

H. 363. An act relating to prohibiting discrimination based on certain hair types and styles.

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

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

J.R.S. 42. Joint resolution relating to weekend adjournment on February 2, 2024.

And has adopted the same in concurrence.

Message from the House No. 14

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 adopted House concurrent resolutions of the following titles:

H.C.R. 144. House concurrent resolution designating February 8, 2024 as Farm to School and Farm to Early Childhood Awareness Day at the State House.

H.C.R. 145. House concurrent resolution congratulating the 2023 Harwood Union High School championship bass fishing team.

H.C.R. 146. House concurrent resolution congratulating the 2023 Harwood Union High School Division II boys' championship soccer team.

H.C.R. 147. House concurrent resolution honoring the organizations and individuals working to resolve Vermont's rural broadband access crisis through communications union districts.

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

Bill Referred

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

H. 363.

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

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

Bill Amended; Third Reading Ordered

S. 256.

Senator Chittenden, for the Committee on Transportation, to which was referred Senate bill entitled:

An act relating to Department of Motor Vehicles credentials and number plates with veteran designations.

Reported recommending that the bill be amended as follows:

First: That a new Sec. 1 be inserted before existing Sec. 1 to read as follows:

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly for the State to properly honor veterans, which includes Vermonters who have served in the active military, naval, air, or space service, and who have been discharged or released from active service under conditions other than dishonorable, where active military, naval, air, or space service includes:

(1) active duty;

(2) any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty; and

(3) any period of inactive duty training during which the individual concerned was disabled or died from an injury incurred or aggravated in line of duty or from an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident occurring during such training.

(b) It is also the intent of the General Assembly that the Department of Motor Vehicles and the Vermont Office of Veterans' Affairs:

(1) jointly determine which specialty plates should be offered to veterans so as to ensure specific recognition for those who have received a military award or decoration and those who have served in combat; and

(2) allow for a means for a veteran to request that a new specialty plate be designed and offered to veterans when an existing specialty plate does not provide for specific recognition of the veteran.

Second: By renumbering the remaining sections to be numerically correct.

Third: By striking out renumbered Sec. 4, 23 V.S.A. § 304, in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. 23 V.S.A. § 304 is amended to read:

§ 304. REGISTRATION CERTIFICATES; NUMBER PLATES; VANITY
AND OTHER SPECIAL PLATES

* * *

(j) The Commissioner of Motor Vehicles shall, upon proper application, issue special plates to Vermont veterans, as defined in 38 U.S.C. § 101(2) and including an individual disabled during active military, naval, air, or space service, as defined in 38 U.S.C. § 101(24), and to members of the U.S. Armed Forces, as defined in 38 U.S.C. § 101(10), for use on vehicles registered at the pleasure car rate, on vehicles registered at the motorcycle rate, and on trucks registered for less than 26,001 pounds and excluding vehicles registered under the International Registration Plan. The type and style of the plate plates shall be determined by the Commissioner, except that an American flag, or a veteran or military-related emblem selected by the Commissioner and the Vermont Office of Veterans' Affairs shall appear on one side of the plate. At a minimum, emblems shall be available to recognize recipients of the Purple Heart, Pearl Harbor survivors, former prisoners of war, and disabled veterans. An applicant shall apply on a form prescribed by the Commissioner, and the applicant's eligibility as a member of one of the groups recognized will be certified by the Office of Veterans' Affairs. The plates shall be reissued only to the original holder of the plates or the surviving spouse. The Commissioner may adopt rules to implement the provisions of this subsection. Except for new or renewed registrations, applications for the issuance of plates under this subsection shall be processed in the order received by the Department subject

to normal workflow considerations. The costs associated with developing new emblems shall be borne by the Department of Motor Vehicles.

* * *

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 recommendations of amendment were collectively agreed to, and third reading of the bill was ordered.

Appointments Confirmed

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

The nomination of

Battles, Benjamin D. of Waterbury - Superior Judge - December 12, 2023 to March 31, 2026.

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

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

Roll Call

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

Those Senators who voted in the negative were: None.

Those Senators absent and not voting were: Hashim, Mazza, Ram Hinsdale.

The nomination of

Malone, Rachel Marie of South Burlington - Superior Judge - December 12, 2023 to March 31, 2026.

Was confirmed by the Senate on a roll call, Yeas 29, Nays 0.

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

Roll Call

Those Senators who voted in the affirmative were: Baruth, Bray, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy,

Harrison, Hashim, Ingalls, Kitchel, Lyons, MacDonald, McCormack, Norris, Perchlik, Ram Hinsdale, Sears, Starr, Vyhovsky, Watson, Weeks, Westman, White, Williams, Wrenner.

Those Senators who voted in the negative were: None.

The Senator absent and not voting was: Mazza.

The nomination of

Thibault, Rory Thomas of Cabot - Superior Judge - June 9, 2023 to March 31, 2029.

Was confirmed by the Senate on a roll call, Yeas 29, Nays 0.

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

Roll Call

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

Those Senators who voted in the negative were: None.

The Senator absent and not voting was: Mazza.

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 Rep. Surprenant,

H.C.R. 144.

House concurrent resolution designating February 8, 2024 as Farm to School and Farm to Early Childhood Awareness Day at the State House.

By Reps. Stevens and others,

H.C.R. 145.

House concurrent resolution congratulating the 2023 Harwood Union High School championship bass fishing team.

By Reps. Stevens and others,

H.C.R. 146.

House concurrent resolution congratulating the 2023 Harwood Union High School Division II boys' championship soccer team.

By Reps. Masland and others,

H.C.R. 147.

House concurrent resolution honoring the organizations and individuals working to resolve Vermont's rural broadband access crisis through communications union districts.

Adjournment

On motion of Senator Baruth, the Senate adjourned, to reconvene on Tuesday, February 6, 2024, at nine o'clock and thirty minutes in the forenoon pursuant to J.R.S. 42.